

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Legislative Record

OF THE

Eightieth Legislature

OF THE

State of Maine

1921

AUGUSTA
KENNEBEC JOURNAL PRINT
1921

ERRATA:

**The following errata are
inserted because one or more pages
in this session day have errors
noticed and corrected here.**

ERRATA

Page 154, column	1, line 17, for Chapter "199" read "198."
" 163, "	2, after order by Mr. Winter, read "Tabled on motion of Mr. Buzzell of Belfast."
" 174, "	1, line 8, for "Lewiston" read "Rockland."
" 194, "	1, " 24, for "Sewall" read "Newall."
" 197, "	2, " 50, for "insurance" read "issuance."
" 267, "	2, " second Act referred to Inland Fisheries and Game was referred to Judiciary Committee.
" 305, "	1, " 42, for "Boys" read "Girls."
" 305, "	1, " 45, "H. 169" should read "H. 165."
" 511, "	2, " 2, for "H. 106" read "H. 160."
" 586, "	1, " 13, for "St. Albans" read "St. Agatha."
" 591, "	2, " 23, for "1919" read "1909."
" 602, "	2, " 12, for "enacted" read "engrossed."
" 617, "	1, " 46, for "322" read "332."
" 650, "	2, " 31, for "H. 336" read "H. 366."
" 662, "	2, " 26, for "Barrington" read "Harrington."
" 692, "	2, " 35, for "H. 236" read "H. 336."
" 694, "	1, " 2, for "S. 154" read "S. 155."
" 716, "	2, " 3, for "Mr. Perham" read "Mr. Bragdon of Perham."
" 772, "	1, " 24, for "same" read "Committee on Appropriations and Financial Affairs."
" 869, "	1, " 50, insert "Finally passed."
" 902, "	1, " 24, for "Clark" read "Barton."
" 902, "	1, " 40, for "S. 185" read "S. 184."
" 928, "	1, " 51, for "343" read "243."
" 949, "	1, " 43, for "Merton's" read "Martin's."
" 954, "	1, " 44, insert "ought not to pass."
" 958, "	2, " 20, for "179" read "181."
" 958, "	2, " 28, for "178" read "179."
" 967, "	2, " 49, for "S. D. 198" read "S. D. 180."
" 981, "	2, " 10, for "\$300" read "\$300,000."
" 1000, "	2, " 47, for "Portland" read "Biddeford."
" 1005, "	2, " 42, for "salaries" read "selection."
" 1142, "	1, " 40, for "H. D. 465" read "H. D. 456."
" 1169, "	2, " 2, for "Fogg" read "Forbes."
" 1191, "	2, lines 3 and 11, for "engrossed" read "enacted."
" 1191, "	2, line 20, for "finally passed" read "passed to be enacted."
" 1191, "	2, lines 31, 40, 48, for "engrossed" read "finally passed."
" 1211, "	2, " 12 and 13, "National Guard" should read "Nash and Viles."
" 1280, "	1, line 14, for "bald" read "bomb."
" 1321, "	1, " 35, for "lighting Long and Big Lakes" read "Lewy, Long and Big Lakes."
" 1373, "	2, " 42, for "Arthur B. Forbes" read "Arthur E. Forbes."
" 1376, "	2, " 14, for "S. D. 161" read "S. D. 167."
" 1409, "	2, " 36, for "Chapter 178" read "Chapter 238."

SENATE

Saturday, April 9, 1921.

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

Prayer by Rev. E. H. M. Knapp of Augusta.

Journal of previous session read and approved.

From the House: Resolve in favor of the Augusta State hospital for maintenance during the years 1921, 1922 and 1923. In the Senate this bill was passed to be enacted. It was reconsidered by the House, and House Amendment "A" was adopted.

The secretary read House Amendment "A."

Mr. FARRINGTON of Kennebec: Mr. President, the committee on Insane Hospitals, in reporting the resolves for the maintenance of the two institutions, one at Augusta and one at Bangor, followed the budget and put aside although they felt other resolves would have been well worthy—followed the budget absolutely, but felt that it was fair, inasmuch as it is a question whether the budget will take care of the institutions properly or not,—followed the idea of having any appropriation for the six months' period that might have a balance at the end of the six months' period go over into the next period, and so on. Now this amendment changes that so that any balance at the end of any particular period simply lapses, and they have not the right under this amendment to use any unexpended balance from one period into the next period.

The committee felt that it might be possible that the budget would not adequately take care of the institutions but we took the chance and reported the budget.

Now I am making this statement so that the Senate may understand what the effect of this amendment is. I am not going to make any motion as the chairman of the committee on insane hospitals that we reject the amendment, but I want the

Senate when we vote to understand what that amendment means.

Mr. ALLEN: Mr. President, I would like to inquire if that is a House amendment?

The PRESIDENT: House Amendment "A." They have taken it from the Governor and added House Amendment "A." We have enacted it.

Mr. ALLEN: Mr. President, does anybody know who proposed the amendment?

The PRESIDENT: There is nothing on the bill that would indicate. This amendment has been appended to several different bills of this nature in the past few days.

Mr. PARENT of Androscoggin: Mr. President, I move that we non-concur with the House in the adoption of the amendment.

The motion was agreed to by a viva voce vote.

Mr. GILLIN of Penobscot: Mr. President and members of the Senate, I rise to introduce a resolve out of order, and through the distinguished President of this distinguished body I ask the privilege of reading it.

The PRESIDENT: The senator will please read the resolve.

Mr. Gillin read the Resolve:

"April 9th., 1921.

STATE OF MAINE

In the Year of our Lord One Thousand Nine Hundred Twenty-One.

Resolve, Providing for the Erection and Completion of a State School Building for the State School for Boys at South Portland.

Whereas, the school facilities at the State School for Boys at South Portland are inadequate to meet present requirements, and

Whereas, in the opinion of the Legislature this fact constitutes this Resolve an emergency measure, which is immediately necessary for the preservation of the public peace, health and safety, now therefore

Resolved, that the sum of ten thousand dollars be appropriated for

the erection and completion of a school building at the State School for Boys at South Portland, provided that a like sum be donated to the State for this purpose by the Hon. Arthur R. Gould of Presque Isle." (Long and continued applause.)

Mr. GOULD: Thank you, gentlemen.

Mr. GILLIN: (Continuing) "The plans of the school building to be submitted to the Governor and Council and to the said Arthur R. Gould for their joint approval. The construction and completion of said building to be under the supervision and control of a committee to be appointed by the Governor, consisting of the Hon. Arthur R. Gould as Chairman, and two members of the Executive Council. This appropriation to be available during the period of January 1, 1921 to June 30, 1922.

In view of the emergency cited in the Preamble, this Resolve shall take effect when approved."

Mr. President, as I present this resolve through the page of the Senate to the President and the members of the Senate, permit me to say a few words pertaining to it.

I am proud of the great county of Aroostook in whose midst I was born, and throughout the length and breadth of which, in many towns, I had the privilege of teaching their children in the common schools, whose foundations must make glad all this land of liberty. The people from one end of the great county to the other surely have chosen a distinguished representative with the other two distinguished Senators to represent that great people in the 80th Legislature of the State of Maine, and I am so proud of him and the people whom he and the other two Senators of his county represent, that my tongue fails me and I will say no more.

(Applause)

The PRESIDENT: The Senator from Penobscot, Senator Gillin, moves that the rules be suspended and that the resolve without printing

take its several readings at this time and pass to be engrossed, and then be sent forthwith to the House for their concurrent action.

The motion was agreed to by a rising vote, and the resolve was given its several readings and passed to be engrossed.

From the House: Resolve authorizing the payment of certain deficiencies. This resolve was passed to be enacted by the Senate. It was recalled from the Governor by the House and House Amendment "A" was adopted.

The Secretary read House Amendment "A."

On motion by Mr. Thompson of Knox the rules were suspended, and the Senate reconsidered its action by which it passed this resolve to be enacted and to be engrossed, and on further motion by the same Senator, House Amendment "A" was adopted and the resolve as amended was passed to be engrossed.

From the House: An Act relating to Martin's Point Bridge so-called in the county of Cumberland, amending Section 2, Chapter 89 of the Private and Special Laws of 1919. In the Senate this was passed to be enacted. In the House Amendment "A" was adopted.

House Amendment "A" was read by the President.

On motion by the Senator from Cumberland, Senator Morrill, the Senate suspended the rules and reconsidered its action whereby this bill was passed to be enacted and passed to be engrossed, and 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: Resolve in favor of the commissioners of pharmacy. In the Senate this was indefinitely postponed. The House insisted on its former action and asked for a committee of conference.

Mr. THOMBS of Penobscot: Mr. President, inasmuch as I was responsible last night for the motion to indefinitely postpone, I move that we

insist and join with them in a committee of conference.

The motion was agreed to and the Chair appointed as such committee of conference Messrs. Thombs of Penobscot, Hall of Franklin, and Clark of Lincoln.

From the House: An Act appropriating moneys for the expenditures of the Government and for other purposes for the period from January 1, 1921, to June 30, 1921. In the House this was read three times under suspension of the rules and passed to be engrossed.

The PRESIDENT: This is a long document. Anybody is entitled to have it read or to examine it. Evidently it is one of the appropriation bills.

On motion by Mr. Allen of York, under suspension of the rules, the bill was given its several readings and passed to be engrossed.

Reports of Committees

Mr. Stevens from the committee on Ways and Bridges on Bill, An Act to amend Section 113 of Chapter 24 of the Revised Statutes, relating to regulation of advertising signs, reported that the same ought not to pass.

Mr. Adams from the same committee on that part of the Governor's Message referring to Ways and Bridges reported that the same be placed on file.

The reports were accepted and sent down for concurrence.

The committee of Conference on the disagreeing action of the two branches of the Legislature, on An Act to establish the Commission of Foreign and Domestic Commerce (Senate Doc. No. 199), reported that the House recede and concur with the Senate in the passage of this Act.

(Signed) Messrs. GOULD,
GILLIN,
BAXTER,
on the part of the Senate.
CRAFTS,
WEEKS,
on the part of the House.

The report was accepted and sent down for concurrence.

Passed to Be Enacted

An Act to Apportion Representatives to Congress.

An Act Additional to Chapters 219 and 244 of the Public Laws of 1917, as Amended by Chapter 196 of the Public Laws of 1919, Relating to Ice Fishing in China Lake, Including that Portion of said Lake Known as Mud Pond.

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 Chapter 61 of the Public Laws of 1919, Relating to the Protection of Wild Birds.

An Act to Amend Chapter 164 of the Private and Special Laws of 1915, Providing for the Establishment of a Board of Recreation for the City of Portland.

Finally Passed

Resolve, for the Pay of the Chaplains of the Senate of the 80th Legislature.

Resolve, in Favor of George A. Dow and Francis C. Colburn, Document Clerks, for Extra Services in Preparing Weekly Cumulative Index to Senate and House Documents.

Resolve, providing for the Purchase of Reports of the Centennial Celebration of the Maine State Bar Association.

(Tabled temporarily by Mr. Sprague of Piscataquis.)

Resolve, in Favor of James H. Burgess of Bangor, Penobscot County, State of Maine for Civil Pension.

Resolve, in Favor of Arthur B. Forbes, Secretary of the committee on State Sanatoriums, for Expenses of Committee.

Resolve, in favor of certain officers of the House of Representatives of the Seventy-ninth Legislature for services at the organization of the House at the Eightieth Legislature.

Resolve, in favor of Richard T. Dunning, secretary to Committee on State School for Boys, State School for Girls and State Reformatories.

Resolve, authorizing Austin W.

Jones company to bring a suit at law, against the State of Maine.

Resolve, in favor of Charles J. Dain, secretary of Committee on School for Feeble-Minded.

Passed to Be Enacted
(Emergency Measure)

An Act to amend Section 1 of Chapter 57 of the Public Laws of 1921, entitled "An Act to provide funds for operating the Fish Hatcheries and Feeding Stations for Fish."

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

"Resolve, in favor of the Gardiner-Randolph draw bridge."

This resolve carrying the emergency clause required the two-thirds vote of the members of the Senate on its passage. Twenty-four senators voting in the affirmative and none in the negative, the resolve was finally passed.

"Resolve, in favor of the Western Maine Sanatorium."

This resolve carrying the emergency clause required the two-thirds vote of the members of the Senate on its passage. Twenty-four senators voting in the affirmative and none in the negative, the resolve was finally passed.

Mr. SPRAGUE of Piscataquis: Mr. President, I move to take from the table the Resolve temporarily tabled by me, providing for the purchase of reports of the Centennial Celebration of the Maine State Bar Association.

The motion was agreed to.

On motion by the same senator, the action of the Senate whereby this resolve was passed to be engrossed was reconsidered.

Mr. SPRAGUE: Mr. President, the situation is this: Part of these resolves that have been presented here this winter have been killed by the Library Committee and by the Committee on Appropriations. I think it is five in all they have al-

lowed us to pass, and the entire appropriation, even if this amendment is adopted, will not exceed \$2000, and I think it will fall a little behind. I have not the exact figures here. Now this resolve was cut from \$1000 down to \$250. The resolve for the purchase of the John Fairfield Letters has been cut from whatever it was, I think it was \$1200 or \$1500 down to \$600. Now this one has been cut from \$1000 to \$250. The officials of the Maine Bar Association inform me that that will be of hardly any benefit to them at all, but if that could be made \$500 only, and that would be \$100 less than the John Fairfield Letters, they would try and publish all of the historical matter that they have in addition to the addresses,—that is very valuable, I can assure the Senate; there is no question about the value,—and they would raise somehow among the lawyers themselves, among the members, enough to make up the difference, but they do want this changed from \$250 to \$500.

I offer Senate Amendment "A" and move its adoption.

The motion was agreed to and Senate Amendment "A" was adopted, and on further motion by the same senator the resolve as amended was passed to be engrossed.

Mr. FARRINGTON of Kennebec: Mr. President, in regard to the resolve for the maintenance of the Augusta State hospital, I think the way the matter is left it is rather incomplete. I move the Senate insist on its former action and ask for a committee of conference.

The motion was agreed to and the Chair appointed as such committee on the part of the Senate, Messrs. Farrington of Kennebec, Eaton of Oxford and Emerson of Aroostook.

Mr. ALLEN of York: Mr. President, An Act to amend Sections 85 and 86 of Chapter 16 of the Revised Statutes, as amended by Chapter 229 of the Public Acts of 1917, Chapter 96 of the Public Laws of 1919, and Chapter 103 of the Public Laws of 1919, providing for an increase in the amount of tuition to be paid by

towns for secondary school pupils, and in the amount of State aid for same.

Yesterday afternoon we indefinitely postponed this bill. It was sent over to the House and they insisted and asked for a committee of conference, which was refused. I now move that we reconsider the vote whereby we moved to adhere, refusing to join in the committee of conference.

The motion was agreed to.

Mr. ALLEN: Mr. President, I now move that we insist on our former action, and join in a committee of conference.

The motion was agreed to and the Chair appointed as such committee of conference on the part of the Senate Messrs. Allen, Thompson, and Cobb.

The PRESIDENT: It is obvious that printing awaits the action of committees, if action results therefrom, and it is suggested that they be returned as soon as may conveniently be done.

From the House: An Act to amend Chapter 147, Section 2, of the Revised Statutes, as amended by Chapter 80 of the Public Laws of 1917, relating to the State board of charities and corrections. The House accepted the minority report, ought not to pass. The Senate accepted the majority report and passed it to be engrossed. The House has voted to adhere to its former action.

Papers from the House disposed of in concurrence.

Mr. THOMBS of Penobscot: Mr. President, I do not know as it requires any action, but I think my colleague, Senator Gillin, is interested in the State board of charities and corrections matter, and I move that the matter lie upon the table. I am uncertain,

The PRESIDENT: It will be recalled on motion to reconsider. We have taken no action on it, merely announced that we adhere.

On motion by Mr. Thompson of

Knox a recess was taken until eleven o'clock.

AFTER RECESS

Senate called to order at 11 o'clock.

Passed to be Enacted

An Act to repeal Chapter 23 of the Public Laws of 1921, entitled, "An Act to amend Section 1 of Chapter 66 of the Public Laws of 1917, as amended by Chapter 244 of the Public Laws of 1917, relating to Non-Resident Fishing License Fees."

An Act to amend Chapter 198, Private and Special Laws of 1915, entitled "An Act to Incorporate the Mutual Loan Society of Lewiston."

An Act to amend Chapter 132 of the Public Laws of 1919, entitled "An Act to Create the Maine Water Power Commission."

An Act to enable South Bristol to construct a State Aid road to Christmas Cove.

Finally Passed

Resolve, for maintenance and improvement of the State Park in Augusta.

Resolve, offering a reward for the apprehension and conviction of those Persons who perpetrated the bomb outrage in Madison on March 15, 1921.

Resolve, in favor of North Oxford Fish and Game Association for repairs and improvements on fish hatchery.

Resolve, in favor of Clerks, Stenographers and Messengers of the several committees of the Eightieth Legislature.

Resolve, in favor of the Public Utilities Commission, to take care of expenses provided for under Chapter 117, Section 31, Chapter 55, Section 1, and Chapter 24 Sections 34 and 38 of the Revised Statutes.

Mr. FARRINGTON of Kennebec: Mr. President, I wish to introduce a resolve at this time and move its adoption.

The rules were suspended and the senator introduced the following resolve:

Resolved: That the building to be erected and located at the State School for Boys in South Portland, in accordance with "Resolve providing for the erection and completion of a State School Building for the State School for Boys at South Portland" be named the "Arthur R. Gould School."

(Long and continued applause.)

On motion by Mr. Farrington, under suspension of the rules, without printing, the resolve was given its first reading.

Mr. SPRAGUE of Piscataquis: Mr. President, I want to add my approval to that resolve, as I have been so much interested in this matter, and I am in hearty accord with this resolution offered by the senator from Kennebec, Senator Farrington.

Mr. Gould has done a noble act and he is a noble man and the State will honor him as long as he lives.

Under suspension of the rules, the resolve was given its second reading and was passed to be engrossed.

On motion by Mr. Hall of Franklin, a recess was taken until 11:45 A. M.

AFTER RECESS

Senate called to order at 12.00 M.

On motion by Mr. Allen of York, H. D. 434, An Act to Incorporate the Kennebunk, Kennebunkport and Wells Water District, was taken from the table.

Mr. Allen: Mr. President, it is now April 9, 1921, 12 o'clock noon, and I wish to announce that the Ogunquit is still a village and town of Wells, and that being the case I now offer Senate Amendment "A" to House Bill 434, and move its adoption.

The amendment was read by the secretary, and on motion by Mr. Allen, was adopted, and the bill as amended passed to be engrossed.

From the House: An Act to provide money for the expenditures of government and for other purposes for the year from July 1, 1921 to June 30, 1922.

The bill was read by the secretary.

On motion by Mr. Emerson of Aroostook, under suspension of the rules, without reading, the bill was read twice and passed to be engrossed.

A Veto Message

The PRESIDENT: We are about to consider 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 by Chapter 51 of the Public Laws of 1919, relating to the protection of wild birds.

This is S. D. 161. The secretary will read the communication.

April eighth,
1921.

To the Honorable Senate of the 80th Legislature:

I return without my approval "An Act to Amend Section Fifty-seven of Chapter Thirty-three of the Revised Statutes, as Amended by Chapter Two Hundred and Nineteen of the Public Laws of Nineteen Hundred and Seventeen, and Chapter Sixty-one of the Public Laws of Nineteen Hundred and Nineteen, Relating to the Protection of Wild Birds."

The object of this Act is to make it lawful to kill seagulls under certain conditions. The value of birds both from practical and sentimental reasons is admitted by all our citizens and no act should be passed allowing their destruction unless there is sound reason for such action.

This Act would violate the integrity of the "Convention Between the United States and Great Britain for the Protection of Migratory Birds in the United States and Canada" known as the "Migratory Bird Treaty Act," which provides that gulls shall be protected at all times, and which contains the provision (Art.1: Sec. 3) with the provision that the Secretary of the U. S. Department of Agriculture or other interests in any particular community, shall investigate, and if the alleged injury is serious provide for the killing of the birds. (Regulation 10.)

The proposed law would overrule the authority and judgment of the Commissioner of Inland Fisheries and Game, who by an act of the seventy-ninth Legislature, was given power to cooperate with the U. S. Department of Agriculture and grant permits to kill birds that shall be shown to be injuring agricultural or other interests.

Through the Migratory Bird Treaty Act, and the act of the Seventy-ninth Legislature, the citizens of Maine have their interests amply safeguarded and at the same time due protection is given to our wild birds, of all kinds.

It is a coincidence that this Act comes before the Chief Executive on the first Bird Day that has ever been established in the State of Maine and I urge the Legislature to give the question serious consideration before it passes a law that will make it lawful to destroy one of the most valuable members of the Bird kingdom.

Respectfully,
(Signed) PERCIVAL P. BAXTER,
Governor of Maine.

The PRESIDENT: The question is shall the bill become law notwithstanding the objections of the Governor?

Mr. SPRAGUE of Piscataquis: Mr. President, I wish simply to state for the information of the Senate and in behalf to the committee on inland fisheries and game that this question raised by Governor Baxter troubled us considerably, and we had it under advisement for some time. We had a sub-committee appointed to consult with the attorney general in regard to this very question. I do not know that I was present when he reported, or that I ever saw his report in writing. But my information was that the attorney general decided that it would not conflict in any way with what we have amended, that is, what we added to it, would not conflict with the treaty between Great Britain and the United States. That is all I have to say about it.

Mr. THOMPSON of Knox: Mr. President, this bill was presented by me at the request of some canners who can blueberries and fish products. It seems to me where blueberries grow near the sea coast, as many do, the whole crop is destroyed in a few days. There is one family living near where I do that lost their entire blueberry crop, some two hundred dollars. And that was a loss they could ill afford to stand. Personally the bill is of no consequence to me whatever, but was put into my hands by people representing acres of blueberries that they own near the coast. The gull is a bird of no consequence to eat and its feathers are of no account. It is supposed to be a scavenger, but they become so tame that they light in one end of a fisherman's boat and steal the bait. I think I stated once

before and I will state again that this bird is classed under the rules of the commissioner of agriculture of the United States for the protection of birds of passage, a bird of passage. It seems ridiculous to us to look upon the gull as a bird of passage.

The gulls are always wild and if you could shoot a few of them they could be made wild again. To call the gulls birds of passage is ridiculous. You might as well call a cow a bird of passage. As far as I am concerned I do not care a copper whether the bill is passed or the veto sustained.

Mr. GILLIN of Penobscot: Mr. President, I disagree with the distinguished senators who have just addressed the Senate relative to our sea gulls. They are, as the senators said scavengers of the sea. I happen from the fifteenth of June until about the middle of September, Saturday, Sunday and up to Monday noon to live among them.

I think it would be very, very unwise to pass legislation that would give the opportunity of killing those birds known as sea gulls. Every person who sees them on the water will be pleased with their appearance. They are as the senators said, tame. All down along the sea coast, from Bar Harbor to Castine, I am unaware of the fact that they have been destroying property, and I am constrained to disagree with the distinguished lawyers that this law would not be in conflict with our federal provision in regard to the protection of these birds. And I hope, gentlemen of the Senate will sustain the veto of the Governor, and not give an opportunity of destroying the flocks of these birds which line your sea coast and are taking from your sewers and waters everything that is filthy and vile.

Mr. THOMPSON: Mr. President, I just wish to say in reply to the senator that I think if he lived among these birds and they were his stealing his living, or part of it, he would feel differently about it.

A few shots would stop their destructive work. As far as being

scavengers is concerned, they follow the vessels along and get things that are thrown overboard, pieces of waste and when fish are dressed they take the entrails, but as to being general scavengers and taking up everything on the ocean, I don't know about that.

They are a beautiful thing to look at but they are just as beautiful when they keep ten or fifty feet away. As I said before, this is nothing personal with me. I simply presented this bill.

Mr. SPRAGUE: Mr. President, I just wish to add in behalf of the committee, most of them being from the interior of the State where there are a few gulls on our inland lakes it is exactly as Senator Gillin has suggested, we regard them as a great attraction. I was surprised at the destruction of property, especially on the blueberry grounds of the coast, but that fact of their destructive qualities on the coast was clearly and emphatically brought out.

The PRESIDENT: The question is shall the bill be passed notwithstanding the objections of the Governor?

The secretary called the roll. Mr. Thompson voted yes. Those voting no were Messrs. Adams, Allen, Baxter, Bemis, Clark, Clement, Cobb, Eaton, Emerson, Emery, Farrington, Folsom, Garcelon, Gillin, Gould, Hall, Morrill, Parent, Putnam, Sargent, Spencer, Sprague, Stevens, Thombs, Tuttle—25.

One senator voting yes and 25 voting no, the veto of the Governor was sustained and the bill failed of passage.

On motion by Mr. Baxter of Sagadahoc, it was

Ordered, That the State librarian be directed to send to the members of the Senate a copy of the Legislative Record, a copy of the Senate Journal and a copy of the Laws of 1921 as soon as printed.

From the House: An Act to provide for a sinking fund for the war bonds and dbonus bonds issued by the State of Maine.

On motion by Mr. Garcelon of Androscoggin, the rules were suspended, and the vote by which this bill was passed to be engrossed was reconsidered.

The same senator then offered Senate Amendment A and moved its adoption.

Senate Amendment "A"

Senate Amendment A to House Document No. 246.

An Act to provide for a sinking fund for the war bonds and bonus bonds issued by the State of Maine.

Amend paragraph 2 by striking out all after the word "seventeen" in the third line thereof.

Amend paragraph 3 by adding after the word "issued" in the first line thereof the words "or reissued;" also by adding at the end of said paragraph the following: "as amended by Chapter 134 of the Public Laws of 1921, and on all bonds issued under authority of Chapter 139 of the Public Laws of 1921."

Amend paragraph 4 by adding at the end thereof the following: "as amended by said Chapter 134 of the Public Laws of 1921, an for the sinking fund established by said Chapter 139 of the Public Laws of 1921."

Insert between paragraphs 5 and 6 the following:

"Fifth: To reimburse cities and towns for aid furnished dependents of soldiers, sailors and marines, under authority of Chapter 169 of the Public Laws of 1919, as amended by Chapter 183 of the Public Laws of 1921."

Amend paragraph 6 by striking out the first word thereof and substituting therefor the word "Six."

Senate Amendment A was adopted and the bill as amended was passed to be engrossed.

The Committee on Conference on the disagreeing action of the two branches of the Legislature on An Act providing for State maintenance of all highway bridges over 600 feet

in length, reported that they had been unable to agree.

(Signed)

Messrs. EMERSON,
THOMPSON,
FOLSOM,

—on the part of the Senate.

Messrs. GRANVILLE,
GERRISH,

—on the part of the House.

The report was accepted.

On motion by Mr. Morrill of Cumberland, a recess was taken until 1.45 o'clock P. M.

AFTER RECESS

Senate called to order at 3.45 P. M.

The PRESIDENT: We are dealing with the workmen's compensation act. The new draft is H. D. 400, An Act to amend Chapter 238 of the Public Laws of 1919 relating to workmen's compensation. By the Senate this has been passed to be enacted. Also by the House. House Amendment "B" has been adopted in the House.

On motion by Mr. Tuttle of Aroostook, the rules were suspended and the Senate reconsidered its several votes by which this bill was passed to be enacted and passed to be engrossed.

The President read House Amendment "B,"

Mr. THOMBS of Penobscot: Mr. President and Senators: This matter was called to my attention yesterday, since which time, I with other members of the two committees which had the matter in charge have gone over it very carefully, and I move that we concur with the House in the adoption of this amendment.

The motion was agreed to by a viva voce vote, and on further motion by the same senator the bill as amended was passed to be engrossed.

From the House: Resolve in favor of the public utilities commission to take care of expenses provided for in Chapter 117, Section 1, Chapter 55, Section 1 and Chapter 24, Sections 34,

38 of the Revised Statutes. Senate Amendment "A" has been proposed, evidently making the emergency clause applicable.

On motion by Mr. Eaton of Knox the Senate voted to reconsider its action by which this resolve was finally passed this morning, and on further motion by the same Senator, under suspension of the rules reconsidered its vote by which this resolve was passed to be engrossed.

Senate Amendment "A" was then offered and read.

On further motion by the same Senator, Senator Eaton, Senate Amendment "A" was adopted and the resolve as amended was passed to be engrossed.

The Committee of Conference on the disagreeing action of the two branches of the Legislature, on "Memorial to Congress, urging favorable consideration of the principles embodied in the Smith -Townner Bill," (House Doc. No. 456) reported that the House recede and concur with the Senate in the indefinite postponement of the Memorial.

(Signed)

Messrs. GILLIN,
BAXTER,
SPRAGUE,

—on the part of the Senate.

Messrs. CRAM,
ROBERTS,

—on the part of the House.

The report was accepted.

Final Reports

The following committees submitted their final reports which were accepted:

Counties.
Education.
Inland Fisheries and Game.
Mines and Mining.
Public Buildings and Grounds.
Ways and Bridges.

Finally Passed

(Emergency Measures)

"Resolve, in favor of the Maine School for the Deaf."

This resolve carrying the emergency clause required the two-thirds

vote of the Senate on its final passage. Twenty-two senators having voted in the affirmative, the resolve was finally passed.

"Resolve in favor of the Maine School for Feeble-Minded for additions and improvements."

This resolve carrying the emergency clause required the two-thirds vote of the Senate on its final passage. Twenty-three senators having voted in the affirmative, the resolve was finally passed.

"Resolve in favor of Wiscasset-Edgecomb bridge."

This resolve carrying the emergency clause required the two-thirds vote of the Senate on its final passage. Twenty-three senators having voted in the affirmative, the resolve was finally passed.

Mr. FARRINGTON of Kennebec: Mr. President, I move we recall from the Governor resolve for maintenance and improvement of the State Park in Augusta.

The motion was agreed to and Chair announced that the paper was in the Senate Chamber.

Mr. FARRINGTON: Mr. President, I move we reconsider the vote whereby this resolve was finally passed.

The motion was agreed to, and on further motion by the same senator, the rules were suspended and the Senate reconsidered its action whereby this resolve was passed to be engrossed.

Senate Amendment "A" was then offered by the same senator, amending said resolve by striking out in the 5th and 6th lines thereof, the following words: "Said sums to be payable from moneys not otherwise appropriated."

On motion by the same senator, Senator Farrington, Senate Amendment "A" was adopted, and the resolve as amended was passed to be engrossed.

From the House: Resolve in favor of the Gardiner-Randolph draw bridge, with a similar amendment to the one just passed.

On motion by Mr. Adams of Kennebec, under suspension of the rules, the Senate reconsidered the action whereby this resolve was finally passed and 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 in favor of the Bangor State Hospital for maintenance during the years 1921, 1922 and 1923. This resolve was passed by the Senate to be engrossed. It was recalled by the House and House Amendment A was adopted. The Senate concurred with the House in adopting House Amendment A. The House then reconsidered their action by which they had adopted House Amendment A, and upon such reconsideration rejected House Amendment A.

Mr. FARRINGTON of Kennebec: Mr. President, I move that the Senate reconsider the vote whereby the resolve was passed to be engrossed.

The motion was agreed to, and on further motion by the same senator the Senate reconsidered the vote whereby House Amendment A was adopted in concurrence with the House, and on further motion by the same senator House Amendment A was re-rejected by the Senate in concurrence and the resolve without amendment was passed to be engrossed.

Passed to Be Enacted

An Act to consolidate the library laws.

An Act amending the Private and Special Laws of 1885, relating to the charter of the People's Ferry Company.

An Act to provide for a full time State Highway Commission, amending Section 3 and Section 4 of Chapter 25 of the Revised Statutes, relative to State highways, and also amending Section 34 of Chapter 117 of the Revised Statutes, relating to salary of the State Highway Commission.

An Act to amend Section 15 of Chapter 117 of the Revised Statutes, rela-

tive to the salary of the secretary of State.

An Act authorizing the division of towns and wards of cities into convenient polling places.

An Act to amend Section 85 of Chapter 2, of the Revised Statutes, relating to the State contingent fund.

(Tabled temporarily by Mr. Eaton of Oxford.)

An Act additional to Chapters 219 and 244 of the Public Laws of 1917 as amended by Chapter 196 of the Public Laws of 1919, relating to the protection of white perch in East pond and in North pond of the Belgrade chain of lakes, so-called, in Kennebec county and in Somerset county.

An Act to amend paragraph 22 of Section 5 of Chapter 118 of the Revised Statutes, as amended by Chapters 222 and 244 of the Public Laws of 1919, relating to fees for deputy sheriffs in attendance upon the courts.

An Act to amend Section 5 of Chapter 244 of the Public Laws of 1917, relative to the salary of the commissioner of inland fisheries and game.

An Act to amend Section 3 of Chapter 346 of the Private and Special Laws of 1905, as amended by Chapter 27 of the Private and Special Laws of 1915, as amended by Chapter 104 of the Private and Special Laws of 1919, providing for and fixing the salaries of probation officer and the assistant probation officer for the county of Cumberland.

An Act to amend Section 7 of Chapter 117 of the Revised Statutes.

An Act relative to motor vehicles and the law of the road and to revise and amend Chapter 26 of the Revised Statutes and acts amendatory thereof and additional thereto.

Finally Passed

Resolve in favor of the Assistant Secretary of the Senate.

Resolve, in favor of the Chaplains of the House of the 80th Legislature.

Resolve, in favor of Benjamin A. Swasey, Clerk to the Committee on School for Feeble-Minded.

Resolve, in favor of H. G. Smallidge

for extra services as Assistant Messenger of the House of Representatives of the 80th Legislature.

Passed to Be Enacted (Emergency Measure)

An Act to authorize the promulgation of Rules and Regulations of the Commissioner of Inland Fisheries and Game.

This bill carrying the emergency clause required the two thirds vote on its passage to be enacted. Twenty-two Senator voting in the affirmative the bill was passed to be enacted.

An Act to repeal Chapter 57 of the Public Laws of 1921, entitled "An Act to Provide Funds for Operating the Fish Hatcheries and Feeding Stations for Fish."

This bill carrying the emergency clause required the two thirds vote on its passage to be enacted. Twenty-two Senator voting in the affirmative the bill was passed to be enacted.

Finally Passed (Emergency Measure)

Resolve, in favor of the Augusta State Hospital for maintenance during the years 1921, 1922 and 1923.

This bill carrying the emergency clause required the two thirds vote of the Senate in its final passage. Twenty-two Senators voting in the affirmative the resolve was finally passed.

Mr. Eaton of Oxford: Mr. President, I move to take from the table the act recently tabled by me, relating to the State contingent fund.

The motion was agreed to, and on further motion by the same Senator, the matter was indefinitely postponed.

On motion by Mr. Thompson of Knox, a recess was taken for 15 minutes.

AFTER RECESS

Senate called to order at 4.45 o'clock P. M.

Veto Message

From the House: A communication was received from the House

transmitting a veto message from his Excellency the Governor, on Resolve to re-enact Section 24 of Chapter 69 of the Revised Statutes, relating to when no succession tax shall be assessed on the stock, bonds and evidences of debt of Maine corporations.

The message was read by the secretary.

The PRESIDENT: The question is, shall the bill become law notwithstanding the objections of the Governor. Those voting yes vote in favor of the act becoming a law in spite of the Governor's veto. Those voting no vote to sustain the Governor's veto.

Mr. GILLIN of Penobscot: Mr. President and Honorable members of the Senate, I have heretofore called your attention to this law and will briefly call your attention to it again.

There was a time when this law was not on your statute books, covering the series of years from 1911 down to 1917. What was the result? The result was that in 1916 you got in \$2,800. And the result was that in 1917 you got in about \$4000. That is the law that they want you to go back to. That is the result you obtained under it. Will anybody get up on the floor of this Senate and dispute those figures? After the repeal of that law in 1918, what did you get? In 1918 you got \$58,000; in 1919 you got \$85,000; in 1920 you got \$165,000. And this year you are going to get practically \$200,000. You got \$39,000 into your treasury in the last two months of January and February, and \$10,000 has come in in part of March, showing what your increase is going to be.

Will any gentleman get on his feet in this chamber and tell the business men of this Senate that he knows where we are going to get from some source something to replace that? I say if he does let him go back to 1917 and say why he did not get but \$2000 in 1916 and \$4000 in 1917, and did get \$165,000 in 1920 under this law. Gentlemen

of the Senate, take this under advisement.

Gentlemen of the Senate, if you repeal this law you will place a tax upon yourselves and upon your children. I have given you the figures, and they are giving you the hearsay of individuals against my figures.

Why did the Legislature of 1917 repeal this law? Why did a former Governor of your State under the advice of the attorney general veto it? And why, under the advice of the attorney general has your present Governor vetoed it?

One more remark and I am through, and then you can pass it over the Governor's veto if you like, but not without my protest on the floor of this Senate. Let us go back; what were you getting from 1911 down to 1917? Practically nothing. And the minute that this law is repealed, is put upon the statute books, and the law they want you to re-enact is repealed, the income of the State jumps from \$4000 in 1917 to \$165,000 in 1920, and you are going to get \$200,000 this year.

This law was repealed, and for what reason? For the very reason that it was not bringing any revenue into the State. Did they act wisely? Did they? When it was repealed you got \$4000 in 1917, and in 1920 you got \$165,000, and in two months of this year you got \$39,000.

I am done, gentlemen, but I will sustain with my voice and with my vote the wise veto of your Governor.

Mr. FOLSOM of Somerset: Mr. President and members of the Senate, I took occasion a few days ago when the bill was on its passage through the Senate, to discuss some of the matters bearing on this case. Those things have not changed, and the figures as quoted were not hearsay. They came from the same source from which the honorable Senator took his.

It is just a question of re-enacting this law at this session or one or two sessions later. I believe, and I think a great many who have studied the question believe, that the

peak has been reached in our income from succession taxes from these out of the State corporations organized here that own property out of the State. Since 1917 when that law was repealed there has been no large corporation reorganized in the State of Maine. There have been many large companies that have reorganized under the laws of other states. I take exception to the statement of the honorable senator, when he says that we, by re-enacting this law, impose a tax upon our children and our grandchildren. I cannot see how that can be, for the very reason the records show that the number of corporations being organized in this State are rapidly decreasing. So that within a very few years not only will there be no corporations organized here, except locals, which would be taxed anyway, but all the large corporations will have withdrawn and we shall be receiving no income whatever from this source. So that instead of increasing our income this law will very much decrease it. It seems to me it would be wise to re-enact this law.

Mr. GILLIN: In reply to the senator I wish to say that in this Senate chamber I read figures, taken from the records of the attorney general's office, showing that two, five million dollar corporations had been organized in this State while we sat here, and paid into the State of Maine \$1020, and that their yearly franchise tax is \$275 each. And those, gentlemen, are the great foreign corporations amenable to the very law they want you to repeal. What do you think about that? I cited to you the different corporations from outside the State, running from \$200,000 to \$5,000,000, that came here that they might put the brand of the State of Maine upon them.

The distinguished lawyers who disagree with me will say to you that there is no man in New England, on or off the bench, who ought to know more about the law pertaining to those matters than myself, because before our committee

I gave them laws, before a great court, in a foreign state, which showed what your statutory laws were, and I have stated them, and I say to you when they tell you, against the figures I got from your attorney general's office, that we are driving corporations out of the State, what do you think about the thirteen corporations that have come here since we sat here? What do you think about that? And two of them pay \$510 each to get the brand of Maine law on them. Are we driving corporations out of the State, or are we bringing thirteen great corporations into the State? My figures are taken from the records of the State of Maine.

I say, that as against those figures, nothing has been produced here that does not come in your minds from other states or from other sources. I base what I have to say upon figures in the attorney general's department, and there is no senator that will take any stock in the proposition that we are driving corporations out of the State, when great five million dollar corporations, subject to this tax, are coming into your State and paying \$1020 to get in, and then pay \$275 a year each to put the brand of Maine upon them. This is my answer.

Mr. FOLSOM: Mr. President, I wish to say just one word. I have repeated and the statement already made by me here, I repeated twice before, that the records I had were taken from the various sources quoted by the senator. Not a word that I have said is hearsay.

This tax is absolutely wrong in principle. Our constitution says that all taxes shall be levied equally on all persons. This law involves double taxation, and in many cases triple taxation, and goes on and on in the cases of some large corporations. I submit to you, if you were living in the State of Maine, owning stock in a corporation organized in Massachusetts—property situated in the State of Maine—would it be fair for your estate to have to pay on property owned and lo-

cated in the State of Maine a tax to the State of Massachusetts?

Mr. GILLIN: Mr. President, I rise to a matter of apology. I wish to ask the pardon of the distinguished senator from Somerset. I did not know that he stated his figures were taken from our office. I thought they were what he read the other day, and I remembered that they were quoted from another state.

The PRESIDENT: The question is, shall the bill become law notwithstanding the objections of the Governor? Those voting yes vote to pass the law over the veto; those voting no sustain the veto.

The Secretary called the roll. Those voting yes were Messrs. Bemis, Clark, Cobb, Eaton, Emerson, Farrington, Folsom, Garcelon, Parent, Sprague, Thombs, Thompson, Tuttle—13. Those voting no were Messrs. Adams, Allen, Baxter, Emery, Gillin, Gould, Hall, Morrill, Putnam, Spencer, Stevens—11.

Thirteen senators voting yes and eleven no, the veto message was sustained.

Passed to Be Enacted

An Act to confer upon the State Highway Commission and municipal officers, the powers of road commissioners in removing obstructions from highways.

An Act providing for the purchase or taking by process of law the toll bridge between the State of Maine and the State of New Hampshire, extending from South Berwick in said State of Maine and Dover in said State of New Hampshire, in conjunction with the State of New Hampshire.

Finally Passed

Resolve to reimburse the town of Prentiss for sheep and poultry killed by dogs and wild animals in 1919.

The PRESIDENT: We are about to reconsider under provisions of the Constitution the following act reported by the Governor without his approval; Resolve making an appropriation for the construction of a new building at the Northern Maine Sanatorium, Presque Isle, Aroostook

county, and for the purchase of equipment therefor and maintenance.

The secretary read the message.

(The full text of this message appears in the House report.)

The PRESIDENT: The Chair will state the question. Shall the resolve be passed notwithstanding the objections of the Governor? Those voting yes override the veto; those voting no sustain the veto.

Mr. COBB of Kennebec: Mr. President, as chairman of the committee on sanitoriums, it seems only right that I should say a few words. I want you to understand, Mr. President and gentlemen of the Senate, that I want to practice economy and frugality as much as any one in the State of Maine, but when it comes to these institutions I believe that we should do the thing that is right. I do not wish to be understood as in any way taking exceptions to the Governor of Maine, but it seems to me that somebody must be misinformed. We went up there in the dead of winter. We went up there when it was cold. That sanatorium was built, and, gentlemen, if you could see the inmates of that building you would be impressed with the importance of the work that is being done there. Now we have a very efficient county nurse there. She travels all over that section of the State. She was there and she informed us what the conditions were. She told us of families where there was one really sick of tuberculosis and that one was carrying the disease to others in the family; but that there was no room for them in the Sanatorium. Before I go on with this talk, gentlemen, I want to impress upon you this point, that as chairman for the school for feeble-minded we needed money there badly, it was a worthy object, and while I felt that those that should be there would have a great moral effect to the detriment of the State of Maine, we could not get the appropriations and I gave in. But, gentlemen, when you are talking about tuberculosis, you are talking about life. A person who has tuber-

culosis today in its incipient stage, you take them to these sanitoriums and you save their lives. You let them wait three months, six months, I defy any physician to cure them. It is when they are in the incipient stage that we can help them. This nurse brought in testimony of many cases that should be brought into this Sanitorium but there was not room. And where the Governor got any information that there were not many on the waiting list, I can not understand. It seems to me, if you could see those men and those women there fighting for their lives—it was a cold day—they of course were brought in where it was warmer because of certain things, if they wished food and the like of that, but at other times they are out in a room so cool that every time they breathe you can see their breath coming from them—they have caps over their heads—they were bundled up, just their faces out. Now shall we, the people of the State of Maine, refuse to give anyone who has the disease in its incipient stage—can we refuse them the opportunity of going into these sanitoriums where their lives may be saved? It does not seem to me that I need to say more, gentlemen. I do not believe the people of the State of Maine want it. I believe the people of Maine would say, "Yes, I will put my hand in my pocket. I will do anything." Gentlemen, in the case of the boys and the girls in these different schools, it is not to save life. In the school for feeble-minded it was not to save life. But in this case, gentlemen, it is to save the lives of our fellow citizens who are men and women of ability and may be of great power in our State, and I hope this bill will pass.

Mr. GILLIN of Penobscot: Mr. President, I wish to endorse everything that the distinguished Senator has said, and add to it that the great County of Aroostook rarely asks favors from the people of Maine. I trust that the veto of the Governor will not be sustained in this Senate.

Mr. BEMIS of Somerset: Mr. President, as a member of this commit-

tee that visited that institution up there,—and perhaps we put in as much time up there at that institution as we did at any other single institution which we visited—we went over carefully all the conditions existing there,—and certainly as a member of that committee, and as a committee we unanimously adopted this measure, which has been presented to us here,—I feel that there is need, that there is a crying need, and certainly I cannot believe that this Legislature will turn down this proposition.

Mr. GOULD of Aroostook: Mr. President and fellow Senators, I am requested to give just a little statement of facts here.

Miss Knight, the efficient nurse in connection with this Sanitorium has given us some facts that do not quite agree with the other information that has come in here.

I will say first, when this Sanitorium was to be built in Aroostook, it was quite a question where they should locate it. I will tell you frankly, I was not much in favor of its coming to Presque Isle. I was always in favor of the Sanitorium but I was perfectly willing that Houlton should have it, if they wanted it,—as they want most everything, I was willing they should have it,—but it was located in Presque Isle. They had a very favorable place for the institution.

They built this building with the intention of enlarging it at an early date. This building was built with space for only twenty-two beds, but designed for a wing with fifty beds to be added very soon, but we never expected to have the need that we have had for it as quick as this. But here is what is required at the present time. Miss Knight informs us that there are fifty serious cases on the waiting list at the present time. Twenty of these are in the vicinity of this sanitorium. The other sanitoriums are all filled up. And these are very serious cases that she feels should be provided for at the earliest possible moment.

Now as to what good they are doing there. I might say the Sanatorium was opened on the first day of October and in just ten days from that it was filled to capacity and there has been anywhere from ten to fifty on the waiting list there ever since. Here is the result. Fifty-one per cent of all patients in this Sanatorium have been sent away cured. This alone in my opinion should be enough for any one to know to encourage the building of an addition there. This institution is taking care of young people who have come there as the result of the war. There are twelve ex-soldiers there now. There is no better project that this State in my opinion can invest their money in than in a sanatorium of this kind. There is a crying need for a great deal more capacity than we have in this State. As Dr. Cobb has said, this is a fine institution, well managed, nicely located, and it should be encouraged and certainly should have another wing built on there, if there is any money in the treasury to do anything with. This is the greatest need of anything I know of.

Mr. EMERSON of Aroostook: Mr. President, enough has been said already but I would like to say a word about the reason why this resolve did not come before the Legislature earlier. As the Senators all know, the budget committee recommended \$450,000 for a building program at the school for the feeble minded. It happened that the Executive department felt differently about it, and we finally decided that \$250,000 should be spent which would leave \$200,000 unspent. After that our committee felt justified in recommending the expenditure of \$100,000 for a new building and maintenance for the sanatorium in Aroostook county. I almost feel like resenting the imputation that Aroostook county is favored. Aroostook county is not asking for favors. We do not need to ask any favors. And I hope we shall pass this resolve over the Governor's veto.

Mr. THOMBS of Penobscot: Mr.

President and fellow Senators, notwithstanding the hint that the senator from Aroostook has given, that further argument would seem superfluous, I want to leave with you one or two observations on this matter. I am going to start with the proposition that it is eminently fair for us to discuss with the Governor the issues which he has made in presenting to us his veto message.

Gentlemen of the Senate, I am now going to assume that you have two sides to the one question he raises. He says that he is informed or has reason to believe there is no need or sufficient need to justify this expenditure for an additional building. And contrary to his statement you have heard the statements of the gentlemen of the Senate who were upon this committee, and in addition you have the statements of the senators from Aroostook. So I am going to leave that issue with you. You have the two sides of it there and it will be for you to judge which in your opinion is right, the Governor in his position, or the position taken by the committee on this institution. I am going to assume and accept that the committee has furnished me better information as to the needs. And if there is need I want to continue a bit farther in taking issue with the Governor in his statement in his message that the budget does not recommend this amount.

I said here the other day, and I repeat it now, that it means very little to me in this Legislature what the budget committee recommended. And I mean no disrespect to the budget committee, for it is serving a very useful purpose. If we are going to take and be informed by the judgment of the budget committee, what need is there to pass or to present these questions to us at all? The budget committee to me means that it is advisory only; it is their recommendation, and I accept it only as such. When I am convinced that they are wrong I am going to vote in accordance therewith.

The Governor says that if this

building is built it will increase the tax rate of the State. Gentlemen of the Senate, right there is an argument that is worthy of any man who is willing and able to present it, because right there, to my mind, he is placing human life in one balance of the scale and the matter of dollars in the other.

Mr. President, when a beloved member of your family is ill do you stop to consider what it costs you? No. You gladly and willingly empty your pockets, if necessary you take from the bank every dollar that you have therein. And Mr. President, you do not stop there either, if you can save one human life that is dear to you, you go to the bank and pledge your credit for every dollar and cent that it is worth. And, gentlemen of the Senate, is that not exactly the proposition that we have presented to us here in this resolve? The treatment of tuberculosis patients, if I understand it aright, can be much better done if it is done through the aid of sanitoriums, than in the private home.

If that is true this great State of Maine through the public sanitoriums assumes, to my mind, the position of the head of a great family, and I believe that it should be and is willing to spend, as you and I would do, every cent that is necessary to save these human beings.

The senator from Aroostook said that he almost resented the imputation that favoritism was being shown to certain sections of the State, or to one institution. I, too, although not of Aroostook, resent the imputation if it might be considered such. I do not care if all the institutions in the State of Maine cannot be properly provided for; that to my mind is not any reason why a proper and meritorious case, although it be in Aroostook county or Penobscot, should not get its just deserts according to its needs without comparison with any other.

Mr. President, these observations are entirely gratuitous. I thought I should restrain myself from speaking upon the matter. I hope, gentlemen

of the Senate, convinced as I am of this need, that your votes may be recorded so that there may be the facilities provided there for taking care of these people who are so unfortunate as to need treatment at these institutions.

Mr. COBB of Kennebec: Mr. President and Senators, since the arguments of the senators one point has come up that I would like to emphasize a little in regard to that 51 per cent. I believe that low per cent. is due to the fact that there were so many in which the tubercular disease had advanced to a stage farther along before the institutions took them in. That is what I am trying to emphasize to you. The doctors and nurses today are trying to get patients into the institutions as soon as possible, and we send these nurses out to try to find out the disease as soon as possible, and by so doing we are able to save lives many, many times. We must have these sanitoriums. There is no question but that we can treat people better in these sanitoriums than anywhere else. They are built with judgment and care and especially to treat tuberculosis. Today we do not treat tuberculosis by medicine to any extent, but with good air, and by giving them good, rich food, and we find that is an essential thing. Any medicine that is good for the lungs has a more or less bad effect on the stomach. And so we have been doing away with medicine to a great extent in lung trouble, and find that this is the most up-to-date treatment. It seems to me that the people of Maine want to stand back of the medical profession, and back of the nurses who are sacrificing so much for their fellowmen.

Mr. MORRILL of Cumberland: Mr. President, I fail to see where the favoritism comes in, in localities. The Governor has vetoed the appropriation for the boys' school, almost at his own door. Now the home for the feeble-minded in Cumberland county, the Governor was opposed to \$450,000 appropriation and his want was really \$200,000, but as a compro-

mise they called it \$250,000. There was \$200,000 reduction right there in his own county. I do not like that word favoritism in localities, as shown by the Governor, because I do not think it belongs there. If I thought so, I would say so. Now as a member of the appropriation committee we were confronted by one fact all the time and that was to keep within reasonable bounds. Now I want to say this, I do not think locality was taken into consideration in a favorite way by the members of that committee. There is no doubt but what the institutions in this State all need more money than we have been able to give them. If we could give them the amount of money needed on the merits of the case there is no doubt but what it would take a lot more money. This institution we have under consideration now, I wish it were possible, as well as every other institution in the State, that we might give them what we desire to, but we had to take the other matter into consideration all the time.

The PRESIDENT: The Chair will state the question: Shall the resolve be passed notwithstanding the objections of the Governor? Those voting yes vote to pass the resolve; those voting no vote to sustain the veto.

The Secretary called the roll. Those voting yes were Messrs. Adams, Allen, Baxter, Bemis, Clark, Cobb, Eaton, Emerson, Emery, Farrington, Folsom, Garcelon, Gillin, Gould, Hall, Morrill, Parent, Putnam, Sargent, Spencer, Sprague, Stevens, Thombs, Thompson, Tuttle

—25.
Twenty-five senators voting yes and none in the negative the resolve was passed notwithstanding.

From the House: 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. In the Senate House Amendment A was adopted and it was passed to be engrossed. In the House, House Amendment B was adopted.

The Secretary read House Amendment B.

On motion by Mr. Parent of Androscoggin, the rules were suspended and the Senate reconsidered its vote by which this bill was passed to be engrossed, and upon further motion by the same Senator, the Senate concurred with the House in the adoption of House Amendment B and the act as amended was passed to be engrossed.

The committee of conference on the disagreeing action of the two branches of the Legislature on Resolve in favor of the commissioners of pharmacy, have had the same under consideration and ask leave to report that the Senate recede and concur with the House.

(Signed) Baxter,
Hall,
Clark,
on the part of the Senate.
Holley,
Snipe,
Croxford,
on the part of the House.

On motion by Mr. Thombs of Penobscot the Senate reconsidered its vote whereby this resolve was indefinitely postponed, and on further motion by the same Senator reconsidered its vote whereby it was finally passed, and on further motion by the same Senator the resolve was passed to be engrossed.

On motion by Mr. Folsom of Somerset, a recess was taken until 7.30 o'clock.

AFTER RECESS

Senate called to order at 8 P. M.

From the House: An Act to amend Section 85 of Chapter 2 of the Revised Statutes relating to the contingent fund.

This was passed to be enacted by the House. In the Senate, on its passage to be enacted, it was indefinitely postponed on motion by Mr. Eaton. The House asked for a committee of conference.

On motion by Mr. Eaton of Oxford, the Senate voted to join in the committee of conference, and the President appointed on such committee of conference Messrs. Eaton, Farrington, Emerson.

From the House: Resolve in favor of the Wiscasset-Edgcomb bridge. In the House this was finally passed. Subsequently it was recalled from the Governor and House Amendment A was adopted.

(The Secretary read House Amendment A.)

On motion by Mr. Clark of Lincoln the Senate reconsidered its vote by which this resolve was finally passed, and on further motion by the same Senator, the rules were suspended and the Senate reconsidered its vote by which it was passed to be engrossed; on further motion by the same Senator, the Senate concurred with the House in the adoption of House Amendment A, striking out the words "said sums to be payable from moneys not otherwise appropriated," and the resolve as amended was passed to be engrossed.

From the House: An Act to appropriate moneys for the expenditures of the Government and for other purposes for the year from July 1, 1922, to June 30, 1923.

In the House, under suspension of the rules read three times and passed to be engrossed.

On motion by Mr. Emerson of Aroostook, under suspension of the rules, without printing, the bill was given its several readings and passed to be engrossed.

From the House: An Act for the assessment of a State tax for the year 1921. In the House, under suspension of the rules read three times and passed to be engrossed.

On motion by Mr. Eaton of Oxford, under suspension of the rules, without printing, the act was given its several readings and passed to be engrossed.

From the House: An Act for the assessment of a State tax for the year 1922.

In the House, under suspension of the rules read three times and passed to be engrossed.

On motion by Mr. Tuttle of Aroostook, under suspension of the rules, without printing, the act was given its several readings and passed to be engrossed.

On motion by Mr. Baxter of Sagadahoc, a recess of fifteen minutes was taken.

AFTER RECESS

Senate called to order by the President.

The PRESIDENT: We are about to consider under the constitutional provisions a Resolve in favor of the University of Maine, returned to the House of Representatives by the Governor without his approval. The secretary will read the communication from the Governor and the Chair will then state the question.

(The secretary read the communication from the Governor.)

The PRESIDENT: The question before the Senate is shall the resolve be passed notwithstanding the objections of the Governor, and the Chair recognizes the senator from Penobscot, Senator Gillin.

Mr. GILLIN of Penobscot: Mr. President and honorable members of the Senate: I rise in your presence to redeem an endorsement of a promise, and as I do so in the closing hours of the Legislature I am reminded forcibly by the shadows we are and the shadows we pursue. Mr. President and gentlemen of the Senate, permit me therefore briefly to take you back to memory's page and take from it some circumstances that I will show you bear upon the issue that you have under advisement. Permit me to take these lines for my text:

"Let fate do her worst, there are
relics of joy
Bright dreams of the past which she
cannot destroy,

That come in the night time of sor-
row and care
And bring back the features that joy
used to wear.

Long, long be my mind with such
memories filled,
Like a vase in which roses have once
been distilled,

You may break, you may shatter the
vase, if you will,
But the scent of the roses will cling
to it still."

I am standing on the doorstep, in memory's eye, and my distinguished townsman, speaking under the canopy of the heaven, surrounded by thousands of men and women and children, men from different sections of your State who came to congratulate that distinguished son of Maine that the people of his State had made him the standard-bearer of a great party—I am standing with him on many platforms, in many cities and many towns, speaking by his side—I am standing with him in a great hall on Saturday night before the Monday following when he was elected Governor of your State; I am standing at his side on Monday night, listening to the telegrams as they come in which showed he was elected Governor of your State by the greatest majority in the State's history.

I am riding with him in an automobile from the Queen city of the east to a splendid institution of learning. On the 27th day of October last he asked of me a pledge which I am now going to attempt to redeem. He said, "I am going up to this University to see that the splendid men who in the crisis of war sustained it with their credit are protected, and that this University gets what it ought to get under the existing circumstances and conditions." I heard him pledge his faith to fourteen hundred of the finest looking young men and women that

I ever saw congregated together in a hall, with hundreds of his fellow-citizens round about him, that he would give to this University what it was entitled to on account of the facts which he knew, and which I will recite to you, my distinguished fellow Senators. He knew what this University had been through, that its doors were thrown wide open, that it became a training camp for hundreds and hundreds of men; he knew that from without its portals went seventeen hundred of its students, wearing the uniform of their country, thirty-eight of whom on the blood-soaked battle-fields of Flanders made the supreme sacrifice and laid down their lives, following an unbroken line of sacrifice that extended from Bunker Hill to the Argonne forest, a line of sacrifice which has been sanctified by the tears of beautiful women for the sons of the University of Maine who died on the red field of battle where death fell in showers, a line which such men as went forth from its portals allows no man to cross, and no nation ever can.

In the history of your State this great institution of learning has done great things for its people. It has sent forth its sons all over your State. Hundreds of letters have been received here. There are some of its distinguished sons listening to me here in this Senate Chamber and others in the House. The whole people of the State of Maine are indebted to this splendid institution, and the great counties of the east and the great people of the east are behind it to a man.

What is the difference betwixt the sum asked for and the sum which they would give the Institution? Only \$70,000. The professors of this College, some of them went to France and were interpreters; others went into the field of France and helped assist the people all over this great government of ours when it was in stress. I say to you, my fellow-Senators, that I know that the man who pledged his faith to that Institution, pledged to secure its indebtedness

that the trustees put their names upon in order to keep the doors open in times when you didn't know what was going to happen to your country and to your flag. And as fast as those hundreds of splendid young men went forth in the uniform of their country, hundreds of others from all over this country entered the portals of the University of Maine. It has more students in it than the other three colleges of your State. It is located on the banks of a matchless river. It is a splendid institution of learning, no superior in all the world, because its sons in other States are occupying the highest positions, and everybody knows it, from the tutorship and the training received within its portals, and they are sending back to your State men from without the state who want to get into its portals to get a similar training.

I say to you, my fellow Senators, with all deference to his Excellency, the Governor of my State, that for the paltry sum of \$70,000 which is the difference, such an institution as that ought not to be deprived of it. The splendid men who in the hour of the Nation's strife went into the banks of Bangor and put their names upon paper patriotically, splendid citizens, to help not only the students but the soldier boys who were getting ready to go and sacrifice their lives upon the field of battle—name another institution in the State of Maine that sent 1700 men from its portals to go where death fell in showers—name it! Will you keep from them the amount that they have asked for? If the dead can communicate with the living, he will know that I have kept my promise when I endorsed his.

And I told those 1400 young men and women from that platform on the night of the 27th of October, standing by the side of the Governor of your State, that I would stand upon the floor of this Senate and do my utmost to give to them what I believe they are entitled to, and I do not believe \$620,000 is enough.

What about these men who went into the banks of your State in or-

der to educate the youth of your State, the splendid men with this splendid record, and became liable for hundreds of thousands of dollars? Are they not to be protected by the great people of this splendid State? Are they not to be protected by the men of this Senate? I will not weary you, gentlemen, longer. I ask you in the name of the dead, from the lips of the living, pass this resolve.

I thank you. (Applause).

Mr. FOLSOM of Somerset: Mr. President, fellow Senators: I hesitate at this time to take a great deal of the closing minutes of this session of the Legislature to discuss a question which has been so thoroughly discussed not only in this hall and in the hall at the other end of the Capitol, but also in the corridors and hotels and every part of the State of Maine during the last seven or eight months. But there are some things in this message which I think should be answered.

The subject divides itself naturally into two parts, one of which I will touch upon very briefly and only for this reason, that one or two of the Senators have informed me within an hour or two that they have not had the opportunity of studying the figures to such an extent as to fully satisfy themselves with respect to the needs of the University; in other words, whether or not the sum involved in this resolve is actually needed.

The Governor himself answers that question in his message and he says that every cent—in one place—practically every cent which is asked for in this resolve for maintenance is needed. At two o'clock this afternoon or thereabouts this message was given to the people. In the Lewiston Journal appears this message in full, and in the latter part are these words: "be frank and open." The Governor invites us to discuss this question. He says, "Be frank and open." And I ask his Excellency what he means by that? Does he mean that the friends of the University up to date have not been frank and open?

Before I came to this session of the Legislature, in order to inform myself concerning the needs of the Institution, I asked the President to furnish me with figures so that I might be satisfied as to what the needs were, and he furnished me with a great many figures; and I say for the benefit of those gentlemen who have inquired of me, that I made as careful a study as I had time to do and I have satisfied myself that the University has not asked for a dollar more than they need to carry out the plans which will make it—continue it to be the splendid Institution that it is. The President of the Institution informs me that he appeared before the budget committee with all the documents which he had at his command to show them what the needs of the University were, and that he stated to that committee that he was ready at all times, while the matter was under consideration, to produce all the books and figures that he had relating to the affairs of the University. Documents were sent broadcast and into the hands of the legislators showing what the needs were. An estimate of expenditures and expenses, an estimate of receipts in detail, were given. We have had during all this winter any amount of copies of those figures available for any one who wished to see them, and I say that it is not fair for the Governor of the State of Maine to imply that the friends of this University have not been fair and open.

I read: "Although the University of Maine, strictly speaking, is not a State Institution, the State has assumed a definite obligation." In another part, "that at the present time it is unwise for the State to assume its debts."

"It has assumed a definite obligation to grant sufficient aid from the public treasury to help maintain the University on a reasonable and proper basis. The State first aided this Institution in 1867 and has steadily increased its appropriations down to the present time. There is some opposition throughout the

State to the granting of a large amount of aid to the University. "Some opposition! Where is it? Has there been any great amount of opposition under the dome of this Capitol this winter? And I want here and now to thank, in the name of the University of Maine, the alumni of the other Colleges of the State of Maine who have so loyally stood with us in our efforts to get that money which is needed in order to carry on this Institution. I have talked with people from all over the State with reference to the University of Maine. Wherever I have been this winter, one of the first questions which has been asked of me by people who were talking about the University of Maine was this: "What are you going to do with the University? We believe that she is entitled to liberal support." And I think when the Governor said "some opposition" "some," he expressed it exactly as it is—some, a small some. "But in my opinion a policy has been definitely fixed and the people of the State as a rule are in favor of that policy and desire its continuance." There is the answer to the whole thing. The Governor has refuted his own argument.

The University of Maine was established originally as a State College. Under the Morrill Act the various states were offered certain sums of money provided an institution was established to receive the money. The State of Maine accepted the conditions of that act and incorporated a board of trustees to carry out those conditions. The trustees are appointed by the Governor by and with the advice of the Council. They have always been appointed by the Governor. They are now appointed by the Governor. So that the State has absolute control and has always had absolute control of this University. The land on which this University sets is the property of the State of Maine, the title being vested in the people of this State. Now I say the State owns the Institution, and through trustees appointed by the Governor it has absolute control over that Institution.

Now whose debt is this deficit if it is not now the debt of the State of Maine? Can any one tell me whose debt it is? I shall be very glad to receive that information. Those who say it should be met by the alumni, surely do not say that it is their actual obligation. I admit there might be some force in asking that the alumni in their loyalty to the Institution be asked to aid it in some way. But I want to say to you that the alumni of the University of Maine are mostly young men. Large donations to colleges have usually come from rich families, the grandfather, the father, the son,—generations of one family have gone to these institutions and in their loyalty have made great endowments to them. The situation is not the same with the University of Maine, even if its alumni were in any way obligated to take care of this deficit.

The large majority of the alumni of the University of Maine have graduated since I did in 1895. The classes of the early days were small. Of the four thousand graduates of the Institution, nearly eighteen hundred of them saw service in the World war, so that you readily see that they are indeed young men just beginning to make their way in life. And I say that the proposition put up to us that the alumni should pay this deficit is ridiculous and absurd. I believe that the alumni are loyal enough to aid in some way; and I believe also that the Governor has misconstrued the attitude of the alumni toward the Institution in this respect. The alumni will not admit that it is their liability, but still say as opportunity arises that they will do all they can to aid the Institution.

I said a moment ago that this Institution, which sets on land the title to which invested in the State of Maine, controlled absolutely by the State through its Governor and the board of trustees appointed by the Governor, has a deficit, and this deficit was very largely incurred during the war. I am just going to call your attention to one item. During the three years last past the one item

of coal cost that Institution \$111,000 more than it did the three years before, and other expenses increased in proportion. No one could foresee that condition. The State of Maine had not appropriated sufficient funds to take care of the needs of the Institution. You gentlemen would not have had the president and trustees of that Institution shut its doors. And when those splendid men, those trustees, those alumni of the Institution, came to the rescue and put their names upon notes to take care of this deficit, to meet the obligations of an Institution which belongs to the State, they did a noble act and I believe it is the duty of this Senate here and now to put their seal of approval upon that act.

Mr. THOMBS of Penobscot: Mr. President and fellow Senators: After having taken up so much time during this session in speaking publicly upon many matters, I rise at this time not without some misgivings. For the former times that I have addressed you I have only to offer as an excuse that I have felt it was my duty as the chairman of a somewhat busy committee and as a senator naturally interested in the affairs before it. At this time I rise under a little different circumstances and feelings.

I am glad to say tonight that I am an alumnus of the Institution of which we are now speaking. I may not in years to come be able to donate any wealth to it, I may not be able to assist in teaching or otherwise be intimately connected with it, and unless I embrace this opportunity to say a word for it, in its behalf, I feel that perhaps I may never have the chance to serve it. If I should sit here this evening, fellow senators, and not make my feeble attempt, and this important issue should be decided against my alma mater, I should be sorry indeed.

The preceding speakers have eloquently and forcefully set before you the facts relating to this matter, and we find now that the issue is clearly drawn between the Governor and this Legislature. The Governor does not write a veto message as a challenge

to us. He intimated in the document that has been read in our hearing, that he sends to us a veto message because he believes and realizes that it is his duty so to do whenever he finds himself in a disagreement with the legislative will. I have differed with his Excellency upon most of the veto messages that he has returned to us, because I am one of those who when I have given my consent and approval to an act am not lightly persuaded to turn aside and reverse my position.

But I am at the same time always willing to carefully scan the message that he returns to us, and I have great respect for it because I know that he speaks out truly and from his best convictions. And I am quite willing, fellow senators, as the senator from Somerset has done, to take issue with the Governor upon this document itself and measure it according as I believe it merits.

I have great respect for a veto message from Governor Baxter, because I know that he is a fair fighter, a man who respects differences of opinion, a man who has opinions and settled convictions of his own and does not lightly depart therefrom. Like many of you within this room, I have seen him in earnest debate in defense of his convictions when he was confronted by some of the ablest debaters within the State of Maine, and I was proud of him in those moments when he stood out so frankly and fearlessly and defended eloquently and well his convictions. And I know that if I do it fairly I offer no affront to him in expressing my opinion of this message.

As the Senator from Somerset has told you, in his very opening sentences he says that the University of Maine strictly speaking is not a State University, but that the State has assumed a definite obligation to grant sufficient help to maintain it. Gentlemen, I want to submit to you in all fairness if in that sentence he has not tacitly admitted what I believe is the will of this Legislature? I am not going to enter into any argument on the question of whether

it strictly speaking is a State Institution or whether it is an agency for the distribution of State money, because Governor Baxter himself says that our policy towards it has become established.

He says, "there is some opposition throughout the State to the granting of a large amount of aid to the University, but in my opinion a policy has been definitely fixed and the people of the state as a rule are in favor of the policy and desire its continuance. The University of Maine, in my opinion, is the only institution of higher education in the State that can reasonably expect to receive State aid." And, gentlemen of the Senate, I am willing to rest the issue right there on his own words. If the people of this State have recognized the fact which he says they have recognized, is it right for us to sit here and quarrel with him over so slight an amount in dollars and cents as has been pointed out to you by the Senator from Penobscot? Should it take us very long, if that is the only question at issue, to decide between \$620,000 and \$550,000. I believe that that is not the meat of this matter, because I believe that Governor Baxter would never have set up his judgment against the judgment of 182 men of the State of Maine, if that was the only point at issue.

I pass over many of those things that have been brought to your attention by the other gentlemen. But I want to dwell for just a moment upon this suggestion in the message and repeat somewhat what the Senator from Somerset has called to your mind: "In my message to the Legislature and in conversation with the President of the Institution and the gentlemen I conferred with, I suggested that some effort be made to arouse the alumni of the University and to appeal to their loyalty and spirit, but the reply received was that the alumni of the University of Maine would not respond even though the call was sounded."

Gentlemen, I regret that Governor Baxter has seen fit to incorporate in

his message that paragraph. I cannot believe it is true. I cannot believe that you are going to accept it as an indication of the feeling of these hundreds and hundreds of men who have got what education they have at that dear old Institution. Gentlemen of the Senate, I submit to you that such a statement is not in accord with the dictates of the human heart and mind. Do you believe that these boys and these girls, some of them now grown to motherhood and womanhood, do you believe that such a sentiment as that is fair to be cast back at them? Gentlemen of the Senate, I believe that there is not a graduate from the old University of Maine that is not willing to contribute of his time and his money as he may be able for any worthy cause. But I do not need to argue that because he himself in almost the next sentence answers it. "I do not believe that the alumni of the University of Maine will fail to respond if a proper appeal is made to them. At least I believe they should be put to the test." Gentlemen, there is some inconsistency in that respect. Quoting a little farther in the message, "In my opinion a great majority of our citizens will be better satisfied if the State contributes liberally towards maintaining the Institution, and they expect the Institution itself to use every effort to effect proper economy," etc. Now gentlemen, how are you going to separate, I ask you, this debt that has come to the University in the manner in which the gentlemen have described, in those days when the University opened its doors and became a training camp, as the Senator has told you; and the trustees, I understand came to this very Capitol and laid the matter before the then Governor and Council, saying that we have not sufficient funds to maintain it as such a camp, and asking if it should be closed?

And I understand that the Governor and Council at that time said by no means should it be closed. If that were not true of the Governor and Council, gentlemen, if the trus-

tees of that Institution had laid that matter before the people of the State of Maine, what do you believe the answer would have been? Do you believe that the people would have said "We will not continue this work. We will close its doors. We will let this Government and State of ours find its defenders where it may but we will remain passive." Do you believe that the people of the State of Maine would have endorsed any such action as that? I do not. I believe that the people of the State of Maine, as one, would have arisen and said "Discharge the obligation that has fallen upon you and we will see that ample and proper recompense be made."

And Governor Baxter further says "Be frank and open" and that is characteristic of him, as I have told you. Yes, let us be frank and open. And my advice to the gentlemen who have been working in the interests of the University here this winter, every time that I have had an opportunity to say a word to them, has been to urge them to be frank and open in all things. We have nothing to conceal. We welcome the severest and most searching examination. And to show our good faith in the matter and our desire to cooperate in the economical program on which we have boasted here this winter, we have said to this Legislature, "We will forego our request for a new dormitory, as much as we think it is needed, and we will ask that that money that we have asked for that be applied upon the deficit, and for what reason, gentlemen? For the reason that the issue has been clearly defined here this winter as to whether this debt should or should not be assumed by the State.

We cannot, as alumni of that Institution, allow any procrastination on that point because it involves a principle. We believe that we are justified in saying, and in asking from this Legislature some recognition of our financial condition and some payment upon our debt. So I say we are willing to face this issue, having been willing to face it all

this session long, and to my mind it is the only issue that is before us this evening. If I read the message of His Excellency aright, there is so little difference between his will and the will as registered by the legislative bodies in other respects that it narrows down to that point, and we are quite willing to accept that issue and fight it out on that line.

For just a moment, I want to refer and repeat somewhat after the gentleman who has immediately preceded me as to the ability of the alumni. I have already said that I believe they are loyal; that they would be willing to contribute in wealth, in time, in service, as well as they might. We have had with us in this Legislature this winter, gentlemen, as clerk of one of the important committees of this House, a student of the University of Maine. When he came to us in January he was in the midst of his work and he very frankly told me that he would like to get some time in which to go back to the University and take his examinations, and I was glad to grant him that privilege. I say that he has served us faithfully and well. A day or two ago his work was done, and he came to me and said that he was going, and I said "You are going back to the University?" and he said "No." "Why? Isn't it open there? Are not the other boys there?" And he said "Yes." "Well," I said, "and why don't you go right back and take up your work where you left it?"

And he said "I am not able." He said, "I have got to look for a job now, and I do not know where it is. I think if I can get a job now and work until summer school opens, that I may then be able in summer school to catch up with my class and take up the senior work with the fall term and graduate next spring." Now, gentlemen of the Senate, that boy is typical of hundreds and hundreds of the boys and girls that tonight are living on the campus of the University of Maine. They have not been favored by wealth. Their parents in most circumstances are not college

graduates. They are struggling along as best they may to get some education and they are obliged to turn to that Institution which seems to offer to them the best opportunity. But, gentlemen of the Senate, alumni of such an Institution as that with a few exceptions may be poor in this world's goods, but I glory in the record that the University graduates have made and are making in a thousand and one towns and in the many states where they have taken up their abode. There is not room in the State of Maine for all the engineers, or all the graduates of the several departments there, and they must of necessity go out to seek employment. But I believe, gentlemen of the State of Maine, that they are still an asset of the State of Maine, and I believe that those States that have received them are benefited quite as much as though they had remained with us. We are not jealous in these matters. We are glad for our boys and our girls to go where they will because we have every confidence that they will reflect only honor and glory upon our State.

Gentlemen of the Senate of the 80th Legislature, you have not only a question of a few dollars confronting you at this time, but you have a question as I have already said of policy. If I had no other recommendation or endorsement to bring you as to this thing, I should still believe that I was warranted in feeling that it merited sufficient consideration for you to vote us what we ask. In travelling to and from the Legislature this winter to my home town, I pass through the city of Bangor and the town of Orono, and I will not attempt to say to you, gentlemen, how many times I have been accosted on the street by the young men of that Institution—very, very many of them I did not know—and they have asked me what the prospects were for the University of Maine getting its appropriation this winter. Gentlemen, isn't it enough, when boys and girls of that class are interested to the extent that they will inquire as to the future of their educational institution—is not that enough to war-

rant us in saying to the people of the State of Maine that we believe that it is our debt, we believe in the principle of recognizing it, and that we believe that at this session we can endorse the principle involved and contribute the comparatively trivial amount of \$65,000 to apply upon it.

Gentlemen of this Senate, I hope you may accept this view.

Mr. SPRAGUE of Piscataquis: Mr. President, I will not weary this Senate at this late hour with but a very few words, but it has occurred to me that living, as I do, in a county—representing as I do here a county in the eastern part of Maine, where almost every man, woman and child loves the University of Maine, that my silence tonight might be construed as lukewarmness in regard to this very important question which is before us. For that reason, and that only, I want to say a few words, that you may know, you gentlemen from all over the State, other parts of the State, that the county of Piscataquis feels a deep interest in this matter.

It has seemed to me this winter that on many questions that have arisen here, not only talk that I have heard in these corridors and in the hotels in regard to this University of Maine, but other subjects, that there is a trend of thought here of disposition to change the dictionary. I look into the dictionary to see what the meaning of economy is and I find that the meaning is "expenditure"—"prudent expenditure"—and it seems to me as though they are trying to change the definition to parsimonious expenditure: but that is no reason why we should not make expenditure when it is necessary and when we are doing it for a noble or an honest purpose.

Now something has been said here about the alumni. I am sorry to say that I am not a member of it or of any other alumni. I wish I were. I have said a great many times that if I had been the father of boys or girls, they would have gone through all the colleges that I could have put them through, because

I realize the importance of it and the benefit of it, and the loss of it, if you do not have it. I remember seeing here this winter, in some of the literature which has been distributed here regarding the University of Maine, that this alumni, young as it is, as has been well expressed by the other Senators who have preceded me, I have seen a statement where they have already donated to this college somewhere around \$300,000 in their gifts, bequests to that college.

Now this is simply to my mind a question where the honor of the State is involved. Do we want to take a stand here, do we want to adopt a policy that is in any sense of the word, directly or indirectly, aiming towards repudiation? I do not believe we want to make that record. I do not believe in it. I have no faith in it, no sympathy for any course of that kind. This deficit in my opinion—I never have been in close connection with the trustees or the management of this college, but I have for years been in close observation of things around this Legislature ever since this college was first begun, ever since it had its breath, and I believe that one of the causes of this deficit has been because no single session of the Legislature of Maine ever yet gave that college what it showed them beyond any question was its necessity, and it has always kept them in my opinion in a cramped condition financially, and when the war came on and they passed through that struggle then of course that increased, their difficulties were more and more, and this deficit has been the result.

This College is doing a great work, not only as has been referred to by the Senator from Somerset, the Senator from Penobscot, both Senators, not only in that line, but the farm bureau which they have established and are supporting and maintaining throughout this State, if they have any such results as they have in our county, is a great blessing to the State of Maine and doing a great work for all of the agricultural interests in this state.

I have no further remarks to make. I wanted to make it plain. I wanted my position to be understood and to have you fully realize that the county of Piscataquis stands very firmly for this College and for paying this debt, or endorsing it, beginning payment of it—acknowledging here tonight that it is a debt, a State debt, due to these men who have stepped in, in the time of an emergency and trouble and relieved the College.

The PRESIDENT: The question is Shall the resolve be passed notwithstanding the objections of the Governor? Those voting yes vote to pass the resolve over the veto; those voting no vote to sustain the veto.

The secretary called the roll. Those voting yes were Messrs. Adams, Allen, Bemis, Clark, Cobb, Eaton, Emerson, Emery, Farrington, Folsom, Garcelon, Gillin, Gould, Hall, Parent, Putnam, Sargent, Spencer, Sprague, Stevens, Thombs, Thompson, Tuttle,—23. Those voting no were Messrs. Baxter, Morrill—2.

Twenty-three senators voting yes and two voting no the resolve was passed notwithstanding the objections of the Governor.

From the House: An Act to amend Sections 85 and 86 of Chapter 16 of the Revised Statutes, as amended by Chapter 229 of the Public Laws of 1917, and Chapter 96 of the Public Laws of 1919 and by Chapter 103 of the Public Laws of 1919, providing for an increase in the amount of tuition to be paid to towns for secondary school pupils, and in the amount of State aid for same.

In the Senate this bill was indefinitely postponed; the House insisted upon its former action and asked for a committee of conference. The committee reported as follows: That the House recede and concur with the Senate in the indefinite postponement of the bill. That report was accepted. Subsequently the House reconsidered that action and rejected the report and now asks for another committee of conference.

On motion by Mr. Clark of Lincoln, the report was accepted.

Mr. BAXTER of Sagadahoc: Mr. President, I move that we adhere and refuse to join a committee of conference.

Mr. FARRINGTON of Kennebec: Mr. President, I do not believe that this bill is understood. As I understand it the bill simply provides for an increase in the amount towns have to pay, where they have no high schools, for tuition of pupils in other towns. I do not remember the amount of the increase but the bill shows it. I feel that we ought to join in a committee of conference.

Mr. ALLEN of York: Mr. President, I think the senator from Kennebec will find that he is mistaken in that matter.

Mr. FARRINGTON: Mr. President, I wish we could have the bill read. I think I am not clear on it.

The PRESIDENT: It is H. D. 362, a printed bill.

Mr. FARRINGTON: I have a copy of the bill. May I ask through the Chair if the chairman of the committee on education will tell the Senate just what the bill is so that there will be no question about it.

Mr. ALLEN: The subject matter of that bill tells just what it is. It is the regular high school bill for high school tuition. It is the tuition that they can charge.

Here is what I got from the educational department at the time this bill came in for indefinite postponement: "The educational department would like to have the accompanying bill indefinitely postponed as it was taken care of in a new bill."

I looked the matter up and am satisfied that it is taken care of in the other bill.

Mr. FARRINGTON: Mr. President, I am informed that Dr. Thomas has withdrawn his objections to the bill and is considering the framing of an amendment to this matter with an emergency clause to take care of it.

Mr. President, I move that we in-

sist and join a committee of conference.

The PRESIDENT: The Senate postponed this bill indefinitely.

Mr. FARRINGTON: Mr. President, I will withdraw that motion and move that we recede and concur with the House.

Mr. COBB of Kennebec: Mr. President, if I understand Senator Allen this bill will be taken care of. I am interested in this bill and believe it is what we want.

Mr. GILLIN of Penobscot: Mr. President, I am relying upon the chairman of the committee on education. Of course unless there is some explanation given I shall vote to sustain the proposition laid down by him.

Will some one please instruct me what the matter is?

The PRESIDENT: The motion now is to concur with the House.

Mr. ALLEN: Mr. President, I have made the statement that this bill is taken care of under the re-distribution bill. If the senators do not believe it I cannot help that.

Mr. GILLIN: Mr. President, what was the action of the House?

The PRESIDENT: The Senate indefinitely postponed the bill. A conference committee was appointed and they reported that the House recede and concur with the Senate in the indefinitely postponement of the bill. The House accepted that report, and later reconsidered and rejected the report. They now ask for another committee of conference.

Mr. GILLIN: Mr. President, I move that the Senate insist on the statement of the chairman of the committee on education.

Mr. FARRINGTON: Mr. President, I have no interest in this bill but I understood that there was a misunderstanding. I have been trying to help out the misunderstanding, and have deepened it. I have no interest in the bill, and I have absolute confidence in the statement of the chairman of the com-

mittee on education, if he is certain there has been no change and that the other bill does cover this matter.

I have nothing to say further.

The PRESIDENT: The Chair understands that the senator from Kennebec withdraws his motion. The motion now under consideration is that we adhere and decline to join a committee of conference.

Mr. COBB: Mr. President, I do not distrust the senator from York at all. As I understand it he said that the superintendent of schools gave him to understand that this bill was taken care of in another bill. Now the report comes that Mr. Thomas late this afternoon has looked over the bill more carefully and finds that this bill is not taken care of in the other bill. If that is the case I want a committee of conference.

Mr. BAXTER: Mr. President, it seems to me that the chairman of the committee on education must know what he is talking about and I have understood from him that this matter was taken care of in the equalization fund. I do not think it is proper to question the intelligence of the senator from York, the chairman of that committee.

Mr. ALLEN: Mr. President, I will say that Dr. Thomas told me that this bill was taken care of in the bill as I have stated, and it seems strange to me that if he has changed his mind why he tells somebody else. It seems to me he should have come to me and that he should not talk to outside parties and have them tell us things are so and so when I know they are different.

The PRESIDENT: The pending question is the motion of Senator Baxter that the Senate adhere and refuse to join a committee of conference.

The motion was adopted by a viva voce vote.

From the House: An Act appropriating money for the expenditures of the government for the year from July 1, 1921 to June 30, 1922.

Under suspension of the rules on motion by the senator from York, (Senator Stevens), without printing, the bill was given its two readings and was passed to be engrossed, in concurrence.

Committee Report

The committee of conference on the disagreeing action of the two branches on An Act to amend Section 85 of Chapter 2 of the Revised Statutes, relating to the State contingent fund, reported that the House recede and concur with the Senate, and the action of the Senate was indefinite postponement.

(Signed)

Messrs. EATON,
FARRINGTON,
EMERSON,

On the part of the Senate.

Messrs. HINCKLEY,
WADSWORTH,
CORDWELL,

On the part of the House.

On motion by Mr. Bemis of Somerset the report was accepted.

Passed to Be Enacted

An Act to amend Sections 8, 22, 37, 53, 54, 55, 57, 63, 64 and 88 of Chapter 259 of the Public Laws of 1917, known as the Military Law.

Finally Passed

Resolve providing for the purchase of the public letters of John Fairfield.

Resolve in favor of the town of Winthrop.

Resolve providing for expenses in connection with the funeral of the late Governor Parkhurst.

Passed to Be Enacted (Emergency Measures)

An Act to appropriate moneys for the expenditures of the government for other purposes for the period from January 1st, 1921 to June 30th, 1921.

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

An Act prohibiting public games and amusements on Memorial Day.

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

An Act to amend Chapter 77 of the Resolves of 1921 entitled "Resolve in favor of the several academies, institutes, seminaries and colleges for maintenance, repairs and improvements."

This bill carrying the emergency clause required the two-thirds vote of the Senate on its passage. Twenty-three Senators voting in the affirmative the bill was passed to be enacted.

Finally Passed

(Emergency Measure)

Resolve in favor of the Bangor State hospital for maintenance during the years 1921, 1922 and 1923.

This resolve carrying the emergency clause required the two-thirds vote of the Senate on its final passage. Twenty-three senators voting in favor of its passage it was finally passed.

Final Reports

The following committee submitted its final report: Appropriations and Financial Affairs.

On motion by Mr. Putnam of Washington the Senate recessed for ten minutes.

AFTER RECESS

Senate called to order by the President.

Passed to Be Enacted

An Act to appropriate moneys for the expenditures of the Government and for other purposes for the year from July 1, 1921 to June 30, 1922.

An Act to amend Section 110 of Chapter 4 of the Revised Statutes, relating to payment of damages done

by dogs and wild animals to domestic animals.

An Act to increase salaries of certain County Officers and amount of money allowed for clerk hire in certain county offices.

An Act to amend Chapter 238 of the Public Laws of 1919, relating to Workmen's Compensation.

An Act to amend Section 7 of Chapter 263 of the Public Laws of 1919, relating to third class highways.

Finally Passed

Resolve on the pay roll of the Senate of the Eightieth Legislature.

Resolve to apportion 151 Representatives among the several counties, cities, towns, plantations and classes in the State of Maine.

Resolve for maintenance and improvement of the State Park at Augusta.

Resolve providing for the naming of the new school building to be erected at the State School for Boys in South Portland.

Passed to Be Enacted

(Emergency Measures)

An Act to provide for a sinking fund for the War Bonds and bonus bonds issued by the State of Maine.

This resolve carrying the emergency clause required the two-thirds vote of the Senate on its final passage. Twenty-four senators voting for the passage of the resolve it was finally passed.

An Act relating to Martin's Point Bridge, so-called in the county of Cumberland, and amending Section 2 of Chapter 89 of the Private and Special Laws of 1919.

This resolve carrying the emergency clause required the two-thirds vote of the Senate on its passage. Twenty-four senators voting for the passage of the resolve it was finally passed.

Finally Passed

Resolve providing for the erection and completion of a State school building for the State School for Boys at South Portland.

This resolve carrying the emergency clause required the two-thirds vote of the Senate on its passage. Twenty-four Senators voting for the passage of the resolve it was finally passed.

An Act to incorporate the Kennebunk, Kennebunkport and Wells Water district.

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.

Finally Passed

Resolve for the construction, maintenance and repair of roads, bridges and ferries.

Resolve for the repair and construction of certain bridges and ferries for the fiscal period ending June 30, 1922 and for the fiscal period ending June 30, 1923.

Resolve providing for the purchase of reports of the Centennial celebration of the Maine State Bar Association.

Emergency Measures

Resolve in favor of Wiscasset-Edgecomb Bridge.

This resolve carrying the emergency clause required the two-thirds vote of the Senate on its final passage. Twenty-two voting for its passage it was finally passed.

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.

This resolve carrying the emergency clause required the two-thirds vote of the Senate upon its passage. Twenty-four senators voting for its passage the resolve was finally passed.

Resolve authorizing the payment of certain deficiencies.

This resolve carrying the emergency clause required the two-thirds vote of the Senate on its final pass-

age. Twenty-four Senators voting for its passage it was finally passed.

Resolve in favor of the Randolph-Gardiner Draw Bridge.

This resolve carrying the emergency clause required the two-thirds vote of the Senate on its passage. Twenty-four senators voting for its passage it was finally passed.

Resolve making appropriations for the Passamaquoddy Tribe of Indians for the half year from January 1, 1921, to June 30, 1921 and the years July 1, 1921 to June 30, 1923.

This resolve carrying the emergency clause required the two-thirds vote of the Senate on its passage. Twenty-four senators voting for its passage it was finally passed.

Resolve in favor of the Public Utilities commission to take care of expenses provided for under Chapter 117, Section 31, Chapter 55, Section 1, and Chapter 24, Section 34 and Section 38, of the Revised Statutes.

This resolve carrying the emergency clause required the two-thirds vote of the Senate on its passage. Twenty-four senators voting for its passage it was finally passed.

Passed to Be Enacted

An Act appropriating moneys for expenditures of Government and for other purposes for the year from July 1, 1922 to June 30, 1923.

An Act appropriating moneys for the expenditures of Government for the year from July 1, 1921 to June 30, 1922.

An Act for the assessment of a State tax for the year 1922.

An Act for the assessment of a State tax for 1921.

This bill carrying the emergency clause required the two-thirds vote of the Senate on its passage. Twenty-two senators voting for its passage it was passed to be enacted.

A recess was declared for five minutes.

AFTER RECESS

Senate called to order by the President.

On motion by Mr. Farrington of Kennebec, it was

Ordered, that a message be sent to the House of Representatives informing that body that the Senate has transacted all business which has come before it and is ready to adjourn without day.

The order was given a passage and the Chair appointed Senator Farrington to convey the message.

The Senator retired and subsequently reported that he had delivered the message with which he was charged.

Mr. MORRILL of Cumberland: Mr. President and fellow Senators, as you are aware I am the oldest man in this senate. And I am, the only Grand Army man in the Senate. In all human probability I shall be the last Grand Army man to sit in your assembly. I want to thank every senator present for the nice, courteous treatment I have received from them, and I wish you all success and happiness and a long life.

(Applause)

Mr. EMERY of Washington: Mr. President, I have just been advised that I am the youngest senator here, and perhaps that is true. I want to say, as a most inexperienced legislator, I have received the most courteous treatment, and that I deeply appreciate it. My memory of this legislature will be a most pleasant one, and through the Chair I wish to thank all my fellow senators for the courtesy they have extended to me.

(Applause.)

The PRESIDENT: At this time the Chair will convey a message from Senator Babb. He is improving much in health and expects in a day or two to be out. I called on him this afternoon, and as an evidence of splendid fellowship, he told me that seventeen senators had called upon him, although their duties demanded their attention elsewhere. I think that is one of the strong features of this whole Senate. And that

was a fine tribute to pay to one of our members who is ill, that we can take time, in the last hours of the session, to go and express to him the regard we all feel for him, and for every member.

(Applause.)

Mr. ADAMS of Kennebec: Mr. President, I am not the oldest man here, and neither am I the youngest, but I am just as thankful for the treatment I have received as either of the other men. I want to thank you all for your kindness towards me.

(Applause.)

Message from the House

A message was received from the House of Representatives, conveyed by Mr. Maher of Augusta, informing the Senate that the House of Representatives had transacted all its business and was ready to adjourn without day.

The PRESIDENT: The Senate hears the message.

On motion by Mr. Baxter of Sagadahoc, it was

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

The Chair appointed on such committee on the part of the Senate, the senator from Sagadahoc, Senator Baxter, the senator from York, Senator Stevens, and the senator from Oxford, Senator Eaton.

Sent down for concurrence.

The committee retired and subsequently reported that they had delivered the message with which they were charged, and that the Govern-

nor would send a communication in a few moments.

Communication from the Chief Executive

A communication was received from the Governor, conveyed by the Secretary of State.

The secretary read the communication.

Augusta Maine,
Office of the Governor
April 9, 1921.

To the President of the Senate and Speaker of the House of the 80th Legislature:

I herewith transmit a list of the Acts and Resolves passed by the present session of the Legislature. The late Governor, Hon. Frederic H. Parkhurst, approved one Act and one Resolve. I have approved 383 Acts and 154 Resolves. Three Resolves were passed without my approval, thus making a total of 384 Acts and 158 Resolves.

I have no further communication to make.

Respectfully,

PERCIVAL P. BAXTER,
Governor.

Sent down for concurrence.

Mr. TUTTLE of Aroostook: Mr. President and fellow Senators:

In this closing hour I want to say a few words. I expect without any doubt that this is my last legislative work, and I have sometimes thought that my legislative work should have come at an earlier date. At the next session you will have several ladies, and I feel that I shall be denied the pleasure of sitting with the ladies.

I wish you all Godspeed at this closing hour.

I now move, Mr. President, that we adjourn without day.

The motion was adopted and the Chair declared the Senate finally adjourned without day.