

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-First Legislature

OF THE

STATE OF MAINE

1923

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Thursday March 15, 1923.

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

Prayer by the Rev. Mr. Young of Hallowell.

Journal of previous session read and approved.

From the Senate: The following communication:

STATE OF MAINE

Office of the Governor
Augusta, March 9th, 1923.

To the Honorable Senate and House of Representatives of the 81st Legislature:—

I return herewith without my approval

Resolve providing for the purchase of reports of the commemoration of a century of peace between the United States and Canada of the Maine State Bar Association.

The amount called for by this resolve is not large but I believe that all possible economies should be effected. I take as deep an interest in saving all sums as I do in saving those that are larger. If the condition of the State Treasury warranted the purchase of the book in question I should be glad to give my approval to this resolve. As there are a number of similar resolves pending before this Legislature and as the total sum involved is considerable I am of the opinion that no purchases of books, other than those provided for by the regular appropriation for the State library, should be made at present.

I regret the necessity of disapproving the resolve now before you and do so solely from a desire to relieve the citizens of the State from the burdens of taxation.

Respectfully submitted,

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

In the Senate, passed over the Governor's veto.

Mr. ARCHIBALD of Houlton: Mr. Speaker and members of the House: I want to read to you the resolve that has just been returned without the approval of the Governor:—

"Resolved that the sum of five hundred dollars is hereby appropriated for the purchase from the Maine State Bar Association of copies of the Report of

the Commemoration of a Century of Peace between the United States and Canada, by the said association, to be printed by it at the same cost per copy."

This resolve, gentlemen, only seeks for the sum of \$500 to commemorate the century of peace.—a unique situation, certainly, in the world's affairs.—that has existed between us and our sister country to the north, the only two nations, probably, on the face of the earth, that during that period of time have lived in peace and in utter and entire friendship. We are a border state. I do not believe that we want to measure our feelings, or our kindly regard, for a country with which we have been at peace for so long, in terms of dollars and cents.

I live along that border line. The town in which I live is a border town. You can travel two miles and a half from my village and see, right up across the country, a line hewn out of the forests, which shows the border line between our country and Canada. All along that line, which is purely, I might say, a fictitious line, from the Atlantic to the Pacific, there is no fortification, there is nothing to indicate where our country stops and the other commences except that line which is visible to the naked eye. We were entertained in this House, early in the session by an eminent jurist from Canada. He came here and spoke to us and was entertained by us. Every feeling of kindly regard between these two countries was given expression to on that occasion.

I do not believe that it is wise for us, for the sake of saving \$500, to attempt to smother those feelings. I believe it is wise, I believe it is well, to give expression to our sympathies and not merely to stand on a small, crude, penurious ground, in order to save that money, when it means a real, genuine expression of friendship. Many of us have relatives in that country. Many of them have come over to us and become assimilated with us, have become naturalized, become good citizens. I have had a good deal of social and business intercourse with men on the other side of that line and I know that they are men like ourselves. They think as we do, they do business very much as we do, they are practically the same people.

Now, if it is wise to commemorate deeds of valor of our own people, I cannot see why it is not just as wise from an international viewpoint to

commemorate a century of peace, and if we cannot do it by the expenditure of \$500 in this way and place this book in the libraries of the Dominion of Canada and in such other places as the State librarian may see fit to place these memorials, if we cannot do that for \$500, we cannot afford to take any action that is going to show our neighbors to the north that we even desire to be friendly.

It seems to me, members of this House, that for this small sum, the very least we can do is to place ourselves on record as favoring this resolve and concur with the Senate and pass this over the veto of the Governor. (Applause)

Mr. BARWISE of Bangor: Mr. Speaker and gentlemen, I wish to take only just a moment in emphasizing what my brother from Aroostook has just said and to point out this in addition: that not one cent of this five hundred dollars goes to the Bar Association. None of us get anything out of it. It simply purchases five hundred volumes of this book which our association is not able to print and distribute gratuitously, and the State librarian distributes them throughout New England and perhaps some other parts of the country, and also throughout Canada.

This is something which we should not overlook in this time and in this age. We have been rewriting all our histories in the last twenty-five years. Historians now are emphasizing in their work the growth and development of civilization, rather than emphasizing the rise and fall of certain dynasties or glorifying certain military heroes. The world is turning its attention now to the growth and development of civilization, and nothing that we produce will do this any more than to emphasize this fact of one hundred years of peace between Maine and Canada, when, during all that length of time, there has been nothing to distinguish one country from another, any more than there has been to distinguish one farm in Kennebec county from the one next to it. Just a granite post marking the boundary. That is a wonderful thing, and nowhere in the history of the world, so far as I know, has there ever been a century of absolute peace between two great nations living side by side, with a boundary like ours. I hope the House will adhere to its position and pass this measure over the veto of the Governor.

The SPEAKER: The question is a Constitutional one and a yea and nay vote is necessary. The question is, shall this resolve be finally passed notwithstanding the objections of the Governor? As many as are in favor of the resolve becoming a law notwithstanding the objections of the Governor will say yes when their names are called. Those who are opposed, and who wish to sustain the veto of the Governor will say no when the names are called. Is the House ready for the question? The Clerk will call the roll.

Yea—Adams, Litchfield; Archibald, Atwood, Ayer, Baker, Bartlett, Hanover; Bartlett, Waterville; Barwise, Beckett, Belliveau, Benoit, Bickford, Bisbee, Blaisdell, Boman, Boulter, Bradbury, Brett, Brown, Burns, Cates, Chalmers, Cherry, Clarke, Conant, Crafts, Crowley, Cummings, Curtis, Dilling, Douglas, Downing, Dudley, Dunbar, Dunn, Edwards, Farley, Fickett, Firnell, Foss, Gagne, Gagnon, Gamage, Gardiner, Gauvin, Gilc, Gillespie, Gilmour, Goldthwaite, Gordon, Granville, Greenleaf, Hale, Hallett, Hamilton, Hammond, Hayes, Gorham; Hayford, Heal, Hobbs, Hodgkins, Holey, Holmes, Houghton, Hutchinson, Johnson, Jones, Jordan, Cape Elizabeth; Jordan, Westbrook; Keef, Keene, Kitchen, Lamson, Leathers, Leland, Littlefield, Lord, South Portland; Ludgate, Macomber, Maher, Marun, McDonald, McIlheron, Melcher, Moody, Morrison, Morse, Bath; Nadeau, Nevins, Newcomb, Nichols, Oakes, O'Connell, Overlock, Owens, Palmer, Perry, Pierce, Pinkham, Piper, Plummer, Ramsdell, Ranney, Ray, Rogers, Rounds, Rowell, Sanders, Saunders, Sayward, Siddall, Smith, Staples, Stevens, Stitham, Storm, Story, Stratton, Sturgis, Thomas, Chesterville; Thomas, Leeds; Tilden, Towne, Weeks, White, Whitney, Williams, Willis, Wing, Winn, Winslow, Wood—131.

Nay—Adams, Liberty; Brewster, Dain, Drake, Hayes, Chelsea; Nickerson, Pendleton, Phillips, Reed, Tarr, Torgue—10.

Absent—Jacobs, Jewett, Knight, Lord, Wells; Morse, Greene; Oakes, Perkins, Sparrow—9.

Affirmative 131; negative 10; absent 9.

The SPEAKER: Ten having voted in the negative, and 131 in the affirmative, the objections of the Governor are not sustained and the resolve becomes a law.

At this point, the Speaker introduced to the members of the House Senator Elder of New Hampshire.

who was greeted with applause, the members rising.

Papers from the Senate disposed of in concurrence.

Senate Bills in First Reading

Senate 234: An Act closing to all hunting certain territory in Lincoln county, to be known as the Lincoln County Game Preserve.

Senate 232: An Act authorizing the formation of non-profit co-operative associations, with or without capital stock, for the purpose of encouraging the orderly marketing of agricultural products through co-operation.

Senate 231: An Act to incorporate the Knox Bar and Library Association.

Senate 230: An Act to amend Section 41, Chapter 117, Revised Statutes as amended by Chapter 167, Public Laws of 1917, Chapter 214, Public Laws of 1919, and Chapter 219, Public Laws of 1921, relating to salaries of sheriffs.

Senate 235: An Act amending Section 121 of Chapter four of the Revised Statutes, as amended by Chapter 135, Public Laws of 1921, relating to fish weirs.

Senate 236: Resolve in favor of the Reformatory for Women for maintenance and other purposes.

Senate 228: An Act to incorporate the towns of South Thomaston and Owls Head, in the county of Knox, into a single town.

Mr. CLARKE of Stonington: Mr. Speaker, I offer House amendment A, and move that pending the adoption of the amendment, the bill and amendment be tabled.

The motion prevailed.

Senate Bills in First Reading—Continued

Senate 229: An Act to amend Section 67 of Chapter 22 of the Revised Statutes, relative to a close time on scallops.

From the Senate: Report of the committee on Judiciary reporting ought not to pass on bill, An Act to exempt non-resident vehicles from

registration and to establish reciprocal exemptions with other States.

This report was read and accepted in the House March 8.

In the Senate, bill recommitted in non-concurrence.

In the House, on motion by Mr. Nichols of Portland, it was voted to recede and concur with the Senate in recommitting this bill to the committee on Judiciary.

On motion by Mr. Archibald of Houlton, the House voted to reconsider its action whereby bill, An Act authorizing the formation of non-profit co-operative associations, with or without capital stock, for the purpose of encouraging the orderly marketing of agricultural products through co-operation was assigned for its third reading tomorrow morning at ten o'clock; and on further motion by the same gentleman, the bill was tabled, pending its third reading.

Reports of Committees

Mr. CURTIS from the committee on State Lands and Forest Preservation on bill An Act to establish the Mount Katahdin State Park reported that 500 copies be printed and the bill recommitted.

Report read and accepted, and the bill ordered printed and recommitted.

Mr. CHALMERS from the committee on Interior Waters reported ought not to pass on bill An Act to transfer the ownership and control of a certain pond known as 'York Pond' in the town of Eliot to the town of Eliot.

Same gentleman from the same committee reported same on bill An Act to provide for a commission to be known as the Peoples Rights and Water Power Commission of the State of Maine.

Mr. MORRISON from the committee on Legal Affairs reported same on bill An Act to establish a new procedure for the hearing and determination of Small Claims.

Mr. SIDDALL from the same committee on bill An Act to amend Section 12 of Chapter 7 of the Revised Statutes as amended by Chapter 207 of the Public Laws of 1921, relating to division of towns and wards of cities into convenient polling places.

Mr. MORRISON from the same committee reported same on bill An Act to amend Section 1 of Chapter 88 of the Revised Statutes relating to appointment of trial justices.

Mr. MARTIN from same committee reported same on bill An Act to amend Section 68 of Chapter 211 of the Public Laws of 1921, relating to lights on motor vehicles.

Mr. SIDDALL from same committee reported same on bill An Act to confer certain additional powers upon the municipal officers of cities and towns concerning buildings, the intensity of use of lot areas, the classification of buildings, trades and industries with respect to location and regulation, the creation of residential, industrial, commercial and other districts, and the exclusion from and regulation within such districts of classes of buildings, trades and industries.

Mr. CLARKE from same committee reported same on Resolve amending Section 3 of Article IV, Part First of the Constitution, as amended by Resolution adopted by the Legislature April 17th, 1917, adopted by the people September 17th, 1917, and proclaimed by the Governor September 25th, 1917, relating to apportionment.

Mr. WINN from the committee on Pensions reported same on Resolve granting a State Pension to Daniel I. Jeinai.

Mr. LEATHERS from same committee reported same on Resolve providing a State Pension for Rudolph LeClare of Jackman, Maine.

Mr. WOOD from same committee reported same on Resolve in favor of Charles E. Ball, of Bingham, Somerset county, State of Maine, for Teacher's Pension.

Mr. BROWN from the committee on Public Health, on bill An Act to amend Chapter 197 of the Public Laws of 1917, entitled "An Act to create a State Department of Health" reported same.

Mr. Whitney from the committee on State Sanatoriums reported same on Resolve in favor of the Central Maine Sanatorium for Nurses' building.

Mr. HEAL from same committee reported same on Resolve in favor of the Western Maine Sanatorium for School Building.

Mr. SMITH from the committee on

Towns reported same on bill An Act to divide the town of Harpswell, together with petitions.

Reports read and accepted and sent up for concurrence.

Mr. CONANT from the committee on Agriculture on bill An Act for the control and suppression of the European Co. Borer reported same in a new draft under same title and that it "Ought to pass."

Mr. Siddall from the Committee on Legal Affairs on Bill "An Act to incorporate the city of Brewer high school district" reported same in a new draft under same title and that it "Ought to pass."

Mr. Martin from the same Committee on Bill "An Act to amend Chapter 66 of the Private and Special Laws of 1915 entitled 'An Act providing for Pensions to Employees of the city of Bangor,'" reported same in a new draft under same title and that it "Ought to pass."

Mr. Morse from the Committee on Military Affairs on Bill "An Act to revise the Military Law of the State of Maine reported same in a new draft under same title and that it "Ought to pass."

Mr. Nevins from the Committee on Pensions on Resolve in favor of Nancy T. Morrill for State Pension reported same in a new draft under same title and that it "Ought to pass."

Mr. Winn from same committee on Resolve providing a State Pension for Frank A. Cheate of Montville, reported same in a new draft under same title and that it ought to pass.

Mr. Hale from the Portland delegation on bill, an act authorizing the city of Portland to construct public buildings upon public grounds, reported same in a new draft under the title of bill, an act authorizing the city of Portland to construct a Fire Station upon public grounds, and that it ought to pass.

Mr. Brown from the committee on public health, on resolve appropriating money for the establishment of a test laboratory in the county of Aroostook, reports the same in new draft, under same title, and that it ought to pass.

Mr. Rounds from the committee on salaries and fees on bill "An Act to amend Section 44 of Chapter 117 of the Revised Statutes relating to the salary of the county treasurer

of Hancock county" reported same in a new draft under same title and that it "Ought to pass."

Same gentleman from same Committee on Bill "An Act to amend Section 44 of Chapter 217, Revised Statutes as amended by Chapter 167, Public Laws of 1917, Chapters 214, 259, and 260, Public Laws of 1919, and Chapter 219, Public Laws of 1921, relating to Salaries and County Treasurers" reported same in a new draft under title "An Act to amend Section 44 of Chapter 217, Revised Statutes, as amended by Chapter 167, Public Laws of 1917, Chapters 214, 259, and 260, Public Laws of 1919, and Chapter 219, Public Laws of 1921, relating to Salary of County Treasurer of Lincoln County," and that it "Ought to pass."

Same gentleman from same Committee on Bill "An Act to amend Section 37 of Chapters 117 of the Revised Statutes of 1916, relative to the salaries of County Attorney," reported same in a new draft under title of "An Act to amend Section 37 of Chapter 117 of the Revised Statutes of 1916, as amended by Section 1 of Chapter 194 of the Public Laws of 1917, as further amended by Chapter 211 of the Public Laws of 1919, as still further amended by Chapter 219 of the Public Laws of 1921, relative to the salary of County Attorney of Lincoln county" and that it "Ought to pass."

Mr. Beckett from same Committee on Bill "An Act to amend the second paragraph of Section 45 of Chapter 117 of the Revised Statutes as amended by Chapter 153 of the Public Laws of 1917 and as amended by Chapter 219 of the Public Laws of 1921, relating to clerk hire in the Androscoggin county Registry of Deeds" reported same in new draft under same title and that it "Ought to pass."

Same gentleman from same Committee on Bill "An Act to amend Section 44 of Chapter 117 of the Revised Statutes, as amended by Section 44 of Chapter 219 of the Public Laws of 1921, relating to the salary of the Treasurer of York county" reported same in a new draft under same title and that it "Ought to pass."

Same gentleman from same Committee on Bill "An Act to amend Section 44 of Chapter 117 of the Revised Statutes, as amended by Section 44 of Chapter 219 of the Pub-

lic Laws of 1921, relative to the salary of the Treasurer of York County" reported same in a new draft under same title and that it "Ought to pass."

Reports read and accepted and the new drafts ordered printed under the Joint Rules.

Mr. Conant from the Committee on Agriculture reported "Ought to pass" on Bill "An Act to provide for the designation and registration of Farm Names."

Same gentleman from same Committee reported same on Resolve providing aid in the Control and Suppression of the European Corn Borer.

Mr. Holmes from the Committee on Legal Affairs reported same on Bill "An Act to authorize the city of Lewiston to issue Refunding Bonds to the amount of Eighty Thousand Dollars."

Mr. Hale from same Committee reported same on Bill "An Act in addition to and to amend Chapter 75 of the Special Laws of 1866, as amended by Chapter 164 and Chapter 304 of the Private and Special Laws of 1905, as amended by Chapter 236 of the Private and Special Laws of 1911 entitled 'An Act creating the South Paris Village Corporation, relating to a Public Sewer for said Corporation.'"

Mr. Beckett from the Committee on Salaries and Fees reported same on Bill "An Act to amend Paragraph 15, Section 45, Chapter 117 of the Revised Statutes as amended by Chapter 214, Public Laws of 1919, relating to clerk hire in County offices, in office of Registry of Deeds in Waldo county"

Mr. Reed from Committee on State Sanatoriums reported same on Resolve in favor of the Central Maine Sanatorium for fire protection.

Reports read and accepted and the Bills and Resolves ordered printed under the Joint Rules.

Mr. Brown from the committee on Public Health on bill, an act to amend Section 10 of Chapter 64 of the Revised Statutes, relating to marriage, reports that the same ought to pass

The report was accepted, and the bill already having been printed had its two readings and tomorrow assigned for its third reading.

Mr. Brown from the committee on Public Health on bill, an act to amend Chapter 41 of the Public Laws of 1919, relating to marriage of persons infected with syphilis, reports that the same ought to pass.

The report was accepted, and on motion by Mr. Brewster of Dexter, the bill was tabled, pending its first reading.

On motion by Mr. Maher of Augusta, the House voted to reconsider its action whereby it voted to assign tomorrow morning at 10 o'clock for the third reading of House Document No. 116, An Act to amend Section 10 of Chapter 64 of the revised statutes, relating to marriage; and on further motion by the same gentleman, the bill was tabled, pending its third reading.

Majority report of the committee on judiciary on bill "An Act to amend Section 2 of Chapter 32 of the revised statutes, relating to travelling circuses" together with petitions, reporting same in a new draft under same title and that it ought to pass.

Report was signed by the following members:

Messrs. HINCKLEY of Cumberland,
HUSSEY of Aroostook,
BUZZELL of Waldo,
—of the Senate.

NICHOLS of Portland,
ARCHIBALD of Houlton,
SAUNDERS of Lubec,
WEEKS of Fairfield,
WING of Auburn,
GARDINER of Gardiner,
—of the House.

Minority report of the same committee reporting ought not to pass on same bill.

Report was signed by the following members:

Mr. MAHER of Augusta,
—of the House.

(On motion by Mr. Maher of Augusta, it was voted to table the bill and both reports, and that the new draft be printed, and be specially assigned for Thursday, March 22).

Majority report of the committee on sea and shore fisheries reporting ought not to pass on Bill "An Act to repeal Chapter 293, Public Laws of 1917, and to amend and re-enact certain Sections of Chapter 45, revised statutes, relating to the commissioner of sea and shore fisheries."

Report was signed by the following members:

Messrs. SARGENT of Hancock,
EMERY of Washington,
STEVENS of Hancock,
BAKER of Steuben,
GAMAGE of South Bristol,
GOLDTHWAITE of Biddeford,
BOMAN of Vinalhaven,
LITTLEFIELD of Kenne-
bunk,
—of the House.

Minority report of the same committee reporting ought to pass on same Bill and petitions.

Report was signed by the following members:

Messrs. LAMSON of South Portland,
JORDAN of Cape Elizabeth,
—of the House.

On motion by Mr. Baker of Steuben the bill and both reports were tabled, and specially assigned for Tuesday, March 24.

Mr. LAMSON of South Portland: Mr. Speaker, I would like to have it tabled and unassigned. Tuesday is town meeting day, and I expect a number of the members will be absent, who would otherwise be interested in this matter, which is of considerable importance. I would like to have a little more time before this matter is taken up.

The SPEAKER: Does the gentleman from South Portland, Mr. Lamson, wish to make a motion to reconsider the vote relative to the assignment of this bill.

Mr. LAMSON: I do, sir.

On motion by Mr. Lamson of South Portland, the House voted to reconsider its action whereby it assigned the above bill and reports for Tuesday next.

The SPEAKER: The Chair now awaits a motion for assignment.

Mr. LAMSON: Mr. Speaker, I move that it be tabled unassigned.

Mr. BAKER of Steuben: Mr. Speaker, I would like to say, if I am in order—

The SPEAKER: You are in order if you make a motion.

Mr. BAKER: I move that it be assigned for Wednesday, March 21, Mr. Speaker, and I would like to say that this matter has been heard before our committee, has been in our hands some little time, and it would seem to me that we are getting along towards a time when we might reasonably expect to get through here. It seems to be the tendency on the

part of many people to postpone the evil day. Now I am the last one who would wish to abridge any man's privileges on the floor of this House, and still I feel that we might dispose of this matter at least on Wednesday, when it may reasonably be expected that a much fuller membership of this House will be present; and I move you, Mr. Speaker, that Wednesday be the day set for the hearing on this matter.

Mr. LAMSON: Mr. Speaker, I do not understand that we are postponing the evil day; but I will say that Wednesday next will be entirely satisfactory.

The SPEAKER: The gentleman from Steuben, Mr. Baker, supported by the gentleman from South Portland, Mr. Lamson, moves that this bill be assigned for Wednesday, March 21.

The motion prevailed.

First Reading of Printed Bills and Resolves

House 376: An Act to authorize the town of Southport to construct a bridge over the tidewater to Joe Island Gut.

House 377: An Act to authorize the city of Lewiston to issue bonds to the amount of \$200,000 for the construction of an armory in said city.

House 380: An Act to provide for the licensing, inspection and regulation of hotels and private lodging houses.

House 381: An Act to amend Section 116 of Chapter 4 of the revised statutes, pertaining to the right to kill dogs.

Mr. Hayes of Chelsea offered House Amendment A, and on motion by that gentleman, the bill and amendment were tabled, pending the adoption of the amendment.

On motion by Mr. Wing of Auburn, the printing of the amendment was ordered.

House 374: Resolve in favor of the Bath Military and Naval Orphan Asylum.

Mr. MORSE of Bath: Mr. Speaker, I move that the House reconsider its action whereby it accepted the committee's report.

The SPEAKER: The Chair will state to the gentleman (Mr. Morse) that the motion is not in order. Does the gentleman wish to table the bill?

Mr. MORSE: I so move, Mr. Speaker.

The motion prevailed.

First Reading of Printed Bills and Resolves—(Continued)

House 375: Resolve appropriating money for the Maine School for the Deaf.

House 378: Resolve in favor of H. G. Smallidge for services at the organization of the House at the 81st Legislature.

House 379: Resolve in favor of William A. Heal, secretary of committee on sanatoriums.

Passed to be Engrossed

Senate 27: An Act to amend Sections 44 and 45 of Chapter 10, revised statutes relating to taxes in unincorporated places.

Senate 28: An Act to amend Sections 63 and 64 of Chapter 8, revised statutes, relative to Maine Forestry District taxes.

Senate 105: An Act to amend Section 30 of Chapter 56 of the revised statutes, as amended by Chapter 76 of the Public Laws of 1917, and by Chapter 3, of the Public Laws of 1919, relating to branch railroad tracks.

House 153: An Act to amend Section 36 of Chapter 67 of the revised statutes, relating to jury trials in probate appeals.

An Act to amend Chapter 112 of the Public Laws of 1919, relative to disorderly houses.

House 373: An Act to establish a closed time on lobsters from a point in a straight line from Bear Cove on the western side of Petit Manan Point to Little Black Ledge directly north of Moulton's Ledge Spar Buoy to the Schoodie Island Whistling Buoy.

Passed to be Enacted

An Act to amend Section 39 of Chapter 117 of the revised states, as amended, relating to salaries of registers of probate.

An Act to amend Section 75 of Chapter 45 of the revised statutes relating to taking of Smelts.

An Act to amend Section 3 of Chapter 264 of the Public Laws of 1919, as amended by Chapter 100 of the Public Laws of 1921, relating to applications for soldiers' bonus.

An Act to provide for the better protection of clams within the limits of the town of Roque Bluffs.

An Act to amend Section 129 of Chapter 301 of the Public Laws of 1917, relating to the care and treatment of certain infectious diseases.

An Act to amend Paragraph 7 of Section 45 of Chapter 117 of the revised statutes, as amended by Chapter 214 of the Public Laws of 1919, as further amended by Chapter 219 of the Public Laws of 1921, relating to amount allowed for clerk hire in offices of register of deeds and register of probate in Kennebec County.

An Act to authorize the register of deeds of the Southern Registry District for the county of Aroostook to certify records.

An Act to amend the act of incorporation of the trustees of Fryeburg Academy in the town of Fryeburg and county of Oxford.

An Act to amend Section 78 of Chapter 16 of the revised statutes to provide transportation for pupils who live on islands on which there are no secondary schools and from which regular transportation lines are established.

Finally Passed

Resolve in favor of Miss Edith L. Soule.

Resolve making an appropriation for the Maine Seed Improvement Association.

Resolve for carrying out the provisions of an Act of the Legislature of 1923 relating to the production and sale of certified seed.

Orders of the Day

The SPEAKER: Under orders of the day the first matter that demands our attention is that which is assigned for today, namely, the veto of the Governor on the Resolve in favor of the commissioners of pharmacy, tabled by the gentleman from East Machias, Mr. McDonald, March 13th, pending reconsideration.

On motion by Mr. McDonald of East Machias, it was voted to take the veto from the table.

The SPEAKER: The Chair recognizes the gentleman from East Machias, Mr. McDonald.

Mr. McDONALD of East Machias: Mr. Speaker and members of the House: I was approached by a member of this House yesterday and asked how I was getting along with my little pharmacy resolve. In the first place, gentlemen, this is not my bill. It is your bill. It is a bill which interests every man, woman and child in the State of Maine. Sec-

ondly, gentlemen, it is not a small bill. I cannot see how a bill that deals not only with the health but with the very lives of the people can in any way be considered small. In my opinion it is one of the most important bills you will have before you this session and the results of your action will be very far reaching.

Now this veto message tells us that we have no money to pay for this board but that the pharmacy board should be self sustaining.

Now, members of the House, is it not worth something to you to know, when you go into a drug store and ask for quinine pills, that you are not going to get strychnine or arsenic pills, or if you send for paregoric for your child or grandchild that you are not going to be given laudanum, or if you ask for mild chloride of mercury that you do not get bichloride—the former a comparatively inert substance while the latter is a deadly poison?

It may be argued that we are not likely to get any of those calamities but what has happened in the past may happen again. Only a few years ago in this capitol city of Maine, a young soldier came here with his company to attend muster. Meeting some oldtime friends they sought to revive pleasant memories of bygone days by having a social drink, but the time of happiness from imbibing "split" having passed with the passage of the Volsted Act, they decided to try the next best substitute, checkerberry or wintergreen. The clerk of the drug store sold him four ounces of oil of wintergreen instead of extract which is ordinarily used for such purposes. The young man, after taking a drink of this stuff, mixed with gingerale to dilute it, went back to his company. He was soon taken very sick and rushed to the Augusta City Hospital, where the attending physicians worked over him for hours and did all they could for him, but after great suffering he died. Now this is only one of many cases where such sad, but wholly avoidable, affairs occur.

I remember some years ago of a young drug clerk, in his hurry to close his store, making a very grave mistake in writing directions on a prescription. He wrote the dose as a teaspoonful instead of ten drops as ordered by the prescribing physician. The result was that the man

suffered for two years from the ingestion of this overdose and then died.

The work of this board is to examine applicants to ascertain their fitness for such responsible positions, and I regret to say that a large number of them are not qualified on their first examinations. This is due to the fact that we have not any place in Maine today where these boys can be instructed, although only a few years ago we had a very good course in pharmacy at the University of Maine, but, like the medical school and law school, they are things of the past. And you know the reasons why as well as I do.

For their first examination these boys pay a fee of ten dollars, but if in the judgment of the examining board they are not qualified they are allowed a second and a third examination any time within a year, and it is absolutely free. This is right, but it is just as much a loss of time, and expense to the members of this board to give this second examination as it was the first one, but it is done to protect the people.

A few years ago a young man in whom I was quite interested applied for registration and failed in his examination. He waited a few months and again tried and failed. He came to me and thought that some member of the board had kept him back for some personal reason, and asked me to talk with the board, which I did. They submitted his papers to me for my opinion as to his qualifications and, although interested in him personally, I was obliged to admit that they were right, and now I say to you that this board does more to safeguard the lives and health of our citizens than any other board. I won't even except the medical board, for upon more occasions than one have I personally been asked to interpret my own prescriptions by our local druggist, whom I consider one of the best in our State today.

Now, about the budget. This appropriation contained in this resolve was recommended by the Budget Committee. On page 26 of that report under the head of "The Commission of Pharmacy," you will notice a deficit in the last two years of \$1,358.99 and the Budget Committee recommended this year, for 1924, the sum of \$1000 to carry on the work of this board, and

for the year 1925 a like sum. Mistakes in admitting incompetent people to practice any of these professions or callings, which I have mentioned above, are to be regretted but if, perchance, some student of Blackstone manages to slip by the legal examining board he may cause you trouble but he will not kill you. If some dentist fails to have as much skill as his brother he may cause you a little extra pain but you will recover, although you may never be the same again. If some accountant makes a mistake in his figures your loss is in dollars and cents, but if a serious mistake is made by the doctor or pharmacist, only the undertaker and the clergyman can be of any use to you.

I cannot impress too strongly upon your minds the importance of this resolve, as it interests you and every one of your constituents at once, and I trust you will see fit to pass this resolve over the Governor's veto.

THE SPEAKER: The question is—

MR. CUMMINGS of Portland: Mr. Speaker, I would like to ask one question. I would like to ask the gentleman from East Machias (Mr. McDonald), through the Chair, what amount of increase there will have to be in the fees, in order to cover the existing deficit in the board.

THE SPEAKER. The gentleman from Portland, Mr. Cummings, asks a question through the Chair which the gentleman from East Machias (Mr. McDonald) may answer if he wishes.

MR. McDONALD: Mr. Speaker, I think that the fact that we do not is due, as I have partly explained, to the fact that we do not get anything from the second and third examinations. I think the number of primary examinations, last year, was only about half of the full number. That is of the sixty applicants examined. I think fully half of them have been examined for the second and third time. I cannot tell you the exact number, but I estimate that the fees would have to be more than doubled in order to make the board self sustaining, and I think the probabilities are that the fee would have to be about \$25.00. Most of these young men are poor boys who have not very large means, and I think the examination fee of \$10.00 is probably as large as the average boy is able to pay as he works for

a small salary up to the time he is licensed. None of them get very large salaries until they have become qualified assistants.

Mr. CUMMINGS: I do not know whether the Doctor understands it or not, but if he has not in his possession any knowledge what the total amount received is, he can very easily get it. What I want to know, what I would very much like to know, is whether an increase of \$5.00 would accomplish this or whether an increase of \$10.00 would be necessary.

The SPEAKER: The Chair is of the opinion that the Chair can answer the gentleman from Portland (Mr. Cummings) directly. It is the opinion of the Chair that the fees will have to be increased nearly two hundred per cent, the facts having been presented by the gentleman from East Machias (Mr. McDonald), that many of the boys do not pass their examinations the first time. That being an existing fact, largely because many of the boys have not had the opportunity to have a college education. The question is, shall this resolve become a law notwithstanding the objection of the Governor? Is the House ready for the question?

The SPEAKER: As many as are in favor of this resolve becoming a law notwithstanding the objection of the Governor, will answer "Yes" when their names are called. Those who wish to sustain the veto of the Governor will answer "no" when their names are called. The clerk will call the roll.

YEA—Adams of Liberty, Adams of Litchfield, Atwood, Ayer, Baker, Bartlett of Hanover, Bartlett of Waterville, Barwise, Beckett, Belliveau, Benoit, Bickford, Bisbee, Blaisdell, Boman, Boulter, Bradbury, Brett, Brewster, Brown, Burns, Cates, Chalmers, Cherry, Clarke, Conant, Crafts, Crowley, Cummings, Curtis, Dain, Dilling, Douglas, Downing, Drake, Dudley, Dunbar, Dunn, Edwards, Farley, Fickett, Finnell, Foss, Gagne, Gagnon, Gamage, Gardiner, Gauvin, Gile, Gillespie, Gilmour, Goldthwaite, Gordon, Granville, Greenleaf, Hale, Hallett, Hamilton, Hammond Hayes of Gorham, Hayford, Heal, Hobbs, Hodgkins, Holmes, Houghton, Hutchinson, Jacobs, Jewett, Johnson, Jones, Jordan of Cape Elizabeth, Jordan of Westbrook, Keef, Keen, Kitchen,

Lamson, Leathers, Leland, Littlefield, Lord of South Portland, Lord of Wells, Ludgate, Macomber, Maher, Martin, McDonald, McIlheron, Melcher, Moody, Morrison, Morse of Ath, Nadeau, Nevins, Newcomb, Nichols, Nickerson, O'Connell, Overlock, Owens, Palmer, Pendleton, Perry, Phillips, Pierce, Pinkham, Piper, Plummer, Ramsdell, Ranney, Ray, Reed, Rogers, Rounds, Rowell, Sanders, Sayward, Siddall, Small, Smith, Sparrow, Staples, Stevens, Stitham, Storm, Story, Stratton, Sturgis, Tarr, Thomas of Chesterville, Thomas of Leeds, Tilden, Towne, White, Whitney, Williams, Willis, Wing, Winn, Winslow, Wood—140.

NAY—Hayes, of Chelsea, Saunders, Teague, Weeks—4.

ABSENT—Archibald, Gilmour, Knight, Morse of Greene, Oakes, Perkins—6.

Affirmative—140.

Negative—4.

Absent—6.

The SPEAKER: One hundred and forty having voted in the affirmative and four in the negative, the objections of the Governor are not sustained.

On motion by Mr. Rounds of Portland, it was voted to take from the table Senate Document 220, An Act relating to local health officers, tabled by that gentleman, March 14, pending third reading.

Mr. ROUNDS of Portland: Mr. Speaker, I move that this bill be indefinitely postponed. I will say in looking over it that the Department of Health has told me that it would be taken care of in another bill that is coming along.

A viva voce vote being taken, on the motion of Mr. Rounds of Portland, to indefinitely postpone, the motion prevailed, and the bill was indefinitely postponed.

On motion by Mr. Rounds of Portland, it was voted to take from the table Senate Document No. 52, An Act relating to local health officers, tabled by that gentleman, March 14, pending its third reading.

Mr. ROUNDS of Portland: Mr. Speaker, I offer House Amendment A.

House Amendment A to Senate Bill No. 53.

Senate Bill No. 53 is hereby amend-

ed by inserting after the word "shall" in the fifteenth line the words "fix and"; by inserting after the word "all" in the sixteenth line, the word "salaries"; by inserting after the word "to" in the twenty-ninth line the words "the city, town or organized plantation by which" and by adding after the word "officer" in the last line the words "is employed."

On motion by Mr. Rounds, the bill and amendment were tabled pending the adoption of the amendment, and the amendment was ordered printed.

On motion by Mr. Hale of Portland, it was voted to take from the table House Document No. 349, An Act to prohibit the conferring of degrees without special authorization, tabled by that gentleman, March 14, pending its second reading.

Mr. HALE of Portland: Mr. Speaker, I yield to the gentleman from Sanford, Mr. Siddall.

Mr. SIDDALL of Sanford: Mr. Speaker, I submit House Amendment A to House Bill 349, just taken from the table by the gentleman from Portland, Mr. Hale.

The SPEAKER: Is it the pleasure of the House that this bill now have its second reading by title only?

Thereupon the bill had its second reading.

Mr. WING of Auburn: Mr. Speaker, is the amendment to be read?

The SPEAKER: The Chair was about to have the Clerk read the amendment.

House Amendment A to Bill No. 349, entitled an act to prohibit the conferring of degrees without special authorization.

Section 3 of House Bill 349, entitled an act to prohibit the conferring of degrees without special authorization, is hereby amended by striking therefrom the words "nineteen hundred and twenty-five" and inserting in place thereof the words "nineteen hundred and twenty-seven," so that said section as amended shall read as follows:

Section 3: Provided, however, that as to corporations now in existence this act shall not take effect until July first, nineteen hundred and twenty-seven.

Mr. SIDDALL: Mr. Speaker, this amendment comes from the committee on legal affairs, the committee that reported the bill, and I move its adoption.

The motion prevailed, and tomorrow morning was assigned for the third reading of the printed bill.

Mr. ARCHIBALD of Houlton: Mr. Speaker, I move that we take from the table the motion of Mr. Chalmers of Bangor to recede and concur on bill, an act relating to State and county aid in the construction of highway bridges, House Document No. 191, tabled by me March 14, pending further consideration.

The SPEAKER: Before taking this matter from the table the Chair will state for the benefit of the members that there is a clerical error in the calendar, an error in printing. It is apparent from the calendar that it was the motion of the gentleman from Bangor, Mr. Chalmers, to recede and concur with the Senate on the bill. The fact is that the House had receded and concurred with the Senate, and the motion of the gentleman from Bangor, Mr. Chalmers, was that we reconsider the vote whereby we receded and concurred. The gentleman now moves to take that bill from the table.

The motion prevailed.

Mr. ARCHIBALD: Mr. Speaker, if I am correctly informed, the present motion now before the House is—

The SPEAKER: A reconsideration of the vote whereby we receded and concurred with the Senate.

Mr. ARCHIBALD: Mr. Speaker and gentlemen: I do not know how many of the members of the House are intimately familiar with the provisions of this bill or the purpose for which this amendment has been offered, and I would like to explain them, for just a few moments.

It is in relation to the construction of highway bridges and, under the present law, the construction of these bridges is determined by a joint board consisting of the city or town officials, the county officials and the State highway commission. These three bodies constitute a joint board and determine the action to be taken in relation to the construction of any particular bridge. Now the bill that is before the Legislature, without any regard now to Amendment A that has been offered, provides, that instead of each of these boards having the same number of votes that they have members on the board, each board shall have but one vote, so that the State highway

commission shall have one vote, the county commissioners shall have one vote and the city or town officials shall have one vote.

I understand that the object and the purpose of this bill was to eliminate an undesirable condition where, in the cases of cities, the city officials had the balance of power so far as the right to vote was concerned and could control the situation. Now Amendment A that is offered here requires that before any construction shall be commenced, the three votes representing the three bodies constituting that board, must be unanimous. The objection that has been raised on the part of those who do not favor the adoption of Amendment A, is that that is going to create an absolute deadlock and that the State highway commission, if they do not approve the action of the county commissioners, or of the municipal officers, in relation to a particular bridge proposition, have practically been given the veto power. Now, strictly speaking that is true because this amendment will require an unanimous vote of those three boards.

Well, now, is that an undesirable thing to have in existence? They say that a board of county commissioners, if they see fit to be stubborn and set about it, can block the matter, and that the same is true as regards the other boards. Now in order to determine what the vote of any one of these three bodies shall be, the majority of that particular board will determine—the State highway commission can determine what their vote is going to be, and the same with the other two boards.

I do not believe in assuming, in as important a matter as our bridge building program in this State, that our public officials, State, municipal or county, are going to be so stubborn and so set with relation to a matter that they are going to upset a whole program if the particular matter that they have under consideration has got genuine merit and is intended to relieve a situation that requires relief. I do not think it is fair to assume that they are going to take any such attitude.

Now what is the purpose and the object of Amendment A? We know, just as well as we know anything, that the bridge building program in the State of Maine, no matter how desirable it is and how much we

need it, or how much we approve of it, has certainly been a tremendously extravagant piece of business. The counties of the State of Maine have been going into debt head over heels as the result of this extravagant bridge building program, and I think it is perfectly fair and reasonable to attempt to put some check upon that type of construction. Take my county, for instance, that just floated a \$78,000 bond issue. That grew out of this thing. Other counties, I am informed, are in the same situation and there is considerable feeling about the matter. I know of one instance where a certain construction was under consideration, the estimate was made by the State engineer and the county commissioners were opposed to the proposition, but the town wanted it. The State highway commission wanted it because it did not cost the town a tremendous amount of money to get the benefit of that. It was voted, and after it was voted the town officials said, "give us this contract and we will build a bridge on these figures," and they did it and after that bridge was constructed—the town built the bridge, paid the bills and had some of the State and county money left in the own treasury, and had not spend a cent of their own money.

That is an instance that I happen to know of. I know of another instance where an estimate of four or five thousand dollars was put in and the county commissioners were opposed to it. It was afterwards built for less than a thousand dollars and the thing never went through.

Now, who determines the estimates? Suppose you have got to float a bond issue in your county to meet the expense of this program. The statute says that in order to get out a valid bond issue, that any reputable bank will certify, you have got to show three essential things, outside of the preliminary technicalities of the requirements of your joint board. You have got to show, first, that the joint committee judged that project to be a common convenience and necessity. You have got to show, secondly, that they determined the type of construction of that bridge. You have got to show, in the third place, that they, by the records of that meeting, approved the estimated cost of construction.

Now by whom is the estimated

cost of construction made? It is made by the engineer of the State highway department and then it is voted to approve the estimate. The contract is then let. Now I know that when we got this bond issue through and got it out in shape so that the Fidelity Trust Company would certify those bonds as being legally issued, that it was necessary that every one of those essential elements be clearly shown by the records of that joint board. I was in conference with the attorneys of the Fidelity Trust Company, myself, in that transaction, and since this matter has come up I have conferred with them again, and in each instance where a particular town was involved they had to show that the estimate set up by the highway department through its engineer was approved before they would certify the bond.

Now if you have got to certify your bond issue in that manner it seems to me safe to say that in order to get your proper bridge construction you must have the estimate to base the construction on, and I believe that with the type of construction we have had, it is too expensive a program, and I would like to see whether in the next two years this program, requiring the unanimous consent of these three boards, will not work out a program which will in no way block bridge construction but will put it on a more economical and safer basis. I am willing to trust to the discretion of those three boards. I believe in their ability to get together and agree upon something definite and constructive and I do not believe it is going far wrong to require that to be done. And if it is proven in the next two years to be an injurious piece of legislation it can be amended then, but I do believe that, unless something is done in this matter, that it is going to be pretty difficult for these counties and cities and towns to finance themselves, and I am in favor of the adoption of the amendment. I move, Mr. Speaker, that Amendment A be adopted.

The SPEAKER: There is a motion already before the House to reconsider the vote.

Mr. ARCHIBALD: Then I will make that motion later.

Mr. GRANVILLE of Parsonsfield: Mr. Speaker and gentlemen of the House: I want to say that before our committee — the ways and

bridges committee—which considered this matter, these documents were all presented and carefully considered. The object of this bill itself, without the amendment, is to obviate as far as it is safe the very objections which the gentleman from Houlton (Mr. Archibald) had to the bridge bill. Now this law was passed to aid towns in the construction of bridges and we felt that if an absolute veto power were given to any one of the two consenting factions, the county or the State, that it would make the law inoperative.

In consultation with the proponents of this amendment I did not find that they think too many bridges are being constructed but that they are of a too expensive type. They, as well as the committee, and I think the members of this House, recognize that a great many bridges have to be built each year in this State. Now the very thing which they wish to obviate is the piling up of debts on counties and towns and the expenditure of large sums by this State in the construction of bridges. This amendment will place that power absolutely in the highway commission because they are the ones who draw up these plans and specifications, and I think it is the experience of those having to do with the highway department that they are quite firm in their belief that they are right and all they have got to do to check you from building any bridge other than the one they specify is to vote no, and you have either got to take the expensive type of bridge or have none at all.

So, I think that the amendment will defeat the very object for which it is offered and, gentlemen, I hope that this amendment will not be adopted.

Mr. ARCHIBALD: Mr. Speaker, I would like to add just a word, if I may. If what the gentleman from Parsonsfield (Mr. Granville) says is correct with relation to the attitude of the State highway commission, I assume that what he means to say is that if they cannot get their expensive type of construction put through they are going to block the whole bridge building program.

Now I have talked with a member of the State highway commission on this matter myself, and I did not find any such attitude in his mind with relation to the matter, and I believe that if it is a question of taking our choice between an arbi-

trary determination on the part of the State highway commission to force expensive construction on it, the sooner we find it out the better.

The SPEAKER: The question is on the reconsideration of the vote. The Chair thinks it best at this time to explain the matter to the members as perhaps many of them do not understand the situation. On March 9, House Amendment A to the bill was adopted in this House and sent to the Senate for concurrent action. In the Senate it was adopted, and on March 13, the vote reconsidered whereby it was adopted, and then passed to be engrossed in its original condition in non-concurrence with the House. Yesterday the House receded and concurred with the Senate, and the motion now before you is that of the gentleman from Bangor, Mr. Chalmers, that we reconsider the vote whereby we receded and concurred with the Senate. Is the question plain? As many as are in favor of reconsidering the vote whereby we receded and concurred with the Senate will say aye; those opposed, no.

A viva voce vote being doubted,

A division of the House was had,

Fifty-nine having voted in the negative and 73 in the affirmative, the motion to reconsider prevailed.

On motion by Mr. Chalmers of Bangor, the House voted to insist on its former action and ask for a committee on conference.

The SPEAKER: The Chair will announce that committee at a later time.

On motion by Mr. Rounds of Portland, it was voted to take from the table veto of the Governor on resolve appropriating money for rebuilding steamship sheds, tabled by that gentleman, March 14, pending reconsideration.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Rounds.

Mr. ROUNDS: Mr. Speaker and gentlemen of this House: I think we all agree that the State should not allow this property to deteriorate, but the question is, just what is needed to keep the property in proper condition. Now, I want to read to you a letter from one of the members of this House, addressed to His Excellency, Governor Baxter, who was sent by the Governor to look over the State pier:—

Augusta, Me.
March 7, 1923.

Hon. Percival Baxter,
Governor of Maine.

Dear Governor:

At your request I went to Portland and made a careful examination of this old portion of State Pier now leased and occupied by the Eastern Steamship Co., it being winter time I could not get under the wharf as well as in summer, but enough to satisfy me that the building is old and delapidated, many places rotten and weak, but really the most dangerous part is that of this 570 ft. in length from 20 ft. to 30 ft. in width, which is out over the water and supported on piling which have been there on the inner end of wharf 40 years, and on outer end 50 years. With the manner in which worms eat off piling in this locality, this is certainly long enough for a structure of this kind to go.

In looking around under this wharf I found two caps 30 ft long supporting the wharf with the piles all gone from under them except one under each end where there should be a piling every 6 or 7 ft. This was near the passenger gangway where the crowds usually assemble when the boats are landing or leaving, at such a time if the boats should hit this part of the wharf with the supports so weakened the whole crowd might be thrown into the water. It seems to be a most dangerous situation and no one with any regard for the safety of the people would be warranted in allowing this condition to longer exist.

I was one of the bidders on the Portland Pier when it was built and was there several times while the old piling adjacent to this same structure were being removed, and many of them were eaten almost entirely off, and I understand the wharf was no older than the one you are meditating rebuilding. Representative E. E. Rounds has pictures which anyone can see, showing these pilings after they were pulled up.

For many years I have built and repaired wharves for this same Eastern Steamship Co., who are leasing this property and know very well their requirements, and they are not in the habit of allowing such conditions as this to exist.

The State owns this property, and

I do not hesitate to say that anyone with any regard for safety has any right to take chances on it any longer and there seems to be no way but to rebuild the entire structure, as there is no place to commence to repair or leave off, as it is completely worn out.

Very respectfully submitted,

Now, gentlemen, the Governor in his veto message on this matter says:—

“The whole economy program of the 81st Legislature hinges upon this appropriation. I shall not hesitate to take a decided stand against unwarranted expenditures, even though by doing so I shall disappoint some of the public spirited citizens of my native city.”

Now, gentlemen, these people have put their time and energy into this thing for the last two years and most of you have seen what they have built. They have built a structure that the State of Maine should be proud of. During the last three months there have 1901 cars of 40 tons each brought onto that pier for the New York boat. If it had not been for the New York boat, which the State pier brought here, you would have had them piled up on your sidetracks and the State of Maine could not have gotten half of them to New York. Now, on top of that we have 574 cars of 40 tons each that have gone to Boston by that boat, saving the State of Maine, the people of this State thousands of dollars. I want to say here that only since this morning's session commenced a gentleman has told me that the rate he had was 75 cents, before the war, by rail, and it has gone now to \$1.91 by rail to the Pacific coast. By getting the State pier here, getting facilities for them to land, they have a line there and he is driving that through to the Pacific coast at 65 cents a hundred, making a saving—and he has 60 tons going on this week's boat from Portland—making a saving of \$1512 to that gentleman, a resident of the State of Maine, one of the most public spirited men we have in the State.

And, gentlemen, this man at the other end of the corridor wants to stop progress. He is not trying to make progress but he is trying to stop progress when he tries to stop that pier from being built.

Gentlemen, do you want the same thing to happen there that happened a few years ago at Bar Harbor? Most of you remember how that wharf col-

lapsed and 37 people, I think it was, lost their lives. Their lives were snuffed out in a very few minutes, and do you want to sit here and be one of those about whom it will be said that they have allowed the lives of some of your own folks, maybe, to be snuffed out while they were waiting for the Boston boat to come in? Will you have one of those boats, going at four miles an hour, strike that pier, when if it is in any way rotten the boat will go through it? I have seen English steamers coming in to the Grand Trunk wharves strike one of those wharves and cut 40 feet right onto it.

Now, gentlemen, with an old, rotten wharf, forty years old—and engineers have told me that the life of a wharf is only twenty years, and this one is from forty to fifty years old—do you want to sit here and have it on your heads that you are going to hold this two years longer and have these public spirited men, as he says, come here to this State House and try to beg another appropriation of \$165,000?

Now it has been said that the State pier will not pay. I am not saying that it will be a paying proposition for the State of Maine, but it will be a paying proposition for the citizens of the State of Maine. Already with the wharf partly done, as you might say,—you gentlemen, some of you, have seen them working on it—we have had, in the last three months, an income of \$7133.11 and an expense of but \$10,895.62 according to the auditor's report, for December, January and February. And a good deal of that expense was for shoveling off the snow that the Lord put there, or somebody else, I do not know who, put there. (Laughter.)

Gentlemen, let us vote now to pass this appropriation and show our constituents that we are going to stand for what is just and right. Gentlemen, I thank you.

The SPEAKER: The question is a Constitutional one and a yea and nay vote is necessary. The question is shall this resolve become a law notwithstanding the objections of the Governor? As many as are in favor of the resolve becoming a law notwithstanding the objections of the Governor will answer yes when their names are called, and those who wish to sustain the veto of the Governor will answer no when their names are called. Is the House ready for the question?

The question being called for, the Clerk called the roll.

YEA—Adams of Litchfield, Atwood, Baker, Bartlett of Hanover, Barwise, Beckett, Belliveau, Benoit, Bickford, Bisbee, Boman, Boulter, Bradbury, Brett, Brewster, Brown, Burns, Cates, Chalmers, Cherry, Clarke, Conant, Crafts, Crowley, Cummings, Curtis, Douglas, Downing, Drake, Dudley, Dunbar, Dunn, Edwards, Farley, Fickett, Finnell, Foss, Gagne, Gagnon, Gamage, Gardiner, Gauvin, Gile, Gillespie, Gilmour, Goldthwaite, Granville, Greenleaf, Hale, Hammond, Hayes of Gorham, Hayford, Hobbs, Hodgkins, Holmes, Houghton, Hutchinson, Jacobs, Jewett, Johnson, Jones, Jordan of Cape Elizabeth, Jordan of Westbrook, Keef, Kitchen, Lamson, Leathers, Leland, Littlefield, Lord of So. Portland, Lord of Wells, Ludgate, Macomber, Maher, Martin, McDonald, Melcher, Moody, Morrison, Morse of Bath, Nadeau, Nevins, Newcomb, Nichols, O'Connell, Overlock, Palmer, Perry, Phillips, Pierce, Pinkham, Piper, Plummer, Ramsdell, Ranney, Ray, Rogers, Rounds, Rowell, Sanders, Saunders, Sayward, Siddall, Small, Smith, Sparrow, Staples, Stevens, Stitham, Storm, Story, Sturgis, Tarr, Teague, Thomas of Chesterville, Thomas of Leeds, Tilden, Towne, White, Williams, Wing, Winslow, Wood—123.

NAY—Adams of Liberty, Ayer, Blaisdell, Dain, Dilling, Gordon, Hallett, Hayes of Chelsea, Heal, Keene, McIlhonen, Nickerson, Owens, Pendleton, Reed, Stratton, Weeks, Whitney, Willis, Winn—20.

ABSENT—Archibald, Bartlett of Waterville, Hamilton, Knight, Morse of Greene, Oakes, Perkins—7.

The SPEAKER: One hundred and twenty-three having voted in the affirmative, and twenty in the negative the objections of the Governor are not sustained. (Applause.)

The Chair presents out of order a veto message from the Governor.

STATE OF MAINE

Office of the Governor

Augusta, March 15, 1923.

To the Honorable Senate and House of Representatives of the 81st Legislature:—

I return herewith without my approval

"AN ACT to Amend Section 56 of Chapter 96 of the Revised Statutes, Relating to Lien on Vehicles."

This law gives a lien to any person who performs labor by himself or his employes on "automobiles, motor cars, and tops and parts thereof." Some days ago I returned to you without my approval an act granting a lien to jewelers and in doing so I stated my objections and in doing so I stated my objections in some detail and these objections were sustained. There is no more reason for granting a lien to those who repair "automobiles, motor cars and tops and parts thereof" than there is for giving such a lien to those who repair watches and jewelry. Should the law I am returning to you be enacted there would immediately arise an endless number of claims and our public records would be choked with a mass of litigation. This would be inevitable with more than 100,000 motor vehicles registered within the State of Maine.

The men who repair automobiles and other motor cars has ample protection under our existing laws and should not be given any preference over workmen in other trades. I am much opposed to special privileges for I believe all citizens should be treated alike, and without going into further details I return the matter herewith.

Respectfully submitted,

(Signed) PERCIVAL P. BAXTER,

Governor of Maine.

Mr. Wing of Auburn: Mr. Speaker, I move that the message be tabled and that its consideration be taken up on Tuesday next.

The SPEAKER: The gentleman from Auburn, Mr. Wing, moves—

Mr. WING: My attention is called to the fact, Mr. Speaker, that Tuesday is town meeting day, and I would change that to Wednesday next.

The SPEAKER: The gentleman from Auburn, Mr. Wing, moves that the matter be tabled and specially assigned for Wednesday, March 21, and that the printing of the veto message be ordered.

The announcement of the Speaker that the motion prevailed being doubted,

A division of the House was had, Seventy-six having voted in the affirmative and 40 in the negative, the matter was tabled, and specially assigned for Wednesday, March 21.

The Chair presents out of order a veto from the Governor:

STATE OF MAINE
Office of the Governor

Augusta, March 15, 1923

To the Honorable Senate and House
of Representatives, of the 81st Leg-
islature:

I return herewith without my ap-
proval—

RESOLVE for Appropriating money
to Repair the Eastport Bridge.

The situation which this Resolve
presents is a difficult one. There can
be no question but that this bridge
needs extensive repairs, but the
present tendency is for communities
where the tax rate is high to call
upon the State for aid. If this plan
is continued the State will find itself
overburdened with bills for the re-
pair and reconstruction of roads and
bridges.

I have no doubt but that there are
many bridges in Maine as much in
need of repair as the Eastport
Bridge. The Legislature has a fund
of approximately \$112,000, which it
can use to meet emergencies, and it
would seem to me that resolves
similar to the one before you should
be paid out of this special legisla-
tive fund. Even if the Legislature
should appropriate from this special
fund one-half the amount called for,
on condition that the city of East-
port and the town of Perry con-
tribute the other half, it would af-
ford substantial relief to those com-
munities.

There are several bridge Resolves
pending before the Legislature and
no doubt the arguments in favor of
one will apply with equal force to
the others. I am not able to dis-
criminate between them. If this Re-
solve and those similar to are pass-
ed it means that a considerable addi-
tion will be made to the tax rate.
The cities and towns of the State
are under a very direct obligation
to maintain their own roads and
bridges and once the bars are let
down there will be no end to the
demands made upon the State treas-
ury.

Respectfully submitted,
(Signed) PERCIVAL P. BAXTER

Governor of Maine.

Mr. CHERRY of Eastport: Mr.
Speaker, I move you that this re-
solve be passed notwithstanding the
objections of the Governor, and I
would like to say just a word or two
in connection therewith. The first

thing I would like to impress upon
the House is that this is an emer-
gency of the first water. Some of
you may not know that this bridge
is the only connection that we have
with the mainland, Eastport being
an island. This question, as usual,
went before the proper committee
and the entire situation was
thoroughly discussed, being support-
ed by some of our influential men
who do things because they have
merit behind them. We conclusively
showed the committee on Ways
and Bridges that the State, by ap-
propriating this sum of money,
would save to the treasury in ten
years the sum of \$60,000. I will not
attempt to do that to you because
I expect you to take my word for it,
or, if I am in error, some of the
members of the Way and Bridges
committee can correct me. The
story is a long one, to go over the
whole situation, and I do not believe
it is necessary for me to go through
the whole matter, and recite to you
the situation of Washington county,
to say nothing of Eastport. I do not
believe there is a man in this House
who would consider for a moment
that we would come here and re-
quest assistance of this Legislature,
going before one of your important
committees, on a proposition that
had no merit in it. Some of the
members of that committee said to
me during the recess after that re-
solve was heard that that was the
second request or resolve that had
been presented to them this season
that was water tight, that was a
sensible, reasonable, feasible propo-
sition, and would save the State of
Maine money as well as protect the
public that has to use that bridge.

Members of the House, I do not
believe it is fair for me to take up
your time with this matter, and I
do not believe it is necessary. I be-
lieve you will see the justice of our
cause, and that you will pass this
notwithstanding the objections of the
Governor.

Mr. GRANVILLE of Parsonsfield:
Mr. Speaker, and Gentlemen of the
House: Replying to certain portions
of this message as to why this five
thousand dollars was not taken from
our special resolve money, I would like
to say this: that during my first ex-
perience in legislative work in 1919
we had a very long and bitter contest
as to whether there should be any
money for the use of the ways and

bridges committee for special resolves. We had some very heated arguments and had to pass this matter over the Governor's head, the same as we are seeking to do now.

We have \$112,000 a year to meet the needs of the poor towns all over the State of Maine. Now those needs are very great; and the pressure upon our committee is very great, to the extent this year of 235 special resolves, calling for over a million dollars. You can see from that that we can grant only a very small fractional part of what is necessary, and only to the most deserving cases. If we should take from that money such an appropriation as this for the Eastport bridge and another one which we heard yesterday, it would leave nothing for the intent and purpose of the legislative resolve; and, gentlemen, I will second the sentiment of the gentleman from Eastport (Mr. Cherry) that I think this should become a law notwithstanding the objection of the Governor.

Mr. GARDINER of Gardiner: Mr. Speaker, I would like to say just a word in support of the gentleman from Eastport (Mr. Cherry). I think, personally, that as a matter of principle it is correct that the State should give to certain towns or localities where there exists a long bridge, a bridge expensive to maintain, some assistance, and particularly when that assistance is badly needed. As long as we can accept that principle, the only body that we have connected with the Legislature which can examine into the merits of the different bills before it is our committee on ways and bridges. All these matters come before them for full hearing and they are the ones best qualified to determine which appropriation should receive the support of this House; and I hope that the House will sustain its action.

Mr. GAUVIN of Lewiston. Mr. Speaker, I move that it be tabled.

A viva voce vote being taken the motion to table was lost.

Mr. ROUNDS of Portland: Mr. Speaker, coming from where they pay one-sixth of this tax, I am heartily in favor of this bill.

The SPEAKER: The question is a Constitutional one, and the yeas and nays are necessary. As many as are in favor of this resolve becoming a law notwithstanding the objections of the Governor will say yes when their names are called. Those who wish to

sustain the veto of the Governor will say no when their names are called. Is the House ready for the question?

The question being called for, the Clerk called the role.

YEA—Adams of Litchfield, Atwood, Ayer, Baker, Bartlett of Hanover, Barwise, Beckett, Belliveau, Benoit, Bickford, Bisbee, Blaisdell, Boman, Boulter, Bradbury, Brett, Brown, Burns, Cates, Chalmers, Cherry, Clarke, Conant, Crafts, Crowley, Curtis, Dain, Dilling, Douglas, Downing, Drake, Dudley, Dunbar, Dunn, Edwards, Farley, Fickett, Finnell, Foss, Gagne, Gagnon, Gamage, Gardiner, Gauvin, Gile, Gillespie, Gilmour, Goldthwaite, Gordon, Granville, Greenleaf, Hale, Hayes of Gorham, Hayford, Heal, Hobbs, Hodgkins, Holmes, Houghton, Hutchinson, Jacobs, Jewett, Johnson, Jones, Jordan of Cape Elizabeth, Jordan of Westbrook, Keef, Keene, Kitchen, Lamson, Leathers, Leland, Littlefield, Lord of South Portland, Lord of Wells, Ludgate, Maher, Martin, McDonald, Mellheron, Melcher, Moody, Morrison, Morse of Bath, Nadeau, Nevins, Newcomb, Nichols, Nickerson, O'Connell, Overlock, Owens, Palmer, Pinkham, Piper, Phillips, Pierce, Pinkham, Piper, Plummer, Ramsdell, Ranney, Ray, Reed, Rogers, Rounds, Rowell, Sanders, Saunders, Sayward, Siddall, Small, Smith, Sparrow, Staples, Stitham, Storm, Story, Stratton, Sturgis, Tarr, Teague, Thomas of Chesterville, Thomas of Leeds, Tilden, Towne, Weeks, White, Whitney, Williams, Willis, Wing, Winn, Winslow, Wood—135.

NAY—Adams of Liberty, Brewster, Hayes of Chelsea—3.

ABSENT—Archibald, Bartlett of Waterville, Cummings, Hallett, Hamilton, Hammond, Knight, Macomber, Morse of Greene, Oakes, Perkins, Stevens—12.

Affirmative—135.

Negative—3.

Absent—12.

The SPEAKER: One hundred and thirty-five having voted in the affirmative and three in the negative, the objections of the Governor are not sustained.

The SPEAKER: The Chair will announce at this time conferees created under the motion of the gentleman from Bangor, Mr. Chalmers, as follows: Messrs. Chalmers of Bangor, Archibald of Houlton and Holmes of Lewiston.

On motion by Mr. Tilden of Hallowell, the House voted to reconsider its action of yesterday whereby the report "ought not to pass" on act additional to and amendatory of Chapter 139 of the Revised Statutes, as amended by Chapter 88 of the Public Laws of 1917, relating to transfer of insane or feeble minded inmates; and on further motion by the same gentleman the bill was recommitted to the committee on judiciary.

The SPEAKER: The Chair presents, out of order, the credentials of the representative, Samuel J. Dana, from Pleasant Point, Perry, Maine, and will read:

"This certifies that the bearer, Samuel J. Dana of Pleasant Point, Perry, Maine, was legally elected to represent his Tribe in the Legislature of Maine for the years 1923-1924.

(Signed) JUSTIN E. GOVE,
Agent, Passamaquoddy Tribe of Indians."

Thereupon the House voted that the above credentials be placed on file.

On motion by Mr. White of Bowdoin-

ham, the House voted to reconsider its action whereby it yesterday finally passed resolve for the laying of county taxes for the year 1923. On further motion by the same gentleman, the House voted to reconsider its action whereby this resolve was passed to be engrossed.

Thereupon Mr. White of Bowdoinham offered House Amendment A as follows:

House Amendment A to Resolve for laying the county taxes for the year, 1923.

Amend said resolve by striking out after the word Sagadahoc therein the words "twenty-three thousand five hundred dollars" and the figures "23,500.00" and substituting in place thereof the following respectively: "twenty-six thousand dollars" and "26,000.00."

The pending question being on the adoption of the amendment, the amendment was adopted and the bill as amended was passed to be engrossed.

On motion by Mr. Palmer of Island Falls,

Adjourned until ten o'clock tomorrow morning.