

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

Tuesday, March 20, 1923.

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

Prayer by the Rev. Mr. Lowe of Augusta.

Journal of previous session read and approved.

From the Senate: Final report of the committee on Indian Affairs.

In the House read and accepted in concurrence.

From the Senate: Final report of the committee on publicity.

In the House read and accepted in concurrence.

At this point, a communication was received from the Senate, through its secretary, proposing a joint convention of both branches of the Legislature forthwith in the Hall of the House for the purpose of extending an invitation to the Governor to attend such convention and present such communication as he may be pleased to make.

On motion by Mr. Boulter of Kittery, the House voted to concur in the proposition for a joint convention of the two branches of the Legislature; and on further motion by the same gentleman the clerk of the House was charged with the duty of informing the Senate that the House so concurred.

Subsequently, the clerk reported that he had performed the duty assigned him.

At this point the Senate came in and a joint convention was formed.

In Convention

The President of the Senate in the Chair.

On motion by Senator Buzzell of Waldo, it was

Ordered, that a committee be appointed to wait upon the Honorable Percival P. Baxter, Governor, and inform him that the two branches of the Legislature are in convention assembled in the Hall of the House of Representatives, and to extend to him an invitation to attend the convention and present such communication as he may be pleased to make.

Thereupon, the chairman of the convention appointed as members of that committee on the part of the Senate,

Senators Buzzell of Waldo, Sargent of Hancock, Bemis of Somerset, Allen of York and Morneau of Lewiston; on the part of the House, Representatives Granville of Parsonsfield, Maher of Augusta, Phillips of Orrington, Gilmour of Westbrook and Stitham of Pittsfield.

Subsequently, Mr. Buzzell from the committee reported that he had delivered the message with which he was charged and that the Governor will attend forthwith.

The report was accepted.

The Governor and suite then entered the Hall of the House of Representatives, amid applause, the convention rising, and the Governor delivered the following communication:

Mr. President, Senators and Representatives:—

There has been placed before me for my approval or disapproval an act that has passed both branches of this Legislature by overwhelming majorities. This act deals with a subject of vital importance to the State of Maine, one in which I have taken a very active interest during the past seven years. As I shall later give you my formal disapproval of this act I desire in person to present to you my reasons for so doing, and consequently have asked that this joint session of the Senate and House be convened.

The document before me is entitled—

An Act to create the Kennebec Reservoir Company and define the powers thereof.

Under this bill a private corporation is given one of the few remaining great undeveloped water storage reservoirs of the State of Maine. This storage is located in the Dead River country and its development is destined to take place in the near future. The question before this Legislature is, shall a great storage reservoir of inestimable value be deeded to a private corporation to be used for private gain, or shall the people of the State of Maine retain it for themselves until they are given the opportunity to decide whether or not it shall be developed by the people in the interests of the people.

To give you an idea of the value and extent of the proposed storage system I call your attention to the fact that the drainage area involved covers a territory of 500 square miles, an area larger than Androscoggin county, and twice as large as Sagadahoc county. The artificial lake to be created will be

24 miles in length and will cover an area of 21 square miles. The cost of the development has been carefully figured at \$1,200,000, and 14,600 additional water H. P. will be supplied to seven companies now developing power on the Kennebec river. If this H. P. is figured in kilowatt hours it appears that 10,950 kilowatt hours will be furnished these companies at the small cost of 1-3 of a cent per kilowatt hour.

The value of the franchise which the Kennebec Storage Reservoir Company seeks to obtain from the State is enormous. Moreover the act before you provides that this franchise be granted for all time to come. It is true that a clause in this charter provides that the State may take over the franchise on certain conditions. Such a clause is of but little or no value. However, in view of the opinion of the Supreme Judicial Court, rendered in 1919, which holds that the State has no power to develop storage until an amendment to the Constitution shall have been adopted. From this it will be seen that the reservation referred to furnishes no adequate protection to the people's rights, and once this charter is given away it can safely be assumed that the power companies will do their best to prevent the passage of any such Constitutional amendment by this or any succeeding Legislatures.

This act presents to the 81st Legislature a clean-cut issue: shall private corporations be given the remaining rights that the people have in a great natural resource? Shall this and other valuable storage systems be given away forever, or shall the people themselves retain them?

There is but one answer. The people of the State of Maine never should part with any more of their inherent rights in the State's natural resources. These should be held in perpetuity for the benefit of the present and future generations.

The Dead River storage system today, in its undeveloped state, at a conservative estimate, is worth several million dollars. As the value of and uses for water power increase in the coming years, it is difficult to over estimate the future value of this great system. I do not hesitate to say that should my signature be affixed to this bill the paper on which it is written immediately would be worth far in excess of one million dollars in cash to the gentlemen whose names appear therein.

It should not be overlooked that if the seven companies now operating

on the Kennebec River will obtain 14,600 H. P. from this storage system, every undeveloped water power on the Kennebec River, the noblest river in the State of Maine, immediately will be greatly enhanced in value on account of this charter.

There is another phase of this question that should not be overlooked, and that is the tremendous but yet unknown value that will accrue to a water storage project in the years to come through the development of electrical science. Certainly this value has not been overlooked by the far-sighted owners of electrical developments, and that being so the representatives of the people also should take this into consideration before they part with something that they never can recall. No man can safely predict the great progress that is sure to be made in electrical development or the countless new uses to which it will be put. If water storage and water powers are of real value today what will they be worth tomorrow, if science advances as rapidly in the next 25 years as it has in the past twenty-five. What will this value be in 50 years when your grandchildren are on the stage of life. No doubt you will all agree with me that the world has not begun to appreciate what can be accomplished by electric energy.

It is less than 25 years ago that the electric experts who were called in for consultation reported that it was not possible to successfully transmit electrical power into the city of Portland from the Presumpscot River Falls only four miles distant. These experts were paid handsomely for rendering this valuable opinion. Any man who alleges that electricity within a period of ten years will not be used for purposes as yet unthought of, is not entitled to hearing, for with electricity all things are possible. Will this Legislature be responsible for giving away not only the present but also the future value that lies in the great storage development that we are considering? What will the sons and daughters and the grandsons and granddaughters of Maine say if they look back to the year 1923 as the year in which the State's great storage systems were placed definitely under the control of private interests? Let the people of Maine look ahead even as the corporations are doing. I am astonished that scarcely a single voice has been raised in

protest in this Legislature against the passage of this bill. I shall not allow this matter to leave my hands without paying a well deserved tribute to those few farsighted and courageous men who have stood bravely against the onslaught of corporate interests. These men ever will be remembered for their fearless action.

This message constitutes the turning point in the water power question in the State of Maine. If you grant this franchise in my opinion you definitely and deliberately abandon the rights of the people in the water resources of this State. Should this bill become a law I predict that the water power question never again will be brought forward during the lives of any of the members of this Legislature. The granting of this franchise means that private corporate control of the water resources of Maine is the fixed policy of the State, and that the water power issue has passed into oblivion. The fight for the people's rights in Maine's water resources will be remembered as a lost cause. It however will not be forgotten that the people of Maine were deprived of their last remaining natural inheritance by an Act of the 81st Legislature.

The first agitation in behalf of the rights of the people in water storage and water powers began in the year 1909. It was actively revived in 1917, and from that time until now it has been a live issue. Gradually the people of the State have awakened to its importance. It has been and is being discussed by our citizens in the homes, the shops and on the streets. The people are beginning to appreciate the fact that they have certain rights in the State's water resources. If you Legislators will give the people the opportunity to express themselves I believe their answer will be sent back to you in no uncertain terms.

The 81st Legislature of the State of Maine holds the key to the future, for it and it only now has the power to allow the people of the State to vote on this vital issue. Unless this or some succeeding Legislature passes a resolve submitting to the people a constitutional amendment that allows the State to create water storage reservoirs, the people never will be able to avail themselves of what rightfully belongs to them.

There is a Resolve now pending

before this Legislature that provides for the submission of a constitutional amendment to the voters of the State. For seven years I have consistently advocated such a Resolve and I am deeply interested to have this Legislature pass it. The people of Maine should be allowed to vote on this question and to decide it for themselves. The language of the constitutional amendment referred to has been passed upon by several representatives of the industries of the State, as well as by citizens who have no direct financial interest in them, and has met with their approval.

I realize that the industries of the State have developed our resources and give employment to thousands of our citizens. These industries by building up communities, have rendered a real service to the State and they should be given every proper encouragement. The State, however, always has treated them liberally, has given them almost everything that they have asked for, and most of them have been very profitable. These industries, however, during the past seven years have stood firmly against the rights of the people and have refused to allow the people to have anything to say on the water power question. At the present session of the Legislature the lobbyists of private interests have been unduly active and diligent in working for those they represent and in my opinion these lobbyists are largely responsible for the spirit of conflict that now and then crops out in these halls. They will not hesitate to throw this Legislature into controversy with the Governor, if in the confusion and distrust created thereby, they can carry through this franchise that means millions to them.

I consistently have maintained that the people own the lakes and storage reservoirs of the State. In times past the people owned many valuable water power locations, and great areas of timberlands. From time to time these have been alienated and nothing now remains but the rights to water storage. Will the 81st Legislature at this critical moment sacrifice these rights when the whole nation is awakened to the importance of the fuel supply, for water is fuel translatable into terms of heat and power.

I consider it fortunate that this issue is presented at this time, for

our citizens are more likely to understand it, now that the need of heat and power daily is brought home to every householder and every industry. The shortage of coal has taught more than one lesson!

The passage of this charter by this Legislature would be nothing less than a betrayal of the trust imposed upon this Legislature by the people of the State. The plea of private corporations that the public will be benefited by the "development" of this storage is specious, for their development would be solely for their own private interest. It would not be for public interest.

It is interesting to note that the proposed dam in the Dead River system is to be located at one of the few places in the State where the State by owning both sides of the river actually owns a water power privilege. This is an additional reason why this Legislature should not part with the people's rights in this valuable location.

I want the people of Maine to develop their own storage reservoirs. The cost of doing so is trifling. When the advantages to be derived therefrom are taken into consideration. The development of industries and of water powers will be encouraged by the State's developing its own storage reservoirs, and I never shall deed to a private corporation the control of the headwaters of the Kennebec River. Do not forget that he who controls the source, controls the river.

I could not go before the people of this State, who have chosen me their Governor, if I should approve the Act before you. When I took the oath of office I solemnly said, "I will faithfully and impartially perform to the best of my ability the duties incumbent upon me as Governor of the State of Maine." I cannot be false to this oath, no matter how great the pressure, and while I am Governor I shall act for all the people and shall not give away their great inheritance. Do not forget that your oath contains the same language as mine and imposes obligations equally as sacred.

It may be urged that Governors in the past have not hesitated to transfer to private interests the people's rights, but a Governor in 1923 is better informed than were the Governors of the years gone by. Moreover, the people of Maine today are

more enlightened than they were in the year 1868, when between one and two million acres of the finest timberlands that belonged to the people were given away on the empty promise that a railroad would be built into the wilderness of Maine. The year 1868 will ever be known as the year of the State Land Steal; and I hope the year 1923 will not be remembered by any similar calamity.

In refusing to approve the bill before me, I speak for three-quarters of a million people and their unborn descendants, all of whom you and I represent. I cannot believe that the 81st Legislature, knowing the facts, and it does know them, deliberately will alienate forever the land and the water which the Almighty placed here for the benefit of all the people. Should this be done a cry of protest will be raised from Kittery Point to Quoddy Head; thence it will roll on with ever increasing volume to far away Fort Kent, and not a city, town or plantation in the State that will not hear it.

It may be that in 1868 no one protested against the rape of the State's timberlands, it may be that no one foresaw their value or realized that an innocently worded Act meant the sacrifice of the princely inheritance of millions of acres of fine timberland and many noble water powers. Today the eyes of this Legislature are opened wide and so are the eyes of the people.

I urge you not to be misled by false arguments. I urge you to stand squarely for the people's rights. There is but one course; refuse to pass this Act and then give the people of the State the right to vote upon a constitutional amendment. Let the people decide this question for themselves.

A formal Veto message will be submitted to the Senate immediately after the adjournment of this Joint Convention.

Thereupon, the Governor and suite retired.

The purpose for which the Convention was assembled having been accomplished, the Convention was dissolved and the Senate retired to the Senate Chamber.

In The House

Papers from the Senate disposed of in concurrence.

Senate Bills in First Reading

Senate 239: Resolve in favor of the Maine Railroad Committee.

Senate 248: Resolve in favor of the Augusta State Hospital for maintenance during the years July 1st, 1923, to June 30, 1924, and July 1, 1924, to June 30, 1925.

Senate 244: An Act to amend Section 37 of Chapter 117 of the Revised Statutes, relating to the salary of county attorney of Somerset County.

Senate 243: An Act to amend Section 43 of Chapter 117 of the revised statutes, as amended by the Public Laws of 1919, relating to the compensation of register of deeds of Knox County.

Senate 245: Resolve in favor of Northern Maine Sanatorium, at Presque Isle, Aroostook County, for personal services, maintenance, repairs and improvements.

Senate 247: An Act to amend Section 24 Chapter 128 of the revised statutes, relating to conspiracies.

Senate 246: An Act to amend Section 18 of Chapter 135 of the revised statutes, relating to bail.

From the Senate: Resolve providing for purchase of "Music and Musicians of Maine."

This was indefinitely postponed in the House on March 14.

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

On motion by Mr. Sanders of Portland the House voted to adhere to its former action.

Mr. Winn of Auburn then moved that the vote be reconsidered whereby the House voted to adhere to its former action.

The question being on the motion to reconsider the vote whereby the House voted to adhere to its former action,

A viva voce vote being taken,

The motion was lost.

Reports of Committees

Mr. Baker from the committee on Cole Report reported "Ought not to pass" on bill, An Act to repeal Chapter 64 of the Public Laws of 1919, entitled, "An Act to authorize the Commissioner of Agriculture to group the various bureaus and lines of work of the Department of Agriculture into divisions."

Mr. Brewster from same commit-

tee reported same on bill, An Act to amend Section 10 of Chapter 197 of the Public Laws of 1917, as amended by Chapter 172, Public Laws of 1919, and to amend Section 11 of Chapter 172, Public Laws of 1919, relating to the State Department of Health.

Reports read and accepted and sent up for concurrence.

Mr. Stevens from the committee on Library on resolve in favor of the purchase of the history and maps of the people and the town of New Sweden. Reported that the same be referred to the next Legislature.

Mr. Tilden from the committee on State School for Boys, State School for Girls and State Reformatories on Resolve in favor of the State Reformatory for Men for maintenance, reported same in a new draft under same title and that it "ought to pass."

Report was read and accepted and the new draft ordered printed under the joint rules.

Mr. Baker from the committee on Cole Report reported "ought to pass" on bill, An Act relating to the duties of the superintendent of public buildings.

Report read and accepted and the bill ordered printed under the joint rules.

Mrs. Pinkham from the committee on education reported same on bill, An Act to amend Section 56 of Chapter 188 of the Public Laws of 1917 relating to the time of electing superintendents of schools in towns comprising school unions.

Report was read and accepted and the bill having already been printed (House Document No. 264) was read twice under a suspension of the rules, and tomorrow assigned.

Passed to Be Engrossed

Senate 70: An Act to amend Section 51 of Chapter 51 of the Revised Statutes relating to change of name of a corporation.

Senate 153: An Act relating to the distribution of the assets of an insolvent estate.

House 395: 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 1921, relating to clerk hire in the Androscoggin county registry of deeds.

House 396: 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 214 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.

House 397: An Act authorizing the City of Portland to construct a fire station upon public grounds.

House 400: An Act to incorporate the City of Brewer High School District.

House 401: 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.

House 402: 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."

House 403: An Act for the control and suppression of the European Corn Borer.

House 404: An Act to amend Section 44 of Chapter 117 of the Revised Statutes relating to the salary of the county treasurer of Hancock county.

House 407: An Act to revise the Military Law of the State of Maine.

House 408: An Act in relation to employees and office expenses of the Department of the Attorney General.

House 409: An Act to amend Section 43 of Chapter 117 of the Revised Statutes as amended by Chapter 214 of the Public Laws of 1919 as amended by Chapter 219 of the Public Laws of 1921, increasing the salary of the register of deeds in the county of Sagadahoc.

House 410: An Act to amend Section 41 of Chapter 117 of the Revised Statutes as amended by Chapter 214 of the Public Laws of 1919, as amended by Chapter 219 of the Public Laws of 1921, relating to salary of sheriff of Aroostook county.

House 411: An Act to amend Section 40 of Chapter 117 of the Revised Statutes, as amended by Chapter 219 of the Public Laws of 1921, increasing the salary of the clerk of judicial courts in the county of Sagadahoc.

House 413: An Act to amend Section 42 of Chapter 117 of the Revised

Statutes, as amended by Chapter 173 of the Public Laws of 1917, as amended by Chapter 214 and Chapter 241 of the Public Laws of 1919, as amended by Chapter 219 of the Public Laws of 1921, in relation to salaries and expenses of County Commissioners.

House 414: An Act to amend Sections 19, 21 and 22 of Chapter 18 of the Revised Statutes as amended by Chapter 148 of the Public Laws of 1917, relating to the board of registration of nurses.

House 416: An Act amending Chapter 222 of the Public Laws of 1919 relating to fees of constables.

House 418: An Act to amend Section 58 of Chapter 4 of the Revised Statutes, relating to the purposes for which cities and towns may raise money.

House 419: An Act relating to improvements on Nash Stream and the east and west branches thereof in Coplin Plantation, and in the township of Redington in the county of Franklin.

Senate 240: Resolve in favor of W. M. Stuart, postmaster of the Senate of the 81st Legislature.

Senate 241: Resolve in favor of Warren Prouty.

Senate 242: Resolve in favor of George A. Dow, postmaster of the House at the 81st Legislature.

House 394: Resolve appropriating money for the establishment of a Test Laboratory at Caribou in the county of Aroostook.

House 398: Resolve providing a State Pension for Frank A. Choate of Montville.

House 399: Resolve in favor of Nancy T. Morrill of Madison for State Pension.

House 412: Resolve in favor of Central Maine Sanatorium for personal services, maintenance, repairs and equipment

House 417: Resolve in favor of Western Maine Sanatorium for personal services, maintenance, repairs and equipment

Finally Passed

Resolve amending the Constitution of the State of Maine so as to limit appropriations for educational, sectarian, parochial, or religious institutions and purposes until December 31, 1930, and so as prohibit such appropriations after December 31, 1930.

On motion by Mr. Darwise of Bangor, tabled pending final passage, and specially assigned for Wednesday, March 21.

Passed to be Enacted

An Act to accept the provisions of the Act of Congress of the United States approved November 23, 1921, entitled "An Act for the Promotion of the Welfare and Hygiene of Maternity and Infancy and for other purposes."

An Act to amend Paragraph IX of Section 6 of Chapter 10 of the Revised Statutes, as amended by Chapter 105 of the Public Laws of 1919, as further amended by Chapter 119 of the Public Laws of 1921, relating to exemption from taxation of the estates of war veterans.

An Act to amend Section 52 of Chapter 219 of the Public Laws of 1917, as amended by Chapter 196 of the Public Laws of 1919, relating to the setting of traps in organized or incorporated places.

An Act to amend Section 18 of Chapter 45 of the Revised Statutes, as amended by Section 2 of Chapter 98 of the Public Laws of 1921, relating to the issuing of lobster licenses.

An Act to amend Section 84 of Chapter 16 of the Revised Statutes, relating to contracts with academies.

An Act to amend the Charter of the city of Eastport.

An Act to amend Section 91 of Chapter 53 of the Revised Statutes, as amended by Chapter 39 of the Public Laws of 1919, relating to annual statement of conditions of Insurance Companies, and providing a penalty for neglect to file the statement.

An Act to amend Section 19 of Chapter 98 of the Public Laws of 1921, relating to suspension and revocation of lobster licenses.

An Act to amend Section 36 of Chapter 219 of the Public Laws of 1917, as amended by Chapter 196 of the Public Laws of 1919, relating to the protection of caribou.

An Act to amend Chapter 3, Section 31, of the Revised Statutes, relating to printing and binding of reports of certain state departments.

An Act to amend Section 67 of Chapter 45 of the Revised Statutes, as amended by Chapter 22 of the Public Laws of 1917, relating to close time on scallops.

An Act to incorporate the Knox-Bar-Library-Association.

An Act to close all hunting in a certain territory in Lincoln county, to be known as the Lincoln County Game Preserve.

An Act to amend Section 121 of Chapter 4 of the Revised Statutes, as amended by Chapter 135 of the Public Laws of 1921, relating to fish weirs.

An Act for the better protection of smelts in the Damariscotta river.

Finally Passed

Resolve appropriating money for the purpose of operating the fish hatcheries and feeding stations for fish, for the protection of fish, game and birds and for printing the report of the Commissioner of Inland Fisheries and Game and other expenses incident to the administration of the department of Inland Fisheries and Game.

Resolve providing a State pension for Jane Anne Sewall of York.

Resolve providing a State Pension for Ada M. Cowan of Sidney.

Resolve for increase of Pension of Sarah J. Everson.

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

Resolve appropriating money for the care, maintenance and repairs of Fort William Henry in the town of Bristol.

Resolve providing a State Pension for Hattie C. Knowlton of Liberty.

Resolve providing a State Pension for John B. Wallace of Lubec.

Resolve in favor of Blanch A. Grant for State Pension.

Resolve in aid of navigation on Moosehead Lake.

Resolve providing for the purchase of "Maine 1783-1815."

Resolve appropriating money to set forth the natural agricultural, industrial and recreational advantages of the State of Maine.

(Tabled by Mr. Chalmers of Bangor, pending final passage, and specially assigned for Thursday, March 22.)

Resolve in favor of Leslie E. Jacobs, secretary of the committee of State School for Boys, State School for Girls and State Reformatories.

Resolve in favor of a bridge over the St. Croix river between Vance-

boro, Maine and St. Croix, New Brunswick.

Resolve in favor of the erection of a State of Maine building on the grounds of the Eastern State Agricultural and Industrial Exposition, Inc., at West Springfield, Massachusetts.

(On motion by Mr. Chalmers of Bangor, tabled temporarily to be taken up under Orders of the Day.)

Resolve providing for aid in the payment of premiums awarded by the Houlton Agricultural Society.

Resolve in favor Wilmore Quimby of Haynesville for State Pension.

Orders of the Day

The SPEAKER: Under orders of the day, the first matters for us to consider are those matters tabled and assigned for today, and the Chair presents report of committee on Military Affairs, on bill, An Act to create the National Guard Pay Fund, tabled by the gentleman from Augusta, Mr. Martin, March 14th, pending acceptance of the report.

Thereupon, on motion by Mr. Martin of Augusta, the report was taken from the table.

Mr. MARTIN: Mr. Speaker, I yield the floor to the gentleman from Portland, Mr. Atwood.

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

On motion by Mr. Atwood of Portland the report was accepted.

The SPEAKER: The next matter for our consideration is House Document N. 415. An Act relating to the salary of the Androscoggin County Commissioners, tabled by the gentleman from Kennebunk, Mr. Littlefield, March 19, the pending question being the motion of the gentleman from Auburn, Mr. Wing, to indefinitely postpone.

(At this point Mr. Hale of Portland assumed the chair)

Thereupon, on motion by Mr. Littlefield of Kennebunk, House Document 415 was taken from the table, and that gentleman yielded the floor to the gentleman from Auburn, Mr. Wing.

Mr. Wing of Auburn: Mr. Speaker and gentlemen of the House: This is a matter which concerns the county of Androscoggin and is an increase in the salary of the county

commissioners from \$750 to \$1,000. As I said here yesterday afternoon on my motion to indefinitely postpone, in my judgment the commissioners of Androscoggin County are well paid, adequately paid, and sufficiently paid for all the services that they render the county. The gentleman from Lewiston, Mr. Gagne, in answer to what I said, called attention to the fact that the county commissioners are frequently called away from the county seat to locate roads and determine bridges and various questions and that they were not, as I understood him to say, paid for services of that kind and character.

If you gentlemen will turn to bills in the third reading this morning, you will observe that we passed House Document No. 413, which provides that county commissioners going away from the county seat to transact any business, shall be paid their expenses. This is a most elastic measure, and I am sure that any county commissioner who goes from his county building to transact any county business will see to it that he is adequately paid for the time that he spends and the expenses that he incurs.

Now I say again that the county commissioners of Androscoggin County are very well paid at \$750. I have heard of none of them resigning during my brief career in connection with county matters, or as a citizen, because of the inadequacy of their pay; but the minute they are elected to office they immediately come to this legislature and ask at your hands an increase in their pay. If they do not desire to hold offices under the conditions provided by law, let them stay out, the same as members of this legislature; and I sincerely hope that this motion to indefinitely postpone this matter will prevail.

Mr. GAGNE of Lewiston: Mr. Speaker and gentleman: By asking \$1,000, I think it is not too much for the county commissioners of Androscoggin County. When you look over the counties, Aroostook gets \$1,100, Cumberland County gets \$1,500, Kennebec gets \$1,000, Penobscot gets \$1,200, York \$850, and Androscoggin is only \$750. And, gentlemen, you very well know that there is a lot of work to do in Androscoggin County, it being the second county in the State, as I remember well; and I think we

are asking very little when we only ask a raise of \$250 in order to make it \$1,000; and, gentlemen, I hope that the motion of the gentleman from Auburn, Mr. Wing, will not prevail.

Mr. STURGIS of Auburn: Mr. Speaker and gentlemen of the Legislature. Speaking in regard to the salaries of the different counties, I come from Androscoggin. If my memory serves me right, there were a number of candidates in the primaries for the offices of county commissioners and they all thought it was a good plum and there was a very spirited contest in the county. I had some intimate friends who were defeated there and they were so anxious to get in that they called for a recount, because they were looking for either the honor or the salary, I don't know which. As my brother says, there are some counties that are getting more than Androscoggin, but there are some other counties in Maine outside of Cumberland County and Kennebec. Franklin County gets \$450, Hancock County \$750, Knox County \$500, Lincoln County \$300, Oxford County \$600, Piscataquis County \$500, Sagadahoc \$400, Somerset \$650, Waldo \$400, Washington \$650.

Now, gentlemen, as soon as these honored gentlemen got offices they immediately got into the lime light by trying to get raises in salaries. To my mind the Utilities Commission have taken away part of their arduous duties and I would feel, as a member of the Legislature from Androscoggin County, that they are sufficiently paid for their services, and I would sustain the—

Mr. EDWARDS of Bethel: Mr. Speaker, being one of the members of that committee, I would say that there was not a man on that committee who opposed that bill, and it was the unanimous consent of the committee that they should be granted \$1,000. Of course it is very unfortunate that Androscoggin County has to be on the wrong political side.

Mr. STURGIS: Mr. Speaker, I appeared before that committee and told one or two my position. I was then called away to another committee meeting and that is why I was not there on that day.

Mr. GREENLEAF of Auburn: Mr. Speaker, personally I did not appear before that committee because I was very much interested in another hearing that was going on at that

time; but I remind the members of the House that we are voting here on a matter that concerns the transaction of business in Androscoggin County. The question is whether from an economical standpoint can we get the business done for \$750. We have very good commissioners in office serving for \$750, and there are many men who will take the office at \$750; and I think that should be borne in mind in voting on this question.

Mr. EDWARDS: Mr. Speaker, that was tabled at three or four of our meetings at least, because we expected some of the members to come in and oppose it, but you did not come in although we held it to the very last minute.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Auburn, Mr. Wing, to indefinitely postpone House Document No. 415. An Act relating to salaries of Androscoggin County Commissioners. Is the House ready for the question.

The question being called for, and a viva voce vote being doubted, a division of the House was had.

Seventy-seven having voted in favor of the motion to indefinitely postpone and 27 against it, the motion to indefinitely postpone prevailed.

On motion by Mr. Chalmers of Bangor, it was voted to take from the table House Document No. 214, just tabled by that gentleman; and that gentleman yielded the floor to the gentleman from Orrington, Mr. Phillips.

Mr. PHILLIPS: Mr. Speaker and members of the House: I move the indefinite postponement of this resolve, and, Mr. Speaker and members of the House, it is with considerable reluctance and hesitancy that I make this motion for I am well aware of the feeling, the sentiment, in this House favoring the passage of this resolve; but I do this in order that I may be fair with you and fair with the people who have sent me here.

As a part of the machinery of this House, you have a committee on appropriations and financial affairs. Perhaps some of you do not know that this committee exists as they have not been very conspicuous so far this session, and the responsibility for the make-up of that committee, as of all committees, rests with you;

also the duty as to whether that committee and all committees are functioning properly rests with you. Through circumstances I happen to be your House Chairman of this committee, and it seems to me that I would be derelict in my duty did I not call your attention to some of the financial problems as they present themselves to us at the present time. As you probably all know, when this Legislature convened we were mortgaged to the extent of five and one half mills; in other words, five and one half mills of our state tax had been spent by preceding legislatures. If the resolves now pending before the various committees are finally passed, we would go away from here with approximately a nine mills tax rate.

Of course we all know that there must be a cut, but where and how much, depends upon the members of this legislature. Practically all of these resolves seem worthy and almost necessary. I will mention a few of the more prominent ones. The Committee on Sanatoriums favors the passage of a resolve calling for \$20,000 for fire escapes at the sanatorium at Fairfield. Are you aware, gentlemen, that this sanatorium is located without the fire district of the town of Fairfield, and that there is practically no fire protection? At any time a fire may break out in that institution causing loss of life and the destruction of the building.

This committee also favors the passage of a resolve for a children's dormitory at Fairfield, the now northern Maine sanatorium. The conditions there, according to the committee which has investigated, are bad. The children are mixed with the grown people, having no chance to play, no chance for segregation, and of course we all know that the greatest strides in combating this terrible disease of tuberculosis must be made with youth.

Then the School for Feeble-minded. Oh, the pathetic economic possibilities that this class of patients presents! Here a new dormitory is called for of \$140,000 and an administration building of \$60,000. Our insane hospitals are calling for approximately \$250,000 for new buildings. You have already denied the State Prison new construction, and many of our State departments are calling for large increases in connection with their departments.

In view of these facts, can you justify an expenditure of \$25,000 for a new building in Massachusetts? I have not mentioned our schools. Do you not think that \$25,000 could be used to advantage in our public schools, especially in the rural districts? I believe that it could. How about our academies? Nearly all of us have a pet academy, and I am mighty thankful that we have for I do not believe that there is an educational institution in New England that can compare with our academies in the State of Maine. I have my pet academy—Hampden Academy, located across the river from Orrington. This academy is nearly a century old and if I remember correctly they have only once before come before the State for an appropriation. This year they are asking for \$4,000. They are asking this on the demand of the Department of Education here in Augusta. This department has told them that they must rebuild their toilet and put in a new ventilator system. Now if they get one half of this I think they will be lucky. Do you not think that a part of this \$25,000 could be used to advantage here and for some of our other academies?

Last, but not least, in our Educational Department is the University of Maine. Year after year they have come before the Legislature calling for large sums of money for repairs and for new construction. This year they are asking for large sums for repairs, and from personal observation they certainly are sadly in need of them. They are in need of new construction. Can we justify ourselves by expending money for a building like this in Massachusetts, and neglecting our University of Maine?

Perhaps I have said enough about these financial problems. Let us look for a moment at the building itself. The proposition, as I understand it, is for \$25,000 to be appropriated by the State of Maine for a building in Springfield, Massachusetts. This appropriation has been very attractively set forth, both in the press and by personal representation, and it seems only fair with a proposition of this kind that some little opposition should be set forth. The purpose of this resolve, as I understand it, is advertising the State of Maine and its industrial and agricultural advantages. Last year the State ex-

hibited at this exposition with marked success. Very favorable comments were made in the agricultural papers and in the daily press. No question but what this was a splendid exhibit. What advantage would accrue supposing those exhibits were placed in a State of Maine building? Probably a number of you have attended large expositions and what is the first building that you attend? Of course it is the building that is featured, the main exhibition hall. Supposing our exhibits are taken from this exhibition hall and placed in a separate building! It seems to me that this would be a detriment to the exhibitors. It seems to me that the stimulus of competition would be lessened. This resolve calls for \$25,000 from the State and \$25,000 by subscription, making a \$50,000 building. How many of you have ever built a \$50,000 building? If you have, you have some idea of what the maintenance of this proposition will be. Remember, this building is to lie idle eleven and one half months of the year. The resolve also calls for a board of five directors, their expenses to be paid by the State. How many trips would this board of directors make to Springfield, and what would be the expense of each trip? No small item. Will not the next Legislature be asked to build a barn or a henhouse in connection with this building to house cattle and poultry exhibits? I can see no end to what the State may be asked to contribute if this building is once started.

Mr. Speaker and gentlemen of the Legislature, you have had a shining example of the State building proposition recently before you. I refer now to the State Pier at Portland. Probably no state in the Union ever received so near one hundred cents on the dollar for money spent as has been received by that pier. I doubt if you could find a board of directors in the State of Maine who would so faithfully, efficiently and conscientiously perform their work. Yet this Legislature has been asked for \$165,000 to finish the job. If that pier had not been built, would this Legislature have ever started this proposition?

Members of the Legislature, we have fifty fairs in the State of Maine—poor, struggling, starving fairs. Their benefit no one will deny. I personally would rather distribute this \$25,000 among those fairs for I believe that it would do more good.

Finally, Mr. Speaker and members, we must admit, each and every one of us, that we came here pledged to a program of economy. Perhaps some of you are already pledged to this resolve. There might be a question as to whether or no you are not pledged to two pledges, there may be two pledges. Of the two evils choose the lesser. I believe that true economy consists in taking care of the property which we already have and not expanding into a building program calling for large overhead expenses.

Mr. Speaker and members of the Legislature, I can picture two years from now that some of my colleagues, I hope the most of them, will wish to return here to the Legislature. I can picture them going out on the stump with drawings, blueprints, photographs of this building and that will presumably be all the advantages and beauties of this building that ninety-nine per cent of the people of the State of Maine will ever see; and I can see you telling your constituents that you voted for this building. Gentlemen, had you not better stop, look and listen?

Mr. DOUGLAS of Lamoine, Mr. Speaker, I only regret that I am hardly in physical condition today to answer in full. I would like to say that the last speaker, by his vote two years ago and by his work, upheld this and voted for it to go over the veto. Until two weeks ago I had no reason to suspect anything otherwise than that he was in favor of this bill. Why he dares not go home and face his constituency after voting for this measure, I cannot understand. Every organization of any kind that is organized within the State is in favor of, and has gone on record as in favor of, this building. The gentleman (Mr. Phillips) belongs in a rural district, and I know that his constituency, through the Grange, has gone on record, and if he cares anything for the boys and girls, the young men and young women, of this State, that they can have a chance to show what they can do—perhaps I am reiterating here and perhaps I am not holding exactly to the line of argument that I should were I in a little better condition,—but I will answer a few of his arguments. He stated that we denied the State Prison its resolve. I say we did not deny it. Neither this House nor the Senate denied it. If he

has a pet academy that wants money. I will vote for it. I have no pet; I have no pet measures and nothing but just what is good for the State of Maine, as I believe it; but if his pet academy wants money, I will vote for it and I will pay my share of the taxes on account of it.

There is in this State a growing tendency to advertise. We have lived too long within ourselves and have never advertised the things that we are capable of doing, either in an agricultural or an industrial way. Our fairs have been running for years and years and I surmise that every particle of the opposition that there is to this measure has come through some fairs, or perhaps personal animosities. However, there is no question in my mind but what this is an absolutely pure investment, and I wish to reiterate the things that I said the other day in speaking of it—that it is an investment that will pay for itself, if the Commission lets the space, in four years, and if it accepts money as it has in the past for space, it will pay for itself in six years. In regard to building hen-houses, if it were necessary, I would vote to build henhouses there if the boys and girls who exhibit there could sell their product or advertise their State. Now I cannot say any more, I am not able to; but I hope that the motion to indefinitely postpone will not prevail.

Mr. HOBBS of Hope: Mr. Speaker, I have been here going on now twelve weeks and I think the most I have done is to stop, look and listen and I, as one of the agricultural representatives of the State, am heartily in favor of the passage of this bill; and I am in favor of taxing property that has been exempt from taxation years back. I am in favor of taxing hens to pay for it. If we have to build henhouses, all right; if we have to tax hens, all right.

Mr. HAYES of Chelsea: Mr. Speaker, I am glad that this has got in a position where we can at last talk on it. What I wish to say in regard to this matter has been pretty well brought out by Mr. Phillips. I do not believe that it is time for us to come here and build this building out of the State, one that costs so much money and one that would cost so much money to maintain, when we have buildings in our own State that are much more needed. This has been very well pointed out. I happen to

be on the Committee on Sanatoriums and a lot of buildings have been put up to us that ought to be built this year. We considered that and we considered it deeply. Finally we would say it ought to go, and then we would turn around and look at the tax bills and we would say it could not go. In that way we sifted it down to a very few. This bill in here that Brother Douglas says Mr. Phillips was in favor of two years ago, that may well be. Any man has a right to change his mind. There is a quotation that I have heard—I do not remember the author—which says that a man will change his mind once in a while but a mule, never. I think he has got his eyes opened and he sees the need of changing his mind, and that is the reason why he is changing it.

Brother Douglas says the Grange has gone on record as to this. How? You know how the Grange, or any other order, goes on record. Someone gets up and makes a motion, someone seconds it, and they pass it without any opposition, the same as this matter was going through without any opposition. Brother Douglas says he wants a chance up there to advertise things. Haven't they got it now? Didn't they advertise there last year and two years ago, and so on? If you put a building up there, it is going to cost us more to maintain that building than it would cost to pay for advertising things there now, by considerable.

Mr. Douglas also said that the only opposition we are getting to this comes from cheap fairs. I have nothing to do with fairs and it is very seldom that I go to one, so I do not think that is correct.

Mr. DOUGLAS: Mr. Speaker, I wish to say that I did not say "cheap fairs."

Mr. HAYES, continuing: Mr. Speaker, perhaps I was wrong in that, but I will get around it this way and I will say that all fairs are cheap fairs. (Laughter.) We do not have any very high-priced fairs in the State of Maine. Now I am not going to take any further time here, because my Brother Phillips has covered the ground that I was going to take, and I hope that his motion will prevail.

Mr. STURGIS of Auburn: Mr. Speaker, some of you know probably that I represent the farmers in my

locality. I happen to belong to the Grange. I think you will all agree with me that if you go into any town in Maine and find a live business man doing business, and doing it six days in the week, he is the man who advertises. The man who fails to advertise is a back number today. That is my opinion. I think my Brother (My Hayes) kind of insulted the Grange when he represented that they were rather weak-kneed, and if a motion is made there it would go through. He might practice that here in this honorable body, but there is opposition sometimes to motions put in the Grange. They do not all go through in soft slippers.

Now in regard to cheap fairs, I beg to differ with the gentleman. If he wants to go along under the bright lights where they put across things that are not presentable, he may go that way. Some of us go there for what we can see and learn in regard to the different things that are there on exhibition. We have fine cattle at those fairs, we have fine fruits, and we have a great many fine exhibits there. Now this exposition at Springfield is clean, it is run above-board, and I believe that it would be of great benefit to the State of Maine to show to the world—it is not limited to the United States, but people come there from all over the world, different parts of the world, to see what we can put out in products from our little State of Maine. Now as I understand it this proposition will be self sustaining and a little more. We are called every year to pay \$3,500 to defray expenses of exhibiting our farm products there, and this would eliminate that. I certainly favor this exposition building.

The SPEAKER: The question before the House is on the motion of the gentleman from Orrington, Mr. Phillips—

Mr. HAYES of Chelsea: Mr. Speaker, I would just like to say a word in regard to the matter of fairs. The gentleman from Auburn, Mr. Sturgis, says that we can go to fairs and see the good things and we need not go to these cheap fairs unless we want to. Now I have been to fairs all over this State, and I never was at a fair yet but what I saw quite a lot of good things exhibited; but at the same time I never was at a fair that I did not see things in the midway that ought not be there, and I do

not believe that the gentleman ever was, either.

Mr. STURGIS: Mr. Speaker, I have been to a Sunday school convention when everything did not go just as I would like to have it. (Laughter and applause.)

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Orrington, Mr. Phillips, to indefinitely postpone House Bill No. 214, a resolve in favor of the erection of a State of Maine Building on the grounds of the Eastern States Agricultural and Industrial Exposition, Inc., at West Springfield, Massachusetts. Is the House ready for the question?

The question being called for,

A viva voce vote was doubted, and a division of the House was called for by Mr. Phillips of Orrington.

A division of the House being had, twenty-three voting in the affirmative and 93 in the negative.

The motion to indefinitely postpone was lost, and the resolve was finally passed.

(At this point Speaker Holley resumed the Chair and Mr. Hale of Portland retired amid the applause of the House.)

Mr. Granville of Parsonfield presented the following order, out of order, and moved its passage:

Ordered, that the Governor be requested to return to the House an act to amend Section 52 of Chapter 117 of the Revised Statutes, as amended by Chapter 34 of the Public Laws of 1919, relating to the Board of Osteopathic Examination and Registration

Mr. MAHER of Augusta: Mr. Speaker, I rise to a point of order, and I ask for a ruling as to whether or not this House has any control over a document that has passed to the Executive Department?

The SPEAKER: The Chair will state that the House may request from the Governor the return of any bill before the Governor at any time before it becomes a law.

A viva voce vote being doubted, a reading of the order was requested by Mr. Hobbs of Hope.

(Order read by the clerk.)

The SPEAKER: Now the Chair

feels forced to read, because of the desire evident on the part of some members not to recall the document, a communication from the Governor to the Speaker:

"I am sending in a veto message to take care of a technical error and this is the very last day for doing so. If you can get some member to recall the Act from the Governor it would save vetoing and a roll call.

"I always prefer to do this but some members of the House seem to resent my having errors corrected and so I must veto it unless this can be taken care of in a more comfortable fashion. I leave it for you to decide. The Act relates to the \$5.00 a day payment to several boards of veterinarians, etc., etc. If you can handle it in an easy way, overlook the veto and have somebody present the accompanying order."

Upon receipt of this the Chair believed that the best way to handle this was to recall it.

The question is, shall the order have a passage? As many as are in favor of the passage of the order will rise and stand in their place until counted, and the monitors have returned the count.

A division being had,

One hundred and twenty-one voting in the affirmative and none in the negative, the order received passage.

The SPEAKER: The Chair presents an act to amend Section 52 of Chapter 117 of the Revised Statutes, as amended by Chapter 34 of the Public Laws of 1919, relating to the Board of Osteopathic Examination and Registration.

On motion by Mr. Granville of Parsonsfield, tabled pending further consideration.

The SPEAKER: Is there any other business under orders of the day?

On motion by Mr. Rounds of Portland, unanimous consent was given for that gentleman to take from the table House Document No. 372 an act to incorporate the Yarmouth Water District, tabled by that gentleman yesterday pending passage to be enacted and assigned for tomorrow.

Mr. ROUNDS: Mr. Speaker, as there were not enough here yester-

day to pass it, as this is an emergency matter, I tabled it until there would be enough here to pass it. Therefore I now move its passage.

The SPEAKER: This being an emergency matter, and requiring under the Constitution the affirmative vote of two-thirds of the entire membership of this House on its passage to be enacted, all those who are in favor of the passage of the bill to be enacted will rise and stand in their places until counted, and the monitors will return the count.

A division being had,

One hundred and twenty-one voted, and all in the affirmative, so the bill was passed to be enacted.

On motion by Mr. Wing of Auburn it was voted to take from the table the bill just tabled by Mr. Granville, an act to amend Section 52 of Chapter 117 of the Revised Statutes, as amended by Chapter 34 of the Public Laws of 1919, relating to the Board of Osteopathic Examination and Registration.

On further motion by the same gentleman the House voted to reconsider its action whereby this bill was passed to be enacted; and on further motion by the same gentleman the bill was tabled pending passage to be enacted.

On motion by Mr. Maher of Augusta it was voted to take from the table House Document No. 338, an act relating to night fishing in certain waters in Kennebec County, tabled by that gentleman March 19, pending passage to be enacted; and on further motion by the same gentleman the bill was passed to be enacted.

The SPEAKER: The Chair will ask the members to bear in mind that we are drawing toward the closing hours, we hope, of the Legislature, and it seems best to keep the calendar as clean as possible. Is there anything any member feels that he can now take from the calendar? (No response.)

On motion by Mr. Burns of Eagle Lake,

Adjourned until nine o'clock tomorrow morning.