

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

SENATE

Wednesday, January 10, 1923.

Senate called to order by the President.

Prayer by Rev. L. Quimby of Gardiner.

Journal of previous session read and approved.

The PRESIDENT: On account of the fact that he is the principal speaker at the annual meeting of the State Bar Association, which will be held in this chamber this afternoon, we are honored by the presence of the Honorable Mr. Justice William R. Riddell, Justice of the Supreme Court of the Province of Ontario. The Senate of Maine extends to him its most cordial welcome, and I am sure that it would be delighted to have a few moments out of his very busy day in order that he may speak to it on whatever subject he may choose.

The Honorable Mr. Justice Riddell then addressed the Senate, as follows:

Mr. President and Gentlemen, Senators of this Sovereign State of Maine, I feel it a very great honor, and were it not so great an honor, I should say a very great pleasure to be asked to speak to you this morning.

I have had some difficulty in determining upon what subject I should speak to you, and still there ought not to be any difficulty for your people and mine are all of the same nature and mind, we have indeed difference in allegiance, a little difference in our customs, in our legislation and our law, but Americans and Canadians form parts of a great community having in view not only the administration of law, but also the government of the world upon principles of right and justice.

I bring to you the greetings of my Country, my Canada, to the north and west of you, but I do not come to you as a stranger or an alien. No English speaking Canadian when he enters the United States, or American when he enters the English speaking part of Canada, but feels at home—when he comes from one country to the other without undue interference.

It always seemed to me that the peace and harmony of the world, the salvation of the world must necessarily depend upon the amity, the harmony, the joint work of the two great English speaking peoples. We cannot speak of France now leading

and saving civilization, she cannot do it; Italy cannot do it; Germany can never again, not at least in our generation or two generations after this, be allowed to lead in civilization, for her form of civilization is not what recommends itself to us or to the world at large.

If civilization is to be saved it must be saved by the joint fellow feeling and harmony of the two great English speaking peoples, one the very greatest Republic of the world and the other the greatest Empire of the world—that world Empire, a great Commonwealth of which my country is one of the free, independent parts.

It has always seemed to me, too, that the inhabitants of the State of Maine should be particularly cognizant of the harmonious connection between the two countries; that our quarrels are family quarrels; and that in the main the two peoples have lived together for a hundred years or more in peace and harmony—for while there have been troubles and disputes, they have never been so acute that it was thought necessary that a brother's hand should be imbrued in a brother's blood. Three of the various settlements between the two branches of the English speaking peoples, twenty-three in all, were concerned in the boundaries of the State of Maine.

The very beginning of the English speaking method of determining international disputes was back in 1784, when under the Jay treaty the north-easterly boundary of the State was determined.

Three lawyers were called upon under that treaty to determine the northeastern boundary of Maine. Thomas Barclay, who was a student of John Jay, a Nova Scotian and a member of the Nova Scotia Parliament, David Howell, a judge of the supreme court of Rhode Island, and Egbert Benson, judge of the State court of New York, who afterwards became the judge of the federal court, was accepted by both parties. When a third arbitrator is selected by the other two upon the ground that he is cool, impartial and dispassionate, you may feel that the others have that feeling and know what the result will be.

In 1794 this boundary of the State of Maine was determined, and except for that unnecessary war—many do not agree with me, but the War of 1812 was in my view utterly unneces-

sary and it could have been avoided by treaty—there has been no armed dispute between the English speaking people since.

Another arbitration, under the Treaty of Ghent, 1814, was concerning the islands of Passamaquoddy bay. One of the arbitrators was Thomas Barclay, and the other John Holmes, afterwards one of the first senators of Maine, then a part of Massachusetts, and they determined that Grand Manan belonged to Britain, Frederick, Moose and Dudley islands to the United States. That award was made in 1817.

Another question was the northern boundary of the mountains, where Maine sticks up her elbow into the ribs of Canada, by reason of which we were obliged to build a long railroad around that corner, and we would have liked to have that part of northern Maine that you have, but that is all settled, never to be disturbed. That question was also left to the determination of lawyers. Thomas Barclay and Cornelius Van Ness were the arbitrators, but they could not agree. Then it was left to arbitration or the determination of King William of Netherlands, whose award satisfied neither party, and ultimately in 1842 by treaty the line was agreed upon, the well-known Ashburton Treaty.

We have a long international line, hundreds of miles, every single line of which was disputed, and every mile might have caused war, but these miles of boundaries were determined by lawyers and judges whose duty it was to decide upon principles of right, and by the peaceful methods of diplomacy.

It seems to me that the State of Maine at least ought not to be ignorant of the great benefits our countries and the world would receive from peaceful methods of the Anglo Saxon—I do not like that word, but English speaking diplomacy and methods.

Your people and mine have determined that the world is not to be governed by force; that a treaty is not a scrap of paper; we have determined that the world should be governed by justice and right.

What about the future? We have lived together in peace and harmony for years, and the continuance of that peace and harmony and its extension to the world depend on our people

and your people. Of course, there are people upon both sides of the line who try to make trouble. The fool ye have always with you, and you have no monopoly of him. You have men on your side of the boundary who were determined to make trouble; we have Canadians like them, but these people are negligible and the peoples as a whole desire to live together in peace and harmony. If peace and harmony is to continue, English speaking peoples must keep together. It was my idea, long before the war, that these two peoples, with ties stronger than anything written by pen of gold or steel, this great law of peace and harmony which proceeds from the throne of God and from the breast of God, that these people should work together and stand together, that they shall march together, and if necessary even shall fight together for peace and justice and right.

The hope of the world is the United States today. What the United States says shall be done will be done. The great burden of civilization is upon the American people, and I, who have no slight knowledge of your people, I, who understand your method, I, believing in you, I have no fears. The United States must necessarily proceed in the way of peace and justice.

I thank you. (Long and continued applause.)

I bid you good morning, gentlemen, and hope to meet you again.

Mr. ALLEN of York: Mr. President, I have the pleasure to inform you that Senator Eaton of Oxford is in the chamber and is ready to take upon himself the oaths of office to qualify him to enter upon the discharge of his duty.

The PRESIDENT: The Chair hears the announcement and will ask the Senator from York, Mr. Allen, if he will escort Senator Eaton to the Council Chamber to take the oaths, and escort him to the chamber where he can take his seat in due form.

Subsequently Senator Allen reported that Senator Eaton had taken his oath of office and was ready to take upon himself the duties of his office.

The PRESIDENT: The Senate hears the report, and the Senator is welcomed to his seat in our midst.

Papers from the House disposed of in concurrence.

Orders of the Day

(The Chair at this time read the list of joint standing committees, which appear in the House report.)

The Chair announced the following Senate committee:

BILLS IN SECOND READING—12**Senators**

Spencer of York,
Elliott of Knox,
Adams of Hancock,
Sargent of Hancock,
Kirschner of Androscoggin,
Wilson of Aroostook,
Bemis of Somerset,
Powers of Aroostook,
Speirs of Cumberland,
Brewster of Cumberland,
Emery of Washington,
Hinckley of Cumberland.

ENGROSSED BILLS—12 Senators

Stevens of York,
Morneau of Androscoggin,
Morison of Penobscot,
Phillips of Hancock,
Croxford of Penobscot,
Clarke of Lincoln,
Carlton of Sagadahoc
Ryder of Piscataquis,
Putnam of Washington.
Hussey of Aroostook,
Cram of Cumberland,
Buzzell of Waldo.

The following bills and resolves having been referred to this Legislature by the last preceding Legislature, were taken from the files and referred to the committees and sent down for concurrence:

Appropriations and Financial Affairs

Resolve in favor of the General Knox Chapter, Daughters of the American Revolution, a corporation organized and existing under the laws of the State of Maine and located at Thomaston in said State.

Resolve for appropriating money for the erection of a memorial monument in honor of the Mayflower Pilgrims in Maine.

Education

An Act to Amend Sections one hundred sixty-nine, one hundred seventy, one hundred seventy-one, one hundred seventy-two, one hundred seventy-three, one hundred seventy-four, one hundred seventy-five, one hundred seventy-six and one hundred seventy-seven of Chapter sixteen of the Public Laws of the State of Maine relating to teachers' pensions.

Resolve proposing an amendment to the Constitution of the State of Maine relative to appropriations for private and secretarian purposes.

Legal Affairs

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.

Library

An Act to provide for the preservation of archaeological objects and sites, and for the appointment of a commission of archæology.

Military Affairs

Resolve for the creation of a War Memorial Commission.

Resolve to authorize and instruct the Governor and Council to erect a statue in memory of the sons of Maine who served in the World War.

Public Utilities

An Act to amend Chapter 187 of the Private and Special Laws of 1915, relating to the incorporation of the Oquossoc Light and Power Company and to enlarge its powers.

On motion by Mr. Eaton of Oxford,
Adjourned until 10 o'clock tomorrow morning.