

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Second Legislature

OF THE

STATE OF MAINE

1925

KENNEBEC JOURNAL COMPANY  
AUGUSTA, MAINE

**HOUSE**

Wednesday, Feb. 18, 1925.

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

Prayer by the Rev. Mr. Skillin of Gardiner.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

The following bills, resolves, remonstrances and petitions were received and, upon recommendation of the committee on reference of bills, were referred to the following committees:

**Appropriations and Financial Affairs**

By Mr. Eustis of Strong: An Act in relation to State funds for charity patients in public and private hospitals. (H. P. No. 731).

(500 copies ordered printed)

(On motion by Mr. Eustis of Strong the House voted to reconsider its action whereby the above bill was ordered printed, explaining that the same may be unnecessary until amendments have been submitted).

**Banks and Banking**

By Mr. Nichols of Portland: An Act relative to Peoples Loan Company. (H. P. No. 732).

**Claims**

By Mr. Oakes of Portland: Resolve in favor of Olive G. Lynch. (H. P. No. 733).

By Mr. Nichols of Portland: Resolve in favor of Mary A. Stevens. (H. P. No. 734).

**Education**

By Mr. Allen of Harpswell: An Act relating to the Superintendent of Schools of the town of Harpswell. (H. P. No. 735).

**Inland Fisheries and Game**

By Mr. Melcher of Rumford: Petition of residents of Hanover and vicinity for prohibition of plug fishing in Howard Pond, Hanover, Oxford County. (H. P. No. 736).

By Mr. Ayer of Cornish: Remonstrance of Bion Bradley and 58 others against annual license fee of \$1.15 for resident hunters and fishermen. (H. P. No. 737).

By Mr. Eustis of Strong: Remonstrance of L. A. Worthley and 21 other voters of Franklin County against the passage of House Document 50, House Paper 259, relating to night fishing in the inland waters of the State of Maine. (H. P. No. 738).

By the same gentleman: Remonstrance of E. R. Sprague and 25 others against the passage of the provision of House Paper 315 changing the open season on deer in Franklin and Oxford County as specified in that act. (H. P. No. 739).

By Mr. Audibert of Ft. Kent: Remonstrance of Thomas H. Michaud of Fort Kent, and 43 others against the changing of the law relating to the killing of two deer in the open season. (H. P. No. 740.)

By Mr. Vail of Hodgdon: Remonstrance of W. G. Harding of Hodgdon and 87 others against any change in the present game laws relating to the killing of deer in Aroostook, Penobscot and Piscataquis Counties. (H. P. No. 741).

By Mr. Dunbar of Orland: An Act for the better protection of muskrats in the towns of Bucksport and Orland, in Hancock County. (H. P. No. 742)

By Mr. Clark of Randolph: An Act relating to the protection of game birds. (H. P. No. 743).

By Mr. Mears of Morrill: An Act relating to the Pollution of certain waters in the State with mill waste. (H. P. No. 744).

By Mr. Littlefield of Kennebunk: An Act to prohibit ice fishing in Alewife pond, in the town of Kennebunk. (H. P. No. 745).

By Mr. Spear of Portland: An Act prohibiting ice fishing in Watchic Pond in the town of Standish, Cumberland County. (H. P. No. 746).

By Mr. Hall of Waterville: An Act permitting taking of pickerel and smelts through the ice from the Belgrade Chain of Lakes. (H. P. No. 747).

By Mr. Frost of Eastport: An Act relating to the issuance of permits to propagate game birds, game and fur-bearing animals. (H. P. No. 748).

By Mr. Piper of Jackman: An Act relating to close season on foxes in Franklin, Somerset, Penobscot, Piscataquis and Aroostook Counties. (H. P. No. 749).

By Mr. Dunbar of Orland: An Act to permit the trapping of rabbits or wild hares with box traps during month of March in addition to the open season now provided by law in the towns of Blue Hill, Orland and Penobscot in Hancock County. H. P. No. 750).

By Mr. Pike of Lubec: An Act entitled "An Act for the better protection of Trout in certain waters in Washington County." (H. P. No 751).

By Mr. Frost of Eastport: An Act

relating to the annual closed season on salmon, landlocked salmon, trout, togue, black bass and white perch. (H. P. No. 752).

By Mr. Larrabee of Sebago: An Act relating to the taking of smelts, suckers, bait fish, white fish and cusk. (H. P. No. 753).

By the same gentleman: Petition of C. D. Martin and 28 others in favor of same. (H. P. No. 754).

By the same gentleman: Petition of George C. Orr and 15 others in favor of same. (H. P. No. 755).

By the same gentleman: Petition of E. A. Kennedy and 25 others in favor of same. (H. P. No. 756).

By the same gentleman: Petition of Clifton L. Davis and 43 others in favor of same. (H. P. No. 757).

By Mr Melcher of Rumford: An Act to regulate fishing in Swift River and its tributaries in Oxford County. (H. P. No. 758).

By the same gentleman: Petition of citizens of Oxford county in favor of same. (H. P. No. 759).

By Mr. Frost of Eastport: Resolve appropriating money to aid in the screening of Pennamaquam lake, situated wholly or partly in the town of Charlotte in the county of Washington. (H. P. No. 760.)

By Mr. Mears of Morrill: Resolve appropriating money to aid in the screening of Sheepscot Pond, in Palermo in the county of Waldo. (H. P. No. 761.)

By Mr. Marden of Waldo: Resolve in favor of the Sheepscot River Fish and Game Association. (H. P. No. 762)

#### Judiciary

Remonstrance of A. C. Kimball and 23 others of Parkman against the repeal of the Direct Primary Law. (H. P. No. 763) (Presented by Mr. Johnson of Brownville.)

By Mr. Frost of Belfast: An act to authorize the city of Belfast to pay its bonded indebtedness and to issue new bonds for that purpose. (H. P. No. 838).

By Mr. Kinsman of Augusta: An Act to amend the Charter of the City of Hallowell to provide that the municipal year begin on the second Monday of January biennially (H. P. No. 764) (500 copies ordered printed).

By Mr. Burnham of Kittery: An Act relative to motor vehicles, neutral zone, and to revise and amend Sections 75 and 34 of Chapter 211 of the Public Laws of 1921 (H. P. No. 765) (500 copies ordered printed).

By Mr. Oakes of Portland: An Act increasing the jurisdiction of con-

stables in cities of over 35,000 inhabitants. (H. P. No. 767) (500 copies ordered printed).

By the same gentleman: An Act relating to a lien for repair and storage of vehicles. (H. P. No. 766) (1500 copies ordered printed).

By Mr. Nichols of Portland: An Act relative to the judge not acting in cases within the jurisdiction of his court. (H. P. No. 768).

#### Legal Affairs

By Mr. Stitham of Pittsfield: An Act to repeal acts incorporating Pittsfield Village Corporation. (H. P. No. 769).

By Mr. Burnham of Kittery: An Act changing the place of holding the terms of Yorkshire Municipal Court. (H. P. No. 770). (500 copies ordered printed).

By Mr. Nichols of Portland: An Act in relation to the jurisdiction of the Municipal Court of the city of Portland. (H. P. No. 771).

#### Pensions

By Mr. Marden of Waldo: Resolve in favor of Emma Coffin Norton of Fairfield for State Pension. (H. P. No. 772).

By Mr. Holmes of Lewiston: Resolve providing for a State Pension for Katherine H. Mara of Lewiston. (H. P. No. 773).

By Mr. Frost of Belfast: Resolve providing for a State Pension for Alice Guptill, of Belfast. (H. P. No. 774).

By Mr. Cole of West Gardiner: Resolve in favor of Louis Nason of West Gardiner for State Pension. (H. P. No. 775).

By Mr. Stitham of Pittsfield: Resolve providing for a State Pension for Luke Woodard, of Cornville (H. P. No. 776).

By Mr. Mears of Morrill: Resolve providing for an increase of State Pension for Emma Coffin Norton of Palermo. (H. P. No. 777).

By Mr. Johnson of Brownville: Resolve providing for a State Pension for George A. McKusick, of Guilford. (H. P. No. 778.)

By Mrs. Allen of Hampden: Resolve in favor of Eliza J. Eldridge of Hampden for State Pension. (H. P. No. 779).

By Mr. Harriman of Readfield: Resolve in favor of Robert F. Parlin of Fayette for State Pension. (H. P. No. 780).

By Mr. Hight of Madison: Resolve in favor of Nancy T. Morrill of Madison for State Pension. (H. P. No. 781)

By Mr. Martin of Augusta: Resolve for State Pension for Annie D. McLean. (H. P. No. 782)

By Mr. Holmes of Lewiston: Resolve providing for a State Pension for Alice Fuller of Lewiston. (H. P. No. 783)

By the same gentleman: Resolve providing for a State Pension for Florence J. Judkins of Lewiston. (H. P. No. 784)

By the same gentleman: Resolve providing for a State Pension for Betsy A. Trask of Lewiston. (H. P. No. 785)

By the same gentleman: Resolve providing for a State Pension for Nancy J. Brooks of Lewiston. (H. P. No. 786)

#### Public Utilities

By Mr. White of Bowdoinham: An Act to incorporate the Richmond Water District. (H. P. No. 787)

(Tabled by Mr. White of Bowdoinham pending reference)

By Mr. Kilburn of Portland: An Act to incorporate the Fort Fairfield Water District. (H. P. No. 788)

By Mr. Kinsman of Augusta: An Act to amend an act to incorporate the Hallowell Water District. (H. P. No. 789)

By Mr. Piper of Jackman: An Act to amend Chapter 18 of the Private and Special Laws of 1919, entitled "An Act to Incorporate the Wesserunsett Stream Dam and Improvement Company. (H. P. No. 790)

#### Salaries and Fees

By Mr. Buker of Bath: An Act increasing the Salary of the Postmaster of the House. (H. P. No. 791)

By Mr. Mitchell of Houlton: An Act relating to clerk hire in the registry of deeds (Southern District) Aroostook County. (H. P. No. 792)

By Mr. Beckett of Calais: An Act relating to the salary of the Clerk of Courts in Washington County. (H. P. No. 793)

By Mr. Littlefield of Kennebunk: An Act relating to the salary of the recorder of the Kennebunk Municipal Court. (H. P. No. 794)

By Mr. Ludwig of Waldo: An Act relating to the salary of the county attorney of Lincoln County. (H. P. No. 795)

By Mr. Brown of Bethel: An Act to increase the salary of the clerks in the office of the Register of Probate for Oxford County. (H. P. No. 796)

By Mr. Drake of Bath: An Act relating to the Salary of the Sheriff of Sagadahoc County. (H. P. No. 797)

#### Sea and Shore Fisheries

By Mr. Haggett of West Bath: An

Act prohibiting the catching of smelts in Cathance River, except by hook and line. (H. P. No. 798)

By Mr. Nichols of Portland: An Act relative to the Use of Power Boats. (H. P. No. 799)

By Mr. Pike of Lubec: An Act relating to the taking of smelts, from Cobscook River, Cobscook Bay, Orange River, Denny's River and their tributaries. (H. P. No. 800)

By Mr. Mansfield of Jonesport: An Act amending an act relating to taking of clams in the town of Machiasport. (H. P. No. 801)

By Mr. Bishop of Boothbay Harbor: An Act to amend Sec. 48 of Chap. 45 of the Revised Statutes increasing the Penalty for use of Torches or Artificial Lights in the Eerring Fishery. (H. P. No. 802)

By Mr. Mathews of Cherryfield: An Act prohibiting the building of smelt traps in the waters of Harrington River in Washington County. (H. P. No. 803)

By the same gentleman: Petition of M. P. Coffin and 44 others in favor of same. (H. P. No. 804)

#### Ways and Bridges

By Mr. Boody of Windham: An Act relating to State highways and to the creation of further revenues. (H. P. No. 805)

(500 copies ordered printed.)

By Mr. Beckett of Calais: An Act for the State to acquire the American portion of the International Bridge at Calais in Washington County and to provide for its maintenance. (H. P. No. 806)

(500 copies ordered printed.)

By Mr. Boman of Vinalhaven: An Act entitled "An Act to assist towns in the improvement of their highways." (H. P. No. 807.)

By Mr. Metcalf of Farmington: Resolve in favor of Jerusalem for a Road on Highway leading from North New Portland to Stratton. (H. P. No. 808).

By Mr. Drake of Bath: Resolve in aid of the repair and maintenance of a Road in Phippsburg. (H. P. No. 809).

By the same gentleman: Resolve in aid of the repair and maintenance of a road in Phippsburg. (H. P. No. 810).

By Mr. Ellis of Fairfield: Resolve for aid in repairing a Road in the town of Fairfield. (H. P. No. 811).

By Mr. Towle of Winthrop: Resolve in aid of the repairing and rebuilding of a road in Litchfield. (H. P. No. 812).

By the same gentleman: Resolve

in aid of the repairing and rebuilding of a road in Monmouth. (H. P. No. 813).

By Mr. Waterman of New Gloucester: Resolve in aid of repairing and rebuilding of a road in Raymond. (H. P. No. 814).

By Mr. Ludwig of Waldoboro: Resolve to assist the town of Whitefield in repairing road leading from the Chelsea town line to the Catholic Church in said Whitefield. (H. P. No. 815).

By Mr. Burns of Eagle Lake: Resolve in favor of Wallagrass Plantation. (H. P. No. 816).

By Mr. Vail of Hodgdon: Resolve in favor of the town of Orient, Aroostook County. (H. P. No. 817).

By the same gentleman: Resolve in aid of the repairing and rebuilding of a road in Bancroft. (H. P. No. 818).

By Mr. Houghton of Lee: Resolve in favor of the town of Mattawamkeag for aid in constructing the bridge across Mattacouck River. (H. P. No. 819).

By the same gentleman: Resolve in aid of the repairing and rebuilding of a Road in Prentiss. (H. P. No. 820).

By the same gentleman: Resolve in aid of the repairing and rebuilding of a road in Prentiss. (H. P. No. 821.)

By Mr. Moore of Gouldsboro: Resolve in aid of the repairing and rebuilding of a Road in Winter Harbor. (H. P. No. 822).

By the same gentleman: Resolve in aid of the repairing and rebuilding of a road in Gouldsboro. (H. P. No. 823).

By Mr. Goodrich of Farmingdale: Resolve in favor of the town of Farmingdale. (H. P. No. 824).

By Mrs. Allen of Hampden: Resolve in favor of the town of Hampden. (H. P. No. 825).

By Mr. Mitchell of Newfield: Resolve in aid of the repairing and rebuilding of a road in Newfield. (H. P. No. 826).

By Mr. Pillsbury of Benton: Resolve in aid of the repairing and rebuilding of a road in Albion. (H. P. No. 827).

By Mr. Bragdon of Perham: Resolve in aid of the repairing and rebuilding of a road in Washburn. (H. P. No. 828).

By Mr. Harriman of Readfield: Resolve in favor of the town of Readfield. (H. P. No. 829).

By Mr. Friend of Etna: Resolve in aid of the repairing and rebuilding

of a road in Dixmont. (H. P. No. 830).

By Mr. Comins of Eddington: Resolve in aid of the repairing and rebuilding of a road in Holden. (H. P. No. 831).

By Mr. Marden of Waldo: Resolve in aid of the repairing and rebuilding of a road in Freedom. (H. P. No. 832).

By Mr. Beckett of Calais: Resolve in favor of the City of Calais to aid in repairing International Metal Bridge between the City of Calais, Me., and St. Stephen, N. B. (H. P. No. 833).

By Mr. Dudley of Woodstock: Resolve in favor of the towns of Dixfield, Peru and Mexico. (H. P. No. 834).

By the same gentleman: Petition of D. H. Gates and 100 others in favor of same. (H. P. No. 835).

By the same gentleman: Petition of Joseph Haines and 75 others in favor of same. (H. P. No. 836).

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 this House for the purpose of extending an invitation to the Honorable Ralph O. Brewster, Governor, to attend and make such communication as pleases him.

Thereupon the Clerk of the House was charged with the duty of conveying to the Senate the concurrence of the House in the proposition for a joint convention.

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 Holley of Somerset, it was

Ordered: That a committee be appointed to wait upon the Honorable Ralph O. Brewster, Governor, and inform him that the two branches of the Legislature are in Convention assembled in the hall of the House of Representatives, and extend to him an invitation to attend the convention and present such communication as he may be pleased to make.

The Chair thereupon appointed as members of such committee, Senators Holley of Somerset, Morrison

of Franklin, Miner of Washington, and Representatives Martin of Augusta, Mears of Morrill, Thissell of Norridgewock, Pullen of Danforth, Foster of Ellsworth, Atwood of Portland and Bishop of Boothbay Harbor.

Subsequently Senator Holley from the Committee reported that the committee had performed the duty with which it was charged and reported that the Governor will attend upon this Convention forthwith.

The report was accepted.

The Governor and suite then entered the hall of the House of Representatives amid the applause of the Convention; the members rising.

The Governor then communicated with the joint Convention by address as follows:

To The Members of The Eighty-Second Legislature.

At the opening of this session, in accordance with custom and the constitution, the affairs of the State were discussed in some detail with the confident expectation that this discussion would suffice. Circumstances, however, beyond the control of the present executive, have since come to light that seem to require some immediate action on your part. It is the unanimous opinion of the Constitutional advisers that you have furnished me—and if it is not improper I might say that you did a very good job in your selection for that purpose—(applause). It is the unanimous opinion of these gentlemen that this situation should be laid before you without delay.

The Executive Department has no authority to disburse funds except under provision of law. Bills have been presented to us, or are in immediate prospect during the present fiscal year, amounting to approximately \$250,000 for which no funds have been provided. The Attorney General has ruled that the Governor and Council may not legally pay these bills without Legislative authorization. There has been no appropriation by the Legislature to cover these charges which have been contracted in recent months by official representatives of the State.

It has been customary in recent years to take care of the obligations of this character from the State Contingent Fund but this fund has now been exhausted and further drafts against it are both futile and illegal at this time.

The provisions of Section 87, Chapter 2, of the Revised Statutes,

as amended by Section 2, Chapter 226 of the Public Laws of 1923 relating to this fund provide that:

“Warrants may be drawn, charged to and paid out of said fund for certain purposes”—“and so much of said fund as may be necessary for said purposes is hereby appropriated to pay such bills and expenses.”

It is clear and the Attorney General has so ruled, that the Legislature never contemplated disbursement by the Governor and Council from a non-existent fund. If such authorization were given there would be absolutely no limit to the expenditures that a Governor and Council might make.

Expenditure of Legislative appropriations may be curtailed and the Contingent Fund thus increased and actual income may exceed the estimates and the Fund further grow and thus very large financial powers come to the Executive Department under a liberal construction of what constitutes an “Emergency” at any given time. To depart from these limits, however, and hold that a Governor and Council may anticipate lapses or excess revenues for the Contingent Fund at some future time, and then draw against those hopes and expectations, however well founded they may be, would embark our state on a financial system that must end in disaster for all concerned.

The State Contingent Fund had its inception a little over eight years ago. In the first four years of its existence it was steadily built up until on June 30th, 1921, it amounted to \$1,551,447.61. Since that time during the past four years, it has steadily declined until it vanished during the first weeks of the present administration as a result of obligations previously incurred.

There are today existing overdrafts or bills immediately payable of \$146,550.71. To off-set these there is an apparent balance in the Contingent Fund of \$130,095.01, or an existing deficiency of \$16,455.70 to pay the outstanding bills against the State. In addition it is estimated by the State Auditor's Office, on the basis of expenditures during the past seven months and existing balances remaining in the appropriations to carry on the State's activities to the end of the current fiscal year, that \$247,470.25 will be required outside appropriations authorized at this time.

It may be well and it is earnestly to be hoped that on June 30th, there will be lapses in appropriations or excesses in current revenues beyond

the estimates sufficient to provide for this deficiency of over \$250,000 in our current needs.

The point which immediately concerns us is the protection of the credit and the continuance of the activities of the State by some proper and legal provision for settlement of these obligations as they shall arise.

In the past few years such a problem has not given especial concern because of the very substantial balances at all times existing in the Contingent Fund, but with the disappearance of this Fund the problem becomes immediate and its adjustment cannot be delayed.

Outstanding bills are as follows:  
 History of the Old Ports of Maine. (Authorized during the past year as an emergency need not provided for by the Legislature, but for which no funds were made available for settlement at which time the obligation was incurred.) ..... \$ 3,574.14  
 Expenses of Military Reservations, similarly authorized but not provided for.... 1,973.27  
 Fire proof vault in the State House ..... 945.53  
 Brick yard at the State Reformatory for Men ..... 5,413.07  
 Plans for Administration Building for the Reformatory for Men (The Trustees of the State Reformatory for Men secured plans for this building after conference with the previous executive. A dispute apparently exists as to whether or not this liability was authorized by the Executive Department. It is believed that this matter should be determined by a proper committee of the Legislature without prejudice to the position of either the Claimant or the State.) ..... 2,587.44  
 Store Houses in the rear of the State House ..... 20,592.00  
 (Funds were set up from the Contingent Fund in the amount of \$90,728.00 to provide for these buildings, but contracts were then authorized for their construction in an amount exceeding this allocation by \$20,592.00

..... \$35,085.45

In addition there are existing over-drafts of ..... 90,102.75

and other bills payable for which no appropriations are available of ..... 21,362.51

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 Making a Total .... \$146,550.71

Aside from the obligations for which there was no Legislative authorization the most immediate problems are in connection with the Maine State Prison and the State Board of Charities and Corrections.

The Department of Education has obligations of, approximately \$20,000 in connection with certain new construction carried out in the last six months for which no funds are now available to make payment, but these will not increase. It is believed that there will be lapses in this department at the end of the current fiscal year sufficient to take care of these unauthorized expenditures, but this is obviously evading the Legislative provisions for various purposes, and there is no authority for transfer of these funds at this time.

The Maine State Prison on Feb. 1st, was overdrawn on its maintenance account by the sum of \$59,218.13 and it is estimated that at least \$25,000 will be needed to carry the Prison on for the next five months.

The State Board of Charities and Corrections have been given for the board and care of neglected children the sum of \$150,000 by the Legislature for the current year. A portion of these expenditures is recoverable from the several municipalities in the State. The Legislature has adopted the practice of making a lump sum appropriation for this purpose and crediting the collections from the municipalities to the general revenues, as appears both in the last budget report and in the statutory provision relating to this matter.

There are certain reasons why such a practice may be desirable and it seems essential that the Legislative mandate on this question should be observed. It is impossible through the medium of the Contingent Fund to add the amounts collected from the municipalities to the sums which shall be disbursed for the care of children, and still have these collections available for general revenues. We cannot spend this money twice.

As the situation exists today this course has been adopted since the expenditures for the current year for this Board have been on a basis that would require the allocation to



this department of the collections from the municipalities while at the same time these collections are still carried as prospective revenues available for general purposes.

In order to care for existing obligations and to carry on the State's activities to which it is already committed for the current year it seems necessary for immediate provision to be made by emergency resolves in appropriate amounts. The Executive Department will be at your service with all the information at their disposal regarding immediate needs.

Meanwhile the question of the State Contingent Fund is one that is properly giving our citizens serious concern. During the past ten years the balances in this Fund at the end of each fiscal year were as follows:

Dec. 31, 1916 .....	\$106,614.68
Dec. 31, 1917 .....	304,140.50
Dec. 31, 1918 .....	325,496.73
Dec. 31, 1919 .....	647,166.79
Dec. 31, 1920 .....	786,150.24
June 30, 1921 .....	1,551,447.61
June 30, 1922 .....	787,307.39
June 30, 1923 .....	819,123.46
June 30, 1924 .....	181,029.31

During the six months period since June 30th, 1924 charges to the contingent fund have amounted to \$436,119.65 in clear violation of the legislative provisions regarding disbursements of this fund. This is the first time there have ever been over-drafts against the Contingent Fund during its entire history. It seems necessary to make the situation entirely clear as otherwise it might be assumed that the present administration could follow the same practice and authorize expenditures from a non-existent fund in the hope that lapses of June 30 might cover the deficit. It is a sufficient answer that such disbursements are absolutely illegal under existing law.

On Dec. 31, 1924 there were lapses of \$395,741.36 which covered the existing deficit of over \$200,000 in the Contingent Fund and left a balance of \$140,650.99. At the opening of the present calendar year, this small surplus was immediately dissipated by small liabilities previously incurred.

During the first four years of the Contingent Fund to Dec. 31, 1920, disbursement from this fund amounted to \$468,634.74 with credits of \$3,254,784.98 leaving a balance of \$786,150.24.

During the next four years to Dec. 31, 1924 there were disbursements

from this fund of \$3,615,336.59 with credits of \$2,969,737.34 thus reducing the earlier balance by \$645,499.25.

If from the annual expenditures of the State we deduct the continuing appropriations with which the current legislature is not concerned and the proper and necessary provision for existing departments and the "Housekeeping" charges of the State, it will appear that the Contingent Fund expenditures have exceeded the Legislative appropriations during recent years. This must give any citizen familiar with Anglo Saxon history cause for serious concern.

Citizens may well ask if expenditures for this purpose were necessary what is the State to do now that the Contingent Fund has disappeared?

Certain conditions against the State Contingent Fund are provided for in existing law. In my judgment proper provision for these charges should be made in other ways and the State Contingent Fund should be strictly limited and its appropriate uses more explicitly defined. We shall then do our best to live within the mandates you lay down. Otherwise the Legislature may as well disband.

At the close of the foregoing address the Governor and suite retired, amid the prolonged applause of the Convention, the audience rising.

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

#### IN THE HOUSE

The Speaker in the chair.

The SPEAKER: The House is proceeding now under Orders. Are there any orders?

#### Orders

On motion by Mr. Nichols of Portland, it was

Ordered, That on Wednesday of each week after February 18th, under orders of the day, all matters placed on the table in the week preceding and unassigned shall be taken up without motion and disposed of in the order in which they were placed on the table.

Mr. Boody of Windham presented the following order and moved its passage:

Ordered, the Senate concurring,

that all corporations engaged in transportation business, whether of individuals or of property or both, which have or shall make application for reduction of taxes and whether such application be made by corporations known as railroad or railway companies, be and the same are, hereby required to furnish to this Legislature an account in detail to the following effect: The salaries paid to each and all the officials thereof; also the average wage paid per day to its engineers, firemen, and other employes, the same to be shown when grouped into the several departments of the company, all of the foregoing to be shown for the year nineteen hundred and twenty-four.

On motion by Mr. Wing of Auburn the order was tabled pending passage.

Mr. Campbell of Kingman presented the following order and moved its passage:

Ordered, the Senate concurring, that a joint select committee of seven on the part of the House with such as the Senate may join, be appointed to investigate the Department of Education of the State of Maine with particular attention to the expenses of the State Commissioner of Education incurred in travelling within and without the State of Maine, the purposes of such travelling, the expenses of others connected with the same Department for similar travel and the purposes thereof, to ascertain if in any case, or cases, wherein the Legislature has made an appropriation to and for a specific purpose, there has been any diversion of any part of such appropriation therefrom to any other purpose or object, to ascertain what changes, if any are advisable under the existing laws in this Department; such investigation shall cover such period of time as the committee deems advisable. Full authority and power is hereby given to said committee to summon witnesses to appear before it, to cause such to produce books, papers, vouchers and documents, and to give evidence pertaining to the inquiry with which the committee is charged to employ counsel, an auditor or auditors and a stenographer for the purposes of said investigation, and report its findings and recommen-

dations on or before March 10th., 1925.

On motion by Mr. Dudley of Woodstock the order was tabled pending passage.

On motion by Mr. Campbell of Kingman, 500 copies ordered printed.

#### Reports on Committees

Mr. Holmes from the Committee on Judiciary on Bill An Act to Incorporate the Bay Point Village Corporation (H. P. No. 114) reported same in a new draft (H. P. No. 837) under same title and that it "Ought to pass."

Report read and accepted and the New Draft ordered printed under the Joint Rules.

Mr. Sargent from the Committee on Public Utilities reported "Ought to pass" on Bill "An Act to amend the Charter of the Dover and Foxcroft Water District."

Report read and accepted and the bill ordered printed under the Joint Rules.

#### Passed to be Engrossed

S. P. 18: An Act to amend Section 23 of Chapter 9 of the Revised Statutes, relating to the Preparation and Publishing of an Annual List of Corporations Delinquent in Payment of their Franchise Taxes.

H. P. 672: An Act to regulate fishing in certain ponds in Somerset County.

H. P. 671: An Act to regulate fishing in the brooks in York, in the county of York.

H. P. 675: An Act relating to the taking of smelts in Casco Bay.

H. P. 673: An Act relating to ice fishing in Moose Hill Pond, in the town of East Livermore, in the county of Androscoggin.

H. P. 261: An Act providing for protection of moose.

H. P. 156: An Act to regulate fishing in Bog Brook so-called, in Oxford and Androscoggin Counties.

H. P. 669: Resolve providing for the expense of the contest over the election as Representative to the Legislature from the town of Lisbon.

#### Passed to be Enacted

An Act to Ratify Transfer of Land from State of Maine to Trustees of Gorham Academy in the county of Cumberland, and from Trustees of Gorham Academy in the County of Cumberland to State of Maine.

An Act authorizing the Sale of the Property and Assets of the Moose River Log Driving Company, and providing for the Dissolution of said Corporation.

An Act to amend the Charter of Kennebec Log Driving Company, as amended by Chapter 402 of the Private and Special Laws of 1885, and further amended by Chapter 13 and Chapter 14 of the Private and Special Laws of 1917, and by Chapter 2 of the Private and Special Laws of 1921.

An Act to change the name of the Trustees of Gould's Academy in Bethel, originally incorporated under the name of the Trustees of Bethel Academy, and later changed to the Trustees of Gould's Academy in Bethel.

An Act to amend Sections 3, 4 and 5 of Chapter 413 of the Private and Special Laws of 1893, relating to the East Maine Conference Seminary.

An Act increasing the amount to be paid for Clerk Hire in the office of the Recorder of the Municipal Court of the City of Portland.

An Act relating to the Salary of the Judge of the Municipal Court of Portland.

An Act relating to Applications for Soldiers' Bonus.

#### Finally Passed

Resolve in favor of Scientific investigation in Agriculture in Aroostook County. (H. P. No. 89.) (H. D. No. 23.)

(Tabled by Mr. White of Bowdoinham pending final passage.)

#### Orders Of The Day

On motion by Mr. Eustis of Strong, it was voted to table House 731, introduced this morning, an act in relation to State funds for charity patients in public and private hospitals.

On motion by Mr. Wing of Auburn, it was voted that 500 copies be printed of the order introduced by Mr. Boody of Windham relative to corporations engaged in transportation business.

On motion by Mr. Campbell of Kingman, 500 additional copies of the order relative to the Department of Education, introduced by that gentleman this morning, were ordered printed, making 1000 in all.

On motion by Mr. Sargent of Sedgwick, it was voted to take from

the table S. P. 131, an act requiring owners of certain motor vehicles and trailers to furnish security for their civil liability, tabled by that gentleman February 12, pending reference in concurrence; and on further motion by the same gentleman the bill was referred to the committee on Mercantile Affairs and Insurance in concurrence.

On motion by Mr. Sturgis of Auburn, it was voted to take from the table H. D. 122, tabled by that gentleman February 12, being an act providing for the use of the English language in the State, tabled by that gentleman pending reference; and on further motion by the same gentleman the House voted not to accept the report of the committee on reference of bills but to refer it to the committee on Education.

On motion by Mr. McDonald of East Machias, it was voted to take from the table Senate Document 45, an act relating to increasing salary of stenographer of Androscoggin Superior Court, tabled by that gentleman February 12, pending first reading, and that gentleman yielded the floor to the gentleman from Auburn, Mr. Sturgis.

Mr. STURGIS: Mr. Speaker, I move the indefinite postponement of that bill.

The question being called for, it was voted to indefinitely postpone the bill.

On motion by Mr. Wing of Auburn, it was voted to take from the table, Senate Document 47, an act relating to salary of stenographer of Kennebec Superior Court, tabled by that gentleman February 12, pending first reading.

Mr. WING: Mr. Speaker, I move that this bill be indefinitely postponed.

Mr. MARTIN of Augusta: Mr. Speaker, is that matter open to debate at this time?

The SPEAKER: Yes.

Mr. MARTIN: I would simply like to say that I believe this matter was referred to the committee on salaries and fees, that a hearing was given and the matter most carefully considered. I was not present at the hearing, and I do not know much about the merits of the case; but as I understand it, there is a unanimous report of the committee on it, and any such committee report is, of course, entitled to the serious con-

sideration of this House, and I trust that the motion of the gentleman from Auburn, Mr. Wing, will not prevail.

Mr. WING: Mr. Speaker, the House has just postponed indefinitely a similar matter having to do with the Superior Court stenographer in Androscoggin county. What is sauce for the goose is certainly sauce for the gander; and if the Superior Court in Androscoggin county is any different from the Superior Court in Kennebec County, of course this House will show it by its vote. All I want is that the county of Kennebec shall be treated exactly as is the county of Androscoggin. We have postponed indefinitely a similar measure having to do with the stenographer in the Androscoggin Superior Court. I now ask you to do the same thing with the stenographer in the Superior Court for Kennebec county, and thus maintain a consistent course of action.

Mr. MARTIN: Mr. Speaker, it seems possible that the situation is somewhat different in Kennebec county. The case of the Androscoggin county stenographer I know nothing about, but a gentleman from Androscoggin, Mr. Sturgis, rises and makes a motion and it is unopposed by any gentleman from Androscoggin county, and so far as the members of the House know, it would appear as though it was some local matter which the entire delegation from Androscoggin was together on, and that the motion of its own member was satisfactory. Now this is not the case with reference to this Kennebec matter. The Kennebec delegation wishes this bill to go through as the committee unanimously reported, and speaking for the Kennebec delegation, we trust that the unanimous report of this committee, which considered the matter on the merits and not with relation to any other county, may be accepted, and the hope that the motion of the gentleman from Auburn, (Mr. Wing) will not prevail.

The SPEAKER: The motion before the House is that this bill be indefinitely postponed. Is the House ready for the question?

The question being called for, and a viva voce vote being taken, the bill was indefinitely postponed.

On motion by Mr. Hamilton of Caribou, it was voted to take from the table Senate Document 58, an act relating to fees of operators of motor vehicles, tabled by that gen-

tleman February 13, pending reference in concurrence; and on further motion by the same gentleman it was voted to concur with the Senate in the reference of this bill to the joint committees on taxation and ways and bridges.

On motion by Mr. Hamilton of Caribou, it was voted to take from the table H. P. 157, report of committee on Judiciary on bill, an act to incorporate the Cousins and Littlejohns Island Village Corporation, tabled by that gentleman February 13, pending acceptance of the report; and on further motion by the same gentleman the bill was re-committed to the Judiciary committee.

On motion by Mr. Hamilton of Caribou it was voted to take from the table H. D. 44, bill, an act relating to a tax on gasoline, tabled by that gentleman February 13, pending further consideration; and on further motion by the same gentleman it was voted to concur with the Senate in the reference of this bill to a joint sitting of the committees on Taxation and Ways and Bridges.

On motion by Mr. Nichols of Portland, it was voted to take from the table H. P. 10, Resolve appropriating money for compilation of data concerning resources of State, tabled by that gentleman February 10, pending final passage.

Mr. NICHOLS: Mr. Speaker, I now yield to the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker, may I ask what the pending question is?

The SPEAKER: The pending question is final passage.

Mr. BRAGDON: It had not been my intention to speak upon this matter, but you know that we are not always able to resist such a temptation as this. I have sat through this Maine Legislature for several sessions, calmly, quietly and peacefully listening to all of the different brands of silver-tongued oratory with which our great statesmen are in the habit of indulging, and in that time I had become convinced that our rules should be amended so that when a member desires to speak, he should first be required to announce clearly and distinctly whether he is speaking for or against the measure, so as to avoid the confusion that may arise in the minds of the members when the final vote is taken; and for fear that my control of the English language

may not be such as to enable me to make my position clear to you today, I will say now that I am speaking against the measure.

I think I am safe in saying that our taxpayers here in Maine are in worse condition than they have been at any other time in the last fifty years. This is especially true of the rural sections, and, as bearing upon this point, I wish to state that only this morning I picked up a newspaper, one of our country weeklies, and in it I counted twenty-two notices of sheriff's sale of real estate on executions for taxes within the limits of one medium-sized town, and, in addition to that, there was column after column of such notices of sale of real estate for debts other than taxes. I think that comment on that is unnecessary.

I feel that our taxpayers sent us down here this year hoping that we would do something for them, not to them, and when they ask for bread they will feel aggrieved if they receive a stone, and when they ask for fish, they will deeply resent it if we hand them out a mean, measly, little fifty thousand dollar resolve of this kind that they realize all of the time possesses all the possibilities of soon developing into a gigantic million dollar proposition, with such an enumerable array of keepers, press agents and employes of all kinds that our Governor and Council will soon feel impelled to build housing room for them down here in the back yard. Perhaps there will be space left for that purpose out of what was once our magnificent contingent fund and which is now a hole in the ground.

Of what use would be this compilation, publication and dissemination of data as contemplated in this resolve? Could we say anything in regard to our agricultural conditions that would tempt people to come to this State? Would we really want them to come when the world is so poor and tax burdens are so heavy as the result of the war and our past extravagances that it is unable to buy the present volume of products? No! I think our agriculture has had its publicity already and there is nothing in it that we are very proud of.

Another of our great and flourishing Maine industries—bootlegging—has also received its publicity, and now it looks as if still another, the great black fox industry, was about to step into its publicity, with no expense to the people of Maine; so why should we pay out good money now

to compile, publish and disseminate data in regard to all of the instances where the fool and his money have been soon parted, and I assume that if this resolve is finally passed, and such a compilation is ever made, the first item to put at the head of the list would be the act of this Legislature in making this appropriation.

Our taxpayers are not anxious for us to inaugurate new departure to look after their interests and pay out their money. What they need most at the present time, and what they are praying for, is a rest and a breathing spell. They are insisting that we practice reasonable economy, and, if we do not fail them in this respect, the time to begin is right now before the flood of resolves calling for new and growing enterprises, and increased salaries and bonuses and pensions shall have arisen to such a height as to be beyond our power of control, and then to follow our hand right through the session. If we attend to this duty faithfully, we will be able to say to the taxpayer when next we meet him "We have found that it required big money to conduct the legitimate established enterprises of our State and we felt that they should not be neglected. We felt that our school system should be maintained up to its present standard of efficiency. We felt that a road program should be mapped out commensurate with the wealth of our citizens and we felt that our poor unfortunates should not be neglected; but we realized at the same time that there was another very large class of poor unfortunates right here in our midst, a class of poor, down-trodden and hitherto neglected unfortunates. I think I need not say that I refer to the taxpayers; and while we could not do everything that we would like to do for them, while we could not grant them all pensions and bonuses and could not provide salaried positions for all of them, or even furnish them homes as comfortable as our Maine State Prison, we did at least make an honest attempt to avoid adding to their already too heavy burdens." And I feel that if we can look the taxpayer squarely in the eye and say those words to him truthfully, that from the bottom of his heart will come the response "Well done, thou good and faithful servant."

Mr. Speaker, I move the indefinite postponement of the resolve.

The SPEAKER: The House hears the motion. The motion is now on

the indefinite postponement of the resolve.

Mr. BOODY of Windham: Mr. Speaker, this matter has come up very much sooner than I expected, therefore I ask that it be laid on the table, and tomorrow I will address you on the past, the present, and what shall be the future of Maine with regard to this resolve. (Laughter and applause).

The SPEAKER: The gentleman (Mr. Boody) moves that this matter be tabled and especially assigned for tomorrow. The motion is not debatable except as to the date of assignment.

Mr. SPEAR of Portland: Isn't there a motion before the House, Mr. Speaker?

The SPEAKER: The motion to table takes precedence over the motion to indefinitely postpone, which in turn takes precedence over the original pending question of the final passage. Is it the pleasure of the House that this matter be tabled and especially assigned for tomorrow?

(Cries of No! No!)

The SPEAKER: The Chair is in doubt. All those in favor of the motion by Mr. Boody of Windham that the matter lie on the table and be assigned for tomorrow will say aye; those opposed no.

This time the viva voce vote was not doubted, and the motion by Mr. Boody to table and especially assign for tomorrow failed of passage.

The SPEAKER: The motion now before the House is that of the gentleman from Perham, Mr. Bragdon, to indelinitely postpone this resolve.

Mr. SPEAR of Portland: Mr. Speaker, I would like to know whether this measure is debatable at this time or not?

The SPEAKER: It is.

Mr. SPEAR: It would appear, after hearing the remarks from the distinguished gentleman from Perham (Mr. Bragdon), that this measure was an emergency measure. He has painted a rather gloomy picture and not a picture of prosperity or growth. If we are going to handle what seems to be considered by some a serious situation in the State of Maine, we will have to face it with some courage.

If the people of Maine won't boost their state, who will boost it? The biggest business of the state is the state itself. This appropriation of money for advertising purposes will encourage private individuals, banks,

real estate dealers, industries, wholesale and retail merchants and others along the line of advertising what we have got to sell in the State or Maine. It seems to me, and to others I believe, that the State of Maine. It seems to me, and to pay thousands of dollars to educate their boys and girls. They have appropriated money for their economic development and when they were ready to earn a living and to do the community a considerable good, they have sent them out to their part of the country to develop it, and they have been steadily going out, and it seems to us that at this time something should be done in a practical way beside talking to save this condition and to make our condition more prosperous. This amount we are asking for is but four cents on a thousand dollars of valuation. This money is to be expended by the Governor and Council. The bill was presented to the Governor for his approval before it was introduced and he thought it was good, and the opinion of the Committee on Publicity was that it should pass. We look upon it as development and not expense. We think that economically it is a wise expenditure of money. For the past fifty years the conditions of this State have been going backward and not ahead. This is a small amount to ask for, and if we are going to have the support to go ahead we think that the State should show in some small way that it is with us, and where a man's treasury is, there will his heart be also. We need to advertise what we have got to the people in the State of Maine as well as outside. There are people in the State of Maine who do not realize our recreational, industrial and other advantages and I believe it is as much to the advantage of the taxpayer as it is to the commercial interests that this State go ahead and not behind, and we must have courage to face the fact. I want to ask that this motion of indefinite postponement now be put to a vote and that there be a definite decision.

The SPEAKER: Does the gentleman move the previous question?

Mr. SPEAR: Yes, sir.

The SPEAKER: The gentleman from Portland, Mr. Spear, moves the previous question. This requires one-third of the members of the House present to carry. As many as are in favor of the previous question, which would result in taking an immediate

vote on this subject, will rise and stand in their places until counted, and the monitors will return the count.

Mr. SPEAR: Will you state that again?

The SPEAKER: The gentleman requests the Chair to explain the parliamentary situation again. There is a pending question before the House which is a motion of the gentleman from Perham, Mr. Bragdon, that this bill be indefinitely postponed. The effect of the passage of that motion would be to kill this resolve. There has been debate upon this matter and the gentleman from Portland, Mr. Spear, now moves the previous question. If that motion is carried the House will proceed at once to vote on the main question. In order for such a motion to be entertained there must vote affirmatively for the motion of the gentleman from Portland (Mr. Spear) one-third of the members present. If one-third of the members present stand in their places at the first call, the House will proceed to vote upon the previous question. Is the House now ready for the question?

Mr. ATWOOD of Portland: Mr. Speaker, do I understand that if this motion of the previous question is carried, any others who might desire to speak are barred from speaking?

The SPEAKER: That would be the effect, to cut off debate.

Mr. BOODY—Mr. Speaker—

The SPEAKER—Does the gentleman (Mr. Boody) address himself to the matter of tabling?

Mr. BOODY: I wish the motion that I made to table. The hour has now arrived when we usually adjourn for dinner—

The SPEAKER: That motion is not debatable. The gentleman from Windham, Mr. Boody, moves that this matter lie on the table. This in turn takes precedence.

The question being called for, and a viva voce vote being taken, the motion to table was lost.

The SPEAKER: Is the House ready for the question on the motion of the gentleman from Portland (Mr. Spear)?

Mr. HOLMES of Lewiston: Is the motion on the previous question debatable?

The SPEAKER: The Chair is attempting to explain the situation to the House. Does the House now understand that upon the first call for those to rise and be counted they

would then be voting for the motion of the gentleman from Portland, Mr. Spear, the effect of which would be to proceed to vote upon the consideration of this bill without further debate. Is the House ready for the question?

The question being called for,

A division of the House was had,

Fifty-seven voting in the affirmative, being more than one-third of the membership present, the motion prevailed.

The SPEAKER: The matter before the House now is on the motion of the gentleman from Perham, Mr. Bragdon, that this resolve be indefinitely postponed. Is the House ready for the question? Does the House understand the question to be voted on?

Mr. BOODY of Windham: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman arise?

Mr. BOODY: To clear the atmosphere. (Laughter.)

The SPEAKER: The Chair welcomes the gentleman's presence. The Chair will state that there can be no motion and no debate; but if any member desires to have this question explained again, the Chair will endeavor to do so. We have just voted to take a vote and we must proceed to do so.

Mr. BOODY: Mr. Speaker—

The SPEAKER. The gentleman will address himself strictly to the matter in hand. Does the gentleman inquire relative to the parliamentary situation?

Mr. BOODY: I do.

The SPEAKER: We are about to take a vote on the motion of the gentleman from Perham, Mr. Bragdon, that this matter be indefinitely postponed.

Mr. BOODY: Mr. Speaker—

The SPEAKER: Does the gentleman wish to make inquiry as to the parliamentary situation?

Mr. BOODY: I do, sir. I want to know if it is possible, and if it is going to be probable that all things that pertain to the State of Maine—

The SPEAKER: The gentleman does not appear to be in order.

Mr. CUMMINGS of Portland: Mr. Speaker, I rise to a parliamentary inquiry. Is it correct, Mr. Speaker, that one-third, a minority, can order the previous question?

The SPEAKER: Yes.

Mr. CUMMINGS: That is in the rules of the House, but not in Reed's rules.

The SPEAKER: I believe it is in the rules of the House. The gentleman will find the rule on page forty. Does the House understand the pending question?

Mr. LAMSON of So. Portland: I should like to call for a yea and nay vote.

The SPEAKER: The gentleman from So. Portland, Mr. Lamson, calls for a yea and nay vote. In order to have this carried, one-fifth of the members present must so request. As many as are in favor of a yea and nay vote being had will stand in their places until counted, and the monitors will return the count.

Mr. BOODY: Mr. Speaker, I will say that it is most—

The SPEAKER: The gentleman is not in order.

A division of the House being had, Eighteen voting in the affirmative and 89 in the negative, and less than one-fifth having voted in the affirmative, the motion was lost.

The SPEAKER: We will return again to the motion of the gentleman from Perham, Mr. Bragdon, which is that this be indefinitely postponed.

A viva voce vote being doubted,

A division of the House was had,

Seventy-four voting in favor of the indefinite postponement of this resolve and 64 in the negative, the motion prevailed and the resolve was indefinitely postponed.

The SPEAKER: The House is proceeding under orders of the day.

Mr. HOLMES of Lewiston: Mr. Speaker, having voted in the affirmative, I now move to reconsider, and I wish to state to the House that I hope my motion will not prevail.

Mr. NICHOLS of Portland: Mr. Speaker, I second the motion of the gentleman from Lewiston, Mr. Holmes. In doing so I want to state—do I understand, Mr. Speaker, that this motion is debatable?

The SPEAKER: The Chair so understands.

Mr. NICHOLS: That being so I want to state that no person in the State of Maine has a greater interest in her industrial development than myself, that no member of this House is more deeply interested in the rural sections of our State. The ever growing burden of taxation has almost crushed the Maine farmer to the ground. I do not object to any measure which will aid or relieve him, even the detriment of our larger and more prosperous cities,

but this is a plunge in the other direction. This is an opening wedge, a new departure to spend the public money. We would be establishing here a bureau to spend fifty thousand dollars and the members of this committee have stated to me that it would be absolutely useless unless we had a like amount every year for the next five years.

How is this going to help the rural sections of our State? I am aware of the principle of political economy that the more people there are in Maine the more demand there is for food. That would be true were there no other source by which we could obtain food, but of our present summer visitors ninety per cent of all the food that is used and consumed in our summer camps and hotels is produced outside of the State. So that our summer visitors reflect so small a part of the prosperity to the rural section of our State that it can be seen only through the telescope of imagination.

The best advertisement for any state is good roads and fair treatment of the stranger within your gates. Don't rob him and send him home without money enough in his pocket to send you back a special delivery letter telling you of his safe arrival home. He will not come again, no matter how much you advertise, under those conditions. I admire the enthusiast and the booster, but boosting and boosting may soon become ridiculous. You all know of the report of how Los Angeles became a famous seaport. It is said that a New Yorker, while visiting there, was shown around by a Californian—or, rather, I will call him a Los Angelean—because he was from Los Angeles—and he was shown a certain street and told that it was the longest street in the world and he was told that Los Angeles had the largest pipe organ in the world and that Los Angeles had the largest park in the world, that Los Angeles had the largest City Hall in the world. "But," he says, "New York has a larger harbor and if anyone can tell us how to make Los Angeles a seaport we will give him a hundred thousand dollars." "That's easy," said the New Yorker. "How?" said the Los Angelean. "How far are you from the sea?" asked the New Yorker. "Twenty miles," was the reply. "Well," said the New Yorker,



"just lay a pipe line and if you can suck as hard as you can blow, you can make Los Angeles the greatest seaport in the world."

It has been said by the gentleman from Portland (Mr. Spear) that this bill has the unanimous support of the Committee on Publicity to which it was referred. Would this Legislature expect a different report from that Committee? Would you expect an adverse report to any temperance measure from the Committee on Temperance? The members of both of those Committees are as honorable and sincere men as ever stood in the Halls of this Legislature, but from their particular training and adaptability they are appointed to those Committees. They are advertising men, many of them, and advertising is their business, a business which no state should go into. It has been said in a little pamphlet that has been passed around that, "Maine can seriously consider the lessons taught her by California and Florida. For years these two States have extensively advertised their attractions as Resort States." That statement has been misleading. The State of California and the State of Florida have appropriated not one cent of the taxpayers' money. I looked it up and it is the counties in these states which do the advertising, just as we in this State, have a statute authorizing the towns to do the advertising. Chapter 87 of the Public Laws of 1917 reads that, "(Sec. 59) Appropriation may be made by any town or city. Any city or town may appropriate any sum, not exceeding one mill on a dollar, based on the valuation of the preceding year, to be expended and used for advertising the natural resources, advantages and attractions of such city or town." The State does no advertising as a State and I hold in my hand the little book from Florida which is referred to so often. It is not published for the State but published by a private corporation to advertise Florida, and every city or town which places an ad in there pays for it.

It has been my privilege to spend the greater part of one winter in Florida and another winter in California, and I have heard much about "the climate," "the climate," and "the climate" in both States. And one day I was talking to a Floridian and telling him about the tall buildings in

New York; the Woolworth Building and the Singer Building and the Metropolitan Tower, and I said to him that those buildings were so large that the elevators did not even run up to the tops of them. And he asked me, "How do you get up there?" And I said "Climate! my boy, climate!"

It has been said—and I said it myself—that this State never appropriated any money for such a purpose as this. I was in error. In 1836 the State of Maine appropriated, at a time when our total debt limit was forty thousand dollars, the State of Maine appropriated the sum of four thousand dollars to survey the State for gold. Some enthusiastic legislator—and they had them too years ago—came before that Legislature with a resolve that the sum of four thousand dollars be appropriated to be expended in locating gold and silver in this State. The resolve had a passage. I will read from the so-called statement of facts which accompanied that resolve in 1836: "We are not aware that Gold has as yet been found in Maine as one of its native minerals, and in an economical point of view, it is not of much consequence that it should. But if the position assumed be correct, viz. that Talcose Slate, the rock in which it occurs in other parts of the globe, be also found in Maine, it may not be impossible, though not certain, that this metal should be found in it."

Now, are we, eighty-nine years afterward, going to appropriate fifty thousand dollars for another Rainbow Chaser? As has been said by the gentleman from Perham (Mr. Bragdon) our roads are in need of repair, our tax burden is heavy, but this whole thing resolves itself down to one small epigram, "not boost Maine but boost me." That is the object of this resolve, and I sincerely hope that the motion of the gentleman from Lewiston (Mr. Holmes) that we re-consider this vote will not prevail.

Mr. HALE of Portland: Mr. Speaker, I move the previous question on the motion of the gentleman from Lewiston (Mr. Holmes) that we reconsider.

A viva voce vote was taken and doubted.

The SPEAKER: As many as are in favor of the previous question will rise and stand in their places and

the monitors will return the count.

Mr. SPEAR of Portland: Will the Chair please re-state the question?

The SPEAKER: The Chair will state that this question is on the motion of the gentleman from Portland, Mr. Hale, that the previous question be put, which question is the motion of the gentleman from Lewiston, (Mr. Holmes,) that we reconsider the vote just had upon this main proposition. It requires for the previous question the affirmative vote of one-third of the members present. If such a number votes in the affirmative, we will then proceed, without further debate, to vote upon the question put by the gentleman from Lewiston, (Mr. Holmes.) Is the House informed as to the situation at the present time.

Mr. ROBERTS of Bar Harbor: Mr. Speaker, I move that the motion of the gentleman from Lewiston, Mr. Holmes, lie on the table.

The SPEAKER: That motion cannot be put unless the gentleman assigns a day certain. Then if the gentleman desires to make such a motion, his motion would take precedence over the motion for the previous question. Will the gentleman assign it for a day certain?

Mr. ROBERTS: I will assign it for tomorrow.

The SPEAKER: The gentleman from Bar Harbor, Mr. Roberts, moves that this matter lie on the table and be especially assigned for tomorrow. That motion is not debatable.

A viva voce vote being doubted,

A division of the House was had.

Fifty-seven voting in the affirmative and 79 in the negative, the motion failed of passage.

The SPEAKER: The question now before the House is that of the gentleman from Portland, Mr. Hale, who moves the previous question.

Mr. HAMILTON of Caribou: Mr. Speaker—

The SPEAKER: Does the gentleman (Mr. Hamilton) wish to inquire as to the situation.

Mr. HAMILTON: Yes.

The SPEAKER: The gentleman from Portland, Mr. Hale, has moved the previous question applying to

the motion of the gentleman from Lewiston, Mr. Holmes. The gentleman from Lewiston, Mr. Holmes, moved that the vote recently taken upon this main proposition be reconsidered, and expressed the hope that his motion would not prevail. The members will recall that the gentleman from Portland, Mr. Nichols, spoke apparently in support of the motion, but seconded the sentiments of the gentleman from Lewiston, Mr. Holmes, that the motion would not prevail, and the Chair might well explain to the House that he suspects that the gentleman from Lewiston (Mr. Holmes) put this motion to reconsider in the hope that it would be defeated because a motion to reconsider can be considered only once. The effect of the motion upon which we are about to vote, that of the gentleman from Portland, Mr. Hale, is to proceed immediately to a vote upon the motion of the gentleman from Lewiston, Mr. Holmes. Mr. Hale has called for the previous question. That will necessitate the affirmative vote of one third of the members present to proceed to vote upon the motion of the gentleman from Lewiston (Mr. Holmes) without further debate.

Mr. HAMILTON: Mr. Speaker, in my inquiry of the Chair with reference to a further explanation of the question before the House, I trust that every member of the House will give Mr. Spear an opportunity to speak—

The SPEAKER: The gentleman is not now in order. The effect of an affirmative vote upon the motion of the gentleman from Portland, Mr. Hale, is to proceed to a vote to reconsider without further debate. Is the House now ready for the question?

Mr. PIPER of Jackman: I move that we adjourn. (Applause.)

The SPEAKER: The gentleman from Jackman, Mr. Piper, moves that we adjourn, which motion takes precedence. Is the House ready for the question.

The question being called for, and a viva voce vote being taken, the House adjourned until ten o'clock tomorrow morning.