

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Second Legislature

OF THE

STATE OF MAINE

1925

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AUGUSTA, MAINE

**HOUSE**

Wednesday, Apr. 8, 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 the previous session read and approved.

From the Senate: Bill an act to enlarge the definition of the term "securities" in Section 126 of Chapter 144 of the Public Laws of 1923, so as to include contracts for the sale of fur-bearing and other animals, H. P. 1253, H. D. 505, on which the House accepted the majority report of the committee on banks and banking and passed the bill to be engrossed April 3.

Comes from the Senate the minority report of the committee, ought not to pass, accepted in non-concurrence.

Mr. WING of Kingfield: Mr. Speaker, I move that the House adhere.

A viva voce vote being doubted,

A division was had,

Sixty-two voting in the affirmative and 31 in the negative, the motion to adhere prevailed.

**ORDERS**

On motion by Mr. Nichols of Portland, it was

Ordered, that the State Librarian be and hereby is directed to send by mail to each member of the House of Representatives one copy of the balance of the Legislative Record of the 82nd Legislature when it is printed.

Mr. Goodrich of Farmingdale presented the following order and moved its passage:

Whereas, prior to March 23, 1921, the State Highway Commission had without question assumed all the rights of constructing detours around State highway construction in accordance with Section 1 of Chapter 258, Public Laws of 1917;

And whereas the Governor and Council, by their order dated March 23, 1921, declared the adoption of a policy by which no state highway should thereafter be constructed in any town unless such town should in advance agree to bear one-half

of the expense of the cost of such detours;

Now therefore ordered that the House of Representatives request the opinion of the Attorney General as to whether the Governor and Council were legally authorized to establish such a general policy.

The order received passage.

**First Reading of Printed Bills**

H. P. 1292: An Act relating to the registration of resident hunters and fishermen.

(Temporarily tabled by Mr. Bragdon of Perham.)

H. P. 1294: An act amending the charter of the Belfast Municipal Court.

**Passed To Be Engrossed**

S. P. 409: An act relative to support of inmates of State Hospitals. (S. D. 141).

Mr. FULLER of Southwest Harbor: Mr. Speaker, relative to the act as to support of inmates of State Hospitals, Senate Document No. 141, I wish that every member would open his book and look at that document. Now this bill leaves it so that the cost of supporting an inmate in an insane hospital is six dollars per week; that no town shall be chargeable with an expense exceeding one-half of one mill of its assessed valuation. Now that seems a small sum when you come to think about it, but when you figure it up you find it to be quite large. I think it was about fifteen years ago that the Legislature of this State looked into the matter and came to the conclusion that the small towns were paying a good deal more for the support of the insane than the large towns. It is unfortunate that small towns are afflicted by having insane people who must be supported. At that time the State assumed the responsibility and has supported them ever since. Every small town that has one or more inmates in a hospital has got to pay on its valuation one-half of a mill. You figure that up on the towns of this State—they are from 4,000 to 8,000 or 9,000 the most of them, and some less—and you will find that it will come to practically the amount called for, six dollars a week. In a town of 5,000 we will call it that it would be \$250. Now does it seem right that the small towns should be obliged to pay that?

I live in a town of small population and small wealth in one sense of the word. We have not a single person in the insane asylum. We have had since I have been on the Board of Overseers of the Poor two in the last eighteen years. One case was paid by the friends of the man who was put there. In the other case the people were not able to pay and it was paid by the State for the time he was there.

Right adjoining us is a town that has three or four inmates in that hospital today. Their population is 4,000 and they will be obliged to pay \$200 for those inmates.

Now has the town committed any sin by having those people in the insane asylum? I say no. Is it an act of God? I don't know. One thing I do know that they are there, and, if this bill goes through, they will have to pay \$200. toward their support. On the other side, in my town of Southwest Harbor, we shall have to pay the State tax but nothing more, while this other town whose tax rate is five per cent will have to pay \$200. Is that right? I say no.

I believe that every member in this House will agree with me that the bill is a wrong one. It hits the small towns but it does not hurt the large ones. Take the city of Portland with its \$108,000,000 valuation! Figure up and see the large sum that this five per cent would take. Of course I do not know how many inmates there would be from Portland, but probably twelve or fifteen. They have been fortunate and other towns have been unfortunate.

The proponents of this bill raised the question here that the doctors and overseers of the poor are not careful enough; that they are sending people to that hospital who ought not to go there but ought to be kept at home. I do not know how they know that they are so kept in the hospitals. Cases that I have known, when they have got through they have sent them home. If they are not insane, why do they keep them there is what I would like to know.

It seems to me that the only fair and just way is for the State to do what it has been doing, pay the bills and look after our unfortunates, and not try to saddle a large expense on to the small towns. When the proponents of this bill tried to insinuate before the committee that the doctors and overseers of the poor did

not do right in sending many of these to the asylum, I immediately looked up the Statute. What did it say? It says that the trustees, if they believe anything is wrong, it is their business to look out for it. Why don't they do it? Will anyone answer? If they can, I would like to have them, but they cannot.

Now I believe that this is the wrong kind of legislation entirely, and I move that this bill be indefinitely postponed.

Mr. WING of Auburn: Mr. Speaker, this bill, Senate Document No. 141, was referred to the committee of which the previous speaker is a member. May I have the parliamentary record of the bill? Do I understand from the record that the gentleman signed the report that this bill ought to pass?

Mr. FULLER: Ought not to pass.

The SPEAKER: There appear to be divided reports, a majority report, ought to pass, signed by Senators Powers of Aroostook, Morrison of Franklin and Representatives Bartlett of Bangor, Thompson of Rockland, Seidel of Biddeford, Dwinal of Camden and Atwood of Portland. The minority report, ought not to pass, was signed by Representatives Beckett of Calais and Fuller of Southwest Harbor and Senator Clarke of Hancock.

Mr. DEERING of Saco: Mr. Speaker, it seems to me that we are in a kind of a strange position relative to this bill and to the construction resolves that have been before this House. We all know the attitude which the higher body of this Legislature has taken in regard to new construction. We all know the condition in which our insane institutions are, their overcrowded condition; and this bill which you have before you, Senate Document 141, is a bill devised to see if in some way it will not relieve that overcrowded condition. It is simply a method of conjecture whether this will work out that way or not but it seems to be worth trying. There are many people who are sent to our insane institutions, who perhaps could be better and more economically taken care of at home than they can in our State institutions; and if that is so, it would easily relieve some of the overcrowded condition.

There is another phase which goes along with this and that is this: We have a law which says that if an inmate is able to pay, he shall pay \$6.00

a week. A movement started around fifteen years ago which centralized our form of government whereby the State took over the activities and responsibilities of the individual town in looking after their unfortunates whose relatives refused to pay. There is one case which I will cite without calling any names, but you can all look it up. There is an inmate in the Bangor hospital, a state pauper, whose half-brother is a judge on the bench of the State of Maine. That is a matter of record and anyone can look it up who wishes. This man absolutely refuses to pay the six dollars a week board which the State asks him to pay. Now, through this bill; it says that the municipality or town shall pay the six dollars per week. They have absolute authority, are able to look into each case and can collect; and I think if the facts were carried out to the extreme limit it would be found that fully ninety percent of the inmates of our institutions today have relatives who are absolutely able and capable of paying, and that this burden would not fall upon the town but upon the relatives of the individuals who occupy our institutions. I sincerely hope that the motion of the gentleman from Southwest Harbor, Mr. Fuller, will not prevail, but that we will be given a chance to try this bill out for two years. If by that time it proves a failure, it can be changed. If it is a success, it will relieve, we hope, a great deal of our overcrowded condition and the tremendous expense which goes with the maintaining of our State institutions.

Mr. CUMMINGS of Portland: Mr. Speaker, I would like to inquire of the last Speaker if Section 3 of Senate Document 141 is new legislation or merely a re-statement of the municipal law.

The SPEAKER: The gentleman may reply, if he wishes.

Mr. DEERING: My impression is that it is a re-statement.

Mr. CUMMINGS continuing: The greatest objection that I have to this bill is that section. In regard to the relief that the passage of this bill might afford the insane hospital, I have an idea that it would to some extent prevent increase in the number of patients admitted. I do not, however, think it would relieve the municipal conditions at all.

In regard to the economy of the matter, I have no doubt that they are

taken care of at less expense in these institutions than it would be for the city or town to care for them themselves, and I would be in favor of a city and town being responsible. I think it was a mistake when they repealed the law in 1910; but there is another thing to be considered and that is section three of this bill. Section three reads as follows: "Any municipality which has so expended moneys for the support of the insane as hereinbefore set forth, may recover the same in an action of debt brought by it against the father, mother, grandfather, grandmother, children and grandchildren by consanguinity of such insane person, living within the State and of sufficient ability in proportion to their respective abilities."

The idea that you can collect as a debt from those remote relatives when you could not collect any other debt that a person might incur! Why should you establish a law by which you can collect from a grandchild a financial obligation of a grandfather? That is what this bill does, and if that is the Statute as it stands today, that is what the Statute does. If that is good law, then I do not know what good law is. The only objection I have to the passage of this bill is because it puts that in force. If it merely required that the cities and towns should pay six dollars a week for those admitted to those institutions, I would be in favor of it; but to give the authorities of a city or town power and direction to sue and collect from a grandchild or a grandfather for some one in one of those institutions, I think the principle is absolutely wrong. (Applause.)

Mr. DEERING of Saco: Mr. Speaker, I think perhaps the gentleman from Portland (Mr. Cummings) has good ground for his argument. At the same time I realize that the object of this bill is not to place the burden upon the town. The object of it is, as I stated, to put the responsibility upon the relatives of the individuals and not upon the town. There will be some cases, of course, where town paupers will be sent to our institutions, but I feel that that clause is not as dangerous as the gentleman from Portland (Mr. Cummings) feels; in fact I feel that there is a very straight line of relationship between a grandfather and a grandchild, and I should hate to be

one who would shirk my duty toward a relative of that nearness.

I feel, as the gentleman said, that it will not reduce a great deal, but it will have a tendency to hold the population of our institutions where it is. As you all realize, there is a tremendous death rate among insane patients in our hospitals; so that your decrease in population comes through natural decrease through the death of your patients rather than through new patients coming in, two percent each year. It will have a tendency to steady that, and I feel it should be tried out and given a fair chance. If, at the end of two years it is a failure, it will be very easy to repeal it; but I feel under the conditions, with no new construction at present, that the trustees of the institutions should be given an opportunity to see what they can do under this emergency.

Mr. McDONALD of East Machias: Mr. Speaker and members of the House. The care of the inmates of our insane institutions interests nearly every member of this Legislature. The overcrowded condition of both the Bangor and Augusta institutions prompted their superintendents, board of trustees, and others interested in the welfare of these patients, to come before this Legislature and ask that they be given proper new construction to take care of these patients as they should be taken care of. The policy of the present administration seemed to be that we were not in position to provide new construction at any of the institutions of the State, and the argument was put forth that if we did have any new construction, the tax rate would be higher than it was thought advisable to have it at this time. About that time the bill that we have under consideration was also presented to this Legislature, and it was presented here with the thought perhaps that if this bill should be passed, it would relieve to a considerable extent the overcrowded condition.

I have in my hand here a letter from the superintendent of the insane hospital at Bangor bearing upon this matter. His idea was to convey to the people of this Legislature the true condition and how much relief from the overcrowded condition in that hospital in particular would be afforded by the passage of this law. As secretary of

the committee on Insane Hospitals, Dr. Hedin wrote me this letter:

"Dear Dr. McDonald: I have been informed that it has been stated at the State House that we have a great many patients at this hospital who are not insane and therefore could be at large and in order to correct this misinformation I wish to give you the following information which I hope you will transmit to the other members of the committee.

"On March 1, 1925 there were a total of 37 senile cases in Bangor State Hospital, or 16 males and 21 females. Of these 10 males and 7 females are mildly insane and therefore could be cared for at home and at town farms under supervision. The other 20 senile cases are dangerously insane and therefore are not suitable subjects to be cared for outside of a hospital.

"We also have 19 feeble-minded males who could be cared for at the School for Feeble Minded if proper accommodations were available for them there.

"At the present time we have 345 female patients and 410 male patients, or a total of 755 patients in the hospital.

"Our normal bed capacity is for 340 women and 315 men, or a total of 655 beds. Owing to insufficient quarters for nurses, it is necessary for them to occupy 10 beds intended for female patients and 15 beds for male patients, thus reducing the normal bed capacity to 300 beds for women and 300 for men, or a total of 630 beds for patients.

"It will therefore be seen that we actually have 125 patients, including men and women, more than we should have.

"Now, if the 7 mildly insane senile cases of women, the 10 mildly insane senile cases of men, and the 19 feeble-minded men should be discharged or transferred from this hospital, we would still have 338 women and 381 men in the hospital, or 8 more women and 81 more men, or a total of 89 more patients than the normal capacity, which would mean 36.6% overcrowding on the male side. During the 4 year period beginning July 1, 1920 and ending June 30, 1924, 100 senile cases were admitted to this hospital, of which 71 have died, 12 were discharged, and 17 still remain in the hospital. Today we have a total of 37 senile

cases in the hospital, 17 of whom are mildly insane, and 20 of whom are dangerously insane."

You will thus see, members of the House, that if this number of people who are mildly insane could be sent back perhaps to the poor house of the towns from which they come, the overcrowded condition of the insane hospitals would be very slightly reduced. The 20 other patients of the institution, all senile cases, are dangerously insane; and of course it is out of the question to take that class of people away from the institution.

The letter proceeds: "The total number of patients admitted during the same four years was 883, or an average of 220.7 patients per year. It will therefore be seen that the average number of 25 senile cases admitted per year constitutes 11.3 of the total admissions.

"Uninformed people often erroneously believe that individuals who are not insane are kept in State hospitals."

We have that argument presented to us in this particular case that many of these people are put into the institution by the towns from which they come simply to get rid of them—as we say to "pass the buck" up to the State. I do not think that is a fact. When a patient is committed to an institution, the superintendent and the trustees of that institution are obliged to keep that patient there only as long as in their opinion it is advisable. The patient is supposed to be kept there until he is in condition to be sent back home as cured or relieved to that extent where he is not a danger to himself or anybody else. That idea seems to have gained considerable headway in this Legislature this winter, that our institutions have a great many of that class of patients; but if we are to look to the superintendents of these institutions for information we certainly must decide that that is not so, that all patients in these institutions are proper patients for the institution, and that no one is kept there simply as a matter of convenience to the town or to the family or to the State of Maine. It certainly is not any great inconvenience to the State to have a patient there if he is not supposed to be there.

The letter continues: "During the five complete fiscal years which I

have had charge of Bangor State Hospital, 1137 patients have been admitted, and 716 have been discharged. Of these 250 were discharged as recovered, 334 as improved and 132 as unimproved but able to be cared for at home."

You will thus see from this statement that in the judgment of Dr. Hedin or Dr. Tyson as fast as any of these patients are in a condition to be cared for at home they are sent there. It is the policy of these gentlemen who have charge of these institutions—and I think we all have a great deal of confidence in them—to do that. They are certainly men who are very proficient in their line of work.

The letter continues: "The number discharged is exclusive of the number transferred to other institutions and the number who died in the hospital. It will thus be seen that 62.9 of the number admitted have been discharged. Prior to my taking charge of this hospital only 51.8 percent of the admissions were discharged, which showed that 11.1 percent more of the number of patients admitted have been discharged during the last five years than prior to that period.

"What effect, if any, on admission would a law have requiring the towns to pay part or the whole of the support of the indigent insane, as was the custom prior to Jan. 1, 1910?"

"In my opinion, a law requiring the towns to pay less than \$5.00 per week for indigent insane would have very little effect on the admissions, for the very reason that it is increasingly getting more and more difficult to care for even mildly insane patients outside of a state hospital."

I think we all realize, especially those who come from towns who have insane patients, that you cannot get any one of those patients taken care of for less than five or six dollars a week.

The letter continues: "A law requiring the towns to pay \$5.00 or more per week might possibly have a tendency to decrease the number of admissions from 7 to 10 percent.

"The greatest reduction, no doubt, would be in the admission of senile cases, but more than 50% of those cases are dangerous or too disturbed to be cared for outside of a hospital.

"Many of the senile cases are also very feeble and worn out when brought to the hospital and do not live very long, and therefore a reduction of 10 per cent in their admissions would probably not mean more than 3 per cent reduction in the permanent hospital population."

I think that is a very important point to bring before your attention, to bring to your mind the fact that not more than three per cent reduction in that hospital population would be affected by a bill of this kind.

The letter continues: "Even if a law should be passed it would require the towns to pay for the support of the indigent insane, in view of the fact that hospital treatment for the mentally ill is demanded more and more as time goes on, it is my opinion that the state will need more accommodations for this class of unfortunates.

"Considering the fact that during the five fiscal years that I have had charge of this hospital we have discharged 11.1 per cent more of the number of patients admitted than during the 18 years existence of this hospital prior to my administration, it will no doubt convince you that it is my policy to discharge the patients as early as possible after they recover or show improvement sufficient to allow them to be at large. Had I only discharged 51.8 per cent of the admission as my predecessors did then we would have over 110 more patients in this hospital today than we now have."

Now so far as this bill is concerned that we have before us today, I want to just call your attention to the fact, as I tried to do from reading Dr. Hedin's letter, that it will not reduce the population of the institution to any great extent; and I believe that it is a mistake to think that by passing this bill we are going to relieve conditions with which we are faced today. If the State has gotten to that stage where it feels that the responsibility should be put back on the towns, that is one proposition; and I want to bring to your attention this point that it is not going to relieve the congested conditions so much as is expected by some members of the Legislature.

Mr. DEERING of Saco: Mr. Speaker—

The SPEAKER: The gentleman from Saco, Mr. Deering, requests permission to address the House for the third time.

Mr. DEERING: I think the last speaker has done a great deal more toward corroborating my position by the letter from the superintendent of the Bangor Hospital than I could have done myself, for this reason: It is not expected that it will reduce the population of the hospital to any material extent or relieve the crowded condition that now exists. His figures indicate that it would perhaps show a three per cent reduction in the number of inmates coming in. Our present figures show that we are increasing at the rate of two percent. Therefore, the tendency would be to hold this overcrowded condition. As it is, it has reached the point where the State Board of Health is on the point of saying that no more patients shall be admitted; and I think that really the thing to do is to carry this thing along until we can get the money to build these institutions up to the point where they should be.

The clause which the gentleman from Portland, Mr. Cummings, objects to is identical with the old law and has not been changed one particle in any way, shape or manner. At the present time it is possible—and in some cases it is being done to collect from the relatives, but it is quite impossible for the trustees of these institutions to collect this money.

I do not feel that this is a proposition that will relieve a building program in any way, shape or manner. It is simply a proposition whereby it may bring to the insane hospital between two and three hundred thousand dollars a year, so that in two years we can come into this Legislature and say, "Here is two or three hundred thousand dollars a year which the relatives of these patients have paid into the State of Maine and we demand a building."

Mr. THOMPSON of Rockland: Mr. Speaker, in answer to the suggestion of the gentleman from Portland (Mr. Cummings) whether this section three of the bill now pending before us is an innovation, I will say it is not an innovation. We have a pauper law which covers substantially the ground covered by section three of the bill now under consideration. The pauper law is Revised Statutes, Chapter 29, Section 18, as follows: "The father, mother, grandfather, grandmother, children and grandchildren by consanguinity, living within the State and of sufficient



ability, shall support persons chargeable, in proportion to their respective ability." The insane asylum law contains a similar provision, not quite so specific perhaps, but nevertheless calculated to accomplish the same result. I refer to Sections 29 and 30 of Chapter 145, Section 29: "Any town thus made chargeable for the expenses of examination and commitment in the first instance, and paying for the examination of the insane and his commitment to a hospital, may recover the amount paid, from the insane, if able, or from persons legally liable for his support."

Unquestionably that refers to a person to whom I allude in the pauper law, Section 18 of Chapter 29 "Father, mother, grandfather, grandmother, children and grandchildren by consanguinity;" and Section 30 of the same chapter 145: "The State may recover from the insane, if able, or from persons legally liable for his support, the reasonable expenses of his support in either insane hospital."

Now section three is an elaboration of that same idea and its intent is a most worthy one. I disagree with my friend from East Machias (Mr. McDonald) in the conclusion at which he has arrived in reading the letter from the hospital that it is evidence in support of this bill. The committee did not believe that it would be a great relief of the crowded situation of the insane hospitals, but it did believe that the bill would create a tendency to make the persons responsible who are related to those committed to the insane hospitals. Probably the most of us have had some experience in this respect. We know that a person is a little peculiar of mind and disposition and so much so as to become an annoyance. How easy it is to shift this person over to the insane asylum, especially if a person has a little money which the relatives desire to get at the expense of the town of his residence? Our idea was that if this bill received a passage, it would bring the expense of the insane person home to the town of his residence and cause the municipal officers of that town to look more closely into the facts of the case and see if the person committed had any property when he was committed, or see how well fixed his friends might be who would be liable for his support. It brings the matter to the general situation, whether the State has the

same right as the town in which the man has his residence. This, in our judgment, would cause the selectmen to make a more minute examination of the situation and thus bring home to those concerned the responsibility which the law was designed to impose upon them.

As to the argument that if the town has no patient in the insane asylum, it is taxed for the purpose of maintaining that liability which does not belong to it at that time, our view of that was that there was no town which had any guaranty that no person would be committed from within its limits. The burden would fall alike upon all towns, and if a town had been a few years without being so unfortunate as to have an insane person committed the time might not be far distant when it would have that misfortune; and therefore on the average the tax would not be onerous, unfair nor burdensome. If the expense of the insane is to increase, it will only be a short time before every town will bear an additional burden, and this bill, in that way, was considered a sort of experimental one, which, to a limited extent, was worthy of trial, and that in the meantime none of the insane would suffer any more than they are suffering now. It would not be at the expense or inconvenience of those who are at the hospital.

I think the figures given out by the gentleman from East Machias (Mr. McDonald) fully justified the judgment of the majority of the committee; and for this reason, Mr. Speaker and members, I hope that the bill will be given its third reading.

Mr. FULLER of Southwest Harbor: Mr Speaker, this matter has been pretty thoroughly threshed out. It seems to me that all the small towns who have persons there will have to pay the full expense of six dollars up to the extent of half a mill. The large cities, with the larger population that they have, do not have as many inmates in proportion. Therefore, they will not have to pay that. It seems to me to be taxing the people wrongfully and that it is not fair and that is why I am opposed to the bill and the idea that the State of Maine is so poor that she cannot support her insane. It seems to me that we are going the wrong way and that we are not locking after our unfortunates as

well as we should. We want the small towns to come in and pay their part, but we want the larger places to come in and pay theirs. I hope that the motion to indefinitely postpone will prevail.

Mr. CLARKE of Randolph: Mr. Speaker, I will talk just about half a minute. I have listened to what the gentlemen have said. I have had a goodly number of years' experience in town business, and I would like to say that if this bill goes through the relatives will be in hot water, the town will be in hot water, and the whole business will be in hot water. I hope that this bill will be indefinitely postponed. (Applause.)

Mr. OAKES of Portland: Mr. Speaker, I am requested to make a statement regarding the city of Portland that happened to come to my attention. It struck me in looking at this bill that it would be quite serious for Portland because of the congested district and the consequent large number of insane people sent to Augusta from that city. I took it up with Mr. Allen, our acting mayor, and the City Manager, and Mr. Allen said to me that they had computed the cost as nearly as they could do so and that they had figured that it would probably cost the city more under this method than it had cost in the past. On the other hand, they were willing to have the matter go through because they felt that it would not be unfair to anybody and that the city had a contract that it could work upon, whereas under the present situation the city has no leeway.

One other point. I do not like to disagree with my colleague, but I think he is in error in regard to this one-half mill. As I read it the one-half mill is a maximum limit and not a minimum. For instance if the town of Southwest Harbor was so unfortunate as to have an excess number of insane persons, it could not go above the one-half mill; but if there were no insane persons, there would be no expense.

The SPEAKER: Is the House ready for the question? The question is on the motion of the gentleman from Southwest Harbor, Mr. Fuller, that an act relative to support of inmates of state hospitals be indefinitely postponed.

A viva voce vote being doubted,

A division was had,

Eighty-six having voted in the affirmative and 33 in the negative, the

motion to indefinitely postpone prevailed.

On motion by Mr. Fuller of Southwest Harbor, who moved to reconsider the vote just passed to indefinitely postpone, stating that he hoped the motion would not prevail, a viva voce vote being taken, the motion to reconsider failed of passage.

#### Passed to be Engrossed

S. P. 648: An act relating to amateur boxing contests.

#### Passed to be Enacted

An Act relating to appropriations for the several normal schools and the Madawaska Training School.

An Act to incorporate Dexter P. Cooper, Incorporated, for the purpose of developing and utilizing the power of the tides in the Bay of Fundy and Waters adjacent thereto.

(Tabled by Mr. Wing of Kingfield, temporarily).

An Act relating to convicts sentenced to the State Reformatory for Men.

An Act to prohibit advertising signs upon public highways.

An Act to give additional powers to the Public Utilities Commission.

An Act to enable cities of over 35,000 to regulate and restrict the construction of buildings and the use of land by zoning ordinances.

An act relating to inmates of Reformatory for Women when incorrigible.

(Tabled by Mr. Nichols of Portland, temporarily).

An act relating to apothecaries and the sale of poisons.

#### Finally Passed

Resolve in favor of several academies, institutes, seminaries and colleges for maintenance, repairs and improvements.

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

#### Emergency Measures

An act to authorize the promulgation of rules and regulations of the Commissioner of Inland Fisheries and Game.

The SPEAKER: This being an emergency measure, and requiring under the constitution the affirmative vote of two-thirds 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 thirteen voted, and all in the affirmative, so the bill was passed to be enacted.

An act to authorize the recording of marketing agreements of co-operative agricultural associations, and requiring that liens hereby attached to crops before delivery to the association, and to the member's interest in the association after such delivery to be collected through the association.

(Temporarily tabled by Mr. Hale of Portland).

The SPEAKER: The first en-acter temporarily tabled is an act to incorporate Dexter P. Cooper, incorporated, for the purpose of developing and utilizing the power of the tides in the Bay of Fundy and waters adjacent thereto.

Mr. WING of Kingfield: Mr. Speaker and members of the House: I rise to enter my protest against this measure before it passes. To my mind it is simply an entering wedge to break down the authority of the State of Maine for the last fifteen years or more. This project, if it could have been managed so as to force those people who generate the power to keep it within the State of Maine, there would have been no objection whatever. This is a project which has been passed on, and I think those who are well acquainted with the situation believe, in spite of the fact that Mr. Cooper is a great engineer, that the project has no future; that electricity cannot be generated by the means which he intends to compete with the electric power which we have at the present time, and that therefore it is not a feasible proposition financially and is simply aimed at the state policy of keeping our electric power at home and obliging those who want it to come here and use it. I thank you.

Mr. HALE of Portland: Mr. Speaker, did I understand the gentleman to make a motion?

The SPEAKER: No motion was made. The pending motion is final passage.

Mr. HALE: Mr. Speaker, I trust that nothing will prevent the final passage of this measure. I say that

it is an important measure because it proposes a development in the State of Maine, in Washington county, of power about twenty-five per cent greater than the amount of power generated on the American side of Niagara Falls. It proposes capital expenditures—ultimate capital expenditures. This bill does not propose it, but if we pass this bill, and if the development is successful, it proposes an expenditure of sixty million dollars in Maine which would add something like seven or eight percent to the total taxable valuation of the State. I, for one, would like to give Mr. Cooper every chance in the world to make this improvement, to leave this capital in Maine and to put this electrical power at the disposition of the inhabitants of this State. It may be that this development is not practicable. It may be that the tides will prove too much for Mr. Cooper. It may be that the financial necessities of this measure are so great that Mr. Cooper cannot meet them. It may be that untimely death or some calamity will prevent the completion of this work; but I do urge you members of the House, that whatever happens, to see to it that the project does not fail by reason of the lack of good will and far-sightedness of the people of this State and the Legislature of this State. If Mr. Cooper fails in this project, do not let him leave this State with any reason for saying that he failed because the State was blind to its own best and truest interests. That is the greatest concern which I have at the present time.

Certain objections are raised with respect to this measure, and, although I dislike to take up a great deal of time on the question, I think that the Legislature should not expose itself to the accusation of passing this measure without giving the objections which have been made to it some adequate consideration. The objections which have just been voiced by my friend, the gentleman from Kingfield (Mr. Wing) are substantially the objections which were suggested as possible objections by the Governor in a message to a joint convention of the two houses. His message is before me and I want to take up one or two points. In the first place the Governor said: "The apportionment of this power as between the State of Maine and the province of New Brunswick seems of the very greatest importance involving as it does, according to its

promoters, several hundred thousand electrical horse power from the dams that will be built. This apportionment, in my judgment, should be determined by the Legislature rather by any other body within our State." Well, now, dealing simply with the apportionment by the Legislature "rather than by any other body within our State", I assume that statement is a truism. I assume that if any body within this State is competent to deal with this apportionment, it is the Legislature. It should not be the Utilities Commission, it should not be the Governor's Council, and it should not be the State Chamber of Commerce or the Associated Industries; but if I comprehend the law, the apportionment and allocation of the power is a matter settled by the treaty between Great Britain and the United States, and the function of apportionment resides in an International Joint Commission appointed and created under and by virtue of this treaty.

I do not want to take up too much time of this House but certainly we ought to understand the situation. I do not think any of us would want to be reported as having voted on this measure without any comprehension of the principles which it involves. This is the treaty negotiated between the United States and Great Britain in the year 1909. It provides in the Preliminary Article that "For the purposes of this treaty boundary waters are defined as the waters from main shore to main shore of the lakes and rivers and connecting waterways, or the portions thereof, along which the international boundary between the United States and the Dominion of Canada passes, including all bays, arms, and inlets thereof." I do not think there can be the slightest question but that Passamaquoddy Bay is a boundary water.

Then Article III goes on and provides: "It is agreed that, in addition to the uses, obstructions and diversions heretofore permitted or hereafter provided for by special agreement between the Parties hereto, no further uses or obstructions or diversions, whether temporary or permanent, of boundary waters on either side of the line, affecting the natural level or flow of boundary waters on the other side of the line, shall be made except by authority of the United States or the Dominion of Canada within their respective juris-

dictions and with the approval, as hereinafter provided, of a joint commission, to be known as the International Joint Commission."

"Article VII. The High Contracting Parties agree to establish and maintain an International Joint Commission of the United States and Canada, composed of six commissioners, three on the part of the United States appointed by the President thereof, and three on the part of the United Kingdom appointed by His Majesty on the recommendation of the Governor in Council of the Dominion of Canada."

"Article VIII. This International Joint Commission shall have jurisdiction over and shall pass upon all cases involving the use or obstruction or diversion of the waters with respect to which under Articles III and IV of this treaty the approval of this treaty is required, and in passing upon such cases the Commission shall be governed by the following rules or principles which are adopted by the High Contracting Parties for this purpose:

The High Contracting Parties shall have, each on its own side of the boundary, equal and similar rights in the use of the waters hereinbefore defined as boundary waters.

The following order of precedence shall be observed among the various uses enumerated hereinafter for these waters, and no use shall be permitted which tends materially to conflict with or restrain any other use which is given preference over it in this order of precedence:

(1) Uses for domestic and sanitary purposes;

(2) Uses for navigation, including the service of canals for the purposes of navigation;

(3) Uses for power and for irrigation purposes.

The foregoing provisions shall not apply to or disturb any existing uses of boundary waters on either side of the boundary.

The requirement for an equal division may in the discretion of the Commission be suspended in cases of temporary diversions along boundary waters at points where such equal division cannot be made advantageously on account of local conditions, and where such diversion does not diminish elsewhere the amount available for use on the other side.

The Commission in its discretion may make its approval in any case conditional upon the construction of

remedial or protective works to compensate so far as possible for the particular use or diversion proposed, and in such cases may require that suitable and adequate provision, approved by the Commission, be made for the protection and indemnity against injury of any interests on either side of the boundary."

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"The majority of the Commissioners shall have power to render a decision. In case the Commission is evenly divided upon any question or matter presented to it for decision, separate reports shall be made by the Commissioners on each side to their own Government. The High Contracting Parties shall thereupon endeavor to agree upon an adjustment of the question or matter of difference, and if an agreement is reached between them, it shall be reduced to writing in the form of a protocol, and shall be communicated to the Commissioners, who shall take such further proceedings as may be necessary to carry out such agreement."

I think that shows just what this International Boundary Commission is, what power it has, and on what treaty basis it rests, and there is no power in this Legislature to repeal, alter or modify the treaty; and for that reason Section seven of the bill before you which is Senate Document 259, as amended by Senate Document 290,—for this reason Section seven puts the entire allocation of power between the United States and the Dominion in the International Joint Commission. So much for the question of allocation.

Now as to the question of practicability! I do not believe there is any serious question but this development is practicable from an engineering standpoint. Whether Mr. Cooper, or the incorporators, are going to make a lot of money out of this project some day, or make money enough to pay them for the risk they take and the capital they invest, I do not know; but remember please, members of the House, that the State of Maine is not embarking one cent in this enterprise; it is not risking a cent. It is simply giving a man with initiative and vision enough to go ahead the right to go ahead; simply saying to him "When you have gone ahead and produced this result, be sure that we have the benefit of your initiative, your vision and your industry," and I think this

bill will safeguard the State of Maine.

Now only one or two points more. I read from the message of the Governor: "Franchises have been very freely granted in Maine for the development of hydro-electric projects, but these—almost without exception—have been granted to men having very large investments within the State of Maine and amply able to carry out their undertakings."

It seems to me that we cannot quite put this particular development on a footing with other developments in the State of Maine. The ultimate development in Passamaquoddy Bay calls for an expenditure imminently in excess of any expenditure that has ever been made for power development in this State. I do not think it is sound policy for the State of Maine to say "You shall go no farther, Mr. Cooper, until you show us the millions of dollars in your pockets." The one proposing this development frankly states that the securing of healthy financial backing must wait upon our grant. Now if Mr. Cooper goes to bankers in New York—and that is where most bankers live—and says "Give me a couple of hundred million dollars to develop a power project in Maine," I suspect that those bankers will say to Mr. Cooper "Is the State of Maine willing that you should make this development?" And Mr. Cooper will reply to the bankers, "Well, they have not said that, but they have said when you give me two hundred million dollars, I can go ahead," then he comes back to the next Legislature two years hence and says "I cannot get my money until you give me a charter;" and we say "We are very sorry, but until you get your money and convince us that you are all ready to go ahead, no charter."

Now that does not strike me as the way to develop Maine. It seems to me that at some point there has got to be confidence and not distrust; and I think that the confidence should be here and that we should endorse this project and give Mr. Cooper a chance to go ahead on it.

There is only one other point and that is the point which was made by the gentleman from Kingfield, Mr. Wing. That is the point about the entering wedge and power being transmitted out of the State. This is scarcely the time or place to debate the wisdom of the policy, the

general policy applicable to all powers, of transmitting electric energy outside of the State; but it is the place to consider the applicability of that policy, if it be a policy and a wise policy, to this particular project.

Governor Brewster says: "We are dealing with the greatest power development ever proposed within our State and are to inaugurate a policy of exportation in the haste of these closing days in clear violation of that considered party pledge. Such is not the example of honesty of Lincoln and Coolidge whose leadership we are proud to claim."

Now with the utmost deference and respect to our Chief Executive, it does not seem to me that when we say that power generated in boundary waters under the exclusive jurisdiction of a Joint International Commission,—when we say that power from such a development may be exported beyond the limits of the State, we are inaugurating a policy of exportation, I do not think we are inaugurating any policy at all. We are dealing with a unique case and we are dealing with it in the only way we can deal with it under the laws and treaties of the United States; and I do not think all the honesty of Lincoln or of Coolidge, or the honesty of any other man—and there are other honorable men—would controvert that proposition. If you want Maine developed, you have got to show some confidence in the people who want to develop Maine, and if you want publicity for Maine, I suggest that you make Maine safe for publicity. (Applause)

Mr. BECKETT of Calais: Mr. Speaker and members of the House: As a Representative from the city of Calais, and as a resident of Washington County, I wish to most heartily urge the enactment of this bill. We in Washington County have faith in this proposition. We have faith in Mr. Cooper. We have investigated him and we have found that all he has claimed is backed up. We believe that there is a great opportunity here, that the natural configuration of the land and the water there makes this great engineering feat possible. We believe that this means the development of Washington County, and the development of Washington County means the development of the State

of Maine, and we ask that you give Mr. Cooper and his associates an opportunity to put this thing through. What is the good of undeveloped resources; and if Washington County is enabled to produce this great amount of electric energy, will it not help the rest of the State?

How many times over this State we have heard the cry that the drought has prevented electricity; that the wheels have ceased from turning. If we can develop this, if down in Washington County this can be developed, we surely will be able to aid the rest of the State to tide over these times of drought, to give power for new manufactories, and if we have an excess, this being a tide water matter, is it not just that it may be taken out of the State and contributed to those who furnish these mills that this development of the State of Maine may become a fact? To my mind it is entirely well safeguarded. It is under the Public Utilities and only such excess as is not needed in the State of Maine can possibly be exported; and I trust, members of this House, that today you will vote that Maine may go forward and that Maine and Washington County may have an opportunity to enlarge.

Mr. CUMMINGS of Portland: Mr. Speaker, I had assumed that the members of this House knew what they were doing when they were voting on this bill. I am quite confident they fully understand the purport of this matter and I hope it will pass to its enactment without any further delay. (Applause).

The previous question was requested.

The SPEAKER: The previous question is requested. If one-third of the members vote affirmative for the previous question, the matter of the previous question will be entertained. As many as are in favor of entertaining the motion for the previous question will rise and stand in their places until counted and the monitors will return the count.

A sufficient number having arisen, the previous question was ordered.

The SPEAKER: Shall the main question now be put?

A sufficient number having arisen, the main question was ordered.

The SPEAKER: The main question is on the final passage of an act to incorporate Dexter P. Cooper, incorporated, for the purpose of developing and utilizing the power of

the tides in the Bay of Fundy and waters adjacent thereto. As many as are in favor of the final enactment of this bill will rise and stand in their places until counted and the monitors will return the count.

A division being had,

One hundred and thirty-two voting in the affirmative and none in the negative, the bill was passed to be enacted.

Mr. Hale of Portland moved to reconsider the vote just taken whereby this bill was passed to be enacted, stating that he hoped that his motion would not prevail.

A viva voce vote being taken, the motion to reconsider failed of passage.

The SPEAKER: The next act tabled was an act relating to inmates of the Reformatory for Women when incorrigible.

On motion by Mr. Nichols of Portland, re-tabled for the purpose of offering an amendment.

The SPEAKER: The next matter tabled was the co-operative marketing act.

On motion by Mr. Hale of Portland, the House voted to reconsider its action whereby this bill was passed to be engrossed, and that gentleman offered House Amendment A and moved its adoption as follows:

#### House Amendment A

Amend House Document No. 491 being "An Act authorizing the recording of marketing agreements of co-operative agricultural associations, etc." by striking out all of section one thereof and by renumbering the sections accordingly. By striking out the word "garnishment" in Section two, line eight thereof and inserting in lieu thereof, the words "trustee process." By inserting in Section three, line twelve thereof after the words "cause to be" the words "filed an affidavit" and by striking out in lines thirteen and fourteen thereof, the words "an affidavit." By striking out in section five, paragraph one, lines twenty and twenty-one, the words "through Court action or otherwise," and inserting in lieu thereof the words "by appropriate legal procedure." By striking out in section five, paragraph second, line nine, the word "incident" and inserting in lieu thereof the word "right".

By striking all of the last paragraph of section ten; and by inserting in section thirteen, line four after the word "enforce" the words "except by appropriate civil process."

Mr. HALE of Portland: Mr. Speaker, speaking of the above amendment, I will simply say that these amendments are mostly verbal in character and correct certain inaccuracies and inelegancies of construction. I have been over them carefully with the attorney who represented the proponents of this bill. The attorney who represented the opponents of the bill was present at our conference, and it was agreed by all parties that the amendments to the bill put it into proper legal form. I do not wish to say that the opponents accept the bill as amended, but in point of form they approve the changes.

The SPEAKER: The question is on adoption of House Amendment A.

The viva voce vote being taken, House Amendment A was adopted.

The SPEAKER: Is it the pleasure of the House that the bill be now passed to be engrossed?

Mr. BRAGDON of Perham: Mr. Speaker, I wish to make a motion to table the bill pending engrossing and order it printed, as it is a very important measure and quite a lengthy one. I think some members of the House would like to see how it looks before it is engrossed.

Mr. HAMILTON of Caribou: Mr. Speaker, I will say that I have a copy here and that the matter can be taken up quite thoroughly by those who are interested.

The SPEAKER: The Chair will put the motion to table. The gentleman from Perham, Mr. Bragdon, moves that this matter lie on the table pending its passage to be engrossed.

A viva voce vote being taken, the motion to table failed of passage, and the bill as amended by House Amendment A was passed to be engrossed.

#### Orders of the Day

The SPEAKER: The Chair presents, especially assigned for today, majority report of committee on state lands and forest preservation reporting new draft on resolve in favor of the president and trustees of Bates College, S. P. 247, S. D. 97, and minority report "ought not to pass" on same resolve; tabled on April 7th

by Mr. Curtis of Brewer pending acceptance of either report.

Mr. CURTIS of Brewer: Mr. Speaker and members of the Eighty-second Legislature: may I ask the clerk to read the amendment to this majority report?

The SPEAKER: Senate Paper 618 is the new draft which has not yet been printed, the Chair believes. The amendment reads as follows:

"Senate Amendment A to Senate Paper 618.

Resolve in favor of the President and Trustees of Bates College. Amend Senate Paper 618 by adding at the end of said act the words 'the same to be taken and paid from the appropriation made for the University of Maine.'

Mr. CURTIS of Brewer (continuing): Mr. Speaker, I have no objection to the bill passing in its original form, in fact I signed the majority report, but I do object to asking the University of Maine to pay taxes on this land belonging to Bates College under Jordan's will; and if in order, I move that the House do not concur with the Senate, or, rather, I would move that the amendment be indefinitely postponed, if that is the proper procedure.

The SPEAKER: The gentleman might move to accept the majority report and allow the bill to have its first and second reading and then move the indefinite postponement of the amendment.

Mr. CURTIS: I do that, Mr. Speaker.

The SPEAKER: The gentleman from Brewer, Mr. Curtis, moves that the majority report "ought to pass" on this act be accepted. Is the House ready for the question?

Mr. MELCHER of Rumford: Mr. Speaker, I was one of the members who signed the minority report "ought not to pass" and I would like to say a few words on it.

The SPEAKER: The gentleman is in order.

Mr. MELCHER (continuing): My reason, and that of others, I believe, who have signed the minority report, was this: It seemed to us it was not a wise thing at this time to make Maine pay taxes on a piece of property that belonged to another college. This property was given by will to Bates College by one P. C. Jordan, and if we are going to reimburse or pay to the town the taxes on this property that has been given

to this college, it seems to me that is creating a precedent that is rather dangerous for the future.

It seems that Bates College was given some twelve thousand acres of land worth a great many thousands of dollars, and now they come to the State of Maine and ask the State to pay the taxes on it. That seems to be the whole thing in a nut shell, and we did not feel that it was proper for the State of Maine to pay forty-five hundred dollars to the town for taxes, and for that reason I will object to it. I do not think that when we are trying to use economy, we should pay taxes for some other institution.

Mr. PAGE of Skowhegan: Mr. Speaker, I rise for information. I would like to know how much money is involved.

Mr. MELCHER: The amount involved is forty-five hundred dollars each year.

Mr. LITTLEFIELD of Kennebunk: Mr. Speaker and members: As I know something about this, I would like to say a little something about it. The will of P. C. Jordan gave to Bates College, they say, twelve thousand acres of land, mostly in York County. Now, I have been informed through a man who was nearer to P. C. Jordan than anyone else in this State, that there were twenty-one thousand acres of this land, and they come here to tell you what they have done, planned, and so forth, for this land.

Now, this plan was hanging on the wall of P. C. Jordan's office, and all the land that was given to Bates College was in black. Now, there is on that land, I have been told, from thirty-six to fifty million of lumber, and it strikes me as strange that Bates College should come here and ask that the taxes be rebated on that land. Who is there in this House that if he is given from thirty-six to fifty million of lumber but would be willing to pay the taxes on it?

Bates College has a man out on that land who is there every day and whom they pay to be there to sell that timber, and they are selling some every day. They are selling some cord wood which I do not think makes any difference, but they do get some good lumber out there, and I hope this House will not allow this to go by.

Mr. LELAND of Sangerville: Mr. Speaker, I am inclined to agree with the view of the gentleman from York



County (Mr. Littlefield)! and furthermore, by what process of reasoning they arrive at the conclusion that this rebate of taxes should be taken from the appropriation made for the University of Maine is beyond my comprehension. It seemed bad enough that the State should be asked to reimburse the taxes on this land, but when they go further with this and ask that the reimbursement shall be made from appropriations made from the University of Maine, it seems to me that it is carrying it to the point of being ridiculous.

Mr. SPEAKER: The question is on the motion of the gentleman from Brewer, Mr. Curtis, that the majority report be accepted.

Mr. OAKES of Portland: Mr. Speaker, I would like to bring out one point. There were twenty-one thousand acres of land, one-third of which was set off to the widow, leaving fourteen thousand, and two thousand acres to the daughter, leaving the twelve thousand acres. That answers the question and clears up the point which was evidently overlooked by the gentleman.

Now, I happen to know that the University of Maine has a Forestry Department, but has no Forestry Reservation in which to have practical work. By the will of P. C. Jordan Bates College was given this forestry opportunity to develop the forestry study. It is in line with the work that is being done at the University of Maine. The Bates College Faculty and their Forestry Department are working with the State Forest Commissioner and they are carrying out the same work that is being carried out at the University of Maine, with no expense to the State, and the question came up as to whether Bates College should pay taxes upon the land upon which this work is being carried out; and that seemed unfair. On the other hand, it seemed unfair that the towns in which the land is situated should have to bear this burden, and so the method was devised of throwing it back on to the State, because it is a work for the benefit of the whole State and is relieving the State and the University of Maine.

Now, the question of having it come out of the University of Maine fund is rather immaterial to me. I see the reason for it because it is rather in line with what the University of Maine is doing in forestry

development, but I do not care anything about that. The fundamental proposition of relieving Bates College of paying these taxes to the town when Bates College is carrying on this work, is eminently fair.

Mr. SMITH of Bangor: Mr. Speaker and members: The expense at the University of Maine has been very large and the Trustees who are responsible for the services rendered are somewhat discouraged, and I do not believe that this House wants to penalize the University of Maine. If we cannot help the University, for Goodness' sake, do not attach any additional burden. At least, be fair to the University of Maine.

The SPEAKER: The question is on the motion of the gentleman from Brewer, Mr. Curtis, that the majority report "ought to pass" and the bill without the amendment be accepted. Is the House ready for the question?

A viva voce vote was doubted.

Mr. OAKES of Portland: Mr. Speaker, I am not sure about this. Does this mean that if we vote affirmatively, we give a rebate on the tax?

The SPEAKER: It means that if that vote were carried for second reading, the question of the adoption of the amendment would arise. That amendment is not before us.

Mr. OAKES: The question of the University of Maine is not involved in this vote, Mr. Speaker?

The SPEAKER: Not in this vote. The viva voce vote having been doubted.

A division of the House was had. Twenty-eight having voted in the affirmative and 54 in the negative, the motion to accept the majority report failed of passage.

Thereupon, on motion by Mr. Littlefield of Kennebunk, the minority report of the Committee "ought not to pass" was accepted.

The SPEAKER: The Chair presents, especially assigned for today, majority report of the Committee on Ways and Bridges "ought not to pass" and minority report "ought to pass" on resolve in favor of a bridge over the St. Croix River, H. P. 223, tabled on April 7th by Mr. Beckett of Calais, pending acceptance of either report.

Mr. BECKETT of Calais: Mr. Speaker and members of the House: I tabled this matter in order that I might explain to you just what the resolve meant. In the last Legisla-

ture a resolve was introduced for the building of a bridge between the town of Vanceboro, on the American side and St. Croix, on the Canadian side.

(At this point the gentleman from Augusta, Mr. Martin, assumed the Chair amidst the applause of the House)

Mr. BECKETT (resuming) I will refer to St. Croix as McAdam Junction, and the location will probably be more familiar to you, as this is an automobile bridge between Vanceboro, Maine and the landing not far from McAdam Junction on the Canadian Pacific Railroad.

Now, the people were passing over this bridge with teams and automobiles and the only way for them to go was on top of a dam owned by the St. Croix Paper Company, and this dam has not been kept in shape, and there was danger from it and signs had been posted that those using the top of this dam do so at their own risk. The need for a bridge there was such that the resolve went through the Legislature and was not vetoed, but was signed by Governor Baxter, and as the resolve before us today is not printed, and as it is merely a request for an extension of time on the present resolve, I will read it: "Resolved, that there be and hereby is appropriated from the State Highway and Bridge Loan Funds, the sum of seventeen thousand, five hundred dollars to be available from the date of the passage of this resolve until June 30th, 1927, for the purpose of aiding in the construction of an international highway bridge across the St. Croix River between some points within the limits of the town of Vanceboro, in the county of Washington and State of Maine, and the parish of St. Croix, in the county of York and Province of New Brunswick.

"Provided that the expenditure of this amount shall not be made unless the Dominion of Canada or the Province of New Brunswick appropriates the sum of seventeen thousand, five hundred dollars to be expended for the construction of said bridge."

Now, at the time this resolve was passed we were given to understand that the Canadian Government, or the proper provincial government, had the money ready, but it was not forthcoming. It was not available, according to their plans at that time, and so the \$17,500 was set aside and is available up to the first of next

July, but after that time it is not available.

Now, this matter will not add anything to the tax rate this year or next year; this money is simply waiting there.

Now, the reason that the Committee reported "ought not to pass" on the resolve was because they received the impression that there is no chance that the Dominion of Canada will make such an appropriation, or that the Provincial Government will do it, so that the bridge could be built.

I have in my hand a letter from Irving R. Todd of Milltown, New Brunswick, the Dominion Senator at Ottawa, addressed to Senator Miner, in regard to this, which reads as follows:

"Dear Senator:

In regard to the grant from Ottawa for the Vanceboro-St. Croix bridge, I have grave doubts if we can get it this year. The estimates are all in, and they are not making any more expenditures for this year than they can possibly help. I do feel that we can get it next session. I hope you will succeed in getting the State of Maine appropriation this year, for unless you do, if we get ours next year, we would not be able to use it."

Now, members of the House, I submit to you that this is a very necessary proposition. Those people are crossing this dam in their automobiles and wagons, and it is dangerous, and signs are posted there that they do so at their own risk. From the letter of Senator Todd, with whom I am well acquainted, I believe that the money from the Canadian side will be available, and I ask that you will extend this time by passing this resolve so that this money may be ready when the Dominion Government is ready.

Mr. LELAND of Sangerville: Mr. Speaker, I do not see the House Chairman of the Ways and Bridges Committee in his seat. Possibly it might be well to have the action of the committee explained in relation to this. As I recall it this is one of three of the international bridges which have required and which have received appropriations contingent upon similar action by the Dominion Government. At the present time none of those appropriations have been met. This was, perhaps, not a matter of great importance, so long as the State had

the funds at its disposition. Of course the State was deprived of the use of it but it was not absolutely needed. The point has now been reached, however, when such funds have been exhausted. It seemed to the Committee rather a doubtful business to continue such appropriations which must continue available, and which, of course do tie up any funds that might be raised for the construction of our own highways and bridges, and that until the Dominion Government had made some move of its own toward meeting these appropriations, it seemed probably the wise course would be to use such funds as we had on ways and bridges in our own State until the Dominion Government had taken some definite action.

I have no doubt that this matter will be favorably considered at such time as the Dominion Government is ready, but under conditions at the present time it seems to the Committee unwise to continue these appropriations. That, gentlemen, explains, I think, the attitude of the Committee in regard to this matter. It is not one of hostility to these bridges, but facing the facts that our own funds are exhausted, it seemed unwise to tie up money that we absolutely need in our own construction.

Mr. PULLEN of Danforth: Mr. Speaker, is there a motion before the House?

The SPEAKER pro tem: The question before the House is the acceptance of the minority report "ought to pass."

Mr. PULLEN: Mr. Speaker and gentlemen, as has been stated, this resolve does not ask for any increased appropriation. The General Legislature of the Provinces meets every year, and we have information that they will probably make an appropriation one year from this time, and unless this proposition that was made by the State of Maine two years ago is renewed and extended, there will be no appropriation to meet that which will be made by the Canadian Government; and I hope that the members of this House will support the motion of the gentleman from Calais, Mr. Beckett, and that the minority report will be accepted.

Mr. KITCHEN of Presque Isle: Mr. Speaker, as a member of the Committee on Ways and Bridges, before which this matter was heard,

I simply wish to state that the position of the gentleman from Calais, Mr. Beckett, and his explanation, are in accordance with the facts. That money was appropriated two years ago by the State, and the Canadian Government failed to pay their part of it, and it was thought by the Committee that in view of the fact of the situation in our own State, it would be unreasonable to allow this money to lay idle for possibly another two years, waiting for the Canadian Government to come across with their part of it.

I might also say that there is a similar situation in Aroostook County, and as a member of the Committee, I hope the motion to accept the minority report will not prevail.

Mr. BECKETT of Calais: Mr. Speaker and members: I merely wish to call your attention to the fact that if this is not renewed, what will be the attitude of the Canadian Government? If we have the money here ready for this work, it is much more likely that we will get the relief, and the necessity for that relief has been well demonstrated.

Mr. CUMMINGS of Portland: Mr. Speaker, there is no doubt that a bridge is needed in that locality. The Legislature appropriated the money for that purpose and at that time the Canadian Government did not need it. The money will lapse next June, and there are now indications that within a year the Canadian Government will provide its share. In other words, the door will then be open, and the question for us to decide today is, in view of that fact, shall we close the door so that when their door is opened, ours will be closed. It seems to me that the logical action is to retain that appropriation. (Applause)

Mr. DUNBAR of Orland: Mr. Speaker, I just want to say, for the information of the House, that the Committee did not feel that it was necessary to tie up this money for two years more, and I hope that the motion of the gentleman from Calais (Mr. Beckett) will not prevail.

The SPEAKER pro tem: Is the House ready for the question? The question is on the motion of the gentleman from Calais, Mr. Beckett, that the minority report, "ought to pass" be accepted.

The motion to accept the minority report prevailed.

(At this point Speaker Gardiner resumed the Chair, the gentleman from Augusta, Mr. Martin, retiring amidst the applause of the House).

The SPEAKER: There are a few papers from the Senate that might be taken up and the House might then recess, and in the afternoon proceed with the rest of the calendar. This is the day on which matters automatically come from the calendar, and they will be taken up in order at the afternoon session.

Additional papers from the Senate disposed of in concurrence out of order and under suspension of the rules.

The following papers were taken up out of order under suspension of the rules:

**Passed to be Enacted**

An Act to amend Section 1 of Chapter 169, as amended, relating to the support of dependents of soldiers, sailors and marines.

An Act to give certain powers to the Governor and Council with respect to State highway, interstate and international bridges.

**Senate Bill in First Reading**

S. P. 655: Resolve for charitable and benevolent institutions for care, support and medical or surgical treatment of certain persons.

From the Senate: Resolve in favor of Central Maine Sanatorium H. P. 1189, H. D. 420, which was passed to be engrossed in the House March 25th,

Comes from the Senate indefinitely postponed in non-concurrence.

In the House, on motion by Mr. Wing of Auburn, that body voted to concur with the Senate in the indefinite postponement of this resolve.

From the Senate: Bill an act amendatory of and additional to Chapter 148 of the Revised Statutes, relating to State Pensions, creating a field agent for blind and guide; and defining the duties and compensation of such field agent and guide, S. P. 581, S. D. 249, which was indefinitely postponed in the House April 6th,

Comes from the Senate passed to be engrossed as amended by Senate Amendment A in non-concurrence.

In the House:

Mr. Lamson of So. Portland: Mr. Speaker, I have a letter from a blind man that I would like to read to the House if there is no objection, and I might say, in passing, that no one, even those who have the use of their eyes, could write a better letter or make it any more complete: "Dear Sir:

There is pending in the present legislature an act creating a field agent for the blind. I regard this as one of the most important pieces of legislation which has been sought for the welfare of the blind since the inception of work for this class in Maine. I hold this view for the following reasons:

A field agent can obtain full and correct information regarding the blind. It is obvious that if efficient work is to be done for this class, the data on record should be as complete and accurate as such data can be made. A field agent could accomplish this better than it could be done through correspondence, because he would have, by coming in direct contact with the blind themselves, first hand information which could be verified and supplemented from other reliable sources in the home town of such blind persons.

Again there is in Portland an institution for the training and employment of adult blind. This plant has been in operation since 1909, and yet there are people in the very city where it is located who know very little about the institution. How much more would this be true in distant parts of the State. A field agent would disseminate knowledge of this institution and would likely come in contact with blind people to whom the institution could be of benefit.

Lastly, and of very great importance, a sightless field agent would arouse in the blind confidence in their ability to do things. When loss of sight comes to a person in adult life, unless he is of an exceptionally aggressive temperament, it crushes his hope and deadens his courage. What would be more likely to revive these assets to success in a blind person than to come in contact with one who is laboring under the same handicap as himself and yet earning a livelihood, and who could tell from actual knowledge of other blind persons who were contributing in whole or in part to their support?

The present Legislature is to be commended for the far sighted policy which it seems desirous of pursuing in State affairs. The passage of this bill for a field agent for the blind is in keeping with such a policy. It is logical to assume that what has been found worth while in states like Massachusetts, Pennsylvania, New York and Ohio, and all of these states have blind field agents, will be worth while in Maine."

This is from a blind stenographer at the Institution for the Blind in Portland, William Lynch.

Another letter from the Maine Fraternal Association for the Blind: "Dear Sir:

The bill introduced in this Legislature to create a field agent for the blind is sponsored by the Maine Fraternal Association for the Blind, whose active membership is composed of sightless people.

This step was taken after careful investigation; and those interested in the measure believe that it will be of practical benefit both to the blind and to the State. I respectfully solicit your support and influence in favor of the measure.

Yours truly,  
CHARLES E. DEBECK, Sec."

I have listened with great attention to the work that has been carried on here in regard to other institutions, and there has not been a single thing brought to my attention, at least, that was of help to the blind. I have already argued all that I can and said all that I know how to say on this matter and said it in the best way that I know how to say it, and so I will simply say to you, gentlemen, in Heaven's name, let us do something for these sightless people. They are there, as I stated the other day, in the darkness, seeking employment. They are not asking for charity; they are not asking for anything unreasonable; they simply want the opportunity to earn and help themselves; and that seems to me a mighty good policy.

Can we not do this little bit for the blind people of our entire State?

The SPEAKER: The Chair will read Senate Amendment A.

Senate Amendment A to Senate Document 249. Strike out the word "shall" in the second and third lines of the second paragraph, and insert instead thereof the word 'may.'

Mr. PIERCE of Sanford: Mr.

Speaker, I agree with the gentleman from South Portland, I want to do everything possible for the blind and that is the very reason why I oppose this field agent act, under which one or two people are going to get four thousand dollars a year when it should give forty people a hundred dollars a year. The gentleman speaks about the field agent going around to look up the cases and find out the circumstances. The messenger to the Governor at the present time told me a few days ago that he is doing that, and he told me of a number of cases that he investigated, and I feel that it is being taken care of. The gentleman speaks of the institution at Portland. They are now getting sixteen thousand dollars every year help from the State, and as I understand it, the training that is given the inmates there is really of very little advantage to them in helping them earn their living. I cannot see why we should pass this bill.

Mr. FLINT of Monson: Mr. Speaker, this matter has taken a different turn than I expected. I think we all agree and are trying to accomplish the same result, to help the blind. As I understand the amendment put on in the Senate, it simply changes the word "shall" to "may." Now, I am perfectly willing to leave the care of the blind with the Governor, and if the people of this House will vote down this amendment, I will offer another amendment which says "The Governor and Council may, in their discretion, employ agents to investigate applications for pensions on account of the blind and perform other duties pertaining to it."

Now, if you will vote down the Senate amendment I will offer this one.

The SPEAKER: The question is on the motion of the gentleman from Sanford, Mr. Pierce, that the House adhere to its former action.

Mr. PIERCE of Sanford: Mr. Speaker, I will withdraw my motion in view of the amendment proposed.

The SPEAKER: The gentleman from Sanford, Mr. Pierce, withdraws his motion to adhere. Is there any other motion?

Mr. HAMILTON of Caribou: Mr. Speaker, I move that we adhere.

The SPEAKER: The gentleman from Caribou, Mr. Hamilton, renews

the motion that the House adhere. Is the House ready for the question?

A viva voce vote being doubted,

A division of the House was had.

Fifty-one having voted in the affirmative and 37 in the negative, the motion to adhere prevailed.

Mr. STURGIS of Auburn: Mr. Speaker, I move that we reconsider our action whereby we voted to adhere, and I trust that my motion will not prevail.

A viva voce vote being taken the motion to reconsider failed of passage.

The SPEAKER: One more paper from the Senate:

From the Senate: Bill an act relating to driving motor vehicles while under the influence of intoxicating liquor or drugs and the penalty therefor, S. P. 596, S. D. 281, which was passed to be enacted in the House on April 6th.

Comes from the Senate passed to be engrossed as amended by Senate amendment A in non-concurrence.

In the House, Senate Amendment A read and on motion by Mr. Nichols of Portland temporarily tabled.

The SPEAKER: There were matters tabled earlier in the morning that would have precedence over the matters on the calendar under orders of the day this afternoon.

On motion by Mr. Harrington of Durham recessed until 2 o'clock this afternoon.

#### After Recess

Called to order by the Speaker.

The SPEAKER: Orders out of order.

On motion by Mr. Cummings of Portland it was,

Ordered, that House Paper 1253, House Document 505, bill an act to enlarge the definition of the term "securities" in Section 126 of Chapter 144 of the Public Laws of 1923 so as to include contracts for the sale of fur-bearing and other animals, be recalled from the Senate.

Mr. Piper of Jackman presented the following order and moved its passage.

Ordered, the Senate concurring, that we have a joint convention of both bodies of the Legislature for the purpose of discussing the road program tonight at 7.30 P. M. in the Hall of the House.

The order received passage and was sent up for concurrence.

On motion by Mr. Nichols of Portland, it was

Ordered, that the State Librarian be authorized and instructed to furnish and deliver to members of the House of Representatives a copy of the laws of the State of Maine passed by the 82nd Legislature.

Papers from the Senate taken up out of order under suspension of the rules:

From the Senate: Report of the committee on judiciary on bill an act relating to Portland University, S. P. 233, S. D. 87 reporting ought to pass in new draft, S. P. 659 under title of an act to authorize Portland University to confer certain degrees.

Comes from the Senate the bill read and accepted and the bill passed to be engrossed.

In the House, read and accepted in concurrence, the bill received its two several readings, and on motion by Mr. Nichols of Portland, the rules were suspended, and the bill received its third reading and was passed to be engrossed in concurrence.

From the Senate: Bill an act to provide policemen's pensions, S. P. 236, S. D. 93, which was passed to be engrossed as amended by House Amendment A in the House, April 6th.

Comes from the Senate indefinitely postponed in non-concurrence.

In the House, on motion by Mr. Holmes of Lewiston the House voted to insist and ask for a committee of conference.

The SPEAKER: The Chair will later announce the conferees on the part of the House.

From the Senate: Bill an act to re-enact Section 24 of Chapter 69 of the Revised Statutes relating to when no succession tax shall be assessed on the stock, bonds, and evidence of debt of Maine corporations, H. P. 539, H. D. 110, which was passed to be enacted in the House April 6th.

Comes from the Senate indefinitely postponed in non-concurrence.

In the House: On motion by Mr. Hale of Portland, the House voted to

insist and ask for a committee of conference.

The SPEAKER: The Chair will later announce the conferees on the part of the House.

From the Senate: Bill an act requiring more efficient supervision of brokers selling securities on marginal accounts, S. P. 155, S. D. 65, which was passed to be engrossed in the House April 7th as amended by House Amendment A.

Comes from the Senate that body insisting on its former action where-by the bill was passed to be engrossed as amended by Senate Amendment A.

In the House:

Mr. LAUSIER of Biddeford: Mr. Speaker, I move that the House adhere.

Mr. PAGE of Skowhegan: Mr. Speaker, I would like to move that the House insist and ask for a Committee of Conference.

The SPEAKER: That motion is in order. The gentleman from Skowhegan, Mr. Page, moves that the House insist and ask for a Committee of Conference.

Mr. LAUSIER: Mr. Speaker, I may be wrong, but I have understood that in asking for a Committee of Conference, that that was something which was subject to debate. Now, either the amendment was right or wrong, and if it is right, I see nothing in the matter as it now stands which warrants asking for a Committee of Conference. I think that the matter has been sufficiently discussed in the House and it has been passed upon, and I will ask the House to defeat the motion to insist, and I shall renew my motion afterwards to adhere.

Mr. PAGE of Skowhegan: Mr. Speaker, my reason for making the motion to insist and ask for a Committee of Conference is that the amendment as adopted the other day was not understood. The amendment would oblige the Banking Department to investigate right around 225 different concerns, which would be impossible, and which would add to the expense of the Banking Department and double it or treble it. I think this is something that needs to be looked into.

Mr. LAUSIER: That is just the situation, Mr. Speaker. The Banking Department is seeking to enact a law here which will not take in all of the brokers, but simply our Maine people. It is immaterial whether

there are four thousand brokers in the State of Maine; this law should not be enacted unless it takes them all in. Now, I ask you again, is that a matter to be discussed by a Committee of Conferees? It is either right or it is wrong; it should either take them all in or exclude them all; and I say, again, that I hope the motion to insist will be defeated and then I shall ask the House to adhere.

The SPEAKER: Does the gentleman from Skowhegan, Mr. Page, desire to recede and concur or to insist and ask for a Committee of Conference?

Mr. PAGE of Skowhegan: I desire to insist and ask for a Committee of Conference.

The SPEAKER: The question before the House is the motion of the gentleman from Skowhegan, Mr. Page, that the House insist and ask for a Committee of Conference. Is the House ready for the question?

A viva voce vote being doubted,

A division of the House was had, Thirty-seven having voted in the affirmative and 66 in the negative, the motion to insist failed of passage.

Thereupon, on motion by Mr. Lausier of Biddeford, a viva voce vote being taken, the House voted to adhere to its former action.

The SPEAKER: On the matter of the Order introduced by the gentleman from Portland, Mr. Cummings, House Document 505, an act to enlarge the definition of the term "securities", and so on, the papers are now in the possession of the House.

Mr. CUMMINGS of Portland: Mr. Speaker, when the House voted earlier in the day, I do not think that the members fully understood the purport of the motion. This House, having voted by a good margin in favor of the bill under consideration, I fear, did not realize that their action in voting to adhere ended the matter and defeated their own purpose. The Senate voted adversely on the bill and the only thing that remained for the House to do, if it wanted to go home and not stand disgraced by permitting the continuance of practices that would result ruinously for many people of this State, should have voted to insist and ask for a Committee of Conference with the Senate. I make that explanation and I now move that we insist and ask for a Committee of Conference.

The SPEAKER: The gentleman

from Portland, Mr. Cummings, moves to reconsider the action whereby the House this morning voted to adhere to its former action.

Mr. WING of Auburn: Mr. Speaker, I rise to a parliamentary inquiry. Has the gentleman given notice under the rule of his desire to move reconsideration?

The SPEAKER: Notice is only required for the purpose of retaining the papers in the possession of the House. This being the same day, and the papers being before the House, the gentleman's motion is in order. The question before the House is the motion of the gentleman from Portland, Mr. Cummings, that the House reconsider its action of this morning whereby it voted to adhere to its former action. Is the House ready for the question?

A viva voce vote being doubted, A division of the House was had. Fifty-nine having voted in the affirmative and 40 in the negative, the motion to reconsider prevailed.

Thereupon, on motion by Mr. Cummings, of Portland, the House voted to ask for a Committee of Conference.

The SPEAKER: The Chair will later announce the Conferees on the part of the House.

From the Senate: Resolve in favor of the Central Maine Sanatorium for maintenance, personal services and repairs and equipment, H. P. 1188, H. D. 419, which was passed to be engrossed in the House on March 20th,

Comes from the Senate passed to be engrossed as amended by amendment A.

In the House, Senate Amendment A read, and on motion by Mr. Wing of Auburn that body voted to reconsider its action whereby this resolve was passed to be engrossed; and on further motion by the same gentleman, Senate Amendment A was adopted in concurrence; and on further motion by the same gentleman the resolve as amended by Senate Amendment A was passed to be engrossed in concurrence.

#### Reports of Committees Out of Order

Mr. Morse from the Committee on Claims reporting ought to pass on resolve in favor of Elbridge G. Chadwick, Clerk of Courts of Washington county, to be paid from the treasury of the county of Washington, H. P. 680.

Report accepted and the resolve will be printed under the Joint Rules.

The SPEAKER: The House comes to matters tabled this morning until Orders of the Day. The first one is the matter relating to incorrigibles, H. D. 519.

On motion by Mr. Nichols of Portland, the House voted to reconsider its action whereby House Document 519 was passed to be engrossed, and the same gentleman offered House Amendment B as follows, and moved its adoption:

House Amendment B to H. D. No. 519.

Amend said act by adding in the title thereto after the word "women," the words "and of Reformatory for Men," so that the title of said Act shall read as follows:

An Act Relative to Inmates of Reformatory for Women and of Reformatory for Men when incorrigible.

Further amend said act by adding thereto the following: "Any person committed to the Reformatory for Men whose presence therein may be seriously detrimental to the well-being of the institution or who wilfully and persistently refuses to obey the rules and regulations of said institution, may be deemed and declared an incorrigible upon complaint to any judge of any municipal court having jurisdiction, he may upon hearing bind over any person so accused to the term of the supreme or superior court next to be holden, within such county, and if indictment is returned therefor, then upon conviction said incorrigible may be sentenced to the state prison for not less than one year nor more than five years.

Upon conviction of such person committed to the Reformatory for Men as such incorrigible and sentence as above provided said person shall be discharged from said Reformatory for Men and be relieved from serving the balance of sentence in said reformatory."

The last six lines of section twelve of chapter one hundred and eighty-two of the Public Laws of nineteen hundred and nineteen is hereby repealed, said lines repealed are the following:

"The board of trustees may transfer temporarily to the state prison any person committed to the said



reformatory who may be incorrigible, or whose presence in the said reformatory in the judgment of said trustees may be seriously detrimental to the well-being of the institution. The trustees may subsequently by written requisition, require the return to said reformatory of any person who may have been so transferred."

Mr. NICHOLS of Portland: Mr. Speaker, in explaining this amendment, I will say that this is added to include the Reformatory for Men. Under the present law the Board of Trustees of the Reformatory for Men may commit and send a man to state prison. This is also true of the Reformatory for Women. This amendment particularly says that they shall have to make complaint to a judge of the municipal court who may bind over any person so accused to the term of the supreme or superior court and if such person is found incorrigible, he may be sentenced to state prison.

In other words, it transfers the sending of these persons to state prison from the Board of Trustees to a judicial body, where it belongs. I do not believe that the Board of Trustees has any right now to send a person to state prison without trial, and this amendment places the matter under judicial procedure.

The SPEAKER: Will the gentleman from Portland, Mr. Nichols, inform the Chair whether Amendment B is drawn so as to amend the bill as amended by House Amendment A?

Mr. NICHOLS: It is, Mr. Speaker.

Thereupon, the motion to adopt House Amendment B prevailed; and on further motion by the same gentleman, the House voted that the bill, as amended by House Amendment A and House Amendment B, be passed to be engrossed.

The SPEAKER: The next which was tabled this morning until Orders of the Day was the matter relative to resident hunters, House Document 522, the pending question being assignment for third reading.

Mr. BRAGDON of Perham: Mr. Speaker, I move the indefinite postponement of the bill and I wish to state briefly my reason for making this motion. In the Legislature of 1919 a bill was introduced providing for a resident hunter's license. I

have not looked up the matter but my impression is that the license was fixed at \$1.25. The opponents of the measure made the claim that this was simply an entering wedge and that each year thereafter this license would be increased until it got up to the point of the non-resident license. The proponents of the measure insisted that it was not intended as a means of revenue, but merely as a means of identification, so that when a warden was in the woods in the discharge of his duty, and found a man without his license, that man would be unable to make the claim that he was a resident of the State of Maine when in reality he was not.

The opponents of the bill came back with the proposition that if it were merely intended as a means of identification, a 25-cent license granted for life or while the holder remained a resident of this State, would be as good a means of identification as any other license, and so the bill was passed in that way.

I have here the debate in that bill. I do not want you to think I intend to read all of it because I believe that you have had too much inflicted upon you already, but I want to read a brief extract from the record of the remarks made on that occasion by the House chairman of the committee on Inland Fisheries and Game, who had assumed to be the spokesman for the Department, which was constituted then exactly as it is to-day. The chairman of the committee at that time was the gentleman from Lisbon, Mr. Clason, who has since been a member of the executive council, and he said in part:

"Another contention has been the fee. Gentlemen, so far as I am concerned personally, I had just as soon see no fee at all, but it was the belief of the committee of Inland Fisheries and Game that there should be at least fee enough to pay for the expense of registration. Fifteen cents goes to the town clerk and ten cents for the cost of the registration card and office work. Twenty-five cents is the fee asked for. The opposition may say that this is an entering wedge—twenty-five cents temporarily, one dollar two years from now, five dollars four years from now, and ten dollars six years from now. Gentlemen, that is not the intention of the committee on Inland Fisheries and Game, nor is it mine; and if I

thought that at any succeeding Legislature they would attempt to increase this fee, I would come over here and fight against it, if this bill became a law. It is not for revenue that I ask the passage of this bill, but it is for identification—to identify the non-resident and to identify the poacher. The non-residents are coming into this State in abundance, claiming that they live in the State of Maine, and getting by without paying their fee of fifteen dollars; and it means, gentlemen, a considerable sum when you figure up the total at the end of the season. I think it is a conservative estimate when I say that in an average season we are losing from twenty to twenty-five thousand dollars, and the Lord knows we need this money to improve our warden service."

It is said that curses like chickens come home to roost and sometimes it happens that the mistakes made in these legislative halls come up to make trouble.

The gentleman who was then the chairman of the Fish and Game committee is still a resident of the State, and this matter has been under discussion here in one way and another all winter, and I have not seen him putting that fight against this increase in the fee.

In the House I think we are justified now in saying that this was an entering wedge. I do not know how many of these licenses have been issued, but two years from the passage of this bill I had occasion to look the matter up, and at that time a hundred and eighteen thousand had been issued. I presume that the number has not increased so rapidly since.

Of course it is assumed that if we could get away with these licenses that are already issued, and could raise the fee, that it would bring a large amount of revenue to the State. I claim that this would not necessarily follow because when we were selling the twenty-five cent license, a large number of our citizens who never expect to hunt bought this license as a matter of precaution, thinking it was cheap and just as well to have it on hand if they happened to want to use it. But I have an idea that if the price is raised to a dollar or two dollars or five dollars or fifteen dollars, the number of licenses sold will diminish as many people would not buy them then until they actually needed them.

Now, another point is the fact that the claim has been made, I think, by members of the Fish and Game committee—in fact one of them told me so today—that if we pass this law, it will revoke those licenses already issued. I do not believe that myself, although I know it has been claimed. I have talked with several eminent lawyers recently in regard to that and they do not feel that this bill will revoke those licenses. I will say that I did not pay them any fee for their advice and it is possible that it was a cheap brand of advice that they handed out to me, but as it coincided with my views, it satisfied me. I want to say, however, that if we pass this law and the Fish and Game Department assumes that it revokes the previously issued licenses, the result will be the same as if it legally did that because our citizens would probably pay the fifty cents a year rather than to make a test case about it. I do not know that I would feel that way about it myself, but those licenses were issued with the provision on them that they should hold as long as the licensee remained a bona fide resident of this State. The State had a right to sell those licenses, and if they did not want to sell them under those conditions, they should not have done it, and I think it is small business when they attempt to revoke those licenses that they have already issued in good faith.

I am in entire sympathy with the Fish and Game Department in conducting the affairs of their Department and in protecting our fish and game, but I feel that the citizens of the State have some right, and I for one, would rather the Fish and Game Department would be supported by an adequate appropriation coming from the tax payers—and I am willing to pay my part of it—than to have this amount furnished by selling these resident hunters' licenses. I hope the House will agree with me that this bill should be indefinitely postponed.

Mr. KINSMAN of Augusta: Mr. Speaker, I want to make a few remarks in regard to this bill. This is a strictly departmental measure, and I would like to try to show wherein the department feels they are justified in asking for this small fee of fifty cents. If you will note, this bill provides that all persons under the

age of sixteen are not required to take out a license, and this money is to go back to the Fish and Game Department for the propagation and protection of inland fish and game.

Now, 46 states have already adopted this same plan, and if you will excuse me, I will give you an idea of what some of the other states have done. The hunting license fee in the State of Alabama is three dollars a year; in the State of Arizona, \$1.25; in the State of Arkansas, \$2.20; California, \$2.00; Colorado, \$2.00; Connecticut, \$1.25; Delaware, \$1.10; Florida has a resident hunting license of \$1.25 for each county and for the county outside of residence, \$3.50, and that is for the whole state; Georgia has a fee of \$3.00 a year; Idaho has a fee of \$2.00; Illinois, \$1.00 a year; Indiana, \$1.00 a year; Iowa, \$1.00 a year; Kentucky, \$1.00 a year; Louisiana, \$1.00 a year; Maryland, for hunting for the whole state has \$5.10 for their license fee; the State of Massachusetts, \$2.00; the State of Michigan, \$2.50; the State of Minnesota, \$2.00; the State of Missouri, \$2.50; Montana, \$2.00; Nebraska, \$1.10; New Hampshire, \$1.00; New Jersey, \$1.65; New Mexico, \$2.50; New York, \$1.25; North Dakota, \$1.50; Ohio, \$1.25; Oklahoma, \$1.25; Oregon, \$5.00; Pennsylvania, \$1.40; Rhode Island, \$1.50; South Carolina, \$3.10; South Dakota, \$5.00; Tennessee, \$2.00; Texas, \$2.00; Utah, \$2.00; Vermont, \$1.25; Virginia, \$3.00; Washington, \$7.50; West Virginia, \$1.00; Wisconsin, \$1.00; Wyoming, \$2.50; and in the Province of New Brunswick a resident big game license is \$3.00 a year, and in the Province of Quebec a resident license is \$2.00 a year.

Now it seems to me that there is a little proof right there that gives the Department of Inland Fisheries and Game some right to come before you and ask for the small sum of fifty cents, which is about the price of two moving picture tickets a year.

My friend, Mr. Bragdon, of Perham, seemed to be speaking mostly in the past; I think we are living the present at the present time; he is speaking of six years ago; conditions have materially changed in the last few years. When you stop to take into consideration the number of out-of-state people who are coming here in automobiles, and are penetrating our different roads, and are getting nearer to our ponds than they ever did before, it simply sim-

mers down to this whole point to my mind, that they are taking more fish out of the ponds than we are putting into them; and the idea of this extra fee that we are asking, which I think is perfectly fair, is simply to enlarge our hatcheries, to raise more fish to put into these ponds to keep along with the increased tourist trade.

Maine is practically the only State left in the Union that has a good supply of fish and game at the present time, so to speak, and something should be done to preserve them which to my mind are a great asset to the State. Practically all of the fish and game associations of this State have endorsed this bill. The Knox County Fish and Game Association, the Rangeley Lakes Fish and Game Association, and the Cumberland County Fish and Game Association have all endorsed it, as well as some others that I have been informed about, and at the last meeting of the Maine Sportsmen's Fish and Game Association, held here in this House of Representatives, I was told that every man stood on his feet when the vote was taken in regard to having a bill of this sort introduced.

Now, I cannot see for the life of me why any person who is a good sport should be unwilling to pay fifty cents a year for that sport. This money is not going to be spent for anything outside of the Fish and Game Department; it is going right back into their Treasury to be used by them. It is not intended to be used by the State in other Departments, and to my mind we are making a great mistake not to pass this bill, and I trust that the motion of the gentleman from Perham, Mr. Bragdon, will not prevail.

Mr. IRELAND of Stetson: Mr. Speaker, I wish to second the motion of Mr. Bragdon to indefinitely postpone this measure for the reason that I think this is simply an entering wedge to allow the resident license fee to be increased, to provide money for the State to run the Fish and Game Department, and I do not think that it should be done in that way.

Mr. STURGIS of Auburn: Mr. Speaker and members of the House: Those of us who are farmers do not favor this bill. My memory goes back to two years ago, when we had a meeting of the Committee, and if

I remember rightly, they said, at that time, "We have got to have more money; we have got to have it." On my part, I do not go hunting very much; I have to hustle too much to get a living; but if I should go out to shoot crows in my field, I would have to have a license to carry a gun, and if I wanted to go down through my marsh to the brook, to catch a brook sucker, I would have to have a license to fish. The whole thing is, you are allowing an entering wedge to get in and then it will be increased until it is up to where they want it.

Mr. KINSMAN of Augusta: Mr. Speaker, I would like to inform the gentleman from Auburn that if he found that crows were eating his corn, he would have a perfect right to go out and shoot them without any license on his own land, and he has a right to catch fish on his own land, so no license would be required.

Mr. CUMMINGS of Portland: Mr. Speaker, the gentleman from Augusta, Mr. Kinsman, read a list of states and the fees charged in those states. That, gentlemen, is a pretty good indication of what we are coming to in Maine. This fifty cents is just fifty cents, and it is only a beginning. This bill, of course, is backed by the Fish and Game Commission, but there are a great many other people in the State of Maine. The reason why the Fish and Game Associations want this bill enacted is to make better fishing for them. I might say that in some degree I sympathize with them; I have fished ever since I was ten years old, and I like good fishing, but I have never asked for anything that would deprive the other fellow of an equal opportunity.

This is nothing but a first step in making fishing a rich man's past time. A large number of people who favor this are men of means. They can go fishing and hunting whenever they please, and a matter of two or three dollars a year does not make any material difference to them, but that is not true of a great many of the people throughout our State. We have heard, one time and another, a great deal of talk about bettering rural conditions and making rural life more attractive. I suppose this is one of the latest methods. If there is anything in the world that the people living in

the country have for pleasure, for Heaven's sake let it alone, and don't charge them for it.

I think that legislation of this sort is mischievous and wrong. Let the people in the State of Maine enjoy these rights themselves, and do not try to impose upon the people, against what I am perfectly confident is the desire of the majority, a measure of this kind. Let well enough alone. I hope that the motion of the gentleman from Perham, Mr. Bragdon, will prevail.

The SPEAKER: Is the House ready for the question?

Mr. FLINT of Monson: Mr. Speaker and members, we had lobsters yesterday and we are having fish today. I want to say just a few words in regard to this matter, and I will not take very much of your time. It seems to me that this is a very important measure, and I hope it will pass. We have tried since 1917 for something of this kind that would bring a little revenue, and at the same time protect the hunting and fishing interests. This bill, as reported on by the committee, stands eight for the majority report and two for the minority report.

I understand that in most of the states where there is any game to speak of, they have a resident hunter's license. A non-resident who comes into our State pays \$3.15 for the privilege of fishing and \$15 for hunting; while the Maine resident gets the privilege to hunt and fish both for the sum of 25 cents for a life-time. It seems to me residents should be willing to contribute this small sum of fifty cents to help out the Department.

As Mr. Kinsman stated, children under sixteen years of age are exempt from paying this license fee.

In answer to Mr. Bragdon of Perham, in regard to the identification, I want to say that we have had the identification for six years, and it did not work, and what we want now is revenue. Do you know that there are hundreds of people who come into this State every year to hunt and fish who had procured their twenty-five cent license fee some years ago from their town clerk where they resided at that time? Now, this annual license will stop all that and at the same time collect a little money for the Department.

I do not see where this license will hurt anybody and I hope the motion of the gentleman from Perham, Mr. Bragdon, will not prevail.

Mr. BRAGDON of Perham: Mr. Speaker, I want to assure the House that I can agree with the gentleman from Augusta (Mr. Kinsman) that we are living in the present and not in the past of six years ago; but I want to remind him also of the fact that any agreement that I set my name to six years ago is valid today.

The SPEAKER: Is the House ready for the question?

Mr. DECKER of Milo: I simply want to go on record, Mr. Speaker, as being opposed to the passage of this bill, and I hope the motion of the gentleman from Perham (Mr. Bragdon) will prevail.

Mr. MORSE of Oakland: Mr. Speaker, I want to go on record here as a man who presented a petition with over two hundred signatures against any increase of the fishing and hunting license fees in the State of Maine.

Mr. BURNS of Eagle Lake: Mr. Speaker and members of the House: Six years ago, in 1919, I voted against this registration law. I thought it unjust and unwise. I like to see the poor man have the same show as the rich man. I take the same position this year and I hope the motion of the gentleman from Perham (Mr. Bragdon) will prevail.

Mr. WING of Kingfield: Mr. Speaker, we have heard very much about this poor man and rich man proposition and I want to say just a word. I come from a rural district, and it would be hard work to find one more so. The farmers up there see the fellows come in from the city early in the morning and late at night and he has caught the last fish on any small stream two weeks after fishing opens. Northern Franklin county is a farming district as well as a hunting and fishing district, and the people who do the hunting and fishing should contribute toward the upkeep of these fish hatcheries.

The SPEAKER: The question is on the motion of the gentleman from Perham, Mr. Bragdon, that this bill be indefinitely postponed.

A division was requested and had.

Eighty-one voting in the affirmative and 28 in the negative, the mo-

tion to indefinitely postpone prevailed. (Applause.)

The SPEAKER: The Chair will name conferees.

On the bill relating to an act to provide policemen's pensions, as conferees on the part of the House the Chair will appoint: Messrs. Holmes of Lewiston, Atwood of Portland, and Seidel of Biddeford.

In the matter of an act to re-enact Section 24 relating to when no succession tax shall be assessed, the Chair will appoint, Messrs. Hale of Portland, Wing of Auburn and Martin of Augusta.

On the act relating to fur-bearing animals, as conferees on the part of the House, the Chair will appoint Messrs. Cummings of Portland, Piper of Jackman and Nichols of Portland.

#### Reports of Committees Out of Order

Mr. WHITE from the Committee on Appropriations and Financial Affairs reported "ought to pass" on Resolve on the Payroll of the House of Representatives of the Eighty-second Legislature (H. P. 1290).

Same gentleman from same committee reported same on Resolve in favor of the Chaplains of the House of the Eighty-second Legislature (H. P. 1291).

Mr. JOHNSON from same committee reported same on Resolve in favor of Elwin H. Simons, Document Clerk of the House of Representatives, for extra services in preparing the weekly cumulative index to Senate and House Documents (H. P. 1257).

Mr. DEERING from same committee reported same on Resolve in favor of Charles S. Pierce, Secretary of Committee on Education, for expense incurred by Committee on Education visiting normal schools and the University of Maine.

Reports read and accepted and the resolves given their two several readings under suspension of the rules, passed to be engrossed and sent to the Senate.

The SPEAKER: The House now reaches Orders of the Day and the first matter which comes automatically from the table is House Amendment A to bill an act to incorpo-

rate the Winding Ledges Power Company, H. P. 710, H. D. 154, tabled by Mr. Burns of Eagle Lake, April 1, pending adoption of the amendment.

Mr. BURNS of Eagle Lake: Mr. Speaker, I yield to the gentleman from Van Buren, Mr. Hammond.

Mr. HAMMOND of Van Buren: Mr. Speaker and gentlemen: This bill was introduced by me at this session for the benefit of the development of the St. John valley. It is the development of a power which will be used to build up industries in northern Aroostook and will benefit the entire State. We have pledged ourselves at this session to advertise and develop Maine industrially, as well as for a vacation land. This development follows along those lines and that is why I am asking for this charter at your hands.

It may interest you to know that we at one time had a charter for the development of this water power, and due to certain circumstances it was allowed to lapse; so this application is not a new one but something that we have had in mind for a long time.

Mr. Speaker and members of the House, you are well aware of the great possibilities of industrial development in the northern section of Aroostook county and the absolute need of power toward that development. There is no other power now developed in Aroostook. All the hydro-electric power we get comes from New Brunswick.

There has been rumored about the halls of this House that this charter was a subterfuge, and a sort of wedge for the Grand Falls development; but I wish to assure the members of this House that that is absolutely not the case. We are in no way whatsoever connected with any other development, or are not in collusion in any way with the New Brunswick Power Commission. This is absolutely an independent undertaking, and a glance at the names of the incorporators ought to be enough to satisfy any member of this House as to the honesty of purpose.

I am not going to discuss the provisions of the charter, for they speak for themselves. I will say, however, that we do not want to interfere in any way, shape or manner with any

vested right of any company, corporations or individual.

With these facts in mind, I pray you, members of the House, to grant us our charter, that our section of the country may be developed where development is so sorely needed that we may keep pace with the rest of the State and carry out our program of development of Maine, for Maine and Maine people.

Mr. WING of Kingfield: Mr. Speaker, I rise to ask that this be laid on the table until tomorrow morning. Mr. Burnham, a member of the committee, is prepared to give the ideas of the committee on this subject, but for some days has been waiting the return of Mr. Hammond to the Legislature. He himself is away today but will be back here tomorrow morning. If not asking too much I would like to have the matter tabled until tomorrow morning.

The SPEAKER: The gentleman moves that this matter lie on the table until tomorrow pending the return of Mr. Burnham.

A viva voce vote being doubted, A division was had.

Thirty-eight voting in the affirmative and 48 in the negative, the motion to table failed of passage.

Mr. WING of Kingfield: Mr. Speaker, I will simply say that this bill was before the Committee on Public Utilities practically all the session; that it is intended to incorporate the people who live on the other side of the St. John River, and I think own the land there, to build a dam across the river and take advantage of water power which, of course, should be equally divided between the Dominion of Canada and the United States, or Maine.

The reasons for the committee reporting on this bill, ought not to pass—and there were two different drafts given to us during the time—were mainly that there seemed to be no call for this power in Maine. These people were willing to make any concession whatever to get this charter. There is an electric company operating near this place. They stated at the committee hearing that they did not want to run in opposition to this company; practically said that they wanted to use all of this power in the Dominion of Canada. They have options for the land on this side of the river,

but the land on which they have options is in dispute and it is for the court to decide who owns the land. Those two reasons I think were the main ones why the committee reported ought not to pass upon this bill. After considering two drafts, then the House allowed the bill to be substituted for the report of the committee and House Amendment A offered. I should like to yield to Mr. Sargent of Sedgwick who is also on that committee.

Mr. SARGENT of Sedgwick: Mr. Speaker, I will explain the attitude of the committee through my own personal views. When the original bill was presented and the hearing was held, it became apparent that the bill was prepared very hurriedly. No exact engineering information was available and it was brought out at the hearing that all the work of an engineering nature that had been done was done after the deep snows of the present winter were on the ground. It is customary, I believe, in coming to the Legislature for a charter of this nature for the incorporators to have a definite and clear title to the land upon which the dam is to be built—and when I speak of a dam in this instance, I speak of the half extending from the American shore to the international boundary in the river.

As Representative Wing stated, there is no ownership of land in the name of incorporators. It seemed that early in January an option was taken by the incorporators on certain sections of the Winding Ledges; about six weeks, as I recall, after the option was taken it was recorded. In the meantime the land was sold to a third party and no information was apparently available as to who the third party was; so that if any work is to be started under this charter, if it were granted, the matter would have to go to the courts apparently for a decision as to the ownership of the land. If an adverse report were obtained from the court, it is presumed that the next thing would be for the corporation to attempt to condemn the land for public purposes, for in Section 8 of the amendment that was offered, and Section 7 in the original, it simply states that "lands actually required for construction" and goes on to outline what the land is to be used for "may be purchased by

the company or taken and held as for public uses." This would seem to be an attempt to give a private corporation the right to condemn land in the same way that it would be taken for public uses; and I believe that there have been decisions of the Supreme Court of Maine that would lead us to doubt whether or not this thing could legally be done.

Another thing! Winding Ledges, where it is proposed to build this dam, are located some fifty or sixty miles up the St. John River from Grand Falls, about which we have heard quite a good deal recently, and regarding which the Governor gave a very detailed message. It did not seem to the committee that it was advisable in any way introduce factors into the situation which would complicate the consideration of the Grand Falls project. This project is comparatively small, and, if the charter were granted by this Legislature, there might be some unforeseen complications arise which would have a very serious effect upon a decision as to the Grand Falls project.

These are briefly some of the reasons considered by the committee which was unanimously in opposition to the bill and reported the original bill "ought not to pass." A re-draft, practically the same as the amendment which was offered, was considered by the committee and also thought to be objectionable. If I am in order at this time, I would move that the whole matter be indefinitely postponed.

The SPEAKER: The pending question prior to that time was the adoption of the amendment.

Mr. OAKES of Portland: Mr. Speaker, the bill provides for a new industry in Northern Maine. If there is no complication with the Grand Falls project, it seems to me that we are taking a backward step to refuse to allow this new industry to come in and develop this northern country. I think that the Grand Falls and St. John River situation will be worked out before tomorrow morning.

There is one other question about the bill as it stands now, and that is the question of possible conflict between this power and the Gould power, which I think can be taken care of with a small amendment. For the purpose of making that amendment, I move that the matter

be laid on the table and especially assigned for tomorrow morning.

A viva voce vote being taken, the motion to table prevailed, and the matter was especially assigned for tomorrow morning.

The SPEAKER: The next matter is House Amendment A to resolve amending the Constitution providing no tax on incomes and inheritances shall be levied (H. P. 29, H. D. 11), tabled by Mr. Spear of Portland, April 1, pending adoption of the amendment.

Mr. SPEAR of Portland: Mr. Speaker, the amendment referred to is not germane, and for that reason I desire to move reconsideration of Senate Paper 390, S. D. 138, which was indefinitely postponed, and then move, if my former motion prevails, to accept the report which was ought to pass, and if that motion prevails will move the document have its first two readings in order to offer House Amendment A, so that I may address myself to the amendment in question properly before the House.

House Amendment A No. 422 is not germane at this time, that is, the amendment is foreign to the resolve providing that no tax on incomes or inheritances shall be levied, H. P. 29, H. D. 11, now pending adoption. I will then move that these two documents be indefinitely postponed.

Mr. NICHOLS of Portland: Mr. Speaker, I would like to inquire what the question before the House is.

The SPEAKER: The Chair is advised that the order of business will take up this House Document 11 at this time. This matter recalled from the files is not in order for consideration at the present time.

Mr. SPEAR: Is House Paper 29, H. D. 11, which is pending the adoption of the amendment, properly before the House?

The SPEAKER: That matter is before the House.

Mr. SPEAR continuing: Mr. Speaker and members of the House: You have been very kind and patient with me and I want to thank you very kindly. I want to be very brief.

The intangible tax measure, as amended and now before the House, is the matter I wish to address myself to. People owning intangible property I do not believe object to paying a fair and just tax on this

class of property, but are afraid of it because they do not know where it will end. They want something definite or nothing at all. We have an unfair intangible tax now, so we have practically no enforcement. If this measure were passed by the 82nd Legislature, it would have to be voted on in September by the people, and if accepted by them, a statute would have to be enacted by the next Legislature fixing the amount of tax which must be according to this proposed measure between one and five mills, not over five mills. Then it would not become a law until July 1, 1927. Until that time matters would remain as they are at present regarding this class of taxation.

Let us suppose the statute fixed the tax at three mills. This amount on \$500,000,000 worth of intangible property, which it is estimated to-day exists in the State of Maine, would make an income for the State Treasury of \$1,500,000. We shall face this proposition of an intangible tax at some future date very seriously. Why not dare to face it now with courage? The people of Maine do not want an income tax. That proposition was voted on a few years ago and turned down. An inheritance tax is unfair as it is a capital levy which confiscates capital. It is not fair to the cities and towns as the money goes to the States. It can be avoided in two ways. First, by buying tax free bonds, and, second, by establishing a residence in Florida. This would only require two or three weeks' time because the people of Florida are receptive. They realize that intermediate steps are necessary to get permanent residence. They realize that a person will not move from a permanent home to another permanent home without first making a few friends and establishing at least temporary connection. They are perfectly willing that a person should establish a residence there in a very short time and spend the most of their time in some other place, hoping eventually that they will settle in Florida.

At the present time there is about \$600,000 in income on inheritance taxes in the State of Maine with the exception of the Smith estate which this year will yield about \$700,000. In 1926 I believe that not over \$500,-



000 will be realized, and in 1927, \$400,000 or less. If a few wealthy people move from the State it will very substantially decrease the inheritance tax income. Is it not a pretty good business proposition to discontinue an income of \$400,000 on inheritance taxes and receive \$1,500,000, or more on intangible taxes? This is a million dollars in favor of the State of Maine on a definite proposition, and this income will benefit the cities and towns. The document before you as outlined would definitely fix all three of these matters so everybody would know just where they stood. Uncertainty is what frightens taxpayers as regards intangibles, incomes and inheritances. I trust this measure will receive passage.

The SPEAKER: The original bill provides that the Legislature shall not have power to levy a tax on incomes or on inheritances. The amendment provides that the Legislature shall have power to levy a tax upon intangible property at such rate as it deems wise and equitable without regard to the rate applied to other classes of property, but such rate shall not exceed five mills on a dollar; and the same prohibition about inheritance taxes and income taxes is retained.

Mr. NICHOLS of Portland: The report of the committee was unanimous, ought not to pass.

The SPEAKER: Correct.

Mr. NICHOLS: Mr. Speaker and members of the House: My mind recoils from the spectacle presented to this House. There has been dragged from the tomb a dooming intangible bill, sired by insincerity, damned by faint praise, still-born in this House, dead and buried and now perfumed with Florida Water, it has been resurrected and joined to that chorus girl of Constitutional amendments. This bill has been ogling us from the table in one seductive form or another for the last four weeks. Let us cremate it and scatter the ashes to the four winds of earth whence its name will no more be heard. I move that the bill, the proposed amendment and the title thereof be indefinitely postponed. (Laughter and applause)

Mr. CURTIS of Brewer: Mr. Speaker, I have been threatening to take this off the table for some time. I had prepared a speech but I am

not going to give it. (Applause). I second the motion.

Mr. LELAND of Sangerville: Mr. Speaker, I am naturally gratified that a careful study of this whole matter has finally convinced the gentleman from Portland (Mr. Spear) of the desirability of a tax upon intangible property. While I do not believe that this is a practical proposition, I think if it could be put into practical form it would be fine, and I hope the motion of the gentleman from Portland (Mr. Spear) will prevail.

The question being called for, being the motion of the gentleman from Portland, Mr. Nichols, that this resolve and amendment be indefinitely postponed,

A viva voce vote being taken, the motion prevailed, and the resolve and amendment were indefinitely postponed.

Mr. NICHOLS: Mr. Speaker, I move that we reconsider the vote, and I hope that my motion will not prevail.

A viva voce vote being taken, the motion to reconsider the vote failed of passage.

The SPEAKER: The next matter on the table is the report of the committee on Judiciary on bill an act relative to motor vehicles and neutral zones, H. P. 765, H. D. 181, tabled by Mr. Burnham of Kittery, April 1, pending acceptance of the report.

Mr. LITTLEFIELD of Kennebunk: Mr. Speaker, Mr. Burnham was called away, and I think it would be nothing more than right that this matter be laid over until tomorrow morning when he will be here.

The SPEAKER: The pending question is the acceptance of the report of the committee, which report was ought not to pass. The gentleman from Kennebunk, Mr. Littlefield, moves that this matter lie on the table.

A viva voce vote being taken, the matter was tabled pending acceptance of the report.

The SPEAKER: The next matter on the table is report of the committee on Taxation, ought not to pass, on resolve amending the Constitution providing for an income tax, H. P. 1062, H. D. 288, tabled by

Mr. Boody of Windham, April 1, pending acceptance of the report.

Mr. BOODY of Windham: Mr. Speaker, I always have the courage to face a conviction that I believe is right, regardless of what the outcome may be. I have listened in this hall many times to the discussion that has been going on of the beauties of the State of Maine. I am sorry to say that I have listened many times to the poverty of the State of Maine. It has gone forth from the Executive of this State that conditions are such that all the institutions of the State must be sacrificed; that no development can be brought about for the benefit of those incarcerated in our institutions. Today when I think of these conditions and know of the wealth of this State that is not contributing its part toward that, I hesitate and wonder what the future will be. Today this State is mortgaged for fourteen million dollars and in a few days there will be added to it nine million more, making twenty-three million; and with the resources that you now have that must continue indefinitely. You are richer today than you ever will be in the future; and, mark my words, until there is a change in the condition of the equalization of taxation, two years from today you will have another action which must follow. You have gone to the end of your resources. Today 25 per cent of the towns have lost 100 per cent of their inhabitants, 25 per cent have lost 50 per cent, 25 per cent have lost 25 per cent, and only 25 per cent of them stand on an equal basis as compared with the year previous. Within a few years we shall face a stone wall which no man can escape. We cannot dodge the issue. The mortgage indebtedness on any farm in any State must be paid and by whom? The ones who cannot afford to pay. The pauperization of your rural sections, the stagnation that is going on, is the result of all this. You face the issue fair and square and we all must face it. Today the government of the United States says that there are only \$701,000,000 on which taxes are being paid, \$149,000,000 of personal and \$552,000,000 of real estate. Eighty-five per cent of the boys and girls are leaving your rural sections and going to the cities and out of the State.

This bill was put in here for the purpose of equalizing the taxes of towns that Maine might grow in the future and not remain in the stagnated condition in which she exists today. It is for you to say and not me alone. I face the issue fairly and squarely looking to the future, the past and the present and appeal to you to do as you see fit. Weigh my words carefully, not that I am wiser than all others, but I have the courage to face the issue, as I have done in my home town where we enjoy the blessings of equalization. We spend money with a good liberal hand and the people rejoice in the ability to pay their taxes. Handle this as you wish; it matters not to me. It is for the State of Maine and no one else. (Applause).

(Mr. Nichols of Portland in the Chair)

The SPEAKER pro tem: The question is on the acceptance of the report of the committee. There is no motion before the House. All those in favor of accepting the unanimous report of the committee, ought not to pass, will say aye, those opposed no.

A viva voce vote being taken, the House voted to accept the report of the committee, ought not to pass.

(Speaker Gardiner resumes the Chair)

The SPEAKER: The next matter is bill an act creating the Maine Power Authority, to which a new draft was offered, H. P. 1275, tabled by Mr. Norwood of Warren, April 1, pending first reading.

Mr. NORWOOD of Warren: Mr. Speaker, I move that the bill now have its several readings. This act is similar to an act that has been introduced in the New York Senate and has been recommended by the Governor and supported by the people of New York. It seems to me that if this is a good thing for the State of New York, it would be a good thing for the State of Maine. The water power problems are similar in the State of Maine to those in the State of New York. New York has the largest amount of undeveloped water powers of any state in the Union. Maine, I believe, ranks third, and is also similar to the Ontario development which is a government proposition, government problem. Under this Ontario devel-

opment the government furnishes the power, builds its transmission lines, then each community of towns forms a company, builds its own lines similar to the renting of the rural telephone lines in the State, and they fix their own prices. By this means they get their rates about one-third less than we do in a private corporation. For instance, the International Bridge at Niagara Falls, which is owned half by Canada and half by the United States, the half on the Canadian side that is lighted by the Canadian government costs eight dollars, while on the American side it costs forty-three dollars; private ownership. That shows the difference between the cost of lighting as between government ownership and private corporations.

It has been the policy in this State to give away its water powers for the asking. We ought to conserve the water powers of this State for the benefit of the people, and the time within which we can make sure of this is very short because in a few years from now the water powers will either be given away or developed in some other method.

I believe that the St. John River development can be carried on to better advantage for the benefit of the whole people of the State. This Grand Falls development is government ownership, similar to the Ontario, and it works out well in New Brunswick and I see no reason why it cannot work just as well in the State of Maine.

Mr. SARGENT of Sedgwick: Mr. Speaker, I would like to explain that the original bill was reported by the committee on Public Utilities, ought not to pass. The bill was substituted for the report the members will recall and an amendment offered. This amendment has not been printed, and will differ in some ways from the original draft. Many of the provisions I believe are the same. Quite a good part of the bill deals with the collection of data relative to the water powers of Maine, and much of this work has been done in the past and all of the records have been turned over to the Public Utilities Commission. Therefore, that part of the bill would not seem necessary at this time. Other portions of this bill are very comprehensive and extensive and

would have a wise effect on the water power situation in Maine; and I believe, speaking for the committee, that we did not believe we were ready to take the action which the bill provides for. I am sure we would not wish today to take any hasty action in a matter which is of so very great importance. I would therefore move that the bill and amendment be indefinitely postponed.

The SPEAKER: The question before the House is on the motion of the gentleman from Sedgwick, Mr. Sargent, that the bill in new draft be indefinitely postponed. Is the House ready for the question?

A viva voce vote being taken, the motion to indefinitely postpone prevailed.

The SPEAKER: The next matter on the table is the majority report, ought not to pass and minority report, ought to pass, on bill an act relative to powers of prison commissioners, Senate Paper 41, S. D. 32, tabled by Mr. Palmer of Island Falls, April 2, pending Mr. Pendleton's motion to accept the majority report.

Mr. PALMER of Island Falls: Mr. Speaker, I move to substitute the bill for the report for the purpose of offering an amendment.

The SPEAKER: The motion pending before the House is the motion to accept the majority report. The gentleman may address his remarks against the passage of that motion, and in the course of his remarks state to the House what he intends to do if the minority report be accepted.

Mr. PALMER: Mr. Speaker and members of the House: This bill with regard to the powers of Prison Commissioners was one that no man, or member of this House, was any more opposed to when it came out than myself. I was a member of the committee on State Prison two years ago. We went down there and came back and recommended a new cell block to be placed in one of the buildings already built. The bill was passed by the Senate and by the House and vetoed by the Governor. It was early in the session and the veto was sustained. After certain things had been done this last year down there, I was disappointed; but when we went down there this year,

being on the same committee, I looked over the prison, went around among the inmates, and after looking over the new work I got a little tired, and while the rest of the members of the committee were going further in that part of the prison which I had seen two years ago, I went down to the Library with the Chaplain. It happened that he was opening the mail of the prisoners and from quite a few of the letters a dollar bill would drop out that the prisoners' relatives or friends had sent them with which to buy luxuries. That kind of opened my eyes. Another letter was signed by a wife "I love you and always will!" And you know I cannot get away from that. We all know the love of a mother for a wayward boy, but the love of a wife who wrote, as the Chaplain told me, week after week, "I love you and always will," it seemed to me that we must be making a mistake in allowing the prisoners to work there year after year without money enough to buy a piece of tobacco or some sweets or some little thing that they crave. I suppose we have no idea of the craving of those prisoners for the things they are deprived of, especially sweets. It seemed to me, as I went through the prison after that, that we might do something so that they might at least get a little money to buy these things with. Think that there are two hundred able-bodied men in that prison and they are not today earning their board! You just think of it! Suppose any one in this House should have two hundred men working for him! Don't you suppose they would get more than their board? There is something wrong, and it seems as though we might do something to right it. They are not asking for one cent from the State of Maine. The bill distinctly states that the wage is to be paid out of the profit of the manufactures of the State Prison.

Now it seems to me that that is the least we can do to give them a chance to show that they can do more than they are doing now. If they do not earn it, they won't get it.

There was talk about the wage being too much, that fifty cents was too much at the beginning; and in the amendment which I proposed to offer, it was cut to thirty cents per

day. Fifteen cents was to go to the family of the prisoner, ten cents for a reserve fund that he should have when he came out, and five cents that he should have to buy little luxuries with.

Another amendment was not to pay the prisoners for the first six months. There has been quite a little opposition to the bill because they have said that they would just as soon go there as not if they could get their pay for a year. To offset that we have offered that amendment that the first six months, while they are learning, they shall not be paid any wage; but when you think, and when you stand up and say that a man is willing to go to State Prison for the sake of thirty cents a day,—just think of it! Just think of what it would mean to you to be shut up away from the spring weather that is coming, the beauty of the sky, the swelling buds, the leaves, the grass and the song of the birds, and have nothing but a blank wall to look at! You know that thirty cents would not tempt you. We do know that perhaps a tramp, or a hobo, as we call him, in the fall of the year is willing to go to jail for the winter to get his board; but when you go to State Prison, you go for one year; and I do not believe any man would ever think of going to State Prison a year for thirty cents a day.

There has been reform in prison work since ages ago. The old Mosaic Law of an eye for an eye and a tooth for a tooth started the reform, because even then, in those days, there were provided cities of refuge where they might escape. Ever since that we have followed down, and I shall not worry you with any details in regard to reform. We all know that it has come. No man today wants to gouge out the eye of his neighbor. You are willing to let somebody else do it. Maybe we have changed our minds in regard to that.

You have been told the past week about constructive legislation, that this bill and that bill was constructive legislation.

I ask you, perhaps if you could construct human boys, would that not be constructive legislation above all else? There is a time coming when we, the members of this House, as we grow older, will look back in retrospect over what we have

done. We will look it over with pleasure and may have some pride at the different bills we have fought for; but do you not suppose that twenty years from now, if you live, and you see this reform go on and on, and see a criminal treated as a human being, not because he has committed a crime, but because of some mental disability, it will be not considered a penalty. I think you can look back with pride if you vote for this bill to build up the boys. As I look over the members of the House, I realize that you must be fathers, or brothers; and if so, you must have seen the little one—the babe—try to walk and when you let go its hands, steady itself for a moment and then fall with a little whimper of hurt but not of fear. What do you say? Do you say “Lie there you little fool, you will never learn to walk?” Of course you do not, but you go and reach out your hand to it with a smile of encouragement. You stoop down to lift it—no, not to lift it, you let it lift itself; but as you reach your hand down and the chubby fingers wrap around your forefinger, you just raise it to its feet and steady it and start it again on its way. Time and again these boys down there are just the boys grown older who have fallen in the broad highways of life when they have started out themselves without the guiding hand of father or mother. Are you going to say to them “Stay there! Always be a criminal!” Or are you going to do as they would like to have you do, reach out your hand in sympathy to them, not to help them but to give them a chance to help themselves, to give them a few cents or a few dollars to call their own, so that when the door swings open and they step out once more into that priceless heritage, American Liberty, they will be able to walk in that straight and narrow way that you and you and you and I have marked out for them. Remember that within a few years at the most we shall cross that river that we call Death and there come before the Judge of all the earth and there will be none to plead our case save that Great Teacher of Mercy who said “I was sick and in prison and ye visited me.” And again “As ye have done it unto one of the least of these, my brethren, ye have done it unto me.” (Applause).

Mr. DWINAL of Camden: Mr. Speaker and members of the House: The inmates of our prison are in a sense voluntary State charges. They have been put there because they have violated the criminal Statutes of the State and in order that, seeing the example which the State has thus set, others having similar inclinations may be deterred. Some may argue that to reform them is the purpose of their incarceration; but any reformation which may be effected is merely incidental. The State does not go about seeking whom it may reform, but it pursues with every agency at its command the violators of its laws, that its dignity be not impaired and its usefulness to its citizens thereby diminished. The State is not fraternal but it is just,—just to those who have incurred the penalties of our statutes and just to society. Our obligation to those people who have been committed to the institution at Thomaston is to keep them safe, give them clean and reasonably comfortable quarters in which to live, plain and wholesome food in sufficient quantities and decent living conditions. That obligation I am informed the State is now discharging creditably; in fact the menu of the institution, a copy of which I recently saw, compares favorably with my own and I believe to that of the average family of the State. The Chairman of the Prison Committee tells me that he has been down there and that the fare is good; that the institution as a whole is clean and comfortable and well-kept; that the inmates are well cared for. Should we do more?

This bill provides that we shall pay these wards of the State for their labor performed there, but hard labor is a part of the punishment provided by the statutes they have violated and imposed upon them by the courts in conformity with those statutes. The return that the State gets from the sale of the products of their labor is far insufficient to pay the expense of their maintenance which expense they themselves have imposed upon the State. Certainly there is no obligation there and anything that we shall give under this bill is a plain gratuity. Is the State of Maine in a position today to assume this new charitable role?

It is urged that we should give

for the benefit of the dependents of these people, but many of them come from outside of the State and many more of them have no dependents; but even if they all had dependents living within the State of Maine, and even if all the money provided under this bill should go to those dependents, have we ever shown a similar solicitude for the dependents of the victims of those criminals? Have we not other wards of the State—unfortunates—far more deserving than these living in other institutions whose needs we all admit but are unable to satisfy?

We have had before this Legislature a bill asking for assistance for aged persons, people who have lived long lives of usefulness, but who now are unable longer to support themselves and who look forward with dread and humiliation to the time when they shall become charges upon the towns in which they live; and the other night we voted to indefinitely postpone their call for assistance.

I believe, Mr. Speaker, that if the State of Maine is ready to extend the field of its benevolence, the inmates of our prison are not the first class who should receive those benefits; and I hope that the motion of the gentleman from Islesboro, Mr. Pendleton, that we accept the majority report, ought not, to pass, will prevail. (Applause)

Mr. FROST of Belfast: Mr. Speaker and members of the House: I realize that we have patiently listened here for the last few days, and in all probability we are not in any temper to listen to additional speeches. It is not my intention to more than speak very briefly against the adoption of the majority report. I want to go on record as being in favor of this reform in connection with our prison, and I feel confident that in years to come, as I look back on my work here in this Legislature, that there will be no single act of mine to which I can refer with greater pride than I will to the fact that I had registered my vote at this time in favor of this measure of reform which is a humanitarian measure.

I want to relate just one or two little incidences briefly. First let me say that for a period of about five years I was connected with the Re-

formatory at South Windham, an institution to which first offenders—and in many cases while I was there old offenders—were taken. I want to relate just one instance that came to my notice that perhaps touched me more than any other. One day I was there in the office and the superintendent asked me if I knew a certain man who was living in a town adjoining my town of Belfast, and I told him I did. "Well," he said, "We have his boy who came in here yesterday under an assumed name." I was very much surprised because this man is one of the leading men in our community, and I said to the superintendent "If it is convenient I wish the boy might be brought into the office, and the door closed, that I might have the privilege of sitting here and talking with him alone for a little while." The boy came in, a fine specimen of young manhood, the equal of any in personal appearance that you could find anywhere on our streets today; and after the door was closed I talked with him and I said to him: "How does it happen that you are here? The last time I saw you, you were in your home, surrounded by your father and mother and all the conditions of your life should have been against anything of this sort. What has happened in the meantime?" "Well," he said, "I will tell you how it came about. One afternoon the boys asked me if I was going to the pictures." He said, "I had been going to the pictures more than I ought to, but on this particular afternoon the boys said 'what do you say if we all go to the pictures tonight?' And he said 'Yes, I will go with you.'" So he said "That night as I was eating my supper father said," —and the father while a very kind hearted man is at the same time impulsive and a man whose word is the law of the home,—the boy said that his father asked him "Where are you going tonight?" The boy said "I thought I would go down to the pictures." "No," he said, "You can't go to the pictures tonight; you have been going too much." He said "Father, what am I going to do? I just told the boys that I would join them tonight. Now if you object to my going to the pictures, after tonight I will be very glad to cut it out"; but the father said "No, you are not going tonight." "Well,"

the boy said, "Father, I really feel as if I must go" and then the father said this: "If you go to the pictures tonight never again can you darken the doors of my house." The boy said "I finished my supper, I went out doors and stayed around for a little while. Some of the boys were going by and they said 'Come on!' The boy said, 'No, I guess I won't come.' They said, 'Oh come on; what's the matter with you?' And the boy said 'I went.' That night I slept in the woodshed and the next morning I started out from home alone without a cent of money in my pocket, and within twenty-four hours hunger drove me to the point where I had to have something to eat and what did I do? I forged my father's name to a check of less than twenty-five dollars and here I am." Now "Well," I said, "my boy this is an unfortunate thing. What are you going to do? Are you willing to go back home and begin over again and make good when you get through here? If I use my influence with the other members of this board and parole you will you go back home?" He said, "I can't do it." Within ten days his father came into my office having found out that his boy was there under an assumed name. He found out that it was his boy and he sat there for more than an hour, and the emotion he showed was the emotion you and I would show under the same circumstances. And I say to you now, you men that have the opportunity to do a real service that these men are not all hardened criminals, they are not all men who have committed unpardonable crimes. I can tell you of another boy who was put into the prison for no other reason than taking a boy's bicycle left alongside the curb and riding around the square on it. Unfortunately enough, two days before that another boy had stolen a bicycle and the policeman arrested this fellow, and in spite of all the testimony that he could give, he was committed. There are a lot of them there.

Personally, while I realize that we are carrying out the program of economy, that the minute anybody intimates that a dollar is to be used for any purpose we attempt to withhold it, yet personally I want to go on record as opposed to the majority report. I want the people

here and the people everywhere in this State to know that I stand for the unfortunate man. (Applause)

Mr. MARTIN of Augusta: Mr. Speaker, I wish to very briefly speak against the majority report. I approach the matter possibly a little differently than the other speaker. I agree with the gentleman from Camden, Mr. Dwinal, to a very great extent that we owe the men at the State prison nothing. I also as an attorney feel that there is but one chance in a thousand that a man gets there who is innocent. I believe that the men in the State prison have committed various crimes and should be punished. I do not for one minute stand for any petting or babying of the prisoners, and I think it very wrong for any one to try to make statements—not made that have been made here today of course, but some reformers try to make statements so that the prisoners feel that they are not being treated properly.

I look at this question more from the economic standpoint. The figures, as I understand them, show that from sixty to seventy per cent of men who are convicted return to prison from two to five times, and there is a great economic waste in prosecuting and re-prosecuting. Now the students of penology since 1905 have been agreed on one fact, and that is that the most potent matter in upbuilding character in prison is paid labor; that unpaid labor is slavery. In this bill, assuming that the maximum offered by the amendment of thirty cents, the aggregate would be eighteen thousand dollars a year. Nine thousand dollars would go to the dependents, six thousand dollars be kept for the reserve fund when the prisoners came out, and three thousand dollars be distributed to the prisoners. Of that nine thousand dollars there would be some relief to towns and cities in supporting these dependents.

Mr. Austin McCormick, of Bowdoin, a student of this matter, told me a while ago that he went down to Thomaston, stayed there four days and worked with the prisoners, they not knowing but he was one of them, and he said that the labor was only fifty per cent. Experts in penology believe that where there is paid labor, there is some incentive that the production will be increased over fifty per cent. That is true,

assuming that a market can be secured for the goods, and a market should be secured that would not conflict with any established industry. There would not be any expense to the State in this matter. Further than that, as I understand it, what the Prison Commission really aim at is the great saving in the return of men. At the present time it is around sixty to seventy per cent. The Prison Commission is composed of men whom you all know, the Honorable H. H. Hastings, the Honorable Charles F. Hichborn, and Honorable Frank Hargraves, who retired a short time ago. They made this recommendation to the Treasurer. They believe that if this bill is created, if they are given permission to pay their profits, that the return to the prison will be cut down from sixty to seventy per cent to twenty or thirty per cent; that if that is done, there will be a great economic saving. This bill was introduced primarily, of course, to save human beings, but there is also the economic saving. The paid labor causes a man to build up his self-respect. He feels he is doing a little more for his family and that when he comes out he will be a better citizen. For that reason I support this bill.

Mr. PENDLETON of Islesboro: Mr. Speaker, and members of this Legislature:

As a member of the Prison Committee I signed the majority report "ought not to pass" on the bill authorizing payment of wages to prisoners, believing that in so doing I was acting for the best interest of the majority of the people of the State and not that of the prisoners. I think that it will have a tendency to encourage crime if the conditions are made too alluring for the men at the prison.

It is proposed in the bill to pay them fifty cents per day, this would amount to about \$40,000 per year.

It has been stated that the prisoners would not only do better work, but that they would do more work if paid for it; possibly they would, but I do not believe that the most optimistic advocate of this system will admit that they would do enough more, or better work to amount to anything like the above amount.

This system of paying them was

in force for a time the latter part of 1924, and while the committee were visiting at the prison I asked one of the foremen in the workshop if he had noticed any difference in the amount, or the quality of the work that they did while under that system; he assured me very emphatically that he had not, and that he was not in favor of adopting the plan permanently.

It is proposed that if this plan is adopted, that a certain percentage of the amount paid the prisoner, would go to his family, if he has one.

All of the men in there do not have families, in fact quite a large percentage of them do not, and I believe it would be much better for those families to be taken care of by the towns in which they live when necessary (and there would be very few cases where it would be necessary) than for the State to adopt this method.

I believe that the prisoners should be treated well and humanely, have plenty of wholesome food and clothing and comfortable quarters (and they do appear to have all this), but as for paying them wages and thus placing a premium on crime I do not think that it is the right idea.

I am told that under the present system the State pays them 25c per month, that when a prisoner is discharged he is allowed a minimum of \$5.00 or a maximum of \$10.00 in money, the amount depending upon the distance to the home of the prisoner. Each prisoner is allowed a suit of clothes, in cold weather the choice of an overcoat or a mackinaw. The probation officer will assist any discharged prisoner to procure employment. About 75 per cent of the discharged prisoners make application to him for such.

There are some of the states that pay their prisoners a wage. Massachusetts pays 10c per day. Connecticut pays 15c per day for first class work, 12c per day for satisfactory work, 8c per day for medium work, nothing for careless, dilatory work. New York pays 1½c per day. Pennsylvania pays 10 to 50c per day. Minnesota pays a very small wage, no figures available at the present time. No other state pays prisoners any wage so far as I know, except that Delaware pays the men working



on the state roads 15c per day for 5½ days per week.

As I stated before, I do not believe that conditions should be made too alluring at the prison, there are a lot of men to whom the stigma of a prison sentence means nothing, and who would not hesitate to commit some crime to get a comfortable place to spend a cold winter if they knew that they could get paid for it in addition to getting three square meals a day, and plenty of comfortable clothing and a warm place to sleep.

I believe that a prison should be a desirable place to keep away from.

Mr. MORSE of Oakland: Mr. Speaker, as a member of the State Prison Commission and a signer of the majority report, I would like to make a few brief remarks at this time. Under date of February 25 your Committee on State Prison held a hearing in the Senate Chamber. There were present a goodly number of people. One of the State Prison Commission, an honorable gentleman from the city of Augusta, spoke in favor of this bill. The other two commissioners who were present did not say a word. The warden of the prison was present, and he did not say a word in favor of this bill.

On our visit to this institution we found the following: We found 243 prisoners with 63 on parole. On February 29 they had in that institution 273 prisoners with 63 on parole. There is a total now of 279 and 63 on parole. We visited the workshop and we found the best sanitary conditions in the institution inside and out, electric lights in every cell, running water, central heating plant, a nice light workshop,—in fact everything a man could ask for outside of his freedom. We talked on this occasion with the overseers of the different departments and we found that they were not in favor of paying the prisoners.

The argument has been advanced here that at the present time six to eight per cent of the prisoners are returned to the institution. Under Warden Rice's administration, out of 336 convicted only eight returned—two per cent. Was that because they were used so well or because they received harsher treatment?

Prison reform is a fine thing if

not carried to extremes. The State is held liable for the acts of parole convicts, and would it not be wise to go carefully in carrying out the provisions of this law? When a prisoner is discharged from the State prison he is allowed five to ten dollars, a suit of clothes, and if it is cold weather, an overcoat. He is also paid the sum of twenty-five cents per month while confined in the institution. The statement has been made by the honorable gentleman from Augusta that any state that has tried this method of payment of prisoners has never discontinued it. Do you members realize that this method has been tried out in the State of Maine in past years and by the recommendation of the Prison Inspectors at that time it was discontinued? I hope the motion that the majority report be accepted prevails. (Applause.)

Mr. HOLMES of Lewiston: Mr. Speaker, I only want to say that I am opposed to the majority report and I am in favor of the measure for prison reform. I am not going to take up one moment in discussing it. It has been discussed freely. I hope that the measure will be finally enacted and be signed by the Speaker, particularly because I want to see it as a monument to one man who has put his heart into it. I do not intend, especially at this late day in the session, to take any chance of being ruled out for not talking to the question. I will only say again, after listening to the very interesting and very eloquent remarks of the various speakers that I am supposed to be a hard-boiled trial lawyer; yet my love for humane legislation always comes back and I feel very much in sympathy with the purpose of the bill.

Mr. HOLMAN of Bangor: Mr. Speaker, I simply want to say that so far as I am concerned I shall never vote for my State to be the beneficiary of any man's misfortune. I believe that every man, irrespective of where he may toil, is entitled to a fair return on the product of his toil; and for this reason I sincerely hope that the majority report will not be accepted.

Mr. HAM of Wales: Mr. Speaker, as a member of that committee I signed the minority report, and I hope the motion of the gentleman from Island Falls, Mr. Palmer, will prevail.

Mr. THOMPSON of Rockland: Mr. Speaker, I want to say a word in my belief that the majority report should be adopted. I am quite tired of listening to the enthusiasm of those who are in favor of prison reform. Yet I was somewhat amused at the reference made by the gentleman from Belfast (Mr. Frost), although it was a very interesting one. In my judgment the father should have been sent to jail in that case and not the son.

I believe that the men who go to prison should go there. I don't think they are the ones to be wholly considered. I think the unfortunates whose rights have been violated are also worthy of consideration. Those outside should have some rights as well as those inside. I have in mind a man who served for the same offense three continuous terms of two years each. That was his business. His business was to commit crime. It seems to me the time has come to throw aside this enthusiasm and exercise some good sound judgment in behalf of those whose rights have been violated.

Yesterday or the day before we listened to the crying needs of some of our unfortunate people who live over across the river and there is some question as to the desirability of giving them our bounty. Here is another class of persons who are State charges and the question is what we are going to do for them. They are there not as a result of their own deeds but of some action of the Divine Power over which they have no control. I think when we come to extend our sympathy, we should extend it to those who are worthy of it and whose misfortune is the result of some Higher Power and not the result of their own wrong doing. There is one case down here in the State prison now where a man is serving a life sentence. He committed perhaps rape or robbery and he burned the dwelling house in which he lived so as to destroy the evidence. Now are we to leave out of consideration the victims of an act like that? I think not.

Furthermore I think that with the excellent quarters that are provided for them the policy of the State should not be such as to invite them there.

Mr. SNOW of Brunswick: Mr.

Speaker, I have said very little since I have been here, but I have listened to what others have said and formed my opinions accordingly. I am in favor of this majority report for this reason: The life of every member here, every dollar's worth of property that he owns, the only protection that he has is the law, and I do not believe in letting up on our penalty. When we do we encourage crime. It is not that I want to punish the criminals so much, but I want to put a dread on them so that they will not become criminals. The gentleman from Belfast, Mr. Frost, made the remark a few days ago that he did not want to be governed by the people south of the Mason and Dixon line. Now, members, the war has been over for sixty years and the most of those who participated in it are dead and gone, but he wants the iniquities of the fathers visited upon the sons. If he is an old-timer the same as I am, perhaps his father or grandfather fought in the Revolutionary War. My great-grandfathers, both on my mother's and my father's side, were soldiers in the Revolutionary War; they were citizens of the State of Massachusetts. Massachusetts was the first colony that was in the rebellion against England. She fired the shot that was heard—

The SPEAKER: The gentleman might confine himself to the subject under discussion.

Mr. SNOW: I only wanted to illustrate what I was coming at. If the Speaker wishes to cut me off, I will stop.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Islesboro, Mr. Pendleton, that the majority report, ought not to pass, be accepted.

A viva voce vote being doubted,

A division was requested.

Mr. OAKES of Portland: Mr. Speaker, I think some gentlemen do not understand the motion.

The SPEAKER: The House may be seated, and the Chair will state the question again. The majority report of the Committee on State Prison is that this bill ought not to pass. A vote in favor of that report is against paying the prisoners. Does the House now understand the question?

The question being called for, A division was had.

Eighty-seven voting in the affirmative and 40 in the negative, the motion to accept the majority report, ought not to pass, prevailed.

Papers from the Senate out of order and under suspension of the rules.

#### Senate Bills in First Reading

S. P. 657: Resolve in favor of the Chaplains of the Senate of the Eighty-second Legislature.

S. P. 652: Resolve on the payroll of the Senate of the Eighty-second Legislature.

S. P. 11: An act to amend Section 67 of Chapter 142 of the Revised Statutes, as amended by Chapter 12 of the Public Laws of 1921, relating to inmates escaping from the Reformatory for Women.

S. P. 657: An act relating to the Department of the Attorney General.

From the Senate: Bill an act relating to support of inmates of State Hospitals (S. P. 409) (S. Doc. 141), which was indefinitely postponed in the House earlier in the day,

Comes from the Senate that body insisting on its former action whereby the bill was passed to be engrossed and asking for a committee of conference, with the following conferees appointed on its part:

Messrs. MORRISON of Franklin,  
WADSWORTH of Kennebec,  
BOND of Lincoln.

In the House, on motion by Mr. Nichols of Portland, that body voted to adhere.

From the Senate: Resolve in favor of the president and trustees of Bates College (S. P. 618), on which the House accepted the Minority Report of the Committee on State Lands and Forest Preservation "ought not to pass" earlier in the day.

Comes from the Senate Majority Report accepted and the Resolve passed to be engrossed as amended by Senate Amendment A in non-concurrence.

In the House:

Mr. LITTLEFIELD of Kennebunk: Mr. Speaker, I move that the House adhere.

Mr. HAMILTON of Caribou: Mr. Speaker, I know very little about

this matter but it seems to me to be something of importance enough so that the Senate has considered it and as I understand it the people of the University of Maine, who are the ones interested, feel that it should be considered. I would like to have a committee of conference in regard to this matter so that it may be more thoroughly considered.

Mr. SMITH of Bangor: Mr. Speaker, my attitude was explained this morning. I am not anxious to penalize this college; I don't want to see the University of Maine penalized. I would like to see a committee of conference appointed to see if this matter cannot be threshed out and justice done to all.

Mr. LITTLEFIELD of Kennebunk: Mr. Speaker, I withdraw my motion to adhere.

The SPEAKER: The gentleman from Caribou, Mr. Hamilton, moves that the House insist and asks for a committee of conference. Is the House ready for the question?

A viva voce vote being taken, the motion to insist and join in the conference, prevailed.

The SPEAKER: The Chair will later name the conferees on the part of the House.

From the Senate: Bill an act amendatory of and additional to Chapter 148 of the Revised Statutes, relating to State Pensions, creating a field agent for blind, and guide; and defining the duties and compensation of such field agent and guide, (S. P. 581) (S. Doc. 249), on which the House voted to adhere to its former action whereby the bill was indefinitely postponed, earlier in the day.

Came from the Senate that body insisting on its former action whereby the bill was passed to be engrossed as amended by Senate Amendment A and asking for a committee of conference, with the following conferees appointed on its part:

Messrs. CRAM of Cumberland,  
HINCKLEY of Cumberland,  
HUSSEY of Aroostook.

In the House, on motion by Mr. Piper of Jackman, that body voted to insist and join in the committee of conference.

The SPEAKER: The Chair will later announce the conferees on the part of the House.

From the Senate: Resolve in favor of the Bangor State Hospital for new construction and permanent improvements, (S. P. 602) (S. Doc. 273), which was passed to be enacted in the House April 7th,

Comes from the Senate referred to the next Legislature in nonconcurrency.

In the House:

Mr. WING of Auburn: Mr. Speaker, I move that we recede and concur with the Senate in the reference of this matter to the next Legislature.

Mr. MITCHELL of Houlton: Mr. Speaker, I move to insist on our former action.

The SPEAKER: The motion to recede and concur takes precedence. The gentleman may address himself in opposition to that motion if he cares to take the floor.

Mr. CUMMINGS of Portland: This House is not responsible for any action but its own, and I believe this House is fully satisfied in regard to the principle of new construction, both at Bangor and at Augusta. I hope that you will insist upon the position which you have taken, and not recede and concur with the Senate in this matter. At least, the House can then go home with a clear conscience that they have done what they could to provide for those people over there who are bound to suffer because of the neglect of the State.

Mr. McDONALD of East Machias: Mr. Speaker, I feel very much the same as Mr. Cummings does in regard to this matter. I feel that the House has gone on record in regard to its attitude, and I sincerely hope that we retain our position in the matter.

Mr. PEASLEE of Bath: Mr. Speaker, it was proposed in the Committee on Insane Hospitals that the scheme to have the towns pay for those whom they sent there. Now, this bill came back from the Senate and the House voted to adhere. The idea, I feel very certain, was the idea of the Governor. If I am wrong, I beg to be corrected. The Governor thought that if the bill went through, it would take out of the two insane hospitals enough so that they would not be overcrowded. We did not feel so, and yet we were willing to see the thing tried out just to see how it worked.

That has been killed, so now there is no remedy possible to reduce that terrible congestion which exists in both of those houses.

Now, the Senate refers it to the next Legislature, and what are we going to do for our poor insane people? Not only have I been told but other members of the House have been told that the Trustees are considering closing their doors; then what are we going to do? It looks to me as though we of the House should put ourselves on record as providing for them and then the Senate may take the responsibility of doing as they please; and when the people who are interested in this subject come to vote two years from now, they will wonder who were their friends. (Applause.)

Mr. DAVIS of Dexter: Mr. Speaker, as a member of the Penobscot Delegation I had the pleasant, or rather unpleasant, experience of visiting this hospital, and I beg to state that if every member of this Legislature could see what we saw when we went through that hospital, there would be no dissenting vote to raising money for the Bangor State Hospital.

Mr. DAVITT of Millinocket: Mr. Speaker, I wish to voice my sentiments in regard to the Bangor State Hospital. As one of the Penobscot Delegation, I made an inspection of that hospital on the sixth day of November last year, and I say, right now, that if you had been with me at that time and seen the condition of that hospital, you would say, "Yes, build two wings instead of one." The conditions are appalling! No privacy whatever. The patients are in the corridors and there is no place there for them to have privacy in any way, shape or manner; and I think that the State should build a wing to those hospitals, both in Bangor and in Augusta, irrespective of the tax rate, because the conditions as I saw them—and my colleagues were with me, and I think Mr. Allen would bear me out—the conditions there are a disgrace to the State of Maine, and I think this Legislature should do something in regard to building a wing to both of those hospitals, because the conditions are disgraceful; and I hope the motion to insist will prevail.

Mr. SMITH of Bangor: Mr. Speaker, I heartily endorse the mo-

tion to insist, and I think that if every member could go through those hospitals and see how those poor unfortunates are sleeping in the corridors without much opportunity of walking down through without running into each other, they would be very much impressed. We have not had an addition on that hospital since 1909, and then they had 625, and now they have 755. Now we co-operated in the policy of economy as affecting some of our institutions which we are proud of. The University of Maine asked for an appropriation and was disappointed because there was not money enough to go around, and we submitted to that, but the people who go to the University of Maine go from choice, and these poor unfortunate people have no choice in the matter; they are committed there. And after they are committed, are we going to put them into a room that is unsanitary? I understand that the Hospital Committee, the State Board of Health, the Health Department, and almost every committee and person who has looked into this matter say that this is the most pressing need that confronts us at the present time. I do wish that we might make some arrangement so that we might take care in a decent, respectable way of the poor unfortunates who are compelled to go there.

Mr. CUMMINGS of Portland: Mr. Speaker, I would like to call the attention of the House to one thing that no one has mentioned: In the crowded condition of the Bangor Hospital, not only the rooms are used, but the corridors. I want to ask you, members of the House, to consider what the conditions would be if they should have an epidemic of any kind break out in that institution.

Again, I want to call your attention to the fact that the stairways are not fireproof—a most dangerous condition that you can think of under those conditions. What would happen, let me ask you, if a fire broke out in that institution some night with the stairways that are inflammable and the corridors filled with cots?

Now, take these things into consideration. I wish that the rest of the Legislature, the Senate and the Governor, could all go there and see

the conditions as the Committee on Insane Hospitals saw them.

Mr. CURTIS of Brewer: Mr. Speaker, I am not going to make a speech, but I want to be recorded in favor of the building of the wing at the Bangor Hospital; and I hope the motion of the gentleman from Auburn, Mr. Wing, will not prevail.

Mr. CAMPBELL of Kingman: Mr. Speaker, I do not propose to take one minute of the time of the House, but I heartily endorse the sentiments of Brother Curtis.

Mr. EUSTIS of Strong: I wish to go on record, Mr. Speaker, as favoring new construction in hospitals of this nature where it is so badly needed.

Mr. BOODY of Windham: Mr. Speaker and gentlemen: The Governor of this State has determined by declaration that your rate shall not exceed seven mills, in opposition to me and to the pleadings before the committee, that every institution should have its just due, and every department of the State should have its just due, where does the responsibility lie and on whose shoulders is it? It is on yours! I paved the way for an income to the State, that these same things that you are now considering could be taken care of. But you are the ones who turned it down and said "No"; and I was alone and said "Yes." (Applause.)

The SPEAKER: The question before the House is on the motion of the gentleman from Auburn, Mr. Wing, that the House recede and concur with the Senate in the reference of this resolve to the next Legislature.

Mr. PIPER of Jackman: Mr. Speaker, I ask for a division.

The SPEAKER: A division has been asked for.

Thereupon, a division of the House being had, an insufficient number having arisen, the motion to recede and concur with the Senate failed of passage.

The SPEAKER: What is the pleasure of the House?

On motion by Mr. Piper of Jackman, the House voted to insist and ask for a committee of conference.

The SPEAKER: The Chair will later announce the names of the conferees on the part of the House.

From the Senate: Bill an act to extend the powers of Western Maine

Power Company, formerly Limerick Water and Electric Company, H. P. 1224, H. D. 434, which was passed to be enacted in the House March 27th.

Comes from the Senate, indefinitely postponed in non-concurrence.

On motion by Mr. Page of Skowhegan, a viva voce vote being taken, the House voted to insist and ask for a committee of conference.

The SPEAKER: The Chair will later announce the conferees on the part of the House.

Papers from the Senate disposed of in concurrence.

#### First Reading of Printed Bill Out of Order

H. P. 1300: Resolve in favor of armory rentals.

#### Report of Committee Out of Order

Mr. Dunbar from the Committee on Ways and Bridges on resolve in favor of the town of Norridgewock for repair of bridge across the Kennebec river, reporting same in a new draft and under same title and that it ought to pass.

The report was accepted and the new draft printed under the Joint Rules.

The SPEAKER: The Senate has returned the order relating to the convention tonight, having passed the same, so that a convention will be held at 7.30 to discuss road program.

Additional Senate papers, out of order, disposed of in concurrence.

From the Senate: Bill an act requiring more efficient supervision of brokers selling securities on marginal account, S. P. 155, S. D. 65, on which the House voted to adhere earlier in the day.

Comes from the Senate indefinitely postponed in non-concurrence.

In the House, on motion by Mr. Lausier of Biddeford, a viva voce vote being taken, that body voted to concur with the Senate in the indefinite postponement of this bill.

The SPEAKER: The House returns to Orders of the Day.

The SPEAKER: The Chair presents majority report, ought not to pass, and minority report, reporting new draft, H. P. 1274, on bill an act relating to mills and mill dams, H. P. 538, H. D. 111, tabled on April 2nd by Mr. Hale of Portland, pending acceptance of either report.

Mr. HALE of Portland: Mr. Speaker, there were nine signers of the majority report, and the minority report was signed by Mr. Wing of Auburn and I yield to that gentleman.

Mr. WING of Auburn: Mr. Speaker, in view of the lateness of the hour and the approaching Joint Convention, I move the acceptance of the majority report. (Applause.)

The motion prevailed.

The SPEAKER: The Chair presents bill, an act relating to schools of Passamaquoddy Tribe of Indians, S. P. 270, S. D. 105, tabled on April 2nd by Mr. Foster of Ellsworth, pending third reading.

Mr. FOSTER of Ellsworth: Mr. Speaker, I tabled this matter by request of Brother Lait, and I yield the floor to that gentleman.

Mr. LAIT of Old Town: Mr. Speaker, I move the indefinite postponement of this bill on the ground that it was by mistake reported "ought to pass" when the committee unanimously voted "ought not to pass."

The motion to indefinitely postpone prevailed.

The SPEAKER: The Chair presents House Amendment A to bill, an act relating to excise tax on railroads, H. P. 1271, H. D. 500, tabled on April 3rd by Mr. Nichols of Portland, pending adoption of the amendment.

Mr. NICHOLS of Portland: Mr. Speaker, I yield the floor to the gentleman from Augusta, Mr. Martin.

Mr. MARTIN of Augusta: Mr. Speaker, I move the adoption of the amendment.

The SPEAKER: The amendment is printed as House Document 515. Is it the pleasure of the House that the amendment be adopted?

A viva voce vote being taken, the motion to adopt House Amendment A prevailed; and the bill as amended was passed to be engrossed.

The SPEAKER: The Chair pre-

sents House Amendment A to resolve in favor of reformatory for Women, S. P. 84, tabled on April 3rd by Mr. Oakes of Portland, pending adoption of the amendment.

Mr. OAKES of Portland: Mr. Speaker, I have looked up the figures, and I do not see how they are going to get by, but I understand that the program that is being advocated requires the reduction of this amount for maintenance and repairs, and is in line with the money received by other institutions, and, as I say, I do not see how they are going to get by, but I think it is advisable for the program.

The SPEAKER: The question is on the adoption of the amendment. Is the House ready for the question?

A viva voce vote being taken, the motion prevailed; and the resolve as amended was passed to be engrossed.

The SPEAKER: The Chair presents majority report "ought to pass" and minority report "ought not to pass" on resolve rejecting amendment to Federal Constitution granting Congress power to limit the labor of persons under eighteen, S. P. 125, S. D. 306, tabled on April 4th by Mr. Piper of Jackman, pending acceptance of either report.

Mr. PIPER of Jackman: Mr. Speaker, I move that we accept the majority report "ought to pass."

A viva voce vote was doubted.

Mr. STITHAM of Pittsfield: Mr. Speaker, as the original bill asking for Congress to adopt this has been killed, it seems to me unnecessary at this time to pass this particular measure, and if this motion does not prevail, I will make a motion to accept the minority report "ought not to pass."

Mr. WING of Auburn: Mr. Speaker, I call attention to the language of Senate Document 306, on the second page, "therefore resolved, that the Legislature of the State of Maine hereby rejects said proposed amendment and that the Secretary of State of the State of Maine notify the Secretary of State of the United States of this action of the Legislature by forwarding to him an authenticated copy of this resolve and the action taken by the Legislature thereon." It seems to me that the members who are interested in the rejection of this amendment should pass this resolve.

Mr. HOLMES of Lewiston: Mr. Speaker, I think it raises a question of constitutional law. I have my own opinion and of course all the rest of the members have theirs, if such a question is in their minds. The question is this: Would this action in accepting the report "ought to pass" on the resolve rejecting, be of any binding effect? My opinion is that it would not, that all that the Legislature has power to do is to defeat the resolve to accept the proposed amendment, and beyond that, if it now accepts a resolve to reject, it merely makes a flourish or gesture which would not be binding on any future Legislature.

Does the Chair think that I misunderstand the resolve?

The SPEAKER: The gentleman is placing the question of interpretation up to the Chair, which perhaps the gentleman can as well answer as the Chair himself.

Mr. HOLMES: Mr. Speaker, of course I realize that the Chair is not required to give any opinion on constitutional law or on a question like that. I am not propounding a question that affects the legislative procedure from day to day, but if I correctly understand what the resolve is that is now before us—I have not got it on my desk but I remember reading it several times in the past—and I merely want to state that I believe—although, of course, I may be mistaken—that the vote to reject would be merely a gesture, and if my opinion is correct, anyone who voted for it with the expectation that the Legislature was thereby tying the hands of some future Legislature, would be in error.

Mr. SEIDEL of Biddeford: Mr. Speaker, I move the previous question.

A division of the House being had, A sufficient number not having arisen, the motion for the previous question failed of passage.

The SPEAKER: The pending question is on the motion of the gentleman from Jackman, Mr. Piper, that the majority report "ought to pass" be accepted. If this motion were carried, this resolve would be a step further towards its passage, and the resolve rejects the proposed amendment to the Constitution regarding labor of persons under eighteen years of age.

Mr. HALE of Portland: Mr. Speaker, I simply want to say that I think if the members of this House

are interested in defeating the Child Labor Amendment, they would do well to vote for the majority report, and for the passage of this resolve. There is a theory and nobody knows whether it is correct or not, but there is some theory that affirmative action on a resolve of this kind would defeat the 'Child Labor Amendment, as far as Maine is concerned, permanently. If you believe in that view, I think you will do well to vote for this resolve.

Mr. HOLMES of Lewiston: I only want to say that I hope that no member of this House thinks I am trying to deceive the House. I hope that none of them think that I express my opinion insincerely. The thought came to me that they might, after listening to what the gentleman from Portland, Mr. Hale, just said. I do not understand that he has anything more than a doubt in his mind, from what he just said. When gentlemen try to give opinion on questions of constitutional law—I mean that as applied to myself—I am not referring to anything that the learned gentleman from Portland, Mr. Hale, has said—but I have an impression—and if the House were interested enough to lay the matter on the table so it could be discussed as a question of constitutional law I would be willing—I have an impression that the same kind of question came up in one or more of the states in the past in regard to some such proposed amendment on a similar question, and it is my sincere belief that this Legislature cannot bind the hands of any future Legislature on any measure whatsoever.

Mr. HALE of Portland: Mr. Speaker, I am sure the gentleman from Lewiston understands, and I hope the House will, that I was not impugning his sincerity. As far as the constitutional law goes, I am inclined to agree with the gentleman from Lewiston, Mr. Holmes. I took the matter up with the Professor of Constitutional Law in Harvard University, and he told me that he did not know, and he did not know anybody who did know, and just as a matter of safety, I think this resolve is worth passing.

Mr. STITHAM of Pittsfield: Mr. Speaker, this seems to be a time of everybody wanting to be understood, and I will say, for the benefit of the

House, that I took this position because I signed the minority report.

Mr. PIPER of Jackman: Mr. Speaker, I withdraw my motion and move that the matter lie on the table until tomorrow morning.

Mr. CUMMINGS of Portland: Mr. Speaker, I ask for a division.

Mr. HAMILTON of Caribou: I would like to know, Mr. Speaker, if a motion for the indefinite postponement of the whole matter would be in order at this time.

The SPEAKER: The motion to lay on the table is now pending.

Mr. HALE: Mr. Speaker, I move we adjourn.

The SPEAKER: Will the House suspend business for a while in order that we may consider a Senate Paper?

Mr. HALE: Mr. Speaker, I withdraw my motion to adjourn.

The SPEAKER: The question before the House is on the motion of the gentleman from Jackman, Mr. Piper, that this matter lie on the table. A division has been requested on that motion. Is the House ready for the question?

A division of the House being had, An insufficient number having risen, the motion to table failed of passage.

The SPEAKER: There is no motion now before the House.

Mr. CUMMINGS of Portland: Mr. Speaker, regardless of constitutional questions or anything else that might be entered into this discussion at this time, this much we do know: If you want to dispose of this question and you want to vote against the adoption of the Child Labor Amendment, all you have to do is to vote to accept the majority report, and you have done that.

Mr. STITHAM: Mr. Speaker, I move to accept the minority report.

Mr. PIPER: I ask for a division, Mr. Speaker.

The SPEAKER: The question is on the acceptance of the minority report "ought not to pass." A division has been called for. Is the House ready for the question.

A division of the House being had, Nine having voted in the affirmative and 101 in the negative, the motion to accept the minority report failed of passage.

Thereupon, on motion of Mr. Cummings of Portland, a viva voce vote being taken, the House voted to



accept the majority report; and on further motion by the same gentleman, the rules were suspended and the resolve received its first reading; and on motion by Mr. Nichols of Portland, the rules were suspended and the resolve received its second reading and was passed to be engrossed.

The SPEAKER: Out of Order, relative to the Convention tonight; the Order relative to the Joint Convention of both branches of the Legislature this evening, which was read and passed in the Senate earlier in the day in concurrence with the action of the House, comes from the Senate, that body reconsidering its action whereby the order received a passage, Senate Amendment A read and adopted and the order as amended passed, Senate Amendment A, being as follows:

Amend Joint Order passed in both branches this day by striking out the words "A Joint Convention" and substituting therefor 'an Informal Caucus.'

Mr. CUMMINGS: I would like to know in what way the vote of this informal caucus will bind those who attend it.

The SPEAKER: The Chair is not prepared to answer that.

Mr. CUMMINGS: Well, Mr. Speaker, that is a very important question to me.

The SPEAKER: That may be determined in the future.

Mr. CUMMINGS: Then, Mr. Speaker, we will determine it this evening.

The SPEAKER: The question is on the adoption of the amendment. Is the House ready for the question?

A viva voce vote being taken, Senate Amendment A was adopted and the order as amended received passage in concurrence.

On motion by Mr. Littlefield of Kennebunk, the House voted to take from the table report of the Committee on Judiciary, reporting new draft, S. P. 636, S. D. 300, on bill, an act relating to non-residents' motor vehicles, S. P. 231, S. D. 98, tabled by that gentleman on April 4th pending acceptance.

Mr. LITTLEFIELD: Mr. Speaker, I take this from the table for the purpose of offering an amendment in order that it may be printed to-

night. I do not wish to take the time to argue this tonight, or possibly at any time. I will simply say that the bill as it is drawn is against everybody, both in this State and in other States.

On motion by Mr. Littlefield of Kennebunk, the bill received its two several readings; the same gentleman offers House Amendment A; and on further motion by the same gentleman five hundred copies of Amendment A were ordered printed, and the matter was tabled.

On motion by Mr. Wing of Auburn, the House voted to take from the table resolve in favor of the Maine School for Feeble Minded for maintenance, S. P. 633, S. D. 294, tabled by that gentleman on April 4th pending first reading; and on further motion by the same gentleman the resolve received its first reading; and on further motion by the same gentleman the rules were suspended and the resolve received its second reading and was passed to be engrossed.

On motion by Mr. Wing of Auburn, the House voted to take from the table bill, an act to change the personnel of the Budget Committee, S. P. 451, S. D. 166, tabled by that gentleman on April 7th, pending further consideration.

Mr. WING: Mr. Speaker, what is the situation in regard to this matter?

The SPEAKER: The House passed this act to be engrossed, and the Senate subsequently indefinitely postponed it.

Thereupon, on motion by Mr. Wing of Auburn, the House voted to concur with the Senate in the indefinite postponement of this bill.

On motion by Mr. Nichols of Portland, the House voted to take from the table bill, an act relating to workmen's compensation, S. P. 649, S. D. 313, tabled by that gentleman on April 7th, pending third reading; and that gentleman offered House Amendment A as follows and moved its adoption:

House Amendment A to Senate Document 313. Amend by adding thereto the following section: "Section 3. Sections 3, 14, 15 and 17 of Chapter 278 of the Public Laws of

1919, as amended, are further amended by striking out the word "sixteen" wherever it appears in said section and inserting in place thereof the word 'eighteen.'

Mr. NICHOLS: Mr. Speaker, I will say that when this matter was reported by the Committee the word sixteen was stricken out in one section and the word eighteen inserted, but in the other sections the word sixteen still remains. This is striking out the word sixteen in all the other sections, so it will be uniform throughout the chapter.

The SPEAKER: The question is on the adoption of House Amendment A. Is the House ready for the question?

Thereupon, the House voted to adopt House Amendment A; the bill received its third reading and was passed to be engrossed as amended.

On motion by Mr. Spear of Portland, the House voted to take from the table resolve in favor of Northern Maine Sanatorium, S. P. 183, S. D. 282, tabled by that gentleman on April 6th pending final passage; and on further motion by the same gentleman the resolve was finally passed.

On motion by Mr. Sturgis of Auburn, the House voted to take from the table bill, an act to define certain grades of milk offered for sale within the State, S. P. 575, S. D. 247, tabled by that gentleman on April 7th, pending passage to be enacted; and on further motion by the same gentleman the House voted to reconsider its action whereby this bill was passed to be engrossed; and the same gentleman offered House Amendment A as follows and moved its adoption:

House Amendment A to Senate Paper 575, Senate Document 247, An Act to define certain grades of milk offered for sale within the State.

Amend Senate Paper 575, Senate Document 247, by adding at the beginning thereof the words "Sec. 1" and at the end thereof the following: "Section 2. It shall be lawful for any person engaged in the production, sale, distribution and delivery of milk, who shall produce for sale, distribution and delivery Grade A milk as defined in Section 1 of this act, to also produce, sell,

distribute and deliver at and from the same dairy other milk which shall contain not less than 3.25 per cent of butterfat and 11.75 of solids and which shall comply with the requirements of Section 1 of this act except as to butterfat and solid content, provided that the retail or final container of the same shall be plainly marked with the name or trade name of the producer, dealer, and distributor thereof; and no city or town, nor any Board of Health or health officer, shall pass any ordinance, by-law or regulation contrary to the provisions hereof.

Mr. NICHOLS of Portland: Mr. Speaker, is that Senate Document No. 274?

The SPEAKER: Senate Document No. 274?

Mr. NICHOLS: Senate Document 274 is the Sterilization Bill. (Laughter)

The SPEAKER: The correct number is S. D. 247. The question is on the adoption of House Amendment A.

Thereupon, the motion to adopt House Amendment A prevailed, and the bill as amended was passed to be engrossed.

Mr. NICHOLS: Mr. Speaker, I move we now adjourn.

A viva voce vote being taken, the motion to adjourn failed of passage.

On motion by Mr. Leland of Sanguerville, the House voted to take from the table resolve in favor of the University of Maine, S. P. 619, S. D. 308, tabled by that gentleman on April 7th pending final passage; and on further motion by the same gentleman the resolve was finally passed.

On motion by Mr. Pierce of Sanford, the House voted to take from the table resolve in favor of Western Maine Sanatorium for additional facilities, S. P. 549, S. D. 276, tabled by that gentleman on April 7th, pending final passage; and on further motion by the same gentleman, the resolve was finally passed.

On motion by Mr. Deering of Saco, the House voted to take from the table resolve in favor of Augusta State Hospital for construction of new building for fifty women nurses.

S. P. 71, S. D. 311, tabled by that gentleman on April 7th, pending the motion of Mr. Wing of Auburn, to indefinitely postpone.

The SPEAKER: The question is on the indefinite postponement of the resolve. Is the House ready for the question?

A division of the House being requested, an insufficient number having risen, the motion to indefinitely postpone failed of passage; the

resolve received its first reading; and on motion by Mr. Cummings of Portland, the rules were suspended and the resolve received its second reading and was passed to be engrossed.

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On motion by Mr. Hamilton of Caribou,

Adjourned until nine o'clock tomorrow morning.