

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Third Legislature

OF THE

STATE OF MAINE

1927

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Friday, March 25, 1927.

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

Prayer by Mr. Morse, Chaplain of the Maine State Grange.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Report of the committee on Maine Publicity reporting ought not to pass on resolve to appropriate money for compiling and advertising the agricultural, industrial and recreational resources of the State, S. P. 2, S. D. 1.

Comes from the Senate the bill and report referred to the committee on Appropriations and Financial Affairs.

In the House bill and report referred to the committee on Appropriations and Financial Affairs in concurrence.

From the Senate: Bill an act relating to expenditures and returns of candidates for public office, H. P. 92 H. D. 31, which was passed to be engrossed in the House as amended by House Amendment A on March 17th.

Comes from the Senate the bill and amendment indefinitely postponed in non-concurrence.

In the House, on motion by Mr. Hale of Portland that body voted to insist and ask for a committee of conference; and the Speaker appointed as such conferees on the part of the House, the gentleman from Portland, Mr. Hale, the gentleman from Bangor, Mr. Holman, and the gentleman from Castine, Mr. Patterson.

From the Senate: Report of the committee on Judiciary reporting ought not to pass on bill an act relative to enforcement of motor vehicle laws, S. P. 292, S. D. 113, which was accepted in the House March 22, having been accepted in the Senate, March 18.

Comes from the Senate the bill substituted for the report and passed to be engrossed in non-concurrence.

In the House, on motion by Mr. Bartlett of Bangor that body voted to recede and concur with the Senate, and the rules were suspended and the bill was given its three several readings and was passed to be engrossed in concurrence with the Senate.

From the Senate: Bill an act relating to the use as part of name the words "Bank", "Savings," "Trust" and kindred words which was passed to be enacted in the House, March 23.

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

In the House, on motion by Mr. Page of Skowhegan the bill as amended was tabled pending reconsideration.

From the Senate: The following Order:

It appearing to the Senate that the following are important questions of law and the occasion a solemn one—

Ordered, the Justices of the Supreme Judicial Court are hereby requested to give to the Senate according to the provisions of the Constitution in this behalf their opinion on the following questions, to which is prefaced the statement of facts:

There have been filed with the Legislature under the initiative and referendum provisions of the Constitution of Maine, petitions asking that a law repealing the Primary Law be submitted to the voters of the State. These petitions are in proper form and contain more than twelve thousand signatures. It is apparent, from an examination of some of the petitions, that several names are in the same hand-writing.

Mr. WING of Auburn: Mr. Speaker, is that a joint order or what is it? May I have the first part of it read again?

(Clerk reads the first part of the order)

Mr. WING: Mr. Speaker, I raise

the question whether the House has anything to do with this.

The SPEAKER: The Chair will state that it appears from the order that the House does not have anything to do with the order, and does the gentleman from Auburn move that the House refuse consideration?

Mr. WING: Mr. Speaker, I do not wish to show any disrespect to the Senate. It may be a mere clerical omission. I move that the paper be respectfully returned to the Senate.

Thereupon the House voted to respectfully return the order to the Senate without action.

Orders

On motion by Mr. Robie of Westbrook, it was

Ordered, that the Superintendent of Public Buildings be hereby authorized to purchase a mimeograph equipment for the purpose of furnishing duplicate copies of such requirements of the Legislature as may come from time to time during the session of the Legislature. Same to be placed in the Department of Superintendent of Public Printing. Cost not to exceed \$400, to be paid out of the contingent expenses of the Legislature.

Reports of Committees

Mr. Wood from the Committee on Inland Fisheries and Game reported "Ought not to pass" on bill an act relating to the registration of resident hunters and fishermen (H. P. 89) (H. D. 29) together with remonstrances H. P. 585, 586, 844, 845, 265, 348, 1150, 1006, 714 and S. P. 242 to 246 inclusive.

Mr. Stone from same Committee reported same on Resolve for the purchase and propagation of pheasants and Hungarian partridges (H. P. 357) (H. D. 89)

(Tabled by Mr. Clifford of Bath pending acceptance).

Mr. Buker from same Committee reported same on bill an act to close Pickerel Pond in Township 32, Hancock County (H. P. 590)

Mr. Stone from same Committee on petitions H. P. 79, 80, 174, 235, 584, reported that same be placed on file, favoring repeal of the trapping law.

Mr. McKnight from the Committee on Salaries and Fees reported

"Ought not to pass" on bill an act relative to overtime work by state employees (H. P. 1074)

Mr. Metcalf from the Committee on Ways and Bridges reported same on bill an act relating to the removal of snow from State highways (H. P. 752) (H. D. 209)

Reports read and accepted and sent up for concurrence.

Mr. Rounds from the Committee on Claims on Resolve in favor of the Charles H. Cutter Coal Company of Boston, for loss incurred by said company in the sale and delivery of 4000 tons of bituminous coal to the Augusta State Hospital during the strike in the year 1922, which was settled by Government regulation and interference (H. D. 56) (H. P. 217) reported same in a new draft (H. P. 1209) under same title and that it "Ought to pass."

Same gentleman from same Committee on Resolve to compensate Mary A. Stevens for personal injuries due to defect in a building of the property of the State of Maine (H. P. 818) reported same in a new draft (H. P. 1210) under same title and that it "Ought to pass."

Mrs. Folsom from the Committee on bill an act to empower the Board of Trustees of State Normal Schools to confer academic degrees upon graduates of four year courses in the Normal schools (H. P. 835) (H. D. 214) reported same in a new draft (H. P. 1216) under title of "An act relating to diplomas to be issued by State Normal Schools."

Mr. Crockett from same Committee on bill an act relating to school supervisory unions (H. P. 264) reported same in a new draft (H. P. 1213) under same title and that it "Ought to pass."

Mr. Buker from the Committee on Inland Fisheries and Game on bill an act relating to regulating hunting wild birds in the waters of Merrymeeting Bay (H. P. 616) (H. D. 162) reported same in a new draft (H. P. 1215) under title of "An Act to regulate the hunting of wild birds on the waters of Merrymeeting Bay and that it "Ought to pass."

(Tabled by Mr. Clifford of Bath pending acceptance.)

Mr. Aldrich from the Committee on Judiciary on bill an act relating to appeal in non-support cases (H. P. 365) (H. D. 80) reported same in a new draft (H. P. 1217) under same title and that it "Ought to pass."

Miss Laughlin from the Committee on Legal Affairs on bill an act to revive the charter and restore the privileges of the Casco Title Guaranty Company (H. P. 667) (H. D. 174) reported same in a new draft (H. P. 1218) under title of an act to incorporate the Casco Title Guaranty Company and that it "Ought to pass."

Mr. McCart from same Committee on bill an act relating to the tenure of office of chief engineers and members of fire departments in cities (H. P. 1011) (H. D. 324) reported same in a new draft (H. P. 1219) under title of An Act relating to the tenure of office of the Chief Engineer and members of the Fire Department in the city of Biddeford and that it "Ought to pass."

Mr. Fuller from same Committee on bill an act to repeal a law to establish a board of Road Commissioners for the town of Mount Desert, in the county of Hancock (H. P. 948) reported same in a new draft (H. P. 1214) under same title and that it "Ought to pass."

Mr. McCart from same Committee on bill an act to amend an act to abolish the Board of Public Works of the city of Lewiston and to provide a Highway Commission (H. P. 673) (H. D. 236) reported same in a new draft (H. P. 1211) under same title and that it "Ought to pass."

Mr. Melcher from the Committee on Salaries and Fees on Bill an act to change the salary of the Superintendent of the State School for Boys (H. P. 394) reported same in a new draft (H. P. 1212) under same title and that it "Ought to pass."

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

Mr. Rounds from the Committee on Claims reported "Ought to pass" on Resolve to reimburse the town of Prentiss for poultry killed by dogs and wild animals in the years 1917 and 1918. (H. P. 514)

Same gentleman from same Committee reported same on Resolve in favor of the town of Whitefield, for reimbursement for sheep killed by dogs. (H. P. 515)

Same gentleman from same Committee reported same on Resolve in favor of William H. Hall of Augusta, Maine. (H. P. 39)

Mr. Leathers from same Committee reported same on Resolve to re-

imburse the town of Smyrna for support of a State pauper. (H. P. 511)

Same gentleman from same Committee reported same on Resolve to reimburse the town of Milo for support of a State pauper. (H. P. 451)

Mr. King from same committee reported same on Resolve to reimburse the city of Bangor for support of Oscar L. Morrill, a State pauper (H. P. 695).

Same gentleman from same committee reported same on Resolve to reimburse the town of Lee for support of Oliver T. Lyons, a State pauper (H. P. 821).

Same gentleman from same committee reported same on Resolve to reimburse the town of Unity for support of a State pauper (H. P. 475).

Mr. Crockett from the committee on education reported same on bill an act relating to requiring children between certain ages to attend school unless excused or excluded by the committee (H. P. 751).

Mr. Eustis from same committee reported same on bill an act relating to conveyance of pupils of high school grade (H. P. 708).

Mrs. Folsom from same committee reported same on Resolve to designate the State bird (H. P. 1112).

Mr. Norwood from the committee on Indian affairs reported same on Resolve in favor of the Penobscot tribe of Indians for the general care, maintenance and education thereof (H. P. 843).

Mr. Buker from the committee on inland fisheries and game reported same on bill an act relating to the taking of white perch in certain waters in Washington and Kennebec counties (H. P. 853).

Mr. Williams from the committee on salaries and fees reported same on bill an act relating to the officers of the Senate and House (H. P. 1142).

Same gentlemen from same committee reported same on bill an act relating to Winterport Ferry Company (H. P. 743).

Mr. Melcher from same committee reported same on bill an act relating to clerk hire in the office of county attorney in Penobscot county (H. P. 61).

Mr. Wyman from same committee reported same on bill an act relative to the fees of sheriffs and their deputies (H. P. 888).

Same gentleman from same committee reported same on bill an act relating to fees of deputy sheriffs in at-

tendance upon the courts (H. P. 960).

Reports were read and accepted and the bills and resolves ordered printed under the joint rules.

Mr. Fuller from the committee on Legal Affairs reported same on bill an act relating to application for license to build or extend wharves and fish weirs (H. P. 726) (H. D. 198).

Mr. Goodwin from same committee reported same on bill an act relating to the Oxford County Agricultural Society (H. P. 1013) (H. D. 20).

Mr. Kitchen from the committee on ways and bridges reported same on bill an act to amend the act providing for State and county aid in the construction of highway bridges (H. P. 1012) (H. D. 321).

Reports read and accepted and the bills having already been printed, were read twice under suspension of the rules and tomorrow assigned.

Majority report of the committee on inland fisheries and game reporting "ought not to pass" on bill an act relating to ice fishing in Upper and Lower Cold Stream Ponds in Penobscot county with petition for same (H. P. 177).

Report was signed by the following members:

Messrs. DRAKE of Sagadahoc
LORD of York
CRAFTS of Piscataquis
—of the Senate
KINSMAN of Augusta
FLINT of Monson
WOOD of Patten
BUKER of Bath
—of the House

Minority report of same committee reporting "ought to pass" on same bill and petition.

Report was signed by the following members:

Messrs. STONE of Bridgton
STORM of Westmanland Pl.
MACKINNON of Mexico
—of the House

Mr. LOWELL of Lincoln: Mr. Speaker, I move you the acceptance of the minority report, ought to pass.

Mr. KINSMAN of Augusta: Mr. Speaker, is this debatable?

The SPEAKER: It is.

Mr. KINSMAN: Mr. Speaker, I signed the majority report, ought not to pass, for this reason: It is a very peculiar situation where these ponds are, and it is a very serious situation for the State of Maine. Upper and Lower Cold Stream Ponds is the only hatchery that the State of Maine has to raise togue for our ponds. A few

years ago there were a great number of togue there, and the hatchery supplied the different ponds. They allowed ice fishing and these togue were caught out in such large numbers that now it is necessary for the State to buy togue eggs outside of the State, which puts an additional burden on the Department of Inland Fisheries and Game.

The condition at the present time is this: Part of these lakes are open for ice fishing and have been for a long time. There are certain sections as I understand, and as was brought out at the hearing, where pickerel are very plentiful. As near as the Committee and myself could understand, the only people who want this lake open, as appeared from the names signed to the petitions presented to us, are foreigners working in one of the mills there. The Department is very much disturbed over this matter because it means so much to the State of Maine to have this section closed to ice fishing, which is now closed, for the protection of the togue. As long as the upper part of the ponds is open, it is perfectly fair, I think, to let those who want to do so, fish in that section, and I hope that the motion of the gentleman (Mr. Lowell) that the minority report be accepted will not prevail, and that the majority report "ought not to pass" will be accepted.

Mr. LOWELL: Mr. Speaker, and gentlemen of the House: Just a word relative to this bill in question, which it has become my somewhat embarrassing, though conscientious duty, to bring to the attention of the House. Notwithstanding the report of the Committee, who, no doubt, acted in accord with their best judgment, from the evidence submitted at the time of the Committee hearing, I would say that the principal evidence and the real facts were not brought out at that time, owing to a rather unusual co-incidence. This is not a printed bill and perhaps you know very little about it. The purpose of this bill is to amend or repeal the present law which prohibits ice fishing on Cold Stream Pond, situated in the towns of Lincoln, Enfield and Lowell, Penobscot County.

The citizens of that vicinity feel that they are not having their just rights. I have hoped that it would

not become necessary to bring this, which no doubt you believe to be a trivial fishing bill, into this House to take up time no doubt belonging to business of more importance. But I feel it a duty which I owe the citizens of that vicinity whose names to the number of one hundred and forty-nine appeared upon the petition which I presented on this bill, requesting that they be given that privilege. I feel their request to be a modest and reasonable one. They are not asking for a full open time, but they do request that they be given the privilege of taking fish in their chosen way, from sunrise on Friday until sunset on Saturday each week during February, March and April of each year, in accord with the general laws of our State. Shall they be granted that privilege? And why were they denied that privilege? Was it from the fact that the fish were becoming depleted? From the best evidence obtainable by those who know best, such was not the facts. There are plenty of fish in these waters; good fishing, in fact, almost too many fish to be controlled by any one person or group of people for their particular benefit and pleasure.

It seems today to come to this, that the common people can fish only as they are dictated to by non-residents who live in some distant part of the State or outside our State. They say to these citizens "You can not fish unless you fish as we do. You may fly fish or troll fish." And they tell you that that is not imposing any restriction or discriminations or any hardship upon those citizens, for they have the same privilege. I will show to you where it does discriminate and impose a hardship upon those citizens. Fly fishing and troll fishing for the greater part are the sport of the wealthy gentlemen of leisure, who care nothing particularly about the fish but for the sport alone. They do not care to ice fish. There are not enough thrills or enough excitement in it. And the ice fisherman does not, perhaps, care to troll fish or fly fish. And if he did desire to do so, he is not in position to procure the necessary boats, canoes, and expensive fishing paraphernalia to enable him to do so. Consequently, he cannot have any fish. He cannot fish at all.

The citizens whose names appear upon this petition feel that when the fish of the lakes and streams were created, it was never intended that there should be any such discrimination shown or that any person or group of people should come to their vicinity, build a little cottage, and monopolize those fish interests and deprive the citizens who were born and bred beside those waters of rights and privileges which they feel justly belong to them. I hope my motion does prevail.

Mr. KINSMAN: Mr. Speaker, there are two points to which I wish to call the attention of this body in a very few words. This is one fact: Anyone in that vicinity can fish at any time he wants to through the ice. Certain sections of those ponds are open. The section which these people want closed is a section where there is nothing in winter but these togue that the State is trying to protect. Mr. Briggs, who has charge of all the interests of the State pertaining to fish hatcheries, said it would be wrong to open that part of the lake, where nothing can be caught in the winter but togue. Everyone can fish in the upper part, where there are pickerel. Why take from the State the togue so necessary to supply the ponds with future fish? I hope that the motion of the gentleman from Lincoln (Mr. Lowell) will not prevail.

Mr. LOWELL: Mr. Speaker, in reply to the gentleman I will say that the small portion of Cold Stream Pond up above the Narrows is open to ice fishing. I will also say that there are some pickerel down in the portion of the waters that lies in Enfield and Lowell and there are also many of those large fish, the togue. I claim that a small amount of ice fishing is beneficial, for these fish do not rise to the fly. My opponent before the Committee brought to the attention of that Committee the vast sums of money he was spending in that town, and that he had built property there which is beneficial to the town of Enfield. He was the sole opponent. I will say to you that he has a cottage up there at that pond, and he pays a tax of \$16.50. Yet he feels that it is his privilege to monopolize those fish interests and to have laws

enacted for his especial benefit and pleasure.

The towns of Enfield and Lowell welcome non-residents within their borders. They extend to them the hand of welcome, and they appreciate whatever taxable property they may create in those towns and they are willing to share with them their fishing privileges, but when they tell them how to fish, they refuse to accept it. I hope my motion does prevail.

Mr. FLINT of Monson: Mr. Speaker, I was not in the room when this discussion started, and I may repeat a little of what has already been said. Now in regard to the petitions which came before us, they were practically all from Howland. Before the Howland mills started, this place was where we got all of our togue eggs in the State, and when the pulp mill opened, the plug fishing was allowed in this lake, and with so many people, fifteen or sixteen hundred, working in that pulp mill, they had easy access to this lake, and went over there and caught the most of the togue by plug fishing. Plug fishing is still allowed there, and consequently we have not been able to get any togue eggs there.

Two years ago we abandoned the lake for togue, and are now trying to get some in other places, for instance up at Schoodic lake, which is another great togue pond. In order to get our supply of togue eggs for hatching, we were in hopes to keep the ice fishing out of that part of this lake where the togue go to spawn, so we could come back and get the eggs from the beds and the fish to increase in such numbers as was advisable. And I sincerely hope that the motion of my brother from Lincoln (Mr. Lowell) will not prevail. I will say, further, that the part of the lake which is now open to ice fishing is nearest Lincoln, the town Mr. Lowell comes from.

Permission was granted Mr. Lowell to address the House the third time.

Mr. LOWELL: Mr. Speaker, I am not particularly interested. I do not fish. But in speaking to this measure I am speaking for the towns of Howland, Lowell, Enfield and Lincoln. Howland is the same as Enfield except for the river. It was brought out at the hearing that they

were catching all the fish over there. But after the hearing a gentleman who did not care to make any remarks at the hearing regarding the matter said that he did not think there were ten pounds of fish caught in Howland from those waters last year. Howland has the same privilege as Lincoln and Enfield. I am speaking for them. I hope my motion does prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Lincoln, Mr. Lowell, that the minority report ought to pass be accepted. A division is requested. As many as are in favor of the motion that the minority report be accepted will rise and stand until counted and the monitors will return the count.

A division of the House was had, Thirty-one having voted in the affirmative and fifty in the negative, the motion was lost.

On motion of Mr. Kinsman the majority report ought not to pass was accepted

First Reading of Printed Bills

(H. P. 240) (H. D. 450) An act relating to compensation of members of the Legislature.

Passed to Be Engrossed

(S. P. 131) (S. D. 54) An act to enlarge the civil jurisdiction of the Municipal Court of the city of Biddeford.

(S. P. 193) (S. D. 77) An act relating to teachers' pensions.

(S. P. 202) (S. D. 82) An act relating to the disposal of liquors which have been forfeited.

(S. P. 336) (S. D. 123) An act to incorporate the Maine Casualty Company.

(S. P. 65) (S. D. 159) An act to regulate fishing in Bowler Pond in Palermo in the county of Waldo.

(S. P. 377) (S. D. 160) An act validating acts and deeds valid except for certain irregularities and omissions.

(S. P. 386) (S. D. 165) An act relating to filing of rate schedules by public utilities in accordance with orders of the Public Utilities Commission.

(S. P. 511) (S. D. 253) An act to provide for an approach to the Kennebec Bridge and to acquire the same by purchase or eminent domain.

(S. P. 281) (S. D. 254) An act to

protect muskrats in the towns of Bucksport and Orland, in the county of Hancock.

(S. P. 513) (S. D. 258) An act to incorporate the Union Terminal Company.

(H. P. 391) (H. D. 442) An act to incorporate the Franklin Water Company.

(H. P. 1049) (H. D. 443) An Act to amend Chapter 390 of Private and Special Laws of 1907 entitled "An Act to incorporate the Livermore Falls Water District."

(H. P. 1194) (H. D. 444) An act relating to Robert W. Traip Academy.

(H. P. 1195) (H. D. 445) An act to extend the charter of the Central Heating Company of Portland.

(H. P. 1198) (H. D. 446) An act relating to the charter of the city of Waterville.

(Tabled by Mr. Cyr of Waterville pending third reading).

(H. P. 1200) (H. D. 448) An act to amend Act entitled The Insolvent Law.

(S. P. 380) (S. D. 255) Resolve for aid to typhoid carriers, to be expended under the State Department of Health.

(H. P. 577) (H. D. 440) Resolve to reimburse the town of Kingman for support of Ed. Priest, a State pauper.

(H. P. 578) (H. D. 441) Resolve in favor of the town of Medway, for reimbursement of amount expended for the care and maintenance of Martin Reardon, a pauper.

(H. P. 879) (H. D. 447) Resolve in favor of the purchase of "Maine Physicians Members of the Massachusetts Medical Society at the Separation."

(H. P. 1199) (H. D. 449) Resolve in favor of the town of Cherryfield in the county of Washington, for reimbursement for moneys expended in defense of three actions at law brought against it.

(H. P. 1160) (H. D. 408) An Act to define "Storage Eggs" and "Processed Eggs" and to regulate certain details of the sale and distribution of the same.

Senate order out of order.

Ordered, the House concurring, that when the Senate and House adjourn they adjourn to meet Monday afternoon, March 28, at 4.30 o'clock.

In the Senate read and passed.

In the House read and passed in concurrence.

Unanimous consent was given Mr. Varnum of Westbrook to make a motion out of order.

Mr. VARNUM: Mr. Speaker, it has come to my attention that the wife of one of the officers of the House is very sick, and we miss his presence here very much. I move that the Clerk of the House be instructed to send a letter of sympathy to Mr. Fitzgerald.

Thereupon the House voted to instruct the Clerk to send a message of sympathy to Patrick Fitzgerald on account of the serious illness of his wife.

Mr. EUSTIS of Strong: Mr. Speaker, do I understand that we are proceeding under the orders of the day?

The SPEAKER: The House is now proceeding to the unfinished business.

Mr. EUSTIS: Mr. Speaker, I rise to make a motion to reconsider a matter taken up earlier in the day, if in order.

Thereupon the rules were suspended and that gentleman was granted permission to so reconsider.

On motion by Mr. Eustis, the House voted to reconsider its action whereby S. P. 2, S. D. 1, report of the committee on Maine publicity reporting ought not to pass on resolve to appropriate money for compiling and advertising the agricultural, industrial and recreational resources of the State was referred in the Senate to the Committee on Appropriations and Financial Affairs.

On further motion by the same gentleman, the House voted to accept the report of the committee, ought not to pass, in concurrence.

Orders of the Day

The SPEAKER: Under finished business the Chair lays before the House majority report, ought not to pass, and minority report, ought to pass, of the committee on Judiciary on resolve proposing an amendment to the Constitution authorizing the regulation of advertising signs in public view, H. P. 281, H. D. 68, tabled by Mr. Bartlett of Bangor, March 18, pending acceptance of either report; and the Chair recognizes the gentleman from Bangor, Mr. Bartlett.

Mr. BARTLETT: Mr. Speaker, I move the acceptance of the majority report. Nine members, of which I was one, signed the majority report; and I now yield to the signer of the

minority report, the gentleman from Portland, Mr. Hale.

Mr. HALE of Portland: Mr. Speaker, I was alone in signing the minority report on the resolve to amend the Constitution to enable the Legislature to regulate billboard advertising. I feel deeply the wisdom and soundness of this measure. I would not be afraid to defend my conviction in any audience, but I know that the House will not support me, and I fear that excellent formula would not serve me so well as it has served others; and under the circumstances and the pressure of public business I will not oppose the motion of the gentleman from Bangor, Mr. Bartlett.

Mr. MERRILL of Dover-Foxcroft: Mr. Speaker, I shall follow the action of my colleague, Mr. Hale of Portland; but I do wish to place myself on record as fully appreciating his attitude; but I follow his lead in making no attempt to fight in support of the minority report.

The SPEAKER: The question before the House is on the motion of the gentleman from Bangor, Mr. Bartlett, that the majority report, ought not to pass, be accepted.

The motion prevailed.

The SPEAKER: The Chair lays before the House majority report, ought to pass, and minority report, ought not to pass, from the Committee on Public Health on bill an act to accept the provision of the act of Congress of the United States, approved November 23, 1921, as amended and approved January 22, 1927, entitled "An Act for the promotion of the welfare and hygiene of maternity and infancy and for other purposes, H. P. 974, H. D. 310, tabled by Mr. Greenleaf of Auburn, March 22, pending acceptance of either report; and the Chair recognizes the gentleman from Auburn, Mr. Greenleaf.

Mr. GREENLEAF: Mr. Speaker and members of the House: There has been surprise expressed by members of the House that I should be the only signer of the minority report on this measure, a measure to secure for the children and mothers of our State the benefit of this act of Congress. My reasons for doing so were set forth fully—I won't say fully because I propose to go more fully into them at this time. My reasons for

doing so were set forth two years ago and are in the Record, and since the objections which I had to the act have not been eliminated, I therefore, must take my stand and try to bring out evidence in support of my position.

My speech of two years ago I shall refer to and read from, and I shall also read considerably from a paper that I have in my hand—the Congressional Record—which contains a petition presented to the Congress of the United States, the Senate,—evidence which has been collected by women opponents of this measure who have made a study of it, and who have set forth here in this paper their objections to it. I shall read quite extensively from this, as it has in it evidence which I touched on two years ago, and further evidence which has never before been brought forth. I will say in connection with this paper that it was not presented before the Senate, but was merely placed in the Record. The petitioners were refused a chance at the hearing before the Senate. The hearing on this measure in the House was started twenty-four hours after the introduction of the measure and they did not get a chance to introduce the testimony on that occasion, but it was put into the records of the Senate, and, of course, there it had as much effect and came to the attention of Congress in general about as much as a lot of these measures which come here and our Clerk starts to read and somebody gets up and says "I move that further reading be dispensed with and the matter be placed on file."

I read from my speech of two years ago:

"I do not wish to be understood as objecting to the work that is now being done by our State Department of Health in the matter relating to the welfare and hygiene of maternity and infancy. What I object to and what I would like clearly understood, and to what I will address my remarks, is the Federal control of this work." I have gone on record and I so stated in the committee on Public Health yesterday, that I would be willing to vote any amount of money from the State funds toward carrying out the health work that is being done by our Department of Health. Furthermore I am willing to stand here in this House

and fight for it and then go home and justify myself before my constituents.

"Now this act reads, 'An Act to accept the provisions of the act of Congress of the United States, approved November 23, 1921, entitled 'An act for the promotion of the welfare and hygiene of maternity and infancy and for other purposes.'

"Now, this act provides that if we will vote to appropriate ten thousand dollars for this work, the Government will allot to us fifteen thousand dollars more to be expended for this work under the supervision of the Maternity Bureau in Washington. This Bureau consists of the chief of the Children's Bureau, the Surgeon-General of the United States Public Health Service and the United States Commissioner of Education. The Federal Act further provides that the Children's Bureau of the Department of Labor shall be charged with the administration of this act and its chief shall be the executive officer of the Maternity Bureau.

"Now, what is the history of this Sheppard-Towner Act in our own State? Section 4 of the Federal Act provides that 'this act may be accepted by the Governor of the State and to be effective until six months after the adjournment of the next session of the Legislature after the passage of the act in Congress.'

Now, as far as the government of the State of Maine is concerned, on June 23rd, 1922, Governor Baxter, with his Councilors, had a hearing upon this particular bill to see whether they would accept its provisions. In favor of the acceptance of the Sheppard-Towner Bill there appeared Dr. Young, Dr. Kendall and Miss Mabel Connor of Augusta, and Mrs. Howard Ives of Portland. Those opposed were Dr. Spaulding of Portland, Franklin C. Payson of the Children's Hospital in Portland, Bishop Walsh, and Mrs. Kregar of Fairfield. The matter was gone into thoroughly at that time. It was not considered hastily. It was laid on the table and the Governor, on July 17th, according to the newspaper reports, made a proclamation refusing to accept the provisions of this United States Act, for the following reason:

"This is what the Governor said in his proclamation: 'I believe the time has come for the States of the

Union to hold to a principle and to carefully scrutinize all offers of Federal Aid before accepting them. Having no doubt as to what my duty is in this matter, I decline to accept the Sheppard-Towner Bill and this State, for the time being, will stand with New York, Massachusetts and Rhode Island, the three states that have rejected it. The State of Maine will not sell its birthright, and principle not expediency has been the determining factor with me in the solution of this problem. The financial aspect of Federal Aid is interesting. The proffered five thousand dollars has been referred to as a free gift to the State of Maine, while in reality the Federal Government is taxing the State to raise this money, and now, in order to help our mothers and children, offers to pay back to the State the trivial sum of less than two-thirds of one cent for each inhabitant. At the present time over \$18,000,000 is annually taken in taxes by the Federal Government from the people of Maine, and less than \$1,250,000 is returned to the State in the form of Federal Aid. This \$18,000,000 of Maine money is paid into the Federal Treasury at Washington, a large portion being absorbed in heavy administration expenses at the Federal Capitol, and a small fraction being returned to the State.'

"The people of Maine are willing and able to care for their own mothers and children, and I have faith to believe that Maine men and women will do this rather than accept so-called gratuities from a Federal Bureau. Already we are overburdened with Federal interference and control, and our citizens and industries are hampered by Federal Inspectors and other officials from Washington.'

"The seven members of the Executive Council unanimously have advised me not to accept the bill in question. These Councilors are men of wide experience in public matters, and I value their opinions highly. They, as well as myself, have at heart the welfare of the people of Maine, and in conjunction with those who favor the bill we all desire to advance maternity and child welfare work.'

"In years gone by the State of Maine has not hesitated to stand for great principles and it is well for the

forty-four States that have accepted the Sheppard-Towner Bill to know that Maine neither asks for, nor for the time being accepts, Federal Aid for its mothers and children."

Four years ago Mrs. Dora Pinkham, Representative from Fort Kent, introduced a similar measure into the Legislature. "It had a very lively hearing and came out of the Committee with a divided report. It was debated on the floor of the House and passed by a vote of 72 to 65; and in the Senate 17 to 11. This victory was clearly due to the fact that the bill's most active proponent was Mrs. Dora Pinkham. When Governor Baxter vetoed this measure, the support swung to 86 to 47 in support of the veto, and this at a time when over-riding the Governor's veto was apparently considered by the Eighty-first Legislature as the king of indoor sports."

Two years ago this bill was again introduced and came into the House with a divided report. On that occasion, as at first, I was the only signer of the minority report, ought not to pass, which report was adopted by a vote of 89 to 41 with 18 absentees.

"My objections to this bill are that it is an unwarranted invasion by the Federal Government of the sovereign rights of our State; an encouragement of the centralization of power in Washington; an invasion of the privacy of our homes; and a tendency toward the Communistic Doctrine that the child is the property of the State.

"The proponents of this bill will tell you that we are already accepting Federal Aid in the matter of roads and agriculture. This is all very true, but do we want to go further and admit it to our firesides; do we want the State acting as a God-father to our children?

"Now, Section 9 of the Federal Act reads as follows: 'No official, agent, or representative of the Children's Bureau shall, by virtue of this act, have any right to enter any home over the objection of the owner thereof, or to take charge of any child over the objection of the parents, or either of them, or of the person standing in loco parentis or having custody of such child. Nothing in this act shall be construed as limiting the power of parent or guardian or person standing in loco

parentis to determine what treatment or correction shall be provided for a child or the agency or agencies to be employed for such purpose.'

"This gives no right to enter the home. That is apparent; of course it does not; if it did, the Federal Act would never have become a law. The right to enter is not given but it gives no protection because there is no penalty connected with it. Federal Agents can enter the homes whenever it suits their convenience."

In the creation of the Bureau two attempts to amend the bill to protect the citizens against the invasion of their homes by government agents were defeated, causing Senator Heyburn to remark "We have now placed the seal of disapproval on Article IV of the Constitution of the United States the so-called right of castle." Senator Borah opposed the amendment saying: "It renders less effective the measure and it would be very unfortunate if it were adopted." Thus the Senator in charge of the bill admitted that its agents would enter homes.

Senator Culberson introduced a third amendment as follows: "But no official or agent or representative of said Bureau shall, over the objection of the head of the family, enter any home used exclusively as a residence." This was passed by the Senate by a narrow margin—39 to 34—but the sponsors of the bill all voted against it.

The Children's Bureau was introduced by communists and all its measures are communistic. In support of that I may take you rather far afield, but I want you to bear with me because what I say has a direct bearing on the influences behind the Children's Bureau.

Now the petitioners who presented the petition which is in this Congressional Record addressed the Senate as follows:

"To the Honorable Members of the United States Senate.

Gentlemen:

The board of directors of the Woman Patriot Publishing Co., consisting of Mrs. John Balch, Milton, Mass.; Mrs. Randolph Frothingham, Boston, Mass.; Mrs. Rufus M. Gibbs, Baltimore, Md.; Miss Mary G. Kilbreth, Southampton, N. Y.; and Mrs. B. L. Robinson, Cambridge, Mass.; is unanimously opposed to the renewal

and extension of the Sheppard-Towner Maternity Act, as proposed in the pending Phipps-Parker bill.

Having been denied a hearing by the Senate Committee on Education and Labor and not having been heard at the hurried, inadequate House hearings opening within 24 hours after the introduction of the bill, we therefore respectfully submit to the honorable Members of the United States Senate, this petition for the rejection of the Phipps-Parker bill to extend the maternity act, and present reasons and facts comprehensively and in detail, for such action.

Your petitioners are veterans in the opposition to the maternity act, having fought it and the group of legislation of which it is a part since 1920.

We compiled the first Federal-aid taxation tables on the original Sheppard-Towner maternity and Smith-Towner education bills, showing the unjust incidence on the States of that tax which asserted the right of the Federal Government to redistribute the national wealth, and to operate a nation-wide system of thefts and bribes, corrupting the States to surrender their local self-government.

We reprinted the congressional debates of 1867-68 on the establishment and abolition of the short-lived, post Civil War Federal Department of Education, believing that remarkable legislative incident a powerful argument against repetition of that abortive experiment.

It was an officer of this company who brought the citizen's suit in the United States Supreme Court (Frothingham v. Mellon, 262 U. S. 477) to test the constitutionality of the maternity act, which the court dismissed, "for want of jurisdiction, without considering the merits of the constitutional questions," as the decision states.

Impressed by the gravity and obscurity of the social and economic issues involved in this legislation, your petitioners have examined, and now respectfully show a mass of related and indisputable facts, many of them never before presented to either House, and unknown to the public, which, in brief, seem to prove beyond reasonable doubt:

That placing the health of mothers

and children and control of State health authorities' plans for maternity and infancy care under a radical Federal bureau of social workers is unscientific and unsafe for mothers and babies; that more lives of mothers and infants are lost, in the aggregate among States accepting the maternity act than among States rejecting it; that the State most subjected to these experiments has the highest rate of maternal mortality from septicemia in the United States; and finally, that this legislation is an integral part and direct result of a comprehensive communist legislative program, designed and led by the ablest legislative manager communism has produced, to socialize and nationalize the care, control, and support of American children in the central bureau established by the same communist leader for that purpose, at the heart of the United States Government.

(At this point Senator Gould entered the hall of the House, and was escorted by the Messenger to a seat beside the Speaker, amid the applause of the House, the members rising.)

Mr. GREENLEAF continuing: The Children's Bureau was established through fraud and deceit by communists working under the popular appeal of aid to mothers and children. Now why do I charge this? It is because the chief sponsor of the act creating this Bureau was Mrs. Florence Kelley. She also was the leader in the origin and passage of the Sheppard-Towner act, the origin and passage of the National Child labor legislation, the origin, text and passage of the child labor amendment, the origin and propaganda for the Smith-Towner education department bill.

Now who is Mrs. Kelly? She was born in Philadelphia in 1859; graduated from Cornell University in 1882 and studied at Zurich and Heidelberg. While abroad she came in contact with Friederich Engels and became interested in socialism. Engels was associated with Karl Marx in the issuance of the communists manifesto which had for its object the destruction of the monogamous family, destruction of private property and destruction of countries and nationalities. I might say that Friederich Engels was the son of a

rich cotton manufacturer, and the only reason that he was not the patron saint of a communist is that although he was at heart and soul a communist, and used his money to further their interests, being a rich man he could not be canonized by communists. Engels was the author of the "Origin of the Family, Private Property and the State," the great-socialists attack on monogamous marriage and morality. Mrs. Kelley became Engels translator and returned to this country as his chief lieutenant for the promotion of communists legislation and propaganda in the United States. She was in continual correspondence with him, and many of his letters instructing her how to introduce socialism into the "flesh and blood" of Americans are now in the New York Public Library. Engel in his "Origin of the Family, Private Property and the State" says:

"In an old unpublished manuscript written by Marx and myself in 1846 I find the following passage: 'The first division of labor is 'hat of man and wife in breeding children.' And today I may add: The first-class antagonism appearing in history coincides with the development of the antagonism of man and wife in monogamy and the first-class oppression with that of the female by the male sex.

"In the great majority of cases the man has to earn a living and to support his family. * * * He thereby obtains a superior position that has no need of any legal special privilege. In the family he is the bourgeois; the woman represents the proletariat.

In the same book Engels declares:

"The modern monogamous family is founded on the open or disguised domestic slavery of women, and modern society is a mass composed of molecules in the form of monogamous families.

Monogamy * * * enters as the subjugation of one sex by the other. * * * Monogamy was * * * the victory of private property over primitive and natural collectivism.

"We are now approaching a social revolution in which the old economic foundations of monogamy will disappear. Monogamy arose through the concentration of considerable wealth in one hand—a man's hand—and from the endeavor to bequeath this wealth to the children of this

man, to the exclusion of all others. Under communism, he says:

"The situation will be very much changed for men; but also that of women, and of all women, will be considerably altered. With the transformation of the means of production into collective property, the monogamous family ceases to be the economic unit of society. The private household changes to a social industry. The care and education of children becomes a public matter. Society cares equally well for all children, legal or illegal. This removes the care about the 'consequences' which now forms the essential social factor—moral and economic—hindering a girl to surrender herself * * *."

Here is conclusive evidence that the communists designed to destroy the monogamous family (as the "molecule" and "economic" unit of society) by arousing women (as the "proletariat") against men (the "bourgeoisie"), precisely as they designed to destroy capitalism by abolishing private property through the class war of the proletariat against the bourgeoisie.

Engels' Origin of the Family was written for that purpose. Many of its indecences are unquotable, as are those of Woman and Socialism, by August Bebel, written with the same object of arousing women against men and picturing primitive promiscuity among savages and the mythical "matriarchy," of which Morgan and other socialists pretend to have found traces among savage tribes, as the most free, natural, and desirable state for women.

Now I ask you, can any American subscribe to such doctrine? Yet how did Mrs. Florence Kelley, the woman most instrumental in bringing about the Sheppard-Towner act, in establishing the Childrens' Bureau, and all that,—how did she react to this?

Yet Mrs. Kelley in her lecture on "The need of theoretical preparation for philanthropic work" to the New York Association of Collegiate Alumnae, May 14, 1887, declared that Engels' Origin of the Family is a "fundamental work," a "most brilliant popularization" "which is warmly to be recommended," and recommended Bebel's Woman as "another useful preliminary work"

which is "most suggestive and well worth reading."

In preparation for "philanthropic work" college women were urged to study Marx, Engels, Bebel, and Morgan—four months after Engels had instructed Mrs. Kelley to introduce socialism "into the flesh and blood" of Americans, as elsewhere noted.

That is Mrs. Kelley's stand in that matter and that speech is in the New York Public Library.

Miss Grace Abbott, the present chief of the Children's Bureau, a product of Hull House, Chicago, member of the Women's International League, pacifist, who, at the International Congress of Women at The Hague in April, 1915, introduced a resolution for dismantling the Panama Canal and making it the property of all nations, who led a campaign in this country for recognition of Soviet Russia, and urged women to take slacker oaths, all looking toward the breaking down of national patriotism.

The department of education, saturated with the doctrines of internationalism and pacifism that owe their origin to the communist manifesto "to abolish countries and nationalities" and their development to include "world citizenship," "teachers of the world," and "children of the world," while less brutally stated, is in fact even more obnoxious than the "workers of the world have no country" of the communist manifesto, because there is not the slightest excuse in social or economic interests for teachers to form a world union against nationalism under the false banner of "peace."

The greatest investigation of communism ever made in America, and reported in four large volumes by the New York Legislature under the title, "Revolutionary Radicalism" declares:

"The very first general fact that must be driven home to Americans is that the pacifist movement in this country, the growth and connections of which are an important part of this report, is an absolutely integral and fundamental part of international socialism. It is not an accretion. It is not a side issue. European socialism concentrated its efforts in three directions: * * *

"The third purpose was the creation of an international sentiment to supersede national patriotism and effort, and this internation-

alism was based upon pacifism in the sense that it opposed all wars between nations and developed at the same time the class consciousness that was to culminate in relentless class warfare. In other words, it was not really peace that was the goal, but the abolition of the patriotic, warlike spirit of nationalities."

A third social worker from the Hull House was Anna Louise Strong, who came to the Bureau as Exhibit Expert. In 1919 she was a revolutionary ringleader in the attempt to overthrow the government of Seattle in a general strike which was put down by Mayor Ole Hansen, who referred to Miss Strong as "an open Red Revolutionist, whose proclamations were most radical." In 1924 she pronounced Lenin the "greatest man of our time," and her book on communism in Russia entitled "The First Time in History" contains an introduction by Leon Trotsky as an endorsement of Miss Strong. This woman is now working with Alexandra Kollontay.

The worst communist in Soviet Russia of whom there is official record, a communist who was too radical even for Lenin and Trotsky to approve her entire program—Alexandra Kollontay, first commissar of the Soviet department of social welfare—was indorsed in an official booklet of the United States Children's Bureau, No. 57, "Maternity Benefit Systems in Certain Foreign Countries," issued in May, 1919, as the author of "the most comprehensive study of maternity benefits and insurance which has yet appeared in any language." (Children's Bureau publication No. 57, p. 175.) This was done over six months after Alexandra Kollontay had been exposed by the United States Government and American newspapers as a German-paid traitor (see "The German-Bolshevik Conspiracy," issued in October, 1918, by U. S. Bureau of Public Information, Document No. 7, etc.) and after a storm of world-wide protest had been aroused by the measures taken under Mme. Kollontay's "most comprehensive" system in Soviet Russia.

And the Children's Bureau has never withdrawn or modified that indorsement, notwithstanding severe criticism in the United States Senate and elsewhere, since Senator James A. Reed of Missouri first exposed and denounced it in Jun 1921. It persists in recommending Kollontay's

book—at the expense of American taxpayers—and although the Children's Bureau has "investigated and reported" almost everything under the sun, from the illegitimacy laws of Norway to the amount of "hoeing in the home garden" done by children in North Dakota (Child Labor in North Dakota, p. 13), it has not published one word of exposure or of criticism of the Bolshevik corruption and nationalization of children in Soviet Russia—the greatest crime against childhood and motherhood recorded in history. In fact, it appears that Anna Louise Strong, former exhibit expert of the United States Children's Bureau, has actually become a sort of successor to Kollontay in colonizing children in Russia! The Daily Worker, official American communist organ, March 3, 1925, declared:

"Anna Louise Strong, American Journalist, is Head of Children's Colony Movement in Soviet Russia.

"A new children's colony in Russia has been started by sympathizers in this country, another will be begun in a few days, and two or three more will have their inception in probably less than a month. Our correspondent, Anna Louise Strong, who has just returned from Russia, will return to the Soviet Republic in May to begin the new John Reed colony in Novgorod Gubernia, started by subscriptions of lovers of Russia and her children, in a group in New York. * * * A dinner was given to Miss Strong by these sympathizers * * * 60 to 70 women and men in the New York group. * * * The Soviet Government has given Miss Strong about 900 acres of land and a monastery and buildings in Novgorod."

The communist paper mentions no names of the "New York group."

What is this "colonization of children" in Soviet Russia? Sir Paul Dukes, one of the greatest authorities on Russia, writes:

"The central tragedy of the Bolshevik regime in Russia is an organized effort to subvert and corrupt the minds of children * * *. It has always been a Bolshevik principle to fight the institution of the family. Mme. Kollontay's writings can leave no doubt on that score, even in the minds of the skeptical. The idea is to remove children at an early age from parental care and

bring them up in colonies." (New York Times, July 17, 1921.)

Prof. Boris Sokoloff, although a socialist and member of the first all-Russian constituent assembly of January, 1918, writes:

"I am prepared to forgive the Bolsheviks many things, almost everything; but there is one thing which I can not and will not forgive them, namely, those experiments, positively criminal and worthy of the most savage tribes of the African jungle, which the Bolsheviks have been making all this time with our young generation, with our children. This crime knows no parallel in the history of the world. They have destroyed morally as well as physically a whole Russian generation." (Volia Russi, Will of Russia, February 16, 1921.)

Lieut. A. W. Klieforth, who was assistant military attache in Russia when the Bolsheviks came into power, and who was one of the State Department's leading witnesses at the recognition of Russia hearings before the Senate Foreign Relations Committee in 1924, described communist socialization of children in February, 1920, in part as follows:

"If you want to visit your children—that is to say, those who were once your children—who have been removed to the communal schools, you will get a permit, because the children are not really yours at all, but have become wards of the state. All the children have been deported from their homes to those schools. The younger generation in Petrograd is systematically herded into freight cars and sent away from 800 to 1,000 miles to completely isolated institutions, where they are trained in the principles of communism.

"Deportation, however, is but the first step. Parents have a habit of loving their children * * * and by whatever influence or bribes they are able to bring to bear, seek to discover and rejoin them. Therefore, the Soviet carefully destroys all records of birth and relationship, leaving nothing undone to completely isolate every child in Russia from all human ties, except those relations advocated by bolshevism.

"If you live in Petrograd and your mother is dying in Moscow, you say,

'I want to visit my mother who is dying in Moscow. The invariable reply is, 'That is no excuse. Your mother has no more relation to you than any other woman citizen of this Soviet Republic.'"

Is not that a beautiful condition of affairs to be recommended in the publications of the Bureau?

So we see how far along the line of securing the benefits of state parenthood for babies this former member of the Childrens' Bureau has gone. She occasionally returns to this country on lecture tours, at which time she can be reached according to the radical Federated Press Bulletin of December 15, 1923, which says: "She can be reached at Hull House, 800 South Halstead street, Chicago." This is headquarters of Miss Jane Addams and the radical settlement "training school" from which both the former Chief of the Childrens' Bureau, Miss Julia C. Lathrop, and the present Chief, Miss Grace Abbott, graduated into Federal government positions of tremendous power. All of these women are associated with Mrs. Florence Kelley in the Womens' International League for Peace and Freedom, which has led the campaign in this country for the recognition of Soviet Russia, telling women that "Russia leads the world in her attempt to establish peace." This same league has led the pacifist campaign to "disarm America first" as "an example" to the rest of the world and urged women to take slacker oaths and pledges against all service to their country in time of war.

Now members of the House I have tried to show you the connection of the Childrens' Bureau through its founder, former chief and present chief with Russian communism. Now you ask if this be so why was this power ever given them.

For 40 years modern revolutionary communism, under the original, direct instructions of Friederich Engels and Karl Marx, its founders, has had in the United States a thoroughly trained, educated, and experienced leader, who is perhaps the ablest legislative general communism has produced—Mrs. Florence Kelley.

Operating quietly, and mostly under cover of American ignorance of socialist intrigue and philosophy, American chivalry and sentiment concern-

ing women and children, American philanthropy and sympathy toward the poor, Mrs. Kelley has steadily introduced socialism "into the flesh and blood" of America in more ways than any other socialist has had either ability or training to use.

Karl Marx, Friederich Engels, August Bebel, and hundreds of other socialists simply wrote books. Nicolai Lenin, Leon Trotski, Alexandra Kollontay, and Florence Kelley translated those books into legislative action! And the legislative generalship of Mrs. Kelley has probably been even greater than that of Lenin, because she has conducted her entire campaign "with no-communist hands"—including Republicans, Democrats, capitalists, philanthropists, and women—and for 40 years has managed to keep the legislative headquarters and herself, commanding political general of socialism in America, almost completely concealed.

Probably not one American in 10,000 knows that Mrs. Kelley is a socialist; few legislators can have dreamed that they were carrying out her orders, plans, and program in voting for the vast number of bills she has engineered—municipal, State, and Federal—for two generations. There are in fact few laws on American statute books of a socialist nature or tendency which can not be traced, in whole or in part, to the leadership of Mrs. Kelley.

Mrs. Kelley herself is not a job hunter. She is not out for "pork" but for social revolution. She is a lifetime revolutionary leader, who, as legislative generalissimo of the Socialist campaign, enlists hosts of sentimentalists, mercenary women lobbyists and job hunters in her rank and file, who do as they are told, pass resolutions and lobby Congress as directed, and for the most part know no more about her revolutionary socialist strategy than Napoleon's mercenaries knew of his military strategy. The mercenary battalions of women lobbyists and job hunters will be noted and quoted hereafter. Compared with these mercenary women politicians, working for Mrs. Kelley's socialist measures for a personal share in the political loot, Mrs. Kelley herself must be credited with sincerity, and her work, disastrous as it is to society and government, undoubtedly expresses Mrs. Kelley's political convictions.

The sane, prosperous American people would never accept communism

with their eyes open. Engels knew that when he instructed Mrs. Kelley, January 27, 1887:

"The less it (socialism) will be knocked into the Americans from without and the more they test it by their experience * * * the deeper it will go into their flesh and blood. (New York Call, socialist organ, January 29, 1923.)

Our sturdy self-reliance and energy, heritage of pioneer days, are to be sapped by humanitarian "welfare" measures, making of American citizens mere parasites of their Government instead of its upholders. This country was settled by pioneers who come here facing danger, hardship, and privation, an unknown wilderness, and ruthless savages because they counted freedom from oppressive, bureaucratic European Governments a greater boon than any material comfort and ease.

Jefferson voiced what they wanted in government in his first inaugural:

"A wise and frugal government, which shall restrain men from injuring one another and leave them otherwise free."

The framers of our Constitution sought every safeguard of our liberties, but George Washington warned us:

"Resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect in the forms of the Constitution alterations which will impair the energy of the system and thus to undermine what can not be directly overthrown." (Farewell Address.)

Jefferson, with all his enthusiasm for our system, wrote:

"In every government on earth is some trace of human weakness, some germ of corruption and degeneracy, which cunning will discover and wickedness insensibly open, cultivate, and improve." (Notes on Virginia, 7, 390).

The communists and socialists seek every opportunity that cunning can discover to use the "general welfare" clause of the Constitution, plus all the emotion and sentimentalism which modern propaganda methods can associate with the word "welfare" when coupled with women and children, "to undermine what can not be directly overthrown."

So many recent abuses have claimed the "general welfare" clause as authority that the editor of the Massachusetts Law Quarterly recently alluded to it as "The Achilles Heel of

the Constitution." And the measures which the cunning of communists can not drag into Congress under a perverted interpretation of the welfare clause, or the stretching of some enumerated power until its framers would not recognize it, they propose by constitutional amendment, when the Supreme Court has held them clearly unconstitutional.

The Kelley-Engels program proposes to trick our own Representatives to legislate us into communism and make us dig our own graves, into which it is intended we shall fall by our own act.

This was the campaign policy adopted at the 1908 National Socialist Convention at Chicago, when the convention, split into two factions, fought out the problem of how best to overthrow the United States Government.

The two socialist factions, in entire agreement on their ultimate purpose, were at odds only as to methods practicable in America.

One faction, the extreme straight, Marxian revolutionists, were called "impossibilists" by their American socialist colleagues, because their methods were deemed impossible in this country.

The other faction which prevailed was composed of "opportunists," so called because they made "immediate demands" for what they could get, bit by bit, through legislation for gradually fastening socialism insidiously upon us.

The open revolutionists were beaten every time by Morris Hillquit, chairman of the convention; Victor Berger, and other powerful socialist leaders, who told the delegates not to make themselves "ridiculous," not to make themselves "a laughing stock," etc., by demanding the full socialist establishment at once.

So clearly was it seen Americans would not knowingly accept socialism.

A New York delegate explained to the socialist convention the "bit-by-bit" policy of tricking us into digging our own graves. He said:

"Today we are seeing encroachments after encroachments on the regime of private property in the means of life, and every time a utility is taken over and made public by nationalization, even with a capitalist government in control, so much does it limit the area of private ownership.

He goes on to say, mind you, in this socialist convention,

"President Roosevelt is a good deal wiser than some of the delegates

here, because he saw these encroachments upon private ownership and called them the greatest national disaster that can take place; he does that because he knows that when one encroachment is made upon the arena of private property it means opening the door to all others.*** They are playing into your hands, because you understand the philosophy of the situation, and they do not.*** The capitalists themselves are digging their own graves, and when you see a little bourgeois shouting for Government ownership of gas or telephones or telegraphs you simply see him digging shovelful after shovelful out of the hole in which later we will bury the whole capitalist system."

Now what is the object of the Sheppard-Towner act? My good friend, the gentleman from Dover-Foxcroft (Mr. Merrill) is going to tell you that we want to pass this particular legislation because it will enable us to get \$15,000 from the government, which through our public health bureaus will place nurses to a further extent in this State to aid the mothers. Now how do the people in charge of the Children's Bureau feel about that?

"The second legislative fraud was the Sheppard-Towner Maternity and Infancy Act, whereby the Children's Bureau, the \$29,000 a year "statistical agency," reached out for administrative power in the States over mothers and children, with a proposed \$4,000,000 a year Federal subsidy, to be matched by the States, with which to purchase State and local obedience to the bureau's Federal "minimum standards."

The maternity act specifically extended the Children's Bureau's activities to include women, and, contrary to popular belief, the bill's backers were not mainly concerned with the health of mothers, but with the "economic and social conditions surrounding women and children."

In proof of this the following official statements are quoted:

"Miss JULIA C. LATHROP (then chief of the Children's Bureau). For seven years the Children's Bureau has devoted much attention to the subject specifically stressed in its organic act, namely, infant mortality. None of these studies, it should be stated, are medical studies. They consider the economic, industrial, social, civic, and family factors sur-

rounding the child and mother. *** The figures of family income gathered by the bureau prove irrefutably that a large proportion of babies are born into homes where the income can not cover the expenses of satisfying the reasonable requirements of mother and baby." (Hearings, Senate Committee on Public Health and National Quarantine, May, 1920, p. 11.)

"Family well-being involves many services, among them those of teacher, physician, nurse, social economist ***; hence members of the Federal board represent education, health, and social economy." (Ibid. p. 11.)

Again:

"Mr. WINSLOW (chairman House Committee on Interstate and Foreign Commerce). Is this not specifically a medical proposition?

"Miss LATHROP, I do not so regard it; and I am sure that anyone who had time to read the successive reports of the bureau upon infant mortality would not feel that this bill is primarily a medical proposition. I think it is: a social and economic proposition, and we can not ignore those basic aspects of it." (Hearings, December, 1920, pp. 20, 21.)

"Mr. WINSLOW. Is there any doubt that this particular undertaking covered by this bill is a health consideration?

"Miss LATHROP. My judgment is that it is not altogether a health consideration. The inquiries that led up to it were not medical, but were chiefly in the social and economic field. And the principles to be applied in administering this law are largely in the social and economic field, and it is not a health measure in the sense in which the prevention or cure or treatment of disease is a health measure." (Ibid., p. 20.)

In short, Miss Lathrop argued repeatedly that preventing the deaths of mothers and babies is not regarded by the backers of the maternity act as a medical and health question, and that their interest in maternal and infant mortality lies in "social and economic" remedies, such as "nationalization of financial responsibility," investigations of husbands' incomes, "maternity benefits," and Federal subsidies as "the principles to be applied in administering this law" !

Dr. Anna A. Rude, director of the

division of hygiene, Children's Bureau, testified to the same effect:

"This proposed bill has a broader scope than a purely health bill. That is one of the reasons for not putting it under the boards of health. * * * As I think I stated before, this bill is intended to be a much broader bill than a purely health bill; its real purpose is for educational extension work, and that is the reason for having it under a separate board. * * * This bill is really broader than a simple health measure." (Hearings, House Committee on Labor, January 1919, pp. 50-52.)

Dr. Charles E. Sawyer (brigadier general, President Harding's physician) testifying in favor of the maternity act declared:

"This really is a sociological subject. I believe it belongs to the social service division of the new (proposed) welfare department. * * * My understanding of this bill is that it handles the sociological side. Do I make myself clear? It does not handle the medical side of maternity. It handles the social relations. * * * As I understand the matter in conversing with those who are interested in this bill * * * it seems to me * * * that this would go to the social service division of the (proposed) welfare department.

"Mr. COOPER (member of the committee): General, you said a few moments ago you thought that this measure was more sociological than medical, did you not?

"Doctor SAWYER: Yes, sir. * * *

"Mr. GRAHAM (member of the committee): Let me see if I get your idea. You conclude that this is purely a sociological question?

"Doctor SAWYER: I do. * * *

"Mr. GRAHAM. * * * When you want to embark upon the line of sociology by the Federal Government, the field is boundless, and so far as I am concerned, I can not see the end." (House hearings, July, 1921, pp. 126-130).

"Mr. WINSLOW: Can you tell me why you were assigned to the Department of Labor?

"Miss LATHROP: A very large proportion of the children of this country are the children of people who work with their hands; and there is a sound and natural connection between a bureau which is intended to understand and to improve the condition of children and

child life and a department whose duty is to improve the condition of working people.

"Mr. WINSLOW: Well, that was when your office was created and began to function. It bore more directly on the labor side then.

"Miss LATHROP: We have an industrial division now, and we are constantly making industrial studies.

"Mr. WINSLOW: That is what I mean; you are tied up to the industrial end of it more particularly. * *

"Mr. WINSLOW: Would it cause any hindrance to the progress of your work if you were to be transferred to the United States Public Health Service?

"Miss LATHROP: I should regard it as a fatal error to transfer a bureau whose business it is 'to investigate and report upon all matters relating to the welfare of children and child life' to the sole supervision of physicians, earnestly as I may respect physicians.

"Mr. WINSLOW: Well, you did draw in a medical branch to your office when you entered this field?

"Miss LATHROP: Yes; we did draw in medical advisers later, when we had more money. We are aware that there are aspects of life which require the services of physicians, but they are a small part of child welfare, and must be considered in relation to the social field."

(House hearings, December, 1920, pp. 19, 20.)

Mrs. Florence Kelley, general secretary of the National Consumers' League, testified:

"The National Consumers' League has been interested for several years in the movement for compulsory industrial health insurance for working people. We have also been interested in legislation providing for a period of compulsory rest of expectant mothers before and after the birth of their children. Both these measures are vain until the passage of this bill. * * *

"The Consumers' League interests itself primarily in the employees in the industries." (Senate hearings, May, 1920, p. 51.)

After admitting that her league was interested in "compulsory industrial health insurance" and "maternity benefits"—which are straight German socialist schemes, rejected by every State in this Union and opposed by American organized labor—

and that she regarded the maternity act as a step toward their enactment, Mrs. Kelley nevertheless ended her testimony with an impassioned indictment of Congress:

"Inaction shrieks to Heaven at the present time. * * * Why does Congress continue to wish to have mothers and babies die?" (Ibid., p. 53.)

The original Children's Bureau maternity bill proposed to appropriate \$4,000,000 annually by the Federal Government—to be matched by the States—and included a provision for "medical and nursing care for mothers and infants at home or at a hospital when necessary, especially in remote areas."

That was to make believe that mothers and infants would receive actual assistance, especially in "remote areas" and rural districts, but it was demonstrated in the first Senate debate that the backers of the bill really intended practically the entire \$8,000,000 a year for "social and economic" investigations, reports, salaries, etc., and were ready to drop any actual help to mothers and babies as soon as it seemed possible to pass the bill without it, but they asked the full appropriation to the last.

This is proved by the following debate:

"Senator HOKE SMITH, Section 8 contains this provision:

"And the provision of medical and nursing care for mothers and infants at home or at a hospital when necessary, especially in remote areas."

"Senator SHEPPARD. The chairman of the committee, the Senator from Maryland (Mr. France) has indicated his willingness to accept an amendment eliminating that provision.

"Senator SMOOT. Do I understand the Senator * * * to say that the chairman of the committee has accepted the proposition eliminating that whole section?

"Senator SHEPPARD. No; but eliminating the provision to which the Senator from Georgia makes objection * * * the Senator from Maryland will accept an amendment eliminating that clause * * *. The Senator from Maryland is now here, and he can verify what I said a few moments ago.

"Senator SMITH of Georgia. I de-

sire to say to the Senator from Maryland that it has been stated in his absence it was the purpose of those in charge of the pending bill * * * to amend the original language by striking out the words, 'and the provision of medical and nursing care,' etc. * * *.

"Senator FRANCE. Mr. President, I do not consider that that amendment would materially injure the bill or defeat its purpose and I myself do not feel like opposing it.

"Senator SMITH of Georgia. * * * When these large sums were put into this bill it was with the idea of treating individual cases.

"Senator SHEPPARD. Mr. President, that was not the idea. The treatment of individual cases was never intended to amount to more than a very secondary and exceptional consideration * * *.

"Senator SMITH of Georgia. Does the Senator think it would take \$8,000,000 annually simply to carry information and instruction on the subject?

"Senator SHEPPARD. That was the conclusion of those who looked into the matter very carefully.

"Senator BRANDEGEE. * * * May I ask who made the estimates for which these figures of \$2,000,000 and \$4,000,000 resulted? The Senator from Texas says he understands the matter has been very carefully considered and looked into. By whom?

"Senator SHEPPARD. By the Children's Bureau.

"Senator BRANDEGEE. And it is the opinion of the Senator that the Children's Bureau thought these amounts to be appropriated annually * * * were required simply for sending out circulars and literature on these questions?

"Senator SHEPPARD. That was the idea, because the work is to be in cooperation with all the States in the Union.

"Senator BRANDEGEE. They allowed nothing then for doctors' bills for women and children which was contained in the language which has been stricken from the bill?

"Senator SHEPPARD. That was considered to be a very small part of the matter. * * * It was not intended to apply that phase of the bill extensively at all. * * *

"Senator SMOOT. The amendment that has been adopted, in my opinion, takes out at least three-

fourths of the expense that would be incurred under this bill.

"Senator SHEPPARD. Not at all, I will say to the Senator. Only a small part of the money available was intended to be used for medical and nursing care." * * * I will say to the Senator that only the smallest part of this fund was to be expended for actual medical and nursing care." * * *

Can it be denied by any honest person, on the face of the record and the testimony of the leading advocates and backers of the maternity act, that it was intended not as a health or medical measure, but as a "Socialological measure" for salaries, investigations, reports, and traveling expenses of bureaucrats chiefly concerned with "social and economic" principles and propaganda, who originally intended that "only the smallest part" of the fund was to be expended in actual aid of mothers and babies, and who, in the course of the passage of the maternity act, agreed to eliminate even that smallest part?

What about the publications of this Bureau, the compiling and proper distribution of which was the real purpose of the Bureau and which would in the opinion of the Bureau cost \$8,000,000 a year to compile and distribute.

An examination of the Children's Bureau publications and activities will show that bureau from 8 to 10 times as interested in socialist "standardization" of children, following European or international models, and in socialist illegitimacy propaganda as in the health of mothers and babies. This is shown even in the bureau's official list of publications.

First, we count to the credit of the bureau the publications fairly to be considered within the scope and intention of Congress in creating the bureau.

Let us compare these legitimate publications of the bureau with its foreign socialist propaganda, using the official Children's Bureau list of publications and the bureau's numbers and titles:

	Pages
No. 2. Birth registration	20
No. 4. Prenatal care	41
No. 8. Infant care	118
No. 30. Child care	82

10 dodgers on child welfare	40
Total	301

No. 31. Norwegian laws concerning illegitimate children	37
No. 42. Illegitimacy laws of the United States and certain foreign countries	260
No. 42. Analysis and index of illegitimacy laws	98
No. 66. Illegitimacy as a child-welfare problem (Part I)	105
No. 75. Illegitimacy as a child-welfare problem (Part II)	408
No. 128. Illegitimacy as a child-welfare problem (Part III)	260
No. 77. Standards of legal protection for children born out of wedlock	158
No. 144. Welfare of infants of illegitimate birth in Baltimore .	24
Total	1,370

Is it conceivable that Congress intended the Children's Bureau to compile so much more of this socialist illegitimacy propaganda than advice and information to mothers in the care of children? In addition, according to the Secretary of Labor's Annual Report, 1925 (pp. 73-74), the bureau is investigating 250 cases of illegitimate children, 8 years of age and over, in 11 cities, and the histories of these cases, 250 individuals, "will form the basis of a report now being prepared." Hence any Senator may soon pick up a Children's Bureau indictment of his home-town's conditions, drawing sweeping national conclusions and "standards" for national legislation from the cases of 250 unfortunates the bureau is inspecting.

Again, let us compare the publications relating to the maternity act with those seeking socialist standardization of American children in imitation of the "doles" and "maternity-benefits" systems of Europe:

	Pages
No. 137. Promotion of the welfare and hygiene of maternity and infancy	42
No. 146. Promotion of the welfare and hygiene of maternity and infancy	56
Total	98

	Pages
No. 57. Maternity-benefit systems in certain foreign countries	206
No. 60. Standards of child welfare	459
No. 76. Infant-welfare work in Europe	169
No. 105. Infant-mortality and preventive work in New Zealand	72
Total	906

Here we have nearly ten times as much foreign socialist standardization propaganda as information from the bureau regarding the maternity act! The "Standards of child welfare" is the outcome of an internationalist convention called here by the Children's Bureau to frame legislation for American mothers and children in 1919. The proceedings and "minimum standards" of that internationalist convention have become almost a fetish of the bureau, to which it constantly compares the real laws of American States as inferior and defective to these "minimum standards" of a group of sociologists from England, Canada, France, Italy, Serbia, and Japan, etc., which the Children's Bureau brought here at expense of American taxpayers.

It is strikingly significant of the Children's Bureau's general attitude that it can give one convention of foreigners, brought here to standardize American children, a report about five times as large as the two considered sufficient to describe the operations of the maternity act for several years in 43 states.

In spite of the fact that the Supreme Court of the United States holds that "the fundamental theory of liberty upon which all governments in this Union repose excludes any general power of the state to standardize its children." (Oregon school cases). the Children's Bureau is obsessed with the idea of standardizing everything connected with children.

Consider the latest pamphlets of the bureau: No. 153, "Standards of prenatal care, an outline for the use of physicians," and No. 154, "Standards for physicians conducting conferences in child-health centers."

In the Standards of Child Welfare, Children's Bureau Publication, No. 60, the first standards that appear, under Section III, entitled "The health of

children and mothers" are "Standard requirements for obstetrical care."

Under this standard the professor who covered the subject for the bureau (and whose doctrine has been circulated by the bureau, at public expense, ever since) declared:

"I take it that the first step in such a campaign of education for the improvement of obstetrical conditions must consist in the compulsory registration of pregnancy, through the local health officer.

Now that doctrine was put out in the publications of the Bureau.

Now we come to the Child Labor Amendment

The third and boldest legislative fraud to trick Congress and the country into adopting the Kelley program of revolution by legislation was the "child" labor Federal amendment, providing that "Congress shall have power to limit, regulate, and prohibit the labor of persons under 18 years of age."

Emboldened by the apparent docility with which the country had submitted to the establishment of a central socialist administrative machine (1) by planting the Children's Bureau, a socialist propaganda agency, at the heart of the Federal Government, and (2) by giving it vast administrative power in the states over health boards, physicians, nurses, mothers and children under the so-called maternity act, Mrs. Kelley now reached out (3) for full power for this socialist administrative machine, the Children's Bureau, over every youth up to 18 in America, in all occupations, in all schools and colleges, in the home, and on the farm.

This time Mrs. Kelley overplayed. She overestimated the stupidity of the people. The people understood this amendment, and they crushed it with a unanimity of judgment by all kinds and conditions of the population, proving that it went deeper than superficial differences, and outraged a basic instinct, the instinct of every species to protect and possess its young.

It will be noted in regard to the child-labor section of the Kelley program, as well as to its other parts, that what Senator Heyburn prophesied is true. It reaches out first for the children of the poor and outrages them most directly; "they would not attempt to execute it except as against the class that is most helpless in their hands," as Senator Hey-

burn declared. (Congressional Record, January 6, 1912, p. 766.)

Like the rest of the Kelley program this amendment was promoted by fraud and trickery, by exploiting sentiment for the child, the most appealing object in nature. But it was not a "child" labor amendment at all. The word "child" appears nowhere in the resolution. That word and all reference to "child" or "children" were deliberately excluded from the text (although stressed in all propaganda) because the instigators of the amendment knew that no court would interpret the word "child" to mean persons up to 18 years of age.

Mrs. Kelley, primarily responsible for drafting the amendment, said:

"Nothing can be more uncertain than the limitations which future courts may place upon the word 'child.' * * * I am afraid of 'child.'"

"I am indeed very apprehensive about the use of the word 'child' in this matter." (Ibid., p. 90.)

Again she referred to "this vague word 'child.'", (Ibid., p. 90.) There is nothing vague about the word "child" at all, and that was why Mrs. Kelley feared it. Prof. William Draper Lewis, of the child labor committee, wrote:

"You will see from an examination of the cases to which I refer that the term 'child' has been held to mean persons under 14 years of age." (Senate report on S. J. Res. 1, 68th Cong., p. 125.)

They could not use the word "child" in the amendment because it would limit them to "persons under 14 years of age."

But in the magazines Mrs. Kelley herself led the campaign of double-dealing by calling it "the children's amendment" (Good Housekeeping, February, 1923), and this it was called by most of the propagandists.

In a petition to the Senate, printed in the Congressional Record, May 31, 1924, it is shown that the people were similarly fooled concerning the age limit. Not one person in 10,000 dreams that the Federal maximum of 18 years, in section 1 of the amendment, is merely the "minimum standard" of section 2 of the amendment, below which the States were not to be permitted to fall and above which to "the full 21 years" they were to be "stimulated" to go. Miss Abbott declared:

"I want to get a Federal minimum,

and at the same time give the States an opportunity to raise but not lower the Federal standards."

Again Miss Abbott said:

"I shall be enormously disappointed if we do not have the Federal law only a minimum law, but we will have continuing the problem of raising the standards in the States."

"Where there has been a Federal law there has always been an increasing tendency to raise the State standards."

Then these petitioners say: "We pray for the constitutional rights of the home to be restored and the usurped powers of the maternity act to be abolished by the United States Senate."

A Children's Bureau that functions as a socialist propaganda agency; that devotes itself for five years to circumvention of the Constitution and the decisions of the Supreme Court; a bureau that imports a convention of internationalists to frame "minimum standards" of legislation for the American Congress and State legislatures; a bureau that constantly seeks despotism over American youth for a dynasty of Hull House graduates and graduates its own exhibit expert into a full-fledged revolutionary communist; a bureau whose present chief defied the positive statute of Congress when she went before the House Appropriations Committee, December, 1922, and demanded \$440,000 more than the President's Budget provided, so that "the amount available to the bureau for administrative purposes" would be \$50,000 instead of \$28,000, thus seeking a commission for the bureau even on funds not allotted to the States, a self-interested, self-power seeking bureau that juggles statistics in favor of foreign nations and poisons the minds of American mothers against their country as the most "careless" with their lives, simply to bring political pressure on Congress for bureau expansion; a bureau that demanded a "full grant of power" over every person under 18 on every farm, in every home and school of America; and that claims "the whole field of child care" without grant of power—by what right or reason can it be claimed that such a bureau should be placed in the worst form of control—financial control—over the plans of State health boards, the practice of physicians, nurses, midwives, etc., relating to maternity and infancy throughout America?

President Coolidge at Williamsburg May 15, 1926, said:

"Of all forms of Government, those administered by bureaus are about the least satisfactory. * * * Being irresponsible, they become autocratic; being, autocratic, they resist development. Unless bureaucracy is constantly resisted it breaks down representative government and overwhelms democracy. It is the one element in our institutions that sets up the pretense of having authority over everybody and being responsible to nobody."

Just a moment and I am through. Members of the Legislature you will be asked by the proponents to forget all this and see only the good that can be done by accepting the \$15,000 that can be had so easily. They will tell you that the act is functioning in other states without Federal interference, but I say to you that in voting for this bill you are not only going on record as favoring Federal control, but you are now knowingly swallowing the bait held out to you by this socialistic bureau to further its ends, and in the words of Lenin "Help shake communism with non-communist hands."

President Coolidge has said: "No plan of centralization has ever been adopted that did not result in bureaucracy, tyranny, inflexibility, reaction and decline. The states should not be induced by coercion or favor to surrender the management of their affairs."

This work is now being done by our own health department and let us keep it there. Nature, reason, statistics, health, history, experience and the Constitution of the United States all condemn this adventure into the den of the communist wolf. I thank you. (Applause.)

Mr. Hale of Portland was granted leave to introduce an order out of order and moved its passage:

Ordered, when the House rises this morning it be to recess until five o'clock this afternoon.

The order received passage.

Mr. MERRILL of Dover-Foxcroft: Mr. Speaker and fellow members: I give you my word that I will get through with what I have to say in ample time for you to get down to lunch on time. (Applause)

After this very agreeable personally conducted excursion through the realm of socialism and from one end of this country to the other, and through Russia, and a long time spent in a visit in the sessions of Congress, I am really delighted to get back home where, for a few

moments, we can consider a subject we have not been able to consider because of the multitude of other matters that have been occupying our time. Therefore, believing as I do, that this House has given a demonstration within the last twenty-four hours of its ability to judge for itself on many subjects, I believe that reading the reports of what somebody else said, perhaps a long time ago, is not germane. I therefore will confine myself almost absolutely to reading this Federal Bill, and leave it with you.

This bill provides "that there is hereby authorized to be appropriated annually, out of any money in the Treasury not otherwise appropriated, the sums specified in section 2 of this Act, to be paid to the several states for the purpose of co-operating with them in promoting the welfare and hygiene of maternity and infancy as hereinafter provided.

"Sec. 2. For the purpose of carrying out the provisions of this Act, there is authorized to be appropriated out of any money in the Treasury not otherwise appropriated, for the current fiscal year \$480,000, to be equally apportioned among the several states, and for each subsequent year for the period of five years, \$240,000, to be equally apportioned among the several states in the manner hereinafter provided: PROVIDED, That there is hereby authorized to be appropriated for the use of the states, subject to the provisions of this Act, for the fiscal year ending June 30, 1922, an additional sum of \$1,000,000 and annually thereafter, for the period of five years, an additional sum not to exceed \$1,000,000:

PROVIDED FURTHER, That the additional appropriations herein authorized shall be apportioned \$5,000 to each state and the balance among the states in the proportion which their population bears to the total population of the states of the United States, according to the last preceding United States census: AND PROVIDED FURTHER, That no payment out of the additional appropriation herein authorized shall be made in any year to any state until an equal sum has been appropriated for that year by the legislature of such state for the maintenance of the services and facilities provided for in this Act.

"So much of the amount apportioned to any State for any fiscal year as remains unpaid to such state at the close thereof shall be avail-

able for expenditures in that state until the close of the succeeding fiscal year.

"Sec. 3. There is hereby created a Board of Maternity and Infant Hygiene, which shall consist of the Chief of the Children's Bureau, the Surgeon General of the United States Public Health Service, and designated in this Act as the Board. The Board shall elect its own chairman and perform the duties provided for in this Act.

"The Children's Bureau of the Department of Labor shall be charged with the administration of this Act, except as herein otherwise provided, and the Chief of the Children's Bureau shall be the executive officer. It shall be the duty of the Children's Bureau to make or cause to be made such studies, investigations, and reports as will promote the efficient administration of this Act."

All this pertains to the Federal Bureau which was absolutely necessary to provide that the provisions of the act might be carried out. I will not trouble you with reading this if you will take my word that I am not omitting anything pertinent to carrying out the provisions of the act. I am simply doing that to save your time and mine.

Any State desiring to receive the benefits of this act may do so by this agency which is described in Section 4. I will read that because it is pertinent.

"Sec. 4. In order to secure the benefits of the appropriations authorized in Section 2 of this Act, any state shall, through the legislative authority thereof, accept the provisions of this Act and designate or authorize the creation of a State agency with which the Children's Bureau shall have all necessary powers to cooperate as herein provided in the administration of the provisions of this Act; PROVIDED, That in any State having a child-welfare or child-hygiene division in its State agency of health, the said State agency of health shall administer the provisions of this Act through such divisions. If the legislature of any State has not made provision for accepting the provisions of this Act the governor of such State may in so far as he is authorized to do so by the laws of such State accept the provisions of this Act and designate or create a State agency to cooperate with the Children's Bureau until six months after the adjournment of the first regular session of the legislature in

such State following the passage of this Act."

You will notice all along that the act all through never says "must"; it is always "may". It is always that the State shall be permitted to do so or so.

Now, then, Section 8: "Any State desiring to receive the benefits of this Act shall, by its agency described in Section 4, submit to the Children's Bureau detailed plans for carrying out the provisions of this Act within such State, which plans shall be subject to the approval of the board: PROVIDED, That the plans of the states under this Act shall provide that no official, or agent, or representative in carrying out the provisions of this Act shall enter any home or take charge of any child over the objection of the parents, or either of them, or the person standing in loco parentis or having custody of such child. If these plans shall be in conformity with the provisions of this Act and reasonable, appropriate and adequate to carry out its purposes, they shall be approved by the board and due notice of such approval shall be sent to the State agency by the chief of the Children's Bureau.

"Sec. 9. No official, agent, or representative of the Children's Bureau shall by virtue of this Act have any right to enter any home over the objection of the owner thereof, or to take charge of any child over the objection of the parents, or either of them, or of the person standing in loco parentis or having custody of such child. Nothing in this Act shall be construed as limiting the power of a parent or guardian or person standing in loco parentis to determine what treatment or correction shall be provided for a child or the agency or agencies to be employed for such purpose."

What larger element of personal liberty could be desired? What immediately follows is not pertinent to the purpose of informing ourselves as to the desirability of this act. But note Section 12:

"Sec. 12. No portion of any moneys apportioned under this Act for the benefit of the States shall be applied, directly or indirectly, to the purchase, erection, preservation, or repair of any building or buildings or equipment, or for the purchase or rental of any buildings or lands, nor shall any such money or moneys required to be appropriated by any State for the purposes and in accord-

ance with the provisions of this Act be used for the payment of any maternity or infancy pension, stipend, or gratuity."

I submit to you that there is nothing about that bill that is any menace for our mothers and children or for the State. Unfortunately, we have not the same control over providing a fine pedigree for our children that we have for our stock. We use the utmost care in raising stock, to see to it that the pedigree is perfect, or as nearly so as possible. The utmost we can do for humanity, to secure a perfect child, is that the expectant mother, prior to the birth of the child and subsequent to the birth of that child, shall have knowledge as to how best to care for herself and for that child. We owe at least that much in our attempt to raise the average of humanity physically and mentally.

The temptation is tremendously great to talk to you at length because there are so many arguments that I could adduce in support of this measure to show you the tremendous benefit to be gained thereby. But I will not take your time for that. I will simply ask you to believe that I personally know something about it. I do want to call your attention briefly to a few inconsistencies in the attitude of our State. We have, for many years, been receiving Federal aid. We are at the present time receiving Federal aid of \$25,000 a year in the Adjutant General's Department; in the Agricultural Department, \$22,000; the Forestry Department, \$46,760; Highway Department, \$762,002.99; Educational Department, \$61,317.76. And since this law was defeated in this House, partly on the grounds that we wish to break away from Federal control and manage our own affairs, we have deliberately accepted Federal aid to the extent of \$10,000 for the investigation and eradication of the blueberry blight, and this House, not many weeks ago, voted to accept the provisions of Federal aid and voted an expenditure of \$25,000 the first year and \$50,000 the next year for a ten-year term for the topographical survey of this State. Does it not strike you as something rather marvelous that in every one of these matters in which we accept Federal aid, it all has to do with the dollar, with material things, with property?

And that we are not very anxious about getting rid of Federal control

and cooperation when it seems to be for the benefit of hog raising and of agriculture, and of property value, but are objecting to it the moment it seems to be for development and safety of human life?

Now it seems to me that when we take that view of it, and know the conditions under which that will be acted upon in this State through our Health Department—we are now doing the same kind of work in the Health Department; it is simply a desire to carry on this work more expeditiously and wide-spread, and eradicate certain evils and bring about an advanced condition of education along these lines—we should desire to take advantage of this money.

There is another reason. While other states have been taking advantage of it, it has cost the State of Maine about \$750 a year to help the other states and Hawaii and Porto Rico to do that work. Should we accept the provisions of this act, we would just about get our money back that we have been putting in for the benefit of other states. That is good business.

Now how does this operate? It will enable up to put about five or six more nurses in to do exactly the same kind of work that our Department of Health is now doing, extending that work in cooperation with the doctors. They are graduate nurses who will do this work. They do not go to homes until they have seen the physician, and found out where there are new mothers and new babies and asked if they would be welcome. It is a line of work perfectly legitimate. There is nothing new about it. It is simply to benefit, in the way of extension, a standardized work that is accepted everywhere as progressive, and to spread the benefits of that more rapidly than otherwise could be done.

I will leave that subject right here, believing that I am speaking to a highly intelligent body of men and women, and I am going to move the adoption of the majority report. (Applause.)

Mr. Greenleaf moved that when the vote should be taken, it should be a yea and nay vote; but he temporarily withdrew that motion in order to give others an opportunity to speak on the discussion.

Mrs. GAY of Waldoboro: Mr. Speaker and members of the House:

I would like to say a few words in favor of this bill. This is the first time I have spoken on any subject during the session, but I have been a good listener. I have heard bills favored that protect fish, sheep, bears, orchards, corn fields, banks, and cemeteries, but until today I have never heard a law discussed that favored mothers. Surely we all feel that the lives of our future citizens and their mothers are a more vital issue for which to obtain Federal aid than protecting orchards, making maps, or curing cattle of disease.

Somewhat it seems to me that the gentlemen who are opposed to this maternity bill have never given this side of the question serious consideration—that it has been especially framed to help mothers and babies—for we all have or have had mothers, mothers whom we love and revere, who have toiled and suffered to make the path of childhood easier for our feet. Yet we know that mother love alone, strong though it may be, cannot cure all ills. If you could see, as I have, mothers brought in from the islands in the dead of winter in open boats, the ice frozen on the oil skins in which they were wrapped, brought to the doctors at the eleventh hour, you would be willing to favor any measure that would contribute to their aid. We must remember that in keeping the knowledge of proper hygiene from mothers, we are denying those children their birthright of care in childhood, and denying the need of the mothers' relief from agony and suffering.

Why then refuse to protect the future generation, to safeguard that which is surely as important as food, business, or economic interests, the motherhood and childhood of our State. As a woman and a mother, I have been, for years, interested in the maternity bill. I feel that in voicing my sentiments I am speaking for all the mothers in my section of the State when I say that I hope this legislature will insure this bill a safe passage. (Applause.)

Miss LAUGHLIN of Portland: Mr. Speaker, I am glad, like Dr. Merrill, to get back from the wanderings from Panama to Russia and from hearing about conditions in Soviet, Russia. Incidentally, it is to be noted that they have no law even remotely resembling the bill under discussion, in Soviet, Russia. I am glad to get up to the year of 1927,

after hearing for many minutes the opinions that somebody expressed in a book written somewhere around 1840, more than half a century before the Children's Bureau was even established, apparently on the notion that this person who was at that time discussing socialism might, or possibly could or would be in favor of a Children's Bureau. The one thing that I am surprised at is that he did not go back to Benedict Arnold or Judias Iscariot and tell us what they might have thought about it.

I want to stop and say a word in answer to what has been said about Florence Kelley. She and I differ on almost everything, and she certainly does not approve of me. But I do not approve of the sort of talk that was made about her here today. She is the daughter of a man who represented Pennsylvania as a Republican for many years, and because of his defense of the tariff, was known as "Pig Iron Kelley". Incidentally, however, I will say that probably there are several millions of women who might object to the statement that Mrs. Kelley was responsible for the Children's Bureau, because they had considerable to do with it. It is hardly the work of Mrs. Kelley.

But after all, all this is beside the point because we are not here today discussing the advisability of establishing a Children's Bureau. That was for the Congress of the United States and was established by it. Somewhere in his wanderings the gentleman from Auburn (Mr. Greenleaf) did mention the name of Roosevelt, so that leads me to digress sufficiently here to say that Roosevelt was absolutely in favor of the Children's Bureau. If he had been reading from persons, he might have read us Roosevelt's views, but, as I said, I want to get back from Panama and Russia to Maine, from 1840 to the year 1927, and consider the conditions which actually exist relative to this measure. As has been stated, this measure was passed by the Legislature four years ago, but vetoed by the Governor. However, as the result of the discussion then, the identical work that is proposed by this measure was established under our State Board of Health, in accord with plans and

procedure approved by the Children's Bureau, so that the situation is just this: We are doing today, under our State Board of Health, exactly the same work for which this bill provides. We are doing it as under the provisions of this bill we must do it, under a State agency. For the bill itself provides that any State accepting the cooperation of the United States Government in accord with this measure must do the work through a State agency, and if no State agency exists, that then the Governor must designate one, so that there will be absolutely no change whatsoever in the work. It is now going on along this line in the State of Maine, except that we will receive additional funds to the amount of some \$15,000 from the United States Government.

I am familiar with the working of this measure in the State of California, where it is conducted under the State Board of Health, without any interference of any sort from the Children's Bureau, other than such information as it may supply it. And that is done with satisfaction of the entire State. I hold in my hand the report of the State Board of Health in Minnesota, under whose direction the work is being carried on in that State without any interference from the Children's Bureau. Forty-four States have accepted the provisions of this bill. They are receiving money from the United States Government, to which Maine, of course, is contributing through taxes, so that the situation is that Maine is contributing to the money spent for this work in other States and getting none of the money for work in our own State.

This bill provides only for the giving of information and instruction as to the duties of expectant mothers concerning the proper care of their own health and the proper care of the children to be born. This is especially desirable here in Maine, where we have so many isolated towns and villages, where there is no settled physician. In fact, some towns in Maine are now employing a physician on a regular salary in order to provide medical attention in those towns, but there are many places, of course, where the people are far distant. Such information and advice as they will receive

through the plan provided for in this bill would enable them to take such care as would promote the health and preservation of lives of expectant mothers and the infant children.

The fact which lead to a demand for the enactment of a law of this kind was the appalling mortality in the case of expectant mothers and small children. In a single year, in the United States 200,000 infants died before reaching the age of one month. After all the sacrifice and suffering and danger of bringing these children into the world, their lives are snuffed out before they reach the age of one month, because of the lack, most chiefly, of proper care and proper steps taken for the preservation of their lives.

Now how is it with the mothers? To the best of my recollection, the figures show that more than 20,000 mothers die in childbirth every year, so that there have been more mothers who died in childbirth than there have been through the whole history of the countrymen who lost their lives in battle. And yet the best medical authority shows us that probably sixty-five per cent of these deaths could be prevented if proper precautions were taken and proper care given them both before, after, and at the time of childbirth. This measure, then, would mean the preservation of many lives of mothers and children, which would otherwise be lost.

The situation, then, sums up to this: In Maine we are carrying on exactly the same work now as we would if this bill should become a law. Its only effect would be to give us \$15,000 more for this work, and that then, in addition to the money that the State is spending, we would save the lives of many mothers and children who otherwise would not live.

As I have said, the work is being carried on in Maine and has been for the last four years, just exactly as it will be carried on if this bill becomes a law. So that we do not need to consider the dire prophecies that were made by the opponent of this measure as to what will happen. When Columbus sailed in search of a new world there were those who prophesied that he could not possi-

bly reach the new world if there were one—but he did.

Now, to listen here today to the prophecies as to what would happen if this bill should become a law would be about like listening to those who predicted that Columbus could not possibly discover a new world repeating those prophecies after he had actually discovered a new world. Have any of these things happened that the gentleman has predicted, in these last four years in Maine? Has the sanctity of the home been invaded and have the rights of parents been destroyed? We know they have not. And yet, what we had the last four years is exactly what will continue under the provisions of this bill. This being the situation, I cannot believe that there are any of us who would dare to say that this measure shall not become a law. (Applause)

Mr. WING of Kingfield: Mr. Speaker, I got the impression that the only purpose of this bill was to save human life. I ask you is it necessary that we should go to the Federal government to obtain this result? Is there no way that we can do it in the State of Maine? In other words, it is a question of taking or refusing \$15,000. Members of the House, do we believe that this \$15,000 is given to us absolutely? Is that what the Federal government is doing? I believe that our interests in this matter should be whether we shall lend our support to the proposition of appropriating money to be administered by a board or bureau created for the purpose of caring for our local welfare matters. Are we in favor of centralizing further in the administration of our private affairs in such a Federal Bureau? Members, remember that we must pay the bills and it will be necessarily an expensive proposition and one not necessarily efficient.

Mr. McINTIRE of Norway: Mr. Speaker, the discussion of this morning carried me back rather vividly to college days when I had to participate in academic debate on this and kindred subjects. We learned, when we were driven back of facts, logic and sound arguments to the very last ditch, to use one formula, viz: Talk loudly about State's rights, more loudly about the centralization of authority, and howl as loudly as we could about socialism,

bolshivism, and communism and pour out all the invective at our command on Mrs. Florence Kelley. I submit that these are woody arguments but not weighty arguments. We have in Washington, from Maine, four Congressmen and two Senators, and I am reliably informed that they will vote for the measure. While I personally have not been very enthusiastic about their election, I did not think they were so dumb or so dishonest that they had sold out to all these isms or entirely thrown away the rights of the State of Maine and the rights of our homes. (Applause.)

Mr. GREENLEAF of Auburn: Mr. Speaker, I wish to submit that the facts that I stated about Mrs. Florence Kelley are a matter of record. They are not generally known, as I said, but they are matters of record in our State Library. Her connection with Engel, and the fact that she translated his works on communism show this. Furthermore it is an absolute fact that she is the mainspring of the works of the Childrens' Bureau and of all the legislative action she has taken; and I submit to you that nothing has been said here that refutes that argument.

Mr. MERRILL of Dover-Foxcroft: Mr. Speaker, I move the previous question.

The SPEAKER: The previous question is moved. As many as are in favor of the Chair entertaining the motion for the previous question will rise and stand until counted and the monitors will return the count.

A sufficient number arose and the previous question was ordered.

Mr. GREENLEAF: Mr. Speaker, I move that the vote be taken by the yeas and nays.

Calls of "No No"

The SPEAKER: As many as are in favor of the main question now being put will rise and stand until counted and the monitors will return the count.

A division being had, Ninety-nine voting in the affirmative, the motion to put the main question was carried.

The SPEAKER: The request has been made that when the vote is taken it be by the yeas and nays. As many as are in favor of this method of voting will rise and stand until

counted and the monitors will return the count.

A division being had,

Nineteen voting in the affirmative and 62 in the negative, the vote to take the vote by the yeas and nays prevailed.

The SPEAKER: The Clerk will call the roll upon the question, and the question before the House is upon the motion of the gentleman from Dover-Foxcroft, Mr. Merrill, that the majority report, ought to pass, be accepted. Each member will respond to his name when called. A vote yes is for the acceptance of the report, and a vote no is against its acceptance.

YEA — Aldrich, Allen, Anderson, New Sweden; Anderson, South Portland; Bailey, Bartlett, Bissett, Boston, Boynton, Brackett, Breen, Brewster, Briggs, Brown, Bruce, Burns, Butler, Carleton, Portland; Carleton, Winterport; Chamberlain, Chaney, Clifford, Cole, Comins, Cowell, Cram, Crawford, Crockett, Daigle, Deakin, Decker, Deering, Dudley, Castle Hill; Ellis, Eustis, Ferguson, Flint, Folsom, Forhan, Gay, Goodwin, Lebanon; Goodwin, Sanford; Hamel, Harris, Hawkes, Heath, Holbrook, Holman, Houghton, Ingraham, Jackson, Kane, Addison; Kinsman, Kitchen, Laughlin, Littlefield, MacKinnon, Maloon, Mansfield, Marden, McCart, McIntire, Mears, Melcher, Merrill, Metcalf, Morin, Morrill, Norwood, Patterson, Pendexter, Powers, Robie, Westbrook; Roy, Sargent, Saucier, Seavey, Snow, Snowman, Staples, Eliot, Stone, Bridgton; Stone, Biddeford; Storm, Sturtevant, St. Clair, Tripp, Varum, Weston, Williams, Webster; Winslow, Wood, Wyman.

NAY — Dislee, Chase, Church, Davitt, Greenleaf, Hale, Hughes, Jones, Marriner, McKnight, Piper, Robie, Gorham; Rounds, Sturgis, Tucker, Vail, Webber, Williams, Falmouth; Wing, Auburn; Wing, Kingfield.

ABSENT — Ayer, Belleau, Bishop, Blaisdell, Booker, Buker, Cain, Clinton; Cyr, Dennison, Douglas, Dudley, Calais; Farrington, Foster, Fuller, Gagne, Gilchrist, Gillespie, Greene, Griffin, Hammond, Hathaway, King, Lait, Leathers, Lowell, McLean, Miliken, Nadeau, Page, Pike, Rawley, Richardson, Ruggles, Smith, Staples, Waterville, Thurston, Wheeler, White.

Yes—92.

No—20.

Absent—38.

The SPEAKER: Ninety-two having voted in the affirmative, and 20 in the negative, the motion to accept the majority report, ought to pass, prevailed.

On motion by Mr. Merrill of Dover-Foxcroft, the rules were suspended and the bill had its first two readings.

Paper from the Senate, out of order.

The joint order to appoint a joint committee to investigate certain powers of the State Highway Commission, which by the House was passed as amended by House Amendment A.

Comes from the Senate receiving passage as amended by House Amendment A and Senate Amendments A and B.

(In the House Senate Amendments A and B read)

On motion by Mr. Piper of Jackman, the House voted to recede and concur with the Senate in the adoption of Senate Amendments A and B.

The Chair appointed upon that joint committee on the part of the House, Messrs. Decker of Portland, Piper of Jackman, Deakin of Howland, Patterson of Castine and Rawley of St. George.

On motion by Mr. Hale of Portland, the House recessed until 5 o'clock this afternoon.

After Recess

The Speaker in the Chair.

The SPEAKER: The Chair lays before the House resolve in favor of the State Armory in the city of Portland, H. P. 1101, tabled by Mr. Rounds, March 23, pending final passage; and recognizes the gentleman from Portland, Mr. Rounds.

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

House Amendment A to Resolve in favor of the State Armory in the city of Portland.

Amend said Resolve by adding after the words "eight thousand dollars", the words "out of the existing appropriation for Military funds of the State."

Mr. ROUNDS: Mr. Speaker, this is the original bill and there was some misunderstanding as to it with the Military Department. This has been straightened out and I think now it will go along all right and be taken out of the Military funds.

Thereupon the amendment was adopted and the resolve as amended by House Amendment A was passed to be engrossed, and sent up for concurrence.

The SPEAKER: the Chair lays before the House, under tabled and today assigned as the first assigned matter Resolve in favor of the town of Leeds for reimbursement for money expended in rebuilding a bridge, H. P. 938, H. D. 286, tabled by Mr. Deering of Saco, March 16, pending final passage; and the Chair recognizes the gentleman from Saco, Mr. Deering.

Mr. DEERING: Mr. Speaker, I yield to the gentleman from Portland, Mr. Rounds.

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

House Amendment A to Resolve in favor of the town of Leeds for reimbursement for money expended in rebuilding a bridge.

Amend said resolve by adding the following words: "The same to be taken from the proceeds of the bridge bond issue."

Mr. ROUNDS: Mr. Speaker, the Chairman of the Ways and Bridges committee suggested that this be put on in this way and said that it would be satisfactory all around if it could be done in that way.

Mr. KITCHEN of Presque Isle: Mr. Speaker, I move that the resolve and amendment lie on the table.

A viva voce vote being doubted,

A division of the House was had,

Seventy- four voting in the affirmative and 16 in the negative, the motion to table prevailed.

The SPEAKER: There are a number of committee reports which, if the House wishes, can be taken up at this time. They are all unprinted bills, and if the reports can be accepted at this time, they can come in as first readers on Monday. It will expedite business if they can go along and be before the House on Monday as first readers. Is it the pleasure of the House that these reports be taken up out of order at this time? The Chair does not mean that a member cannot, if he desires, table a report at this time. Any action that is taken of course is not final and they will be before the House as first readers on Monday next and any matter can be tabled Monday as well as today. The tabling simply delays printing.

Additional Reports of Committees

Mr. Rounds from the Committee on Claims reported ought to pass on Resolve in favor of W. S. Poland of Belfast, for reimbursement for amount paid the State for dog tax, for which no refund was made. (H. P. No. 817)

Same gentleman from same Committee reported same on Resolve in favor of town of Island Falls. (H. P. No. 820)

Same gentleman from same Committee reported same on Resolve to reimburse the city of Bangor for support and burial expenses of Maud Ward, a State pauper. (H. P. No. 694)

Same gentleman from same Committee reported same on Resolve to reimburse the city of Bangor for support of Thomas Burns, a State pauper. (H. P. No. 826)

Same gentleman from same Committee reported same on Resolve to reimburse the town of Danforth for support of Isaac Paul and family, Indians. (H. P. No. 813)

Mr. King from same Committee reported same on Resolve to reimburse the city of Bangor for support of Richard Googins, a State pauper. (H. P. 811)

Mr. STORM from the Committee on Inland Fisheries and Game reported same on bill an act to regulate fishing in certain brooks in the town of Durham, in the county of Androscoggin, and in the towns of Freeport and Pownal, in the county of Cumberland. (H. P. 715)

Mr. KINSMAN from same Committee reported same on bill an act relating to ice fishing in Cochnewagon Pond, in Kennebec County. (H. P. 716)

Mr. Wood from same Committee reported same on bill an act to regulate the taking of pickerel in Union River in the county of Hancock. (H. P. 87) together with petition (H. P. 88) and remonstrance (H. P. 463)

Mr. GOODWIN from the Committee on Legal Affairs reported same on bill an act relative to the salary of the Mayor of the city of Augusta. (H. P. 889)

Mr. MANSFIELD from the Committee on Military Affairs reported same on bill an act to name the State Park at Kittery, in the county of York. (H. P. 1171)

Mr. ROBIE from same Committee reported same on Resolve in favor

of the Department of Maine, Grand Army of the Republic. (H. P. 473)

Mr. CHASE from same Committee reported same on bill an act relating to the Military Law. (H. P. 1138)

Mr. BOYNTON from the Committee on Sea and Shore Fisheries reported same on bill an act relating to the use of seines, weirs, nets and artificial flies. (H. P. 942)

Mr. SNOWMAN from same Committee reported same on bill an act to repeal Special Law of 1917, Chapter 181, establishing a close time on lobsters (H. P. 963) together with petition (H. P. 962)

Same gentleman from same Committee reported same on bill an act relative to catching smelts in Salt Pond in the town of Blue Hill (H. P. 81) together with petition. (H. P. 82)

Reports read and accepted and the bills and resolves ordered printed under the Joint Rules.

Mr. BISHOP from the Committee on Salaries and Fees on bill an act relating to the Lincoln Municipal Court (H. P. 745) reported same in a new draft (H. P. 1224) under same title and that it "Ought to pass."

Same gentleman from same Committee on bill an act relating to salary and expenses of the County Commissioners of Lincoln County (H. P. 62) (H. D. 21) reported same in a new draft (H. P. 1223) under same title and that it "Ought to pass."

Same gentleman from same Committee on bill an Act relating to the salary of the Clerk of Courts in Lincoln County (H. P. 63) (H. D. 22) reported same in a new draft (H. P. 1222) under same title, and that it "Ought to pass."

Mr. KINSMAN from the Committee on Inland Fisheries and Game on bill an act relating to protection of Beaver (H. P. 587) (H. D. 154) reported same in a new draft (H. P. 1201) under same title and that it "Ought to pass."

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

Mr. FULLER from the Committee on Legal Affairs on bill an act relating to the Kennebec Agricultural Society at Readfield (H. P. 830) reported same in a new draft (H. P. 1220) under same title and that it "Ought to pass."

(Tabled by Mr. Rounds of Portland pending acceptance and specially assigned for Monday next.)

The SPEAKER: Under tabled and today assigned the Chair lays before the House an act to incorporate the Bangor Bridge District, S. P. 96, S. D. 26, tabled by Mr. Bartlett of Bangor, March 16, pending passage to be enacted; and the Chair recognizes the gentleman from Bangor, Mr. Bartlett.

Mr. BARTLETT: Mr. Speaker, this bridge needs repairing, and a lot of bridge experts, of which I was one, met last night and discovered a way in which we could put it in excellent condition. First, however, the bill must be recommitted to the Judiciary committee; so I will move to reconsider the vote whereby we passed this bill to be engrossed.

Thereupon on motion by Mr. Bartlett the House voted to reconsider its action whereby this bill was passed to be engrossed; and on further motion by the same gentleman, the House voted to reconsider its action whereby it gave this bill its several readings;

The SPEAKER: A bill can be recommitted directly if the gentleman will so move.

Thereupon, on motion by Mr. Bartlett, the bill was recommitted to the Judiciary committee.

The SPEAKER: The Chair lays before the House majority report of the committee on Judiciary ought not to pass on bill an act conferring jurisdiction in matters of divorce, annulment of marriage, care and custody of children and support of children and wives on the probate courts, S. P. 89, S. D. 31, and minority report same committee on same bill in a new draft, S. P. 519, S. D. 260, under title of "an act conferring concurrent jurisdiction in matters of divorce, annulment of marriage, care and custody of children and support of children and wives on the probate courts," tabled March 24 by Mr. Hale of Portland, pending acceptance of either report in concurrence, and the Chair recognizes the gentleman from Portland, Mr. Hale.

Mr. HALE of Portland: Mr. Speaker, I yield to the gentleman from Castine, Mr. Patterson.

Mr. PATTERSON of Castine: Mr. Speaker, I move the acceptance of the minority report "ought to pass in a new draft" and I wish to address myself to the motion. Mr. Speaker I do not intend to take up the time

of this House at any great length in discussing the minority report. Ordinarily, I think, the House prefers to abide by a majority report of a committee. However, in this particular case, I do wish to call attention of the members to just two things about this bill. I will have to go back a little and refer to the report of the recess committee on courts and court procedure, which is printed as House Document No. 1, which I have no doubt all members of the House are familiar with. This recess committee is composed of some of the leading lawyers of the State. The Chief Justice is chairman of the committee, and Senator Maher and Senator Oakes of the other body are members of the committee. They spent a lot of time, as is well known, in considering means by which the Judiciary and our system of courts could be improved; and they made certain recommendations to this Legislature which are embodied in House Document No. 1; and on page 15 of House Document No. 1 they made a recommendation in regard to the present bill. I wish to read that. They said: "To lighten the burden on the trial courts and with a view to centering in one court all matters relating to guardians, the care and custody and support of children, divorce and annulment of marriage, that original and exclusive jurisdiction of the custody, care, and support of children and of wives where the husband refuses to support them without just cause—except in matters criminal in their nature—of divorce and annulment of marriage be vested in the Probate Courts with a right of appeal to the Superior Court next to be held in the county, to be heard de novo in the appellate court."

Consequently a bill was prepared and introduced into this Legislature as Senate Document No. 31, that act conferring original jurisdiction in these matters. That bill was passed upon by the Judiciary Committee. Seven members of that Committee voted "ought not to pass", and three members, Senator Oakes and Representative Hale and myself, signed a minority report reporting "ought to pass in a new draft."

Now there are some reasons which appeal to me, at least, why it would

be preferable to adopt the minority report of the committee. There are two objections raised, so far as I know, to having jurisdiction in such matters in the Probate Courts. Perhaps I ought to say that this new draft does not provide for original jurisdiction but provides for concurrent jurisdiction with the Supreme Court in these matters. One objection which has been made is that the Probate Judges, as you all know, are elected; and it has been feared that perhaps a Judge might be elected who would not be a proper person to pass upon these matters, and particularly to pass upon matters of divorce.

I realize that divorce is a very serious matter and it requires a Judge of great ability to pass upon questions of divorce. But I would be perfectly willing to have any Probate Judge that I know—I happen to practice more or less extensively in several Probate Courts in my section—and I would be perfectly willing to have any one of those Judges pass on these matters, the Judge in my county or in Waldo county or in Penobscot county. I have no doubt that the like is true of the Judges in the other counties of the State. While I am not familiar with them, I understand that they are a fine body of men, and it seems to me they would, in most instances, be men fit, from their training and temperament to pass on these questions. I do not feel that this objection is sufficiently weighty to be entirely a good objection against the bill. Judges of Probate, as you all know, pass on matters of great moment in regard to property. It has been said that all the business of the country goes through the Probate Court in each generation. Of course that is true. And they pass on other questions. Every lawyer and probably every layman knows this, as most of you are more or less in the Probate Court. When you are perfectly willing to have the Judge of Probate pass on questions involving hundreds of thousands and millions of dollars, when you are willing to have him appoint guardians of children, one of the most important duties, to my mind, that a Judge can perform, when you are willing to have him appoint conservators of estates of people who

are not able to look after their own affairs, it seems to me that any Judge who is capable of handling such responsibilities is capable of passing on the matters covered in this bill and particularly on matters of divorce.

Another objection has been stated. There may be others: I have heard only these two raised either in this Committee or elsewhere. It has been said that there would be more divorce, perhaps, under this system, because many people under the present system do not like the publicity of divorce, do not like to go into the Supreme Court or Superior Court and appear before the public. Of course the Probate Courts are just as much open to the public as the Supreme or Superior Courts. But as it happens, and perhaps it is very well so, there are not so many curiosity seekers in the Probate Courts as those who, from curiosity, go into the sessions of the Supreme Court at nisi prius, and Superior Courts to see what is going on.

I deplore as much as anybody in this House the increasing number of divorces in this country. I think it is a very dangerous situation. But I cannot feel that this particular objection is well taken or that there would be any more divorces if divorces were within the jurisdiction of the Probate Court. I do think there are some divorces that it would be very much better to have heard within the calm cloisters of the Probate Court rather than have them heard in the Supreme Court, and, in some cases, the unsavory details broadcast upon the pages of every newspaper in the State.

I do not think I have anything more to say upon this subject. The hour is getting late. Yet I do feel I should say one thing more. One of the principal reasons for the Judges asking for these reforms in judicial procedure was the desire to relieve the Court of the great pressure of work, particularly in some of the larger counties like Cumberland and Androscoggin and perhaps Penobscot county.

It seems to me that we ought to pay some respectful attention to the recommendations of these Judges. As you know, they came before the Judiciary Committee, and every one of them who was there (and I think most of them were there) recommended these various bills, and among them, of course they recommended this original bill

conferring jurisdiction in these matters on the Probate Court. I do not know what the fate of some of the other bills will be. We have some of them in the Committee now in preparation in a new draft, and I do feel we ought to listen with some degree of respect to the recommendations of these Judges who know more about these affairs than the rest of us can. I feel that if there is anything we can do to relieve them from any pressure of work, we ought to do it, provided that in so doing we confer jurisdiction upon Judges who, as I believe, are absolutely competent and capable of having jurisdiction in these important matters, consequently for those reasons I move the acceptance of the minority report "ought to pass in a new draft."

Mr. ALDRICH of Topsham: Mr. Speaker, I will take but a moment of your time, but I feel that as a signer of the majority report I ought to briefly explain to you as nearly as I can recall what were the reasons of the majority in making the report which they have made, and what were my reasons for signing that report. At the hearing there was no substantial sentiment from the lawyers of this State for this bill, as I recall it. Furthermore, Judge Reed, of the Probate Court of Cumberland County, which is the county where it was suggested that there was a desire to relieve the Superior Court, was very violently opposed to this measure, and he pointed out that in support cases, these small complaints involving the care of children and the support of children,—that if such matters were brought into his court, it would so cumber his court, and clutter up his court, that in all probability, unless he had very material assistance, it would interfere with the proper consideration by him of the strictly probate business, which, of course, should be the main business of his court. Also he pointed out that if this suggestion were adopted, it would necessarily involve an increase in the salary of the Judges of the Probate Court because of the added amount of work placed on them and because of the clerical assistance that probably would be needed. That was a very material objection as I recall it.

For these reasons, notwithstanding that we appreciate the labor of the recess committee and the problems with which they were confronted, it was the judgment of the majority of the Judiciary Committee that it was

unwise to place upon the Probate Courts this additional labor, when, so far as I know, there was no special objection on the part of anyone from various sections of the State to the jurisdiction in these divorce cases being left where it now is—Cumberland County being the county primarily where there is a great pressure of work on the Superior Court Judge, but there, as I say, we had the Judge of the Probate Court appearing and very seriously objecting to having this business thrown upon him.

Briefly, those are the reasons for the signing of the majority report, as I recall it, and I think that in justice to you, you should know why the majority report was made.

Mr. ROUNDS of Portland: Mr. Speaker, I had a letter from the Register of Probate saying that if that bill should pass they would have to have a new clerk and he wanted me to put in a bill. I did not put in a bill. I want it understood that it is going to cost the county of Cumberland in the neighborhood of \$1500 more if this bill should pass, and there being so few members present, I move to table it until next Monday when more are here and both sides can be heard.

Mr. HALE of Portland: May I inquire of the gentleman, through the Chair, whether the bill to which he refers was the original draft or the new draft?

The SPEAKER: The gentleman may answer.

Mr. ROUNDS: Mr. Speaker, I can't say whether it is the new draft or the original draft, but there are so few here that it seems to me it will do no harm to let it lie over until next Monday.

On motion by Mr. Rounds of Portland, a viva voce vote being taken, both reports were tabled and specially assigned for Monday, March 28.

The SPEAKER: The Chair lays before the House H. D. No. 232, an act creating the Kennebunk Beach Improvement Corporation, and recognizes the gentleman from Sanford, Mr. Tucker.

On motion by Mr. Tucker, the bill was indefinitely postponed.

On motion by Mr. Page of Skowhegan, it was voted to take from the table H. P. 1102, H. D. 371, an act relating to the use as part of name the words "Bank," "Savings," "Trust"

and kindred words, tabled by that gentleman earlier in the day.

Mr. PAGE: Mr. Speaker, I would like to offer House Amendment A in place of Senate Amendment A. My reasons are these: House Amendment A accomplishes the same purpose as Senate Amendment A, but there was an error made by the stenographer in the amendment at the fifth line, it should have gone in at the eighteenth line. This merely corrects the error. Therefore, I move the rejection of Senate Amendment A.

Thereupon the House voted to reconsider its action whereby this bill was passed to be engrossed.

On motion by Mr. Page the House voted to reject Senate Amendment A.

Mr. PAGE: Mr. Speaker, I move that House Amendment A be adopted, as follows:

House Amendment A. To Bill "An Act relating to the use as part of name the words "Bank," "Savings," "Trust" and kindred words. H. P. 1102, H. D. 371.

Amend said bill by inserting after the word "date" in the seventh line thereof and by inserting after the word "shall" in the fifth line thereof the words 'on and after the first day of January A. D., nineteen hundred and twenty-eight.' And further amend said bill by inserting after the word "shall" in the eighteenth line thereof the words 'on and after the first day of January A. D., nineteen hundred and twenty-eight.'

Thereupon House Amendment A was adopted; and on motion by Mr. Page, the bill having received its three several readings was passed to be engrossed as amended by House Amendment A, and sent up for concurrence.

On motion by Mr. Deering of Saco, it was voted to take from the table H. P. 1184, ought to pass in new draft report, of the committee on Salaries and Fees on bill an act to provide for compensation of Justices of the Supreme Judicial court, tabled by that gentleman, March 24, pending the motion of Mr. Thurston of Appleton, to accept the report; and on further motion by the same gentleman, it being a printed bill, the report of the committee, ought to pass, was accepted.

Thereupon the rules were sus-

pendent and the bill was given its first two readings at this time.

The SPEAKER: The Chair will state that there is a new draft of this bill and that it was in error in stating that it was a printed bill.

On motion by Mr. Deering of Saco the House voted to reconsider its action whereby the rules were suspended and the bill given its first two readings. The bill was then tabled, and the new draft ordered printed under the joint rules.

On motion by Mr. Hale of Portland, it was voted to take from the table S. D. 112, an act relating to the jurisdiction of the Probate Court, tabled by that gentleman March 24th, pending third reading.

Mr. HALE: Mr. Speaker, I now move that the bill be amended by House Amendment A, and I will state that the amendment is verbal, merely to correct a mistake in the draft which came from the committee.

Thereupon that gentleman offered House Amendment A and moved its adoption, as follows:

House Amendment A to S. D. 112.

Amend Senate Document 112 by striking out the word "that" in the seventh line thereof.

The amendment was adopted, and the bill as amended by House Amendment A had its third reading and was passed to be engrossed, and sent up for concurrence.

On motion by Mr. Piper of Jackman it was voted to take from the table House report, ought to pass in new draft, of the committee on State Lands and Forest Preservation on bill an act creating a bounty on porcupines or hedgehogs, H. P. 1197, H. D. 439, tabled by that gentleman, March 22; pending acceptance of the report; and on further motion by the same gentleman the report was accepted.

Thereupon, on further motion by the same gentleman, the rules were suspended, and the bill was given its first two readings at this time.

On motion by Mr. Chase of Cape Elizabeth, it was voted to take from the table S. D. 164, being Senate report, ought to pass, of the committee on Legal Affairs on bill an act relating to the approval of stocks, bonds and notes, tabled by that

gentleman, March 24, pending acceptance of the report in concurrence; and on further motion by the same gentleman the report was accepted in concurrence.

Thereupon on further motion by the same gentleman the rules were suspended and the bill was given its two several readings at this time.

Mr. CHASE: Mr. Speaker, I now wish to offer House Amendment A. I will say in connection with this amendment that this is involved with H. D. 103, and the purpose of the amendment is to include the matter in H. D. 103 in S. D. 164, both relating to the same matter. The amendment is offered in order to make more clear the combining of the two bills.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Chase, offers House Amendment A and moves its adoption, as follows:

Amend said document 164, House Amendment A to S. D. 164, by adding at the end of said document 164, being at the end of Section 37 as indicated in said document, the following paragraph:

"No railroad corporation engaged in interstate commerce shall be required to make application to the Commission, or to procure its authority, consent, approval or order in respect of any of the matters set forth in this section, or in sections 38 and 39 of this Chapter, while and so long as such corporation is required by Federal law to make application to and procure authority from the Interstate Commerce Commission as a condition precedent to such proposed action; but nothing herein contained shall exempt any such corporation from filing with the Secretary of State due notice of increases in its capital stock or from the payment of any fees required by Statute.

The amendment was adopted, and the next legislative day was assigned for the third reading of this bill as amended.

On motion by Mr. Chase of Cape Elizabeth, it was voted to take from the table H. D. 103, an act relating to approval by the Public Utilities Commission of issues of stock, bonds, notes or other evidences of indebtedness by public utility cor-

porations, tabled by that gentleman, March 24, pending third reading.

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

Mr. ROUNDS of Portland: Mr. Speaker, I would like to inquire by whom that bill was presented?

The SPEAKER: The Chair will state that it bears the name of the gentleman from Van Buren, Mr. Hammond.

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

On motion by Mr. Eustis of Strong it was voted to take from the table House report, ought to pass in new

draft of the committee on Judiciary on bill an act to incorporate the Sandy River and Rangeley Lakes Railroad Company, and to authorize cert. in towns to grant assistance thereto, H. P. 1196, tabled by that gentleman, March 22, pending acceptance of the report; and on further motion by the same gentleman it was voted to accept the report of the committee, and the bill was tabled for printing under the Joint Rules.

On motion by Mr. Boston of Gardiner,

Adjourned until Monday afternoon, March 28, at 4:30 o'clock.