

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Eighth Legislature

OF THE

STATE OF MAINE

1917

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HOUSE.

Thursday, March 8, 1917.

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

Prayer by the Rev. Mr. Robinson of Gardiner.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Resolve appropriating money for and authorizing the purchase of the History of Pemaquid.

Came from the Senate, recommitted to the committee on library in non-concurrence.

On motion by Mr. Clason of Lisbon, the House voted to recede and concur with the Senate in recommitting the resolve to the committee on library.

From the Senate: An Act to require certain vehicles to carry lights at night and to control the glare of headlights.

Came from the Senate, recommitted to the committee on ways and bridges in non-concurrence.

On motion by Mr. Besse of Clinton, the House voted to recede and concur with the Senate in recommitting the bill to the committee on ways and bridges.

From the Senate: Resolve in favor of Freeman Boynton of Boothbay Harbor, in the county of Lincoln, for refund of money paid in lieu of military service in the late War of the Rebellion.

Came from the Senate indefinitely postponed.

The SPEAKER: The Chair lays before the House the Resolve in favor of Freeman Boynton of Boothbay Harbor, in the county of Lincoln, for refund of money paid in lieu of military service in the late War of the Rebellion which comes from the Senate indefinitely postponed. What is the pleasure of the House?

Mr. ROUNDS of Portland: Mr. Speaker, that was brought before the committee on claims and thoroughly threshed out.

The original amount was sixteen hundred and some odd dollars, I think, and we cut it down to what the man should be reasonably paid. At that time the State of Maine was in financial straits and would rather have \$300 than to have the man, and we thought it no more than right. This man was a man at that time well to do. Now he is a man 80 odd years old, and we thought it no more than right that he should be paid that money, and I think it was the unanimous report of the committee that he should be paid \$300. I think the gentleman from Boothbay Harbor (Mr. Harris) can perhaps tell it better than I have told it.

Mr. HARRIS of Boothbay Harbor: Mr. Speaker, the statement that the gentleman from Portland, Mr. Rounds, makes is about the same as I should state it. This is a poor old fellow 80 years old and he is sadly in need of this money, and if there is anything the State can do for him, I know it will be appreciated by him and the people in his vicinity. I hope there may be some way found to give him this money. A full statement of the facts was given in the bill that I presented, and we got it by the committee of claims and supposed it was all right; but it seems it got turned down in the Senate for which I feel very sorry. I know the old gentleman is very needy and very deserving. I do not know, Mr. Speaker, as there is anything more I can say. I have worked hard and tried to do all I could for him.

Mr. ROUNDS of Portland: There is one thing more I would like to say, Mr. Speaker. We have a precedent of the same sort in the House two years ago, so we are not establishing a precedent. There probably will not be a dozen claims ever brought to this House of this sort, because, as you know, the old soldiers are growing old. I move that we non-concur.

The SPEAKER: The motion proper to be made is that the House insists and asks for a committee of conference if it is so desired. Does the Chair understand the gentleman from Portland, Mr. Rounds, to make that motion?

Mr. ROUNDS: I make that as a motion.

The SPEAKER: Is there any further discussion or debate?

Mr. LEWIS of Boothbay: Mr. Speaker, the matter has been pretty well covered, but there is one thing that may be well added, and that is that Mr. Boynton has an invalid child—a crippled child—that he has to support and has done so for years. As they have told you, Mr. Boynton is an old man and is needy and has this child to support. I know of no such needy case as this one, and I move that we insist.

The SPEAKER: The motion has been made and seconded that the House insist on its action and ask for a committee of conference. Is it the pleasure of the House that this motion prevail?

A viva voce vote being taken,
The motion prevailed.

The SPEAKER: The Chair announces as a committee of conference Messrs. Rounds of Portland, Harris of Boothbay Harbor and Larrabee of Bath.

Senate Bills on First Reading.

Senate 271. Resolve in favor of the State hospitals for maintenance and other purposes for the years 1917 and 1918.

Senate 265. An Act additional to and amendatory of Chapter 206 of the Private and Special Laws of 1907, relating to the West Branch Driving and Reservoir Dam Company.

(On motion by Mr. Baxter of Portland, tabled, pending its first reading, and specially assigned for consideration on Thursday of next week.)

Senate 59. An Act to amend Section 34 of Chapter 68 of the Revised Statutes of 1916, relating to special administrators.

Senate 124. An Act to amend Section 48, Chapter 56 of the Revised Statutes of 1916, relating to inspection of railroads.

Senate 126. An Act to amend Section 3 of Chapter 10 of the Revised Statutes of 1916, defining what constitutes real estate for the purpose of taxation.

Senate 135. An Act to amend Section 27 of Chapter 9 of the R. S., relating to

returns by railroad companies for purposes of taxation.

Senate 267. An Act requiring the placing of warning signs at grade crossings.

Senate 269. An Act to extend the Charter of the Androscoggin Valley Railroad Company.

Senate 270. An Act to annex certain islands in Casco Bay to the county of Sagadahoc and the town of Phippsburg.

From the Senate: Senate report of the committee on military affairs, reporting "ought to pass" on joint resolution in favor of universal military training under the federal government.

Came from the Senate, report read and accepted.

Mr. BERRY of Waterville: Mr. Speaker and gentlemen of the House, the resolution brought before you for your consideration this morning—I feel that words of mine would be inadequate to describe the feelings of this House at this time in the cause of patriotism. We have read much of late about preparedness and of the great crisis which is facing this country. At the call to arms thousands of young men would rush to the colors, but of what avail! Fresh in our minds is the tragedy of Chickamauga with its dead and its dying, and I submit to you, gentlemen, that it is but proper that we should be prepared and that the young men of this country should be prepared by such a training as will be afforded by universal military training. We look upon the flag, so dear to the hearts of our countrymen, with its spotless white, emblematic of the purity of thought and purpose of every American; we look upon the red as typifying the blood of patriots who fought and bled that this country might be preserved; we see the blue—the blue canopy of Heaven, dotted with the forty-eight stars representing that group of states of which we are but one part. We should not send our young men forth to be shot down without ample preparedness. All young men enjoy alike the blessings of the freedom of this flag. I am in favor of universal preparedness, universal training, com-

pulsory training if you please. I know of no reason why the young men—the rich young men—should not alike bear their burdens with the poor. I also believe that the passing of this resolution further fits the young man of our country to take up the life which he is about to enter upon in a business career. If I for one moment thought that the passing of this resolution would bring about a state of imperialism, or that our country would resort to armed force without cause, I would not advocate the passing of this resolution. Mr. Speaker and gentlemen of the House, I favor the passing of this resolution.

Mr. Sisson of Island Falls: Mr. Speaker, likewise I rise to endorse the passage of this resolution. It was some time since that the young and able Senator from Cumberland, Mr. Holt, approached me as to the advisability of entering in the Senate such a resolution on the motion proposed at that time that it would pass at the Senate without reference to a committee and come to the House; but, as I understand it now, it has come with unanimous consent from the committee and with its approval, and I would feel it a miscarriage of my proper duty and obligation if I did not say a word in its favor. There have been many months recently when the entire country has been looking at every morning paper and every evening sheet with tear and trembling, not knowing what the news would be. Those who were strong-minded shuddered and those of weak hearts trembled, because for many months we have been on the brink of war, and those who have understood the situation know full well that we have been totally unprepared for any such emergency. It is well for us in these United States that that country as to which we have been most concerned is at the present time hemmed in and unable to get at us. Mr. Speaker, we cannot expect in these United States always to have the advantages in our favor. I would not speak disparagingly for a moment of those noble colonists who fought in the battles of the Revolution, but we must remember that the advantages never-

theless, notwithstanding that they were poor and ragged and poorly armed, were in their favor for the government against which they waged warfare was one ruled by a mad king surrounded by incapable counsellors. His people realized in no way the importance of the colonies, and trusted to hired soldiers to uphold the dignity of their nation. In the war of 1812, the circumstances were somewhat similar. The nation against whom the United States waged its warfare then was engaged at that time in the Napoleonic warfares and could not bother with a petty struggle so far across the sea; and, in the Civil War, the advantage at last was with the North with its overwhelming numbers of men, money and supplies. Likewise in the War of 1898, as we all know, the United States waged its warfare against a decadent nation. I say today that it takes no more than the common, ordinary sense of the fitness of things to see that we likewise may become such a decadent nation. Today as we read the papers from the foreign shores it is easy to see that other nations think of us as we thought, and the world thought of Spain in 1898; and, in the meantime, the United States has lain back on beds of prosperity. I say that it is time that we gave up this shallow optimism. It is time that we adopt in this country some means of preparedness, not only for the training of the young, but for the security of our homes. I look back with a great deal of disgust to those teachers and those books of my boyhood that seemed to inculcate into my mind the idea that America could lick the world. Today we know that we, as one of the powers, are woefully unprepared, and I want every one in this House today to feel that I am an out and out advocate for universal military training. As I say, not only for the security of our homes do I stand for this, but likewise for the good of our young men. On this point allow me to read a portion of the words of Charles W. Eliot, emeritus president of Harvard. He says:

"In fulfilling its international obligations, the country will lose that small portion of the working time of its young men which must be temporarily withdrawn from its industries; but it

will gain an assured capacity to defend its territory and its ideals and an increased self-respect. Its young men would sacrifice for brief periods some of their accustomed liberties, but, on the other hand, they would gain something worth having in the way of co-operative discipline, self-reliance and self-control. If every able-bodied young man were thoroughly trained for service in the national army or navy, at some serious sacrifice on his part, and then held himself constantly in readiness to fight for his country if it were imperilled, the nation as a whole would soon be inspired by new sentiments of patriotism and duty and of self-sacrificing devotion in defence of home, kindred and friends, of public justice and liberty and of progressive hope for the generations to come."

These are my sentiments also. Therefore, Mr. Speaker, I move the passage of this resolution. As a matter similar unto our city fire protection, which we could not well dispense with, as a matter imperative for the security of our nation and its dignity in the sight of the world, for the discipline of our young men, the inculcation of the principles of patriotism, of self-sacrifice and capability—for these reasons I favor universal military training and the resolve before this House.

Mr. REDMAN of Ellsworth: Mr. Speaker and gentlemen of the House: I am very glad to speak a word in favor of Senator Holt's bill. I believe in universal military training, because I believe it emphasizes the duty that every man feels to his country's service. It is a peculiar thing about military service that the more a man has served his country, the more is he willing to serve; and I think I can best illustrate that statement by telling you of an incident that was told to me—an incident that happened out in Pennsylvania, in one of the smaller cities, just as the Spanish War was about to begin. They were holding a meeting, a public meeting, to arouse patriotism and create enthusiasm, and, as is customary at such meetings, they called upon lawyers and ministers to speak—professional speakers—and

they went on for an hour or two and every one was getting pretty tired and finally a little bit of real freshness was injected into that meeting. They called a veteran soldier, a veteran of the Civil War, to the platform and he began to speak. He had not spoken more than a minute before it was apparent that he had forgotten what he had prepared to say; and you gentlemen all know that when you prepare a speech beforehand, and commit it to memory, and then get on your feet and try to deliver it, and forget it, you have a very sickening feeling; and that was the way that old fellow felt at that moment. He went on for a moment or two longer, still clinging to his prepared remarks, until finally he saw it was no use; so he let himself go and he said: "Ladies and gentlemen, I took part in the battles of Williamsburg, Fair Oaks and The Wilderness, I was wounded at Antietam, I lost an arm at Chickamauga, but I never suffered so in my life as at this very moment; but," he added, "I can say this: if my country ever again needs me, I will go to war to fight her battles just as I did in '62 and '63, and if this poor body is too weak to stand out on the firing line with the younger men, I will be a scullion in the mess tent of my regiment, but I will never again try to make a speech." Gentlemen, I submit, that that man spoke better than he knew.

There was a man who had worn his shield and buckler with distinction, who had had his arm taken off in battle, and who was still willing to serve his country. That is why I say that the more a man has served, the more is he willing to serve.

As has been said here, we have been drawn to the very brink of war, the great war going on across the water that we desire to have no part of. It is a great regret to me, Mr. Speaker and gentlemen, that the Senate of the United States behaved the way it did within a week, and I believe that when the dark war clouds commence to roll up about our nation, when the storm of war is imminent and liable to break upon us, as it is at any moment, this is a time to cut adrift and throw overboard our cargo of politics, clear our decks of petty

differences for once, and stand behind the Captain of our Ship of State; (Applause.) stand behind the President of the United States, whether he is a Democrat or Republican. I believe that that is what the red-blooded Americans in this nation are doing today, and I also believe that this is a time when the Socialists, the anarchists and the pacifists of this country should be deprived of their trick at the wheel. We hear it said that we no longer have national solidarity in this country; that we have been bringing in a great horde of foreigners, thousands and thousands of them, from every other nation on earth, and that if we are called upon to fight, the solidarity which has existed in this nation in years gone by will be found wanting. With that I do not agree. I had occasion a short time ago to go into the East Side in New York City and teach those East Side boys. That great East Side of New York interested me. I realized that we have thousands and thousands of people packed in there, young boys growing up, who are to become the future citizens of this nation, and I wanted to see what they were like; so I went down there; I went among them— young boys, some of them foreign born, nearly every one of them children of foreignborn—and I want to go right on record now as saying that those boys there on the East Side in New York City have just as high a sense of patriotism, and they have a better knowledge of American history than the boys with whom I went to school up here in the State of Maine. They know the significance of Appomattox and the other incidents of American history, because those incidents mean to them a freedom which they never would have attained on the shores from which they came. That is what brought them over here, or brought their parents here, and they are here to stand by this nation. I remember once attending a political rally in Madison Square Garden at which 12,000 people were present, and before the speakers arrived a band up in the gallery was playing patriotic airs. They played an Italian tune and the Italians

in the audience cheered for Italy; they played the "Watch on the Rhine" and the Germans applauded; they played the "Marseillaise" and the Frenchmen clapped their hands. It played "Dixie," and you all know what the southerners do when they hear "Dixie;" it played one or two other airs and finally started in to play "America." Every man and every woman in that great building arose. It started in the gallery, swept around and was taken up on the floor, every one of those people singing "My Country, 'tis of thee, Sweet Land of Liberty." I will tell you, gentlemen of this House, that they meant it, and if you had heard them you would have known that they meant it. So I submit that up here in old New England, where the old Yankee blood still prevails, that we should be willing to go on record as favoring military training, favoring that spirit of preparedness which will set an example to those who have come here to our shores, and enable us to do as our ancestors and forbears have done before us. I thank you. (Applause.)

The SPEAKER: The Chair declares that the report from the Committee on Military Affairs is accepted in concurrence.

Mr. BREWSTER of Portland: Mr. Speaker, I do not wish to discuss the principle of universal military training, as I suppose that every thoughtful man in the face of the tragedy which has been enacted across the seas, and is now being enacted, has made up his mind on this serious question. The only problem which there seems to be for us is how can we best tell the President and the authorities at Washington what we feel. I presume there is no doubt as to the passage of this resolution. The reports coming to us from Washington seem to indicate that there is no doubt in the minds of the military authorities, nor of the governmental officials, as to the necessary action on this question. Their only problem is whether the country will back them up, whether the individuals scattered throughout the country, upon whom

they must ultimately depend, will back them up in their decision. It is very difficult for them to find public opinion. It is easy for large masses of men to indicate decisions which the individuals will not support. We have had roll calls here on great and small matters. We have rather played horse with roll calls at times. It seems to me that we may well pause this morning in the consideration of this question long enough to record the individual convictions of every member of this assembly, because the value of their answer going to Washington as to what each individual member of the Maine House thought on this question, not swayed by the sentiments of the others, not in any fear to say yes or no, will carry the utmost weight and will give to the governmental officials in Washington the information which they need as to the sentiment of the several communities throughout the country; and I move that the roll be called upon this question.

Mr. LARRABEE of Bath: Mr. Speaker—

The SPEAKER: The report from the committee having been accepted, the gentleman from Portland, Mr. Brewster, moves the passage of the resolution which the Chair will read, if the gentleman from Bath, Mr. Larrabee, will pardon the Chair.

Joint resolution in favor of universal military training under the federal government.

Whereas, the necessity of adequate military defense is the most vital issue before the American people, and

Whereas, the permanent safety of the nation demands efficient training of the young men of the country that they may be properly prepared to render instantly effective military service in time of war.

Be it resolved, that the Senate and House of Representatives in Legislature assembled are heartily in favor of any fair and equitable law establishing a system of universal military training under the direction of the federal government;

Be it further resolved, that a copy

of this resolution be sent to our senators and representatives in Congress by the secretary of State.

The gentleman from Portland, Mr. Brewster, moves the passage of the resolution, and that when the vote is taken, that the yeas and nays be called. The Chair recognizes the gentleman from Bath, Mr. Larrabee.

Mr. LARRABEE: Now, Mr. Speaker, if it is in order, or if it is not, if the rules can be suspended, I certainly am in favor of the resolution as just read by the Speaker, and I also am in favor of the motion put by Mr. Brewster of Portland to make it more effective. I am in favor of making an amendment to Mr. Brewster's motion, and, instead of having the roll call, I would like to see if there is one man, or one with a spark of manhood, who is not willing in such a time as this to uphold our President and uphold the Governor of our State.

Mr. BREWSTER: Mr. Speaker, I do not think there is any issue of patriotism involved in this question. It seems to me it is merely a question of judgment as to whether we think the perils of the volunteer system are greater than the perils of the universal training system; and I personally feel that a man may vote against this without there being any charge of treason against him. I simply feel that the government at Washington needs to know whether the sentiment is in favor of universal military training, and any man may vote no without falling in my regard in the slightest degree.

Mr. LARRABEE: Mr. Speaker, could it be arranged so that we could have a rising vote and see if there is one man who is opposed to such a resolution as this?

The SPEAKER: The Chair would ask the gentleman from Portland Mr. Brewster, if a rising vote would be satisfactory?

Mr. BARNES of Houlton: Mr. Speaker, I certainly hope the gentleman from Portland (Mr. Brewster) will be induced to allow a unanimous rising vote. Nothing here today should

he said against this measure, but you are getting into dangerous water as you paddle along with these thoughtless remarks thrown out. What the unmarried man, and the otherwise childless, may think is the true test of patriotism is a hard test sometimes to put up to some other people, and it would be vastly better that this House should now take a rising vote and that too hard a test should not be imposed now, and perhaps one or two men be forced to vote no on this measure. I sincerely hope that the young gentleman from Portland (Mr. Brewster) will modify his motion so that we may vote on this by a rising vote or a viva voce vote. (Applause)

Mr. BUSSABARGER of Lubec: Mr. Speaker, I did not expect nor intend to lift my voice on this question; but I heartily concur in the words just spoken by the gentleman from Houlton, Mr. Barnes. I do not think that any member of this honorable body, or of the august Senate, would question for a moment my patriotism or my fighting instinct, or that I have not good red blood in my Kentucky veins. I am the son of a soldier who went through the battle of Nashville. I have a brother who served five years in the United States army out on the Indian border. I am at present the chaplain and captain of the United Boys Brigade of America in the county of Washington. For four years I have seen my boys trained in military discipline and training, and I believe in adequate military training for the defence of this country; but I do not believe in universal compulsory military training. I read at the beginning of the great world war General Von Bernhardt's book "Germany and the Next War," and the very arguments for universal compulsory military training made by some of the gentlemen on this floor this morning were made by General Von Bernhardt in his work. Friends, I believe that the words spoken by the Man of Galilee on the Judean hills 1900 years ago are just as true today and will be proven true in the outcome of the European conflict, as when they were first spoken: "He that taketh up the sword shall perish by the sword." I fur-

ther believe in the truth of that great prophet poet of Great Britain, Rudyard Kipling:

"For heathen heart that puts her trust
In reeking tube and iron shard—
All valiant dust that builds on dust,
And guarding calls not Thee to guard;
For frantic boast and foolish word,
Thy mercy on Thy people, Lord!"

I favor such a resolution sent to the authorities in this critical hour to show the patriotism and the readiness of Maine to leap to arms to guard our republic; but I am not in favor of universal compulsory military training.

The SPEAKER: The question before the House is the motion of the gentleman from Portland, Mr. Brewster, that the yeas and nays be called.

Mr. DEARTH of Dexter: Mr. Speaker, I trust that we will get to a vote without any further discussion, and I trust the gentleman from Portland (Mr. Brewster) will amend his motion as suggested.

Mr. BREWSTER of Portland: I should certainly be very glad to amend my motion in accordance with what is clearly the desire of the great majority of the House, and I trust they will understand that it was merely an error of judgment and not of desire. I understand that it is proposed to be taken by a rising vote and I so amend my motion.

Mr. FARRINGTON of Augusta: Mr. Speaker, I do not think I understand exactly what the action of the Senate was as those papers come to us. Will the Chair inform the House?

The SPEAKER: It was read and passed in the Senate March 7th, 1917, and simply sent down for concurrence. As many as are in favor of the passage of the joint resolution in concurrence with the Senate, as read by the Chair, will stand.

Mr. LARRABEE of Bath: Mr. Speaker, while they are up, I would like to ask the Speaker, or the clerk, if he will see whether there is one who disagrees with the motion as it is now.

The SPEAKER: The Chair declares it passed unanimously.

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

Appropriations and Financial Affairs

By Mr. Washburn of Perry: Resolve in favor of Wallace Lewey, representative of the Passamaquoddy Tribe of Indians.

By Mr. Eaton of Rumford: Resolve appropriating money to pay Ethel M. Wade; stenographer and typist to the clerk of the House.

By Mr. Eaton of Rumford: Resolve in favor of the official reporter of the House for services of assistant reporter, typewriter operator and additional assistance in the preparation and completion of the Legislative Record, including installation and rental of dictating machines.

Inland Fisheries and Game

By Mr. Longley of Sidney: Remonstrance of C. A. Graves and 27 others of Sidney Grange, protesting against the passage of House Document 44, being "An Act to repeal Section 73 of Chapter 33 of the Revised Statutes, relative to Sunday being a closed season for hunting game or birds;" also remonstrance of Earle L. Healey and 20 others of Oakland, against same; also remonstrance of Sagadahoc Grange, No. 131, against same.

Judiciary

By Mr. Gurney of Portland: An Act to amend Section 4 of Chapter 76 of the Revised Statutes, relating to notices upon petitions for sale of real estate. (500 copies ordered printed.)

Legal Affairs

By Mr. Sawyer of Madison: An Act to amend Section 20 of Chapter 92 of the Revised Statutes, relating to actions against administrators de bonis non. (500 copies ordered printed.)

By the same gentleman: An Act to amend Section 43 of Chapter 68 of the Revised Statutes, relating to proof of notice by both executors and administrators.

By Mr. Buzzell of Belfast: An Act to amend Section 60 of Chapter 4 of the Revised Statutes of 1916, relating

to the creation of a sinking fund by cities and towns. (500 copies ordered printed.)

By Mr. Cates of Vassalboro: An Act to amend certain sections of Chapter 72, Revised Statutes, relating to the adoption of children. (500 copies ordered printed.)

Public Utilities

By Mr. Bussabarger of Lubec: An Act to permit individuals and corporations to own rolling stock and for fixing the terms of its haulage by steam railroads of the State. (500 copies ordered printed.)

Sea and Shore Fisheries

By Mr. Boman of Vinalhaven: Petition of F. A. Brown and 25 others of Vinalhaven in favor of the passage of the bill for the protection of seed lobsters introduced by Mr. Boman of Vinalhaven.

By the same gentleman: Remonstrance of A. M. Miller and 26 others of Vinalhaven against the passage of the so-called double gauge lobster law, introduced by Mr. Goldthwait of Biddeford.

By the same gentleman: Remonstrance of A. M. Miller and 26 others of Vinalhaven against the passage of the bill prohibiting the shipment of lobsters out of the State during the months of June, July, August and September.

Ways and Bridges

Mr. Holbrook of Brooks: An Act to amend Chapter 319 of the Public Laws of 1915, entitled "An Act to provide for State and county aid in construction of highway bridges." (1000 copies ordered printed.)

Mr. WILSON of Portland: Mr. Speaker, I have a bill here which I would like leave to introduce out of order.

Unanimous consent being given, Mr. Wilson introduced out of order, the following bill, An Act to amend Section 36 of Chapter 58 of the Revised Statutes, relating to discontinuance of street railroad service.

On motion by the same gentleman, the bill was referred to the committee on public utilities.

Mr. FARRINGTON of Augusta: Mr. Speaker, I would like at this time to ask a suspension of the rules and that House Document No. 500, be given its several readings at the present time and be passed to be engrossed: An Act relating to the Fort Fairfield Village Corporation.

The rules were suspended and bill, An Act to enable the inhabitants of the town of Fort Fairfield to assume all the rights, privileges, duties, contracts and obligations of Fort Fairfield Village Corporation in said Fort Fairfield, was given its three several readings and passed to be engrossed.

On motion by Mr. Barnes of Houlton, 1000 copies of bill, An Act to amend Section 36 of Chapter 58 of the Revised Statutes relating to discontinuance of street railroad service, introduced by Mr. Wilson of Portland, today, were ordered printed.

Orders.

On motion by Mr. Flint of Monson, it was

Ordered, that the Honorable W. S. Knowlton of Monson, Maine, be invited to serve as chaplain of the House on the morning of March 15. Mr. Knowlton, besides being a minister of the Gospel is a teacher of large and varied experience, having taught more terms of school than probably any man now living. Mr. Knowlton has served in the House of Representatives and in the Senate of Maine where he was chairman of the committee on education.

On motion by Mr. Sawyer of Madison, it was

Ordered, that the Senate be requested to return to the House the Resolve in favor of the town of Solon, with accompanying papers, in order that the House may be enabled to ask for a committee of conference on the same.

Mr. Tate of Topsham presented the following order, and moved its passage:

Ordered, the Senate concurring, that House Bills Nos. 430 and 433, referred to the committee on judiciary, be withdrawn from that committee and

be referred to the committee on sea and shore fisheries.

The order received a passage.

Mr. BARNES of Houlton: Mr. Speaker, I beg the pardon of the House for inattention, but was the last action to recall from the judiciary and refer to the sea and shore fisheries?

The SPEAKER: The order calls for a recalling of the bills.

Mr. BARNES: I move that we reconsider the action just taken by the House whereby it gave passage to the order presented by the gentleman from Topsham, Mr. Tate.,

Mr. MURRAY of Bangor: Mr. Speaker, I would like to ask, through the Chair, the object of the gentleman from Houlton.

Mr. BARNES: I would be very glad to explain, Mr. Speaker. The bills on Inland Fisheries and Game were originally recommended and passed on by the judiciary committee, and the advertising of notice of hearing has already been given on several of them—how many, I won't say. As it stands now, there are two bills for the general reorganization of the Sea and Shore Fisheries Commission, and my first thought simply was out of justice to the people who have read the advertisements in all the daily papers of Maine that the hearing was to be before the judiciary committee. Now I do not assume to speak for the entire judiciary committee, and so far as I am concerned personally the judiciary committee has work enough to do; but this is worthy of thought on the part of the House: You will not find any precedent for a change in a department of the State unless the arguments pro and con as to such change have taken place either before the judiciary or the legal affairs committee; and I will venture to say that 99 times out of 100 it is before the judiciary. The bills have been read by some of us, and it appears that if an effective finding is to be the result on either, it will have to be upon a bill compounded from the provisions of the two, with suggestions that other authorities in matters of law would make relative to ad-

ditions. Now not saying but what the committee on sea and shore fisheries is perfectly competent to do this work, it occurs to me that it would be fully as well to let the complicated, intricate question of the legal bearing of the different propositions be submitted to a committee which is more or less by profession schooled and skilled in the drafting of statutes. I think this great interest, which personally touches 50,000 people in Maine, and involves business interests reaching way up into the millions if properly handled, will be properly conserved if the bills go forward to a hearing before the judiciary committee.

The SPEAKER: The question, gentlemen, is on the reconsideration of the vote whereby the House passed the order withdrawing the bill from the judiciary.

Mr. GOLDTHWAIT of Biddeford: Mr. Speaker, I think that the arguments of the member from Houlton, Mr. Barnes, are a trifle far-fetched. The bill to reorganize the Inland Fish and Game Department has already been referred to the committee on inland fish and game and a hearing has been held on it. Now I am reliably informed that these two bills, to reform in a similar manner the Department of Sea and Shore Fisheries, only reached the judiciary committee yesterday; so I cannot see how there has been any great advertising for a hearing on those two bills as yet. It seems the natural consequence and a consistent course, which I think is not being followed as it should be, if a similar bill has been referred to the inland fish and game committee that this bill should rightly go to the sea and shore fisheries committee. I am one of that committee and I may be ill-advised in speaking this way; but I believe that where a bill of this nature ties up such large interests in that way that men in that committee are familiar with, that those interests far outweigh and overlay the legal aspects of such a bill, and I hope that it will be committed to the sea and shore fisheries committee.

Mr. BOMAN of Vinalhaven: Mr. Speaker and gentlemen of the House: I do not understand that there is any

legal question connected with this matter at all. It is not a question of whether this can be done but whether it is right that it should be done. I have read the bill and I cannot see any legal question involved in this measure or why it should go to the judiciary or legal affairs. I think this matter would be better understood by the committee on sea and shore fisheries than by anyone else, and in justice to all concerned I see no reason why these bills should not be referred to their proper committee in view of the fact that a similar bill has already been referred where it belongs. If these two bills are to go to the judiciary, why should not other bills in regard to inland fisheries and game go to that committee? As to the importance of the bill, the inland fisheries and game has within its appropriation \$100,000, while the sea and shore fisheries has never had an appropriation of more than \$50,000—half of the amount. It seems to me that it is right that the bill should be referred to the sea and shore fisheries committee.

Mr. MURRAY of Bangor: Mr. Speaker, it seems to me that this House should be consistent, and I am reminded forcibly of that fact when my brother Barnes repeated practically the same argument which another member at an earlier time used concerning a bill on interior waters. At that time this House decided that a bill which should go to the Committee on Interior Waters should stay there, and so decided by its votes. Now this bill surely should go to the Committee on Sea and Shore Fisheries. The Judiciary Committee is crowded with business and its members are complaining. In addition to that the public is complaining that the hearings are cut short, and they are necessarily. Now while they may know more law in the Judiciary Committee, it seems to me they know less of sea and shore fisheries. I can only repeat the same argument I used at a former time that the place for this bill is in the sea and shore fisheries committee, and I hope that this order which has just been passed will be sustained.

Mr. FARRINGTON of Augusta: Mr. Speaker, it occurs to me that there is a great deal of truth in both what the gen-

tleman from Houlton (Mr. Barnes) has said and also in what the gentleman from Bangor (Mr. Murray) has said. I have known of precedents in matters of this sort where they have been referred to the two committees jointly. That would lend to the sea and shore fisheries committee whatever it needs in the way of legal advice that the judiciary committee is able to give it, and will give the judiciary committee the advantage of the knowledge that the sea and shore fisheries committee has of the subject matter which I am free to confess I believe is far in excess of what the members of the judiciary committee have. I do not consider that the members of the judiciary committee, except as they may come from the coast towns, know anything about the real essence of the subject matter. I simply make this as a suggestion if anyone cares to make a motion along that line.

Mr. BOMAN of Vinalhaven: Mr. Speaker, it seems to me that there is only one question involved in this matter, and that is whether the sea and shore fisheries shall be in the hands of three men or one. It seems to me that is the only question involved. To my mind there cannot be any great legal question in regard to this matter.

Mr. NEWCOMB of Scarborough: Mr. Speaker, fortunately on that sea and shore fisheries committee the Speaker was wise in his appointments and appointed two salt water lawyers on that committee. Senator Wood and Senator Butler, and I think that the sea and shore fisheries committee are pretty well versed in the law. (Applause.)

Mr. COLLE of Eliot: Mr. Speaker, I hope the sea and shore fisheries get it if they want it; we have got enough. I simply want to say that I have taken the time while the other gentlemen were talking to send down to the judiciary room to find out whether the matter had been advertised, and I find that those bills have been advertised for hearing before the judiciary committee next Tuesday. Now if this thing is changed over, it is pretty short notice to give the people all

over the State of Maine in this matter of State-wide interest that they should not come next Tuesday but may come a week from Tuesday, or some other day, before some other committee. I believe that this Legislature should not indulge in petty squabbles as to who shall hear a bill or who shall not; but it is the interests of the State of Maine that we are anxious to protect. Having advertised these bills by State-wide advertisements, it seems to me in justice to the people of the State that it ought to be settled here and now, that these bills shall be heard by some committee next Tuesday.

Mr. GOLDTHWAIT of Biddeford: Mr. Speaker, I would like to inquire through the Chair of the gentleman from Eliot, when those advertisements were sent out?

Mr. COLLE: If the gentleman will allow me to send to the judiciary room I will find out for him; I cannot tell him offhand. I simply sent down there to find out whether they were advertised.

Mr. MURRAY of Bangor: Mr. Speaker, I was in the corridor yesterday, and I heard a member of the judiciary committee speaking to the clerk of that committee about the advertising, and it seems that they must have arranged something about not advertising it because my brother Brewster tells me that it is not in this advertising.

Mr. GOLDTHWAIT: Mr. Speaker, I think as I said before that that bill only reached the judiciary committee yesterday. Now if that advertising has been ordered, it has only recently been sent out and it could be recalled. This order was presented, or at least the gentleman tried to present it yesterday, but in some way adjournment came so quickly that it did not get in. It would have been in order at that time before anything had been done on the matter by the judiciary committee. In view of the fact that that order was attempted to be introduced yesterday and the further fact that the matter has not gone any further than it has, I still hope that the gentlemen will be fair in this matter.

Mr. COLE of Eliot: Mr. Speaker, in reply to the inquiry of the gentleman from Biddeford (Mr. Goldthwait) the clerk of the judiciary is here and he says that it was sent out yesterday afternoon to every daily paper in the State.

The SPEAKER: The question before the House is on the motion of the gentleman from Houlton, Mr. Barnes, that we reconsider the vote whereby the order was passed.

A viva voce vote being taken,
The motion was lost.

Mr. COLE of Eliot: Mr. Speaker, while there is no motion before the House, it seems to me that if I may be allowed just a moment in all fairness and justice to the people. If this matter is going to the committee on sea and shore fisheries, that committee should arrange to hear what people come here next Tuesday.

The SPEAKER: The Chair would suggest that this is a joint order and it has to go to the Senate. Of course no one knows what the outcome may be. The point is, gentlemen, that the House is not competent to arrange by its action any hearing so far as the newspaper notices are concerned.

Mr. FARRINGTON of Augusta: Mr. Speaker, it seems to me it would be perfectly possible, and it does not strike me that it would affect the legality of the procedure at all, if this matter were heard by the sea and shore fisheries committee at the time advertised. If it should go through the Senate, that could easily be taken care of in a short time. I would frankly say to the House as a member of the judiciary committee that that bill is one peculiarly within the knowledge of the sea and shore fisheries committee and it ought properly to go there. I had forgotten the fact that there were two good lawyers on that committee, and it seems to me they are well able to take care of it.

Mr. GOLDTHWAIT of Biddeford: Mr. Speaker, I might say perhaps, in reply to the gentleman from Augusta, Mr. Farrington, that the sea and shore

fisheries committee has only one matter to hear next Tuesday and they could readily take care of this matter.

Mr. BREWSTER of Portland: Mr. Speaker, if in order, I understand the Senate is still in session and I move that this be sent over immediately to them by the messenger. We might get quicker action in that way.

The motion was agreed to and the order sent to the Senate for concurrence.

Reports of Committees.

Mr. Cushman, from the committee on interior waters, reported "ought to pass" on bill "An Act to amend Section 3 of Chapter 314 of the Private and Special Laws of 1883 as amended by Chapter 443 of the Private and Special Laws of 1185," entitled "An Act to incorporate the Shirley Dam Company."

(The rules were suspended and the bill given its two several readings.)

Same gentleman, from same committee, reported same on bill "An Act to authorize Allan E. Hammond and his associates to erect piers and maintain booms in the St. John river in Hamlin Plantation."

(The rules were suspended and the bill given its two several readings.)

Same gentleman, from same committee, on bill "An Act authorizing Ward and Bradbury Incorporated, its successors and assigns, to erect and maintain piers, piles and booms in the St. John and St. Francis rivers," reported same in a new draft, under title of "An Act authorizing Wood and Bradbury, Incorporated, its successors and assigns, to erect and maintain piers, piles and booms, in the Saint John river," and that it ought to pass.

(The rules were suspended and the bill given its two several readings.)

Same gentleman, from same committee, on bill "An Act authorizing Fort Kent Electric company, its successors and assigns, to erect and maintain a dam across Wallagrass stream in Wallagrass plantation, Aroostook county, at its power station as now located on said Wallagrass stream," reported same in a new draft, under title of "An Act authorizing Fort Kent Electric Company, its succes-

sors and assigns, to erect and maintain a dam across Wallagrass stream in Wallagrass plantation at its power station as now located on said Wallagrass stream," and that it ought to pass.

Mr. Harris, from the committee on sea a shore fisheries, on bill "An Act to repeal Section 76 of Chapter 45 of the Revised Statutes of 1916, relating to the taking of smelts," reported same in a new draft, under title of "An Act to amend Section 76 of Chapter 45 of the Revised Statutes relating to smelts," and that it ought to pass.

Tabled by Mr. Tate of Topsham, and especially assigned for Thursday, March 15.

Mr. FARRINGTON of Augusta: Mr. Speaker, it seems to me we are piling up this table pretty well with matters a week hence. We will find a mountain ahead of us at that time, and I will ask the gentleman (Mr. Tate) if he could not agree to assign it for an earlier day.

Mr. TATE of Topsham: Mr. Speaker, as I understand it Wednesday is our very busy day—of course they are all busy days. These people down in my section would like to present some facts and look up some matters and they asked to have it assigned for Thursday of next week. Personally it makes no difference to me but they would like to have it laid on the table until next Thursday or Friday.

The SPEAKER: The Chair would suggest that the report be accepted and then the bill will be printed automatically under the rules.

Same gentleman, from same committee, on bill "An Act authorizing the American Realty Company to acquire, erect and maintain piers and booms in the St. John river in the town of Frenchville and in the Plantation of St. John," reported same in a new draft, under title of "An Act authorizing the American Realty Company to erect and maintain piers and booms in the St. John river in the Plantation of St. John and the Plantation of St. Francis," and that it ought to pass.

Mr. Holt of Gouldsboro, from the

same committee, reported "ought to pass" on bill An Act to amend Section 74 of Chapter 45 of the Revised Statutes relating to fishing for smelts in West Bay and West Bay stream, in the town of Gouldsboro, Hancock county, with accompanying petition.

Mr. Newcomb, from same committee, reported same on bill, An Act amending Chapter 121 of the Private and Special Laws of 1915, establishing a closed time on lobsters in Machias bay and adjacent waters in the county of Washington.

The reports were accepted and the several bills and resolves ordered printed under the joint rules.

Mr. Allen of Sanford, from the committee on education, reported "ought not to pass" on bill "An Act to Amend Section 103 of Chapter 16 of the Revised Statutes relating to State Aid for Academies Having Income from Invested Funds."

Same gentleman from same committee, reported same on bill "An Act to Amend Section 103 of the School Laws of Maine."

Mr. Cushman, from the committee on interior waters, reported same on bill "An Act authorizing Stanley Burrell and Frank W. Mallett, of Fort Kent, County of Aroostook, and Maurice O. Brown of Dover, County of Piscataquis, to Erect and Maintain Piers, Piles and Booms in the Allagash River."

Mr. Baxter, from the committee on judiciary, on Resolve relating to the Conservation of the Storage Reservoirs and Water Powers of the State of Maine, reported that the same ought not to pass, as the subject matter is embraced in other bills not before this legislature.

Mr. Ames, from the committee on sea and shore fisheries, reported "ought not to pass" on bill "An Act to amend Section 73 of Chapter 45 of the Revised Statutes relating to Shad, Alewives, and Bass Fishing."

Mr. Harman, from same committee, on Petitions of A. M. Hatch and Leroy H. Greenlaw of Jonesport, asking the repeal of Chapter 92 of the Public Laws of 1915 relating to Taking Scallops

During the Summer Months, reported that the subject matter has been taken care of by a previous report of this committee.

The reports were accepted.

First Reading of Printed Bills and Resolves

House 473. An Act to authorize the Sandy River & Rangeley Lakes Railroad to extend its line from Carrabasset to Hurricane Falls and to discontinue its present road from Carrabasset to Bigelow.

House 474. An Act to extend the charter of the Penobscot Valley Gas Company.

House 477. An Act relating to decoration of veterans' (soldiers' and sailors') graves.

House 480. An Act to amend Section 100 of Chapter 52 of the Revised Statutes, relating to loan and building associations.

House 481. An Act to permit the town of Southport to obtain a supply of pure water.

House 482. An Act to amend Sections 51 and 52 of Chapter 4 of the Revised Statutes relating to the payment by the State of the burial expenses of honorably discharged soldiers and sailors.

House 484. An Act to protect the rights of certain members of the Penobscot Tribe of Indians owning land on Old Town Indian island No. 1, and Island No. 12, commonly called Orson Island, in Penobscot river.

House 485. An Act to amend Section 12 of Chapter 42 of the Private and Special Laws, 1899, entitled, An Act to establish the Rumford Falls municipal court.

(On motion by Mr. Stearns of Hiram, tabled pending its first reading and specially assigned for consideration on Thursday of next week.)

House 486. An Act to provide for the registration and licensing of dogs on the Indian Reservation of the Penobscot Tribe of Indians.

House 487. An Act to amend Paragraph 6 and Paragraph 7 of Section 98, Chapter 4, Revised Statutes, relative to by-laws of towns, cities and villages.

House 490. An Act to enable the town of Presque Isle to assume the obligations of the Presque Isle Village Fire Department arising out of a contract with the Presque Isle Water Company.

(On motion by Mr. Barnes of Houlton, the rules were suspended and the bill given its third reading and passed to be engrossed.)

House 491. An Act to amend Section 8 of Chapter 48 of the Revised Statutes of 1916, relating to local sealers of weights and measures.

House 498. An Act to amend Section 110 of Chapter 16 of the Revised Statutes, relating to teachers' associations.

House 499. An Act relating to the May term of the Supreme Judicial Court in the county of Oxford.

House 506. An Act to enlarge the authority of the Home for aged Couples and Old Men in the city of Bath to take and hold property.

House 504. An Act to prevent the sources of domestic water supply from becoming polluted.

House 501. An Act to provide for a non-resident fishing license.

House 502. An Act to provide for the registration of resident hunters.

House 472. Resolve to provide for a survey by the commissioner of Sea and Shore Fisheries of areas suitable for the propagation of clams.

House 475. Resolve for extra pay to the Maine Volunteers in the War with Spain.

House 476. Resolve in favor of an appropriation to complete the historical record of Maine men serving in the United States navy during the War for the Suppression of the Rebellion, 1861-1865.

House 478. Resolve in favor of an appropriation for necessary repairs on the State Armory at Portland.

House 479. Resolve in favor of an appropriation to purchase steel lockers for National Guard armories.

House 483. Resolve authorizing the Governor and Council to accept picture or oil painting of General Charles W. Tilden, to hang in the rotunda of the State House.

House 488. Resolve proposing an amend-

ment to the Constitution of the State of Maine to authorize towns to divide into voting districts for purposes of holding elections.

House 489. Resolve in favor of Ida E. Heath of Chelsea, Maine.

House 492. Resolve reimbursing the city of Auburn for money expended for the support of certain State paupers.

House 493. Resolve reimbursing the town of Wilton for money expended for the support of certain State paupers.

House 494. Resolve in favor of the town of Chester.

House 495. Resolve in favor of Joseph H. Underwood of Fayette, to reimburse him for money paid out for testing of his cattle in 1915, after the sanitary commissioner of Maine had refused and neglected to act as required by law.

House 496. Resolve in favor of several academies, institutes, seminaries and colleges for maintenance and for repairs and improvements.

House 497. Resolve in favor of the town of Washburn, Aroostook county.

House 503. Resolve for further public instruction in forestry.

Senate 217. Resolve in favor of Morrison Libby.

Passed to be Enacted

An Act to enlarge the jurisdiction of the municipal court of Dexter.

An Act additional to Chapter 48 of the Revised Statutes giving additional powers to local sealers of weights and measures and their deputies.

An Act to extend the charter of the North Bridgton Village Corporation.

Finally Passed

Resolve to amend Chapter 96 of the Resolves of 1909 relating to animal industry.

Resolve in favor of the Board of Registration of Medicine.

Resolve reimbursing the town of Westfield for money expended for a State pauper.

Resolve in favor of A. L. Dow & Co. for extra labor and material furnished in the installing of plumbing in the State School for Boys in the years 1905 and 1906.

Orders of the Day.

On motion by Mr. Baxter of Portland, House Document No. 457, "An Act relating to the Knox Gas and Electric Company," was taken from the table.

Mr. Packard of Rockland offered House Amendment "A," to amend by adding thereto Section 3, which reads as follows:

"Section 3. It shall be unlawful for said corporation to transmit electric current for sale or use beyond the limits of this State, or to contract with any person, firm or corporation for the transmission or sale of electric current beyond the limits of this State; and said corporation shall not be permitted to acquire in any manner the franchises of, or consolidate with, or transfer or lease its property, rights and franchises to any other corporation, firm or person now transmitting or having the right to transmit electric power beyond the confines of the State without express authority of the Legislature."

The pending question being on the motion of the gentleman from Rockland, Mr. Packard, that House Amendment "A" be adopted,

On motion by Mr. Gannett of Augusta the bill and amendment were tabled pending the acceptance of House Amendment "A."

On motion by Mr. Boman of Vinalhaven, House Report of the committee on sea and shore fisheries, reporting "ought not to pass" on House Document 293, entitled "An Act to amend Section 36 of Chapter 45, Revised Statutes, relating to seed lobsters," unanimous consent being given, was taken from the table out of order and, on further motion by the same gentleman, the bill was recommitted to the committee on sea and shore fisheries.

On motion by Mr. Murray of Bangor, House report of committee on bills in the third reading, reporting certain verbal amendments made to House Document 451 by striking out the figures "92" in the next to the last line of Section 1 and inserting in place thereof the words "ninety-seven" and further by striking out in the same line the word and figures "of 1903," was

taken from the table, and on further motion by the same gentleman, the report of the committee on bills in the third reading was accepted.

On further motion by Mr. Murray of Bangor, House Document No. 451, An Act to amend and extend the charter of the Bangor Boom Company, was given its third reading and passed to be engrossed.

On motion by Mr. Cole of Eliot, House Document No. 350, An Act to create a board of prison commissioners, as amended by House Amendment "A," was taken from the table and, on further motion by the same gentleman, was passed to be engrossed as amended.

On motion by Mr. Rounds of Portland, Senate Document, No. 52, Resolve, proposing an amendment to the constitution of the State of Maine, relative to the tenure of the office of sheriff, assigned for today was taken from the table and, on further motion by the same gentleman, was given its second reading and passed to be engrossed.

On motion by Mr. Farrington of Augusta, House Amendment "A" to House Document 439, "Resolve making appropriation for the expenses for the work of the State Board of Charities and Corrections prescribed by law for the years 1917 and 1918," was taken from the table, the pending question being its adoption.

The SPEAKER: The Chair will read the amendment. House Amendment "A" to House Document 439, to amend by adding the following: "Provided that amounts herein appropriated shall be in lieu of any funds provided for the work of said board by the provisions of Chapter 147 of the Revised Statutes."

On motion by Mr. Rounds of Portland, House Amendment "A" was adopted, and, on further motion by the same gentleman, the resolve as amended was passed to be engrossed.

On motion by Mr. Turner of Veazie, Adjourned until 10 o'clock tomorrow morning.