

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Eighth Legislature

OF THE

STATE OF MAINE

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1917

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## HOUSE

Saturday, April 7, 1917.

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

Prayer by the Rev. Mr. Livingston of Augusta.

Journal of previous session read and approved.

Mr. BAXTER of Portland: If it is in order, Mr. Speaker, I would like to move that the rules be suspended that I may present an amendment to the ballot law so that it may be sent to the Senate if possible.

The rules were suspended.

The SPEAKER: The Chair would say to all members that if there is anything in the shape of an amendment necessary to be added to a bill, it is very desirable that whoever presents it should be on the watch for it and present it at the right time so that we will not have to reconsider votes at this stage of the session. It seems almost idle and a waste of time and a hardship on everybody that votes should be reconsidered and actions should be undone which we have once done, all of which delays the printing and also the adjourning. We shall have to reconsider some of our actions because of one or two errors which have been discovered in the engrossed bills or repetitions which will be explained by some of the lawyers. His Excellency has called my attention this morning to one or two bills of that nature.

The House received out of order under suspension of the rules An Act to amend Section 2 of Chapter 7 of the Revised Statutes of 1916, relating to the printing of ballots.

Mr. BAXTER of Portland: Mr. Speaker, I will just explain to the House so they will understand that this is to supplement the change in the ballot law. Part of the law has been already passed and this merely relates to the actual printing of the ballots.

Mr. ROUNDS of Portland: Mr. Speaker, hadn't it ought to be read?

Mr. SPEIRS of Westbrook: Mr. Speaker, perhaps I can explain to the gentleman from Portland. It is merely a change from the old ballot to the new ballot and it makes the printing of the old ballot conform to the new law we are passing through.

On motion by Mr. Baxter of Portland, the bill was given its three several readings and passed to be engrossed.

On motion by Mr. Farrington of Augusta, the rules were suspended and that gentleman presented out of order the following resolution and moved its passage.

In the House of Representatives, April 7th, 1917. Resolved, that the thanks of the House be extended to the officials in the city of Bangor, the Board of Trade and to all others who contributed to its success, for the splendid entertainment and inspiring exercises of April fourth which were so graciously and generously furnished, and that the clerk of the House send a copy of this resolution to the mayor of Bangor and the president of the Bangor Board of Trade.

The resolution received a passage.

On motion by Mr. Rounds of Portland, the rules were suspended to consider out of order House Document, No. 698, An Act relative to the operation of traction engines, motor and other vehicles upon highways and bridges.

Mr. ROUNDS of Portland: Mr. Speaker, I would like to have it indefinitely postponed. This matter is covered by another bill.

Mr. REDMAN of Ellsworth: Mr. Speaker, I would like to inquire of the gentleman from Portland, through the Chair, what bill he has reference to in saying that the subject matter is covered by another bill.

Mr. ROUNDS: Mr. Speaker, I was told this morning that the highway commissioners have put in a bill here that gave them all the power this bill contains, only you have to get a permit from them to run. If this bill should go through half the people in

the cities who own trucks, especially in the city of Portland, have got to stop business six months out of a year. It don't seem fair. Under the other bill they have to get a license from the highway commissioners to run. If any man can get a license and the highway commission is satisfied, I don't know why we should pile up bills on our statute books. The other bill was signed this morning by the Governor so that has become a law.

Mr. REDMAN: Mr. Speaker, I think that so far as the highway commission is concerned, the gentleman from Portland is mistaken. This bill contained in House Document 698 was prepared in the highway commissioners' office, and they are very anxious that this bill should receive a passage because it covers certain features that no other bill covers at the present time and which also are not covered by any bill that has been presented to this Legislature. Highway commissions all over this country are up in arms in connection with heavy trucks going over our roads. I have a dozen or more letters here from highway commissioners urging the necessity of legislation along this line, and it seems to me that if the State is going to put thousands and thousands of dollars into our roads, it is right and fair that authority should be vested in some one to prevent these roads from being ripped to pieces at times of the year when permitting heavy loads to go over them brings about that result.

The SPEAKER: The Chair suggests that perhaps some member of the ways and bridges committee could give the number of the bill that Mr. Rounds has spoken of.

Mr. CLASON of Lisbon: Mr. Speaker, I do not know about that, but I was going to say that what Mr. Redman says is right. No law covers it that we know of and no bill has come before the committee that bears directly on this matter except the one he speaks of.

Mr. ALLAN of Portland. Mr. Speaker, why could we not arrange in this way in reference to that bill spoken of? As I understand it it is to pro-

tect the new roads. The greatest damage is done in November when the frost is coming in and in March or April and the first of May when the frost is going out. I was wondering if I could not make this suggestion to Brother Redman, that an amendment be made limiting the use of those trucks to that time to avoid the difficulty that threatens us.

Mr. ALDEN of Gorham: Mr. Speaker, I live nine miles from Portland. Those trucks have to haul the coal to Gorham for the pumping station and for the big Normal school there. They have never injured our roads that I know of. I do not believe this bill ought to go through so as to stop those little trucks from doing business.

Mr. ROUNDS: Mr. Speaker, the Governor told me this morning that this bill was covered by another bill, and I do not wish to have him either veto this bill or lumber up the statutes with it.

He told me this morning that the highway commission bill that was put in covered the matter in this bill, and I think, Mr. Speaker, that you were in our presence when he said it.

The SPEAKER: The Chair remembers it.

Mr. ROUNDS: That is why I ask to have it postponed. It seems that the highway commission at this late day have seen some other commission out in some other state had this, and wrote them a letter, and so they have got an idea they want something more put in. Do you know that the trucks of 20 firms in Portland weigh over five tons, and you have put in here "not over three tons?" So it practically eliminates the trucking business around the city of Portland from November to May. There is Randall & McAllister, there is Milliken-Tomlinson, there is Twitchell-Champlin, Conant-Patrick, W. L. Blake, W. H. Dugan, Portland & Sebago Ice Co., Standard Oil Co., Cash Fuel Co., A. R. Wright Co., and a number of others that cannot do business six months out of a year. They cannot haul coal and groceries around the city of Portland through the roads or anywhere else, but there is a bill which allows them to with the consent of the highway com-

mission that has gone through and that covers this whole business. They have got this idea from the highway commission of some other state and they have brought it in here and put it up to us that we shall have something more on the statute books. We have got all we need and I hope that my motion will prevail.

Mr. LONGLEY of Sidney: Mr. Speaker, this is too important a matter to rush over rapidly at this late hour. Conditions that might apply in the city of Portland or some other city would not apply in the country towns. Country towns which I represent are willing to pay a great deal of money to build those long-distance roads. This bill covers that particular ground. I know it to be so. Several times this past year after the ground has once frozen solidly it thaws out, and you know what the result is after it has been once frozen down to a depth of a foot and thaws out. It becomes very soft. I have seen a truck go down through my town, the whole length of the town, nine miles, and cause damage at one trip of more than a hundred dollars, making ruts a foot deep. There ought to be something to protect us when we are laying out thousands of dollars to make new roads. The man who has got a heavy truck can get a permit to run. That bill contains no provision that you cannot get a permit to run that truck, but if our road is in a soft condition we can't give them a permit. In the city of Portland they can get a permit to run their trucks. It won't shut those fellows out; they will have the same privilege they have today, but they will only have to ask for a permit. Our country roads are not paved, gentlemen, and you look out for this bill.

Mr. JENKINS of Kingfield: Mr. Speaker, we do not do much trucking up there to Kingfield, but we have wagons that weigh more than half the weight they give.

Mr. ELLIS of York: Mr. Speaker, I am going to say I have got trucks of my own and if the roads are in the condition that Mr. Longley describes, our trucks cannot run. I have got heavy teams that do twice the damage these trucks do. If you pass this law it would put my prop-

erty out of business nine months of the year. I hope it won't pass.

Mr. HALL of Wilton: Mr. Speaker, I do not see how this bill can be practically worked. It may sound all right in print that after the first day of November you cannot run a truck or haul a wagon load over three tons in weight, but perhaps today, the first day of November, the town authorizes or the road commissioners will give you a permit to run that truck, and tomorrow it may be thawed out so they will not want you to run. I cannot see how they can make a rigid law to apply to the weather situation. It looks to me as though the motion of Mr. Rounds is a very good one.

Mr. ALLAN: Mr. Speaker, in order to test the sentiment of the House, I am going to move that it be laid upon the table a short time in order that an amendment be prepared prohibiting the use in March, April and November.

Mr. ROUNDS: Mr. Speaker, I hope this thing will go right through. If there is going to be any amendment, we want it put on now.

The pending question being on the motion of the gentleman from Portland, Mr. Allan, to table,

A viva voce vote being taken,

The motion was lost.

Mr. REDMAN: I am the last person in this House, Mr. Speaker, that wants to interfere with anyone doing business. I believe in letting business go on, and I detest legislation which prevents business going on in its legitimate channels. This bill provides that trucks can get a permit to operate. It does not say that they shall not operate between November first and May. It permits them to operate under regulations. I do stand for this proposition, that if a truck has a load that costs perhaps two or three hundred dollars and goes out over a road and in delivering that load it damages that road to the extent of two hundred dollars, that is not an economic gain to the community. There is no law today and there has been no bill presented here to this Legislature which covers certain instances contained in this

bill. I submit it will work out all right and it will permit trucks and heavy loads to go out over our roads when the roads will hold them up, and it will prevent them from going over our roads when they cut into them and do hundreds of dollars of damage every time they go over them.

Mr. CLARKE of Randolph: Mr. Speaker, I should like to join Brother Rounds in his opinion, but I shall have to oppose him. I think if we belonged in the city of Portland, we would agree with him, and if he lived in the country towns, he would agree with us. There is no question but what these trucks root the daylight out of our country roads. We had one down to Randolph which had just been fixed up when some of the heavy trucks from Gardiner last fall, bringing brick into Togus, cut the daylight right out of that road. I think Mr. Rounds would join with us if he lived in that rural district.

Mr. ROUNDS: Mr. Speaker, I would like to say just one more word. I would like to ask these gentlemen from the rural districts why they cut out of the original bill that a team with a two-inch tire could not haul a load with ten or fifteen tons? It takes a six-inch tire with an automobile. These narrow tires are what cut the roads up. They saw fit to take that out of that bill and just gave us a joker in the city, and we are trying to come back just where we were. If they want to make it right, why don't they put in about a team with two-inch wheels? Why don't they use us all right, not try to stick a knife into us. They have got teams that haul rocks over those roads that will cut them up twice what an automobile will. (Applause.)

The pending question being on the motion of the gentleman from Portland, Mr. Rounds, that the bill be indefinitely postponed.

A viva voce vote being taken,  
The motion prevailed.

From the Senate: Final report of joint standing committee on public buildings and grounds.

The House accepted the report in concurrence.

From the Senate: Report of the committee of conference on the disagreeing action of the two branches of the Legislature on Senate Document No. 103, entitled "An Act to amend Chapter 295 of the Public Laws of 1915, relative to compensation to employees for personal injuries received in the course of their employment and to the prevention of such injuries by allowing the injured party to select his own physician and the hospital to which he shall be carried," reporting that they cannot agree.

This was accepted in the House and the Senate rejects the report and asks for another committee of conference.

On motion by Mr. Rounds of Portland, the House voted to adhere to its former action.

From the Senate: House Document No. 722, An Act to authorize the county of Aroostook to enlarge and repair the court houses at Houlton and Caribou in said county.

This was passed to be engrossed in the House. It was passed to be engrossed in the Senate; the Senate reconsidered its action and adopted Senate Amendment A and it was passed to be engrossed as amended by Senate Amendment A.

On motion by Mr. Reed of Bangor, the House voted to reconsider its action whereby the bill was passed to be engrossed.

On motion by Mr. Snow of Mars Hill, Senate Amendment A was adopted in concurrence and the bill was passed to be engrossed as amended by Senate Amendment A in concurrence.

From the Senate: Senate Document No. 159, An Act to authorize the erection of dams and water storage basins on Bog brook and tributaries in Dead River plantation in Somerset county.

In the House, House Amendment A was adopted. In the Senate, House Amendment A was indefinitely postponed and the bill was passed to be engrossed. In the Senate the vote was

reconsidered whereby the act was passed to be engrossed and Senate Amendment A was adopted, and the bill passed to be engrossed as amended by Senate Amendment A.

Mr. BAXTER of Portland: Mr. Speaker, I move we concur with the Senate because they have put on an amendment there which seems to cover the situation. The parties interested in the bill have taken out the clause which allowed them to generate electricity for any and all manufacturing purposes; that was the exact language, and they have put in the bill the clause about no pay for franchises and so forth, and I think that this covers the situation, and consequently I move we concur with the Senate.

On motion by Mr. Baxter of Portland, the House reconsidered its vote whereby the bill was passed to be engrossed, and on further motion by the same gentleman Senate Amendment A was adopted in concurrence and the bill was passed to be engrossed as amended by Senate Amendment A in concurrence.

The committee on taxation, to which was referred Order directing the committee on taxation to inquire into the expediency of an income tax for the State of Maine have had the same under consideration and ask leave to report that the same be placed on file as the matter has been covered by the introduction of a resolve proposing an amendment to the Constitution relative to the authority of the Legislature to impose taxes.

The report was accepted and the order was received and placed on file.

#### Passed to Be Enacted

An Act to insure the collection of taxes in unorganized townships;

An Act to create the Auburn Sewerage district and transferring to it the sewer system of the city of Auburn;

An Act to amend Sections 10, 17 and 18 of Chapter 35 of the Revised Statutes, relating to the importation of horses and cattle and also the testing of pure blooded cattle to be sold for breeding purposes;

An Act to amend Chapter 25 of the Revised Statutes relating to State and

State aid highways, and to provide a mill tax fund for their construction;

An Act to amend Section 60 of Chapter 4 of the Revised Statutes, relating to the creation of a sinking fund by cities and towns;

An Act to authorize the county of Piscataquis to reimburse the town of Brownville to the extent of 30 per cent. of its disbursements in the construction of a bridge across Pleasant river;

An Act to amend Section 36 of Chapter 45 of the Revised Statutes, relating to the purchase, marking and liberating of seed lobsters;

An Act relating to the operation of motor vehicles;

The Chair laid before the House An Act to amend Section 32, Chapter 9 of the Revised Statutes, relating to the taxation of street railroad corporations.

On motion by Mr. Cushman of Auburn the bill was indefinitely postponed.

The Chair laid before the House An Act relating to the amount to be paid for clerk hire in Knox county. Came from the Senate, the Senate voting to adhere to their former action in voting "ought not to pass."

On motion by Mr. Meserve of Naples the House voted to recede and concur with the Senate.

Mr. Sawyer of Madison moved that the House reconsider its action whereby it voted to adhere on Senate Document 103, An Act to amend Chapter 295 of the Public Laws of 1915, relative to the compensation to employes for personal injuries received in the course of their employment and to the prevention of such injuries by allowing the injured party to select his own physician and the hospital to which he shall be carried.

Mr. COLE of Eliot: Mr. Speaker, is that the bill whereby the injured man may choose his own physician and the House voted that he should and the Senate voted he should not? If it is, I believe the bill is right and the man should choose his own physician. I hope that no action will be taken but to push that thing to the limit.

The pending question being on the motion of the gentleman from Madison, Mr.

Sawyer, that the House reconsider its action whereby it voted to adhere,

A viva voce vote being taken,

The motion prevailed.

On motion by the same gentleman the House voted to insist on its action and agree to a committee of conference.

The Chair appointed as such committee of conference on the part of the House Messrs. Cole of Eliot, Sawyer of Madison and Descoteaux of Biddeford.

Mr. DUTTON of Bingham: Mr. Speaker, I would like to speak one minute as a matter of personal privilege if the House will agree to it. I believe that I was a member of the insurance committee who heard this matter and that I signed the majority report, "ought not to pass." I have listened to this matter being threshed out and I have noticed the stand that has been taken by my good friend from Madison, Dr. Sawyer, who was present, I presume, when I came into this world, and I believe that from his standpoint as a physician and his standpoint as a man of business that he is right, and I feel for once in this session that I should change my mind and change my position, and I would like to be appointed on that committee of conference.

The SPEAKER: Would any one of the three gentlemen be willing to withdraw?

Mr. COLE: Mr. Speaker, I will withdraw in favor of the gentleman from Bingham.

Mr. DUTTON: Mr. Speaker, excuse me, I did not know any other had been appointed. I withdraw my request.

The SPEAKER: It is too late now.

Mr. SAWYER: Mr. Speaker, I may have been present when the gentleman from Bingham was born, but I did not think it would ever be recorded against me. (Laughter.)

The SPEAKER: The committee of conference will be Messrs. Dutton of Bingham, Sawyer of Madison and Descoteaux of Biddeford.

Mr. WILSON of Portland: Mr. Speaker, I would like to move that the House reconsider its vote whereby it

voted to indefinitely postpone the bill entitled "An Act relating to permitting savings banks to invest in railroad bonds." This bill passed through both branches of the legislature. When it came to the Chief Executive it was determined that the bill was not stringent enough and that possibly there might be some way by which some railroad on the verge of bankruptcy might get its bonds into the Maine banks. At his suggestion it has been returned and has gone through the Senate as amended. Through some misunderstanding it was indefinitely postponed in this House last night. I would like to move that we reconsider our action.

The motion prevailed.

Mr. ALLEN of Sanford: Mr. Speaker, I would like to have that amendment read.

Mr. WILSON: I think perhaps I can explain it to the gentleman in a few words. The object of the amendment is to make the law in regard to the investment in steam railroad bonds uniform with the new laws passed this session in regard to the electric roads and light and power companies. Previous to this session our laws have simply provided that the bonds of certain railroads in certain states shall be a legal investment but have not made any provision as to earnings or anything of that sort. It only said that certain railroads in certain states could sell their bonds legally to Maine savings banks. They have changed that to provide for bonds of all those companies which have a net earning capacity above a certain percentage of its debts.

Mr. ALLEN: What was the percentage?

Mr. WILSON: In this particular bill it provides that the bonds of all railroads which have an earning capacity of one and three-fourths per cent. over its debts shall be a legal investment. I understand the only objection to the amendment is that it raises the amount from one and one-third per cent. to one and three-fourths per cent., but it is thought that one and three-fourths per cent. is not too high.



On motion by Mr. Wilson of Portland, the House voted to reconsider its vote whereby the bill was passed to be enacted and on further motion by the same gentleman, the House voted to reconsider its vote whereby the bill was passed to be engrossed, and on further motion by the same gentleman, Senate Amendment A was adopted in concurrence and the bill was passed to be engrossed as amended by Senate Amendment A in concurrence.

Mr. Bussabarger of Lubec presented the following order and moved its passage:

Ordered, that a group picture of the members of the House be purchased and that the Speaker appoint a committee of three members to select and secure such group picture.

Mr. ALLEN of Sanford: Mr. Speaker, what are we going to do with it?

The SPEAKER: The Chair is ready to answer parliamentary questions as far as his ability will permit.

Mr. ALLEN: Mr. Speaker, that is a good sensible question; I do not know whether it is parliamentary or not.

Mr. BUSSABARGER of Lubec: Mr. Speaker, I would say in answer to the inquiries that I introduced this order on the initiative of several gentlemen. They have thought over the matter and have decided that the Legislature of 1917, the 78th in the State of Maine, will go down in history as a historical representative gathering. It will be known as the Rum and Water Legislature, and in addition to that as the War Session. It will mark an epoch in the history not only of the State of Maine but of all Nations. It also has peculiar characteristics; it has two parsons in its body.

Now I am not backing the order simply because my own somber countenance looks out from it beside the beaming, good-natured countenance of the Speaker, but because I really think, considering the expense involved, that it would be a historical contribution to the State of Maine to have this picture hang in the Speaker's room at the Capitol here for

future generations to look upon and comment about.

Mr. DUTTON of Bingham: Mr. Speaker, I move the order have a passage.

Mr. ALLEN: I second the motion.

Mr. FARRINGTON of Augusta: I would like to inquire of the gentleman from Lubec, Mr. Bussabarger, out of what funds he intends to pay for the picture?

Mr. MURRAY of Bangor: Mr. Speaker, put it in Puck or Judge.

Mr. ROUNDS of Portland: I am afraid, Mr. Speaker, if we hang that picture around it will go to the Rogues' Gallery. You might put it in the Senate chamber, or you might call it the Slaughter House. (Laughter.)

Mr. BUSSABARGER: Mr. Speaker, I will say I am willing to contribute my bit. I have already purchased one of the pictures and sent it down to the Old Kentucky Home.

Mr. BOMAN of Vinalhaven: Mr. Speaker, I move we have two group pictures, one for the Slaughter House and one for the Rogues' Gallery. (Laughter.)

The SPEAKER: The Chair would suggest or would ask who is likely to carry this picture off after it is bought—which member?

Mr. WILSON of Portland: The one who buys it, Mr. Speaker.

The SPEAKER: I am only suggesting that if the picture is to be retained in the State House it might be well to amend this.

Mr. CHAPLIN of Bridgton: Mr. Speaker, do you consider this order is formally before the House?

The SPEAKER: The Chair thinks so.

Mr. CHAPLIN: Mr. Speaker, I think the roll of the House and the picture of the House will be found in the State library. It seems to me that is enough. I move the indefinite postponement of the order.

A viva voce vote being taken,

The motion was lost.

Mr. WILSON: Mr. Speaker, I move we adhere.

Mr. DUTTON: Mr. Speaker, I would offer an amendment to that order, that this picture be purchased and offered to any department of the State who could be persuaded to receive it. (Laughter.)

Mr. FARRINGTON: Mr. Speaker, I would amend that order by stating that it be placed in the museum. (Laughter.)

Mr. BREWSTER of Portland: Mr. Speaker, I move the previous question.

The pending question being on the motion of Mr. Bussabarger that the order as read have a passage,

A viva voce vote being taken,  
The motion prevailed.

On motion by Mr. Holt of Skowhegan, the rules were suspended, and it was ordered:

That Representative Samuel C. Greenlaw of Presque Isle, on account of illness, be excused from further attendance at this session, and that his pay and mileage be made up to the end of the session.

On motion by Mr. Lenfest of Manchester, the rules were suspended, and it was ordered,

That the mail bag used by Thomas M. Rollins, mail carrier of the House during the session, be presented to him.

Mr. COLE of Eliot: Mr. Speaker, I have just been talking with the Governor with reference to the prospect of adjournment. He said if the emergency measures can be here by noon time, we can get through by night, provided there are enough here to pass them—101. I hope enough will be here to pass them when they come in; otherwise we will all have to come back on Monday.

The SPEAKER: It is, of course, desirable to have every member here when these measures come in.

On motion by Mr. Wilson of Portland, the House took a recess until 11 A. M.

#### After Recess

From the Senate: Final report of joint standing committee on mines and mining.

The report was accepted in concurrence.

The SPEAKER: The Chair will state to the House that we have three emergency measures here and there are four or more to come.

#### Passed to Be Enacted

An Act to provide for the recording of discharges of attachments by registers of deeds.

An Act additional to Chapter 51 of the Private and Special Laws of 1907, relating to the pollution of the waters of North or Varnum's Pond.

An Act to provide for transfer to the Reformatory for Women of women serving sentences in the State prison, any county jails or house of correction.

An Act relating to qualification of judges of municipal and police courts.

An Act to amend Section 23 of Chapter 115 of the Revised Statutes, granting jurisdiction of poor debtor disclosure matters to municipal courts.

An Act to regulate motor vehicles as common carriers.

An Act to amend Section 55 of Chapter 30 of the Revised Statutes, relating to the amount to be expended by the insurance commissioner in investigating fires.

An Act authorizing municipal officers to appoint examiners of steam engineers and firemen.

#### Finally Passed

Resolve relating to pay for National Guard and Naval Reserves in the State of Maine.

Resolve appropriating money for the care and maintenance of Fort William Henry in the town of Bristol.

Resolve in favor of Mary S. Hillman.

Resolve in favor of Rena Cooley.

Resolve in favor of certain employees of the House of Representatives.

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

Resolve in favor of the secretaries of the following committees for expenses of committees incurred during session of the 78th Legislature.

Resolve appropriating money to pay Ethel M. Wade, stenographer and typist to the Clerk of the House.

Resolve in favor of securing plans for a State Library building.

Resolve in favor of improvement of the navigation of the Fish River Lakes in the county of Aroostook.

#### Emergency Measure

An Act to authorize the county of Aroostook to enlarge and repair the court houses at Houlton and Caribou in said County.

A division of the House being had, One hundred and fourteen voting in the affirmative and none in the negative, the act was passed to be enacted.

Resolve appropriating money for the erection and equipment of a State armory for the use of the National Guard of the city of Lewiston.

A division of the House being had, One hundred and fourteen voting in the affirmative and none in the negative, the resolve was finally passed.

Resolve appropriating money for the erection and equipment of a State armory for the use of the National Guard in the city of Bangor.

A division of the House being had, One hundred and eleven voting in the affirmative and none in the negative, and the resolve was finally passed.

Resolve proposing an amendment to Article seven of the Constitution relating to military.

A division of the House being had, One hundred and thirteen voting in the affirmative and none in the negative, the resolve was finally passed.

The SPEAKER: The Chair presents a veto message from the Governor, An Act to amend Section 6 of Chapter 45 of the Revised Statutes, relating to smelts.

"To the Honorable House of Representatives:

"I have carefully examined House Bill entitled 'An Act to amend Section 76 of Chapter 45 of the Revised Statutes, relating to smelts,' and respectfully return the same herewith without my approval.

"Our established policy relating to smelt fishing, as expressed in the general law of the State forbids fishing in the tidal waters along the coast within one-half mile of the coast line at mean high water mark, starting from Cape Small Point on the west bank of the Kennebec river and continuing easterly along the coast of Maine to Owls Head in Penobscot bay except by hook and line, weirs or setnets through the ice. The purpose of this bill is to except from the provisions of the general law the Sheepscot river to Merrill's Ledges and in the Damariscotta river to Merry's Island in Lincoln county. There seems to be a conflicting interest between the seiners on the one hand and the hand line fishermen on the other, but like all other similar questions this should be decided in accordance with the probable effect upon the fishing industry as a whole.

"In the absence of any authoritative and disinterested decision by experts on this matter, I cannot resist the conclusion that the danger of injury to the general smelt fishing industry is sufficient to make the passage of this bill in its present form inadvisable."

On motion by Mr. Barnes of Houlton, the House voted to reconsider its action whereby the above bill was passed to be enacted.

The SPEAKER: The question before the House is, shall the bill become a law notwithstanding the objection of the Governor? This requires a two-thirds vote. The Constitution provides for a roll call. As many as are in favor of this bill becoming a law in spite of the objections of the Governor will answer yes when their names are called, those opposed will answer no. The clerk will call the roll.

YEA—Ames, Bragdon, Harris, Lewis Newcomb, Wilson—6.

NAY—Alden, Allan of Portland, Allen of Sanford, Anderson, Andrews of Norway, Andrews of Warren, Babb, Barnes, Baxter, Berry Besse, Billings, Boman of Vinalhaven, Bonney, Bowman of Detroit, Boynton, Brewster, Brown, Burbank,

Bussabarger, Buzzell, Cates, Chaplin of Bridgton, Chaplin of South Portland, Charles, Clark of Harrison, Clarke of Randolph, Clason, Clifford, Coffin, Cole of Eliot, Cole of Etna, Conary, Corliss, Creditford, Cummings, Cushman, Daigle of New Canada Pl., Descoteaux, Dow, Dutton, Ellis of Gardiner, Ellis of York, Emerson, Farrington, Fletcher, Flint, Frost, Gannett, Garcelon, Gurney, Hanson, Hall, Harman, Hart, Hartwell, Holbrook, Holley, Holt of Gouldsboro, Holt of Skowhegan, Hooper, Howard, Hunt, Hutchins, Jenkins, Jennings, Jordan of Baileyville, Jordan of Cumberland, Kneeland, Knight, Langley, Larrabee, Lawrence, Lenfest, Libby, Longley, Lyford, McNally, Merrill, Meserve, Messer, Murray, O'Connell, Packard of Newburg, Packard of Rockland, Pendexter, Phillips, Pieber, Redman, Reed, Richards, Rounds, Rowe, Russell, Ryder, Sawyer of Madison, Sisson, Snow of Bluehill, Speirs, Stearns, Stubbs, Tate, Turner, Wagg, Washburn, Watson, Watts, Williams—108.

A B S E N T — Albert, Averill, Bolduc, Brackett, Clement, Daigle of Wallagrass, Day, Dearth, Driscoll, Drisko, Eaton, Fleming, Goldthwait, Grant, Greenlaw, Hammond, Hill, King, Largay, Leavitt, Levesque, Morin, Morison, Murphy, Mutty, Neilon, Nicholas, Pattee, Powers, Purington, Ranney, Sawyer of Edcn, Snow of Mars Hill, Stanley, Tuttle, Welch, Webb—37.

When Mr. Newcomb of Scarborough's name was reached in the roll call, that gentleman said as follows:

Mr. Speaker, before I vote I want to make a statement. I was a member of the sea and shore fisheries committee which reported unanimously that the bill ought to pass, and I shall vote yes. I think the bill is right.

Six having voted in the affirmative and one hundred and eight in the negative, the House sustained the Governor's veto.

The committee of conference on the disagreeing action of the two branches of the Legislature on An Act to establish the farm lands loan commissioner of Maine and to authorize the investment of certain moneys now on deposit in State treasury, known as the reserved land fund, have had the same under consideration and ask leave to report that the bill ought to pass; signed by all the members of the conference committee.

The report was accepted in concurrence with the Senate.

Mr. FARRINGTON of Augusta: Mr. Speaker, I would like to move a reconsideration of action taken last night on Senate Document 260, relating to the salary of steamboat inspectors. It was passed to be engrossed last night and I move that we reconsider the vote whereby it was passed to be engrossed.

The motion was agreed to.

On further motion by the same gentleman, the House voted to reconsider its action whereby Senate Amendment A was rejected.

Mr. FARRINGTON: I will state, Mr. Speaker, that this bill was designed to increase in a slight degree the salary of the steamboat inspector. The amendment adopted in the Senate provides for certain increases in the fees which steamboats have to pay for inspection. With this brief statement, I yield the floor to Mr. Meserve of Naples.

Mr. MESERVE of Naples: Mr. Speaker, as I said before this House last evening, this bill came before the Committee on Interior Waters under perhaps a misleading title. There was no reference made in the advertising for this hearing in regard to the increase in the fees. No steamboat company and no steamboat owner in the State of Maine was notified or appeared before that committee. That committee voted unanimously to reject this amendment in regard to the increase of the fees and voted unanimously that the bill should pass without that. As I understand it the salt water steamers having United States inspection have to pay no fees whatever. I see no reason or justice why the owners of vessels on interior waters should be compelled to pay a fee of from five to twenty-five dollars a year for this inspection for the sake of getting perhaps a few hundred dollars in revenue. I hope the motion of the gentleman from Augusta, Mr. Farrington, will not prevail.

Mr. FARRINGTON: Mr. Speaker, I will state that the present law carries a flat rate, if I am correctly informed, of \$5 for each steamboat, and that this amendment increases that according to the size of the boat from \$5 up to a maximum of \$25; and it was

felt that this amendment would be wise in order to take care of the salary and that it was not an exorbitant fee. I will repeat my motion that we reconsider the vote whereby the amendment was rejected.

The SPEAKER: The question is on the motion of the gentleman from Augusta, Mr. Farrington. The Chair has announced that the House has voted to reconsider its action whereby Senate Amendment A was indefinitely postponed and the question now is the adoption of the amendment in concurrence.

Mr. FARRINGTON: I did not know the question had been put, Mr. Speaker. If it has, I move that we adopt Senate Amendment A in concurrence.

A viva voce vote being taken,

The motion of Mr. Farrington to adopt Senate Amendment A in concurrence was lost.

On motion by Mr. Meserve of Naples, the amendment was indefinitely postponed.

On motion by Mr. Farrington of Augusta, the bill was passed to be engrossed without the amendment.

From the Senate: Order introduced by the gentleman from Portland, Mr. Baxter, that the State assessors be directed to investigate and report as to the advisability of imposing an excise, franchise or other tax on corporations which generate, distribute or sell electric current for light, heat and power purposes generated within the State of Maine.

In the House, read and passed. In the Senate indefinitely postponed in non-concurrence.

Mr. BAXTER: Mr. Speaker, I introduced that order because I thought this was a very important question and that this was the best way to handle it. We all know that the committee on taxation at this session has been very much overworked. The expenses of the State are constantly increasing, and in order to meet them we must find additional sources of revenue. It seemed to me, as well as to some of the gentlemen I talked with, that there might be good reason for taxing the electric companies of the State of Maine in the same or a

similar manner as we tax the railroad companies. When we meet here the committee on taxation really does not have time to go into a big question like this, and I thought that the Board of State Assessors if given six months, as it is in this order, might get together such information as was needed so that the next Legislature would have something to start with.

I do not know just how to handle the situation, Mr. Speaker; but I move that we insist upon our former action and ask for a committee of conference.

A viva voce vote being taken,

The motion prevailed, and the Chair appointed as such committee of conference, Messrs. Baxter of Portland, Hutchins of Mexico and Bussabarger of Lube.

Mr. ROUNDS of Portland: Mr. Speaker, I have a report to make.

The committee of investigation of the printing of the stenographers' report of proceedings of the legislation by the Kennebec Journal, has made an investigation of the matter and begs leave to submit the following report:

The committee in conference with Mr. Flynt of the Kennebec Journal, and after a satisfactory explanation by Mr. Flynt, is of the opinion that the fault lies with the Legislature and not with the Kennebec Journal, on account of the fact that the committee reports are not reported into the Senate and House of Representatives immediately after the hearing, thereby delaying discussion on the various acts and resolves until the closing days of the session, making it a physical impossibility for the Kennebec Journal to keep up its legislative printing as it is obliged to do in order to facilitate the business of the Legislature, and at the same time publish a full stenographic report of all debates in both Houses.

Your committee recommends that an order be passed by the next Legislature instructing every committee to report all bills back to the respective houses in which the bill originates within a limited time after the hearing.

Signed, Bussabarger, Rounds, Cole.

On motion by Mr. Reed of Bangor, the House voted to accept the report.

From the Senate: Final report of joint standing committee on public buildings and grounds.

The report was accepted in concurrence.

From the Senate: Majority and minority reports from the committee on sea and shore fisheries. The committee on sea and shore fisheries, to which was referred the bill entitled "An Act to establish the legal length of lobsters in York and Cumberland counties, have had the same under consideration and ask leave to report that the same ought to pass.

(Signed) Peacock, Wood, Ames, Holt, Harman, Butler, for the committee.

Minority report on the same subject matter ask leave to report same in new draft under title of "An Act to establish the legal length of lobsters in York, Cumberland and Lincoln counties,"

(Signed) Newcomb, Harris, Fletcher and Goldthwait.

Mr. NEWCOMB of Scarborough: Mr. Speaker, I move you that the House insist and that a committee of conference be appointed.

The SPEAKER: The Chair will state that it comes from the Senate with the majority report "ought not to pass" accepted. There never has been any action be the House.

Mr. NEWCOMB: I move to adopt the minority report in non-concurrence.

A viva voce vote being had,

The motion prevailed. The bill then had its several readings under suspension of the rules and was passed to be engrossed.

Mr. CLASON of Lisbon: Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER: The Chair would inquire if the question of personal privilege concerns the assembly as a whole or the individual?

Mr. CLASON: All. If I had not been familiar with Speaker Bill's joke I would have taken exception to a remark that

he made yesterday. Doubtless all of you remember that he found fault because we took some of the money from the gift of the Speaker and gave it to Mrs. Bonney in the form of a gift. Now I presume he was only joking, but we want to do the right thing and so we are going to present him another little gift which is here and now coming down the aisle. I would have had perhaps a little more pride in presenting this gift last night, but we acted so like the dickens last night that I do not know but what he is ashamed of us. If he is ashamed to have it in his house, I will suggest that he place it on the pole over Mrs. Bonney's asparagus bed to keep the bees away. (Applause.)

The SPEAKER: Fellow Members: I want to say that I know I shall—

Mr. MURRAY of Bangor: Mr. Speaker, what is it?

The SPEAKER: The Chair judges that they are photographs, all in one. It is a picture of the House of Representatives and I want to say that the Chair will appreciate this, he thinks, more than the watch, because he can look at the watch to find out whether he is having a good time or not, but every time he looks at the pictures it will call up memories of the very, very pleasant winter we have spent here together. As I told you yesterday, I enjoy it. I enjoyed it all day yesterday and I have tried to be patient and fair. I wish I could make a real nice flowery speech and tell you just how I feel about it, but I am not very well able to do that; and when a man starts in on that sort of thing he feels a sort of tightening in his throat and then he cannot say anything. I thank you very, very much, and I know that there is no kind of a house that I ever expect to have to live in that will have any room in it that is too good for this picture to hang in. (Great applause.) Whenever any of you come anywhere near where I live, I shall resent it if you do not call in and shake my hand. It is probable that I will look you up in the places where you live more than you will me, because, unless I have lost my job—I am not sure, I think the job has lost me for the last three months—in my travels over the State of Maine

if I come near a town where I know any one of you live, I shall come and stop perhaps a week. (Applause.)

On motion by Mr. Allen of Sanford, three cheers were given for Speaker Bonney.

Mr. CLASON: Mr. Speaker, I have a report I wish to make.

The SPEAKER: You can do anything you want to.

Mr. CLASON: I collected the funds and I find I have a balance of one dollar. What shall I do with the balance? It has been suggested that I send it to the Belgium relief fund.

The suggestion being made by a member that it be given to Mrs. Bonney, Mr. Clason, on behalf of the members of the House, presented her with the gift.

Mrs. BONNEY: I thank you, gentlemen, I shall have it framed and preserved.

On motion by Mr. Allen of Sanford, three cheers were also given for Mrs. Bonney.

Mr. MURRAY of Bangor: Mr. Speaker, just to clear the records, I noticed the other day when you got the watch you said that in your lifetime you had got two things you did not deserve, one was the watch and the other Mrs. Bonney. Now that left it a little indefinite. Personally, I believe it was Mrs. Bonney who got the lemon. (Laughter and applause.)

Mr. BOMAN of Vinalhaven: Mr. Speaker, I hope when you come to Vinalhaven, you will make me a visit and get some of those double gauge lobsters.

The SPEAKER: There is no doubt but what I will do that, Brother Boman.

From the Senate: An Act to amend Section 16 of Chapter 59 of the Revised Statutes, relating to compensation of inspectors of steamboats.

Comes from the Senate indefinitely postponed in non-concurrence.

On motion by Mr. Meserve of Naples, the House voted to adhere to its former action.

On motion by Mr. Wilson of Portland, the House recessed until 2 o'clock.

## AFTERNOON SESSION

### Passed to be Enacted

An Act to amend Sections 1 and 22 of Chapter 69 of the Revised Statutes relating to succession taxes.

An Act to incorporate the Calais Water & Power Co.

An Act to incorporate the St. Croix Water Co.

An Act to amend Sections 40 and 42 of Chapter 45 of the Revised Statutes relating to inspection and transportation of lobsters.

An Act to amend Section 5 of Chapter 146 of the Revised Statutes relative to admittance and charges for patients at the State Sanatorium.

An Act to provide for the division and management of the school fund from the sale of timber and grass and from trespasses on reserved lands and amending Sections 20 and 21 of Chapter 8 of the Revised Statutes.

An Act to establish a superior court in the county of Androscoggin.

An Act to amend Section 14, Chapter 41, Revised Statutes, increasing the license fee for itinerant vendors.

### Finally Passed

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

### Passed to be Enacted

An Act to revise the military law.

This act carries the emergency clause and requires a two-thirds vote of all the members elected to the House for its passage.

A division of the House being had,

One hundred and six voted in the affirmative and none in the negative, the act was declared passed to be enacted.

An Act to provide for the appointment of special deputy sheriffs.

This act carries the emergency clause and requires a two-thirds vote

of all the members elected to the House for its passage.

A division of the House being had,

One hundred and five voting in the affirmative and none in the negative, the act was declared passed to be enacted.

An Act authorizing the taking of land for forts and other purposes.

This act carries the emergency clause and requires a two-thirds vote of all the members elected to the House for its passage.

A division of the House being had,

One hundred and six voting in the affirmative and none in the negative, the act was declared passed to be enacted.

An Act to provide for the organization of the Maine Home Guard during the continuance of the war with Germany.

This act carries the emergency clause and requires a two-thirds vote of all the members elected to the House for its passage.

A division of the House being had,

One hundred seven voting in the affirmative and none in the negative, the act was declared passed to be enacted.

The SPEAKER: The Chair will state that there are two or three more emergency measurers which will be up the printer says in half or three-quarters of an hour.

Mr. BERRY of Waterville: Mr. Speaker and Gentlemen of the House, meritorious service on the part of any of the members of this House certainly is deserving of recognition at our hands. I think the gentleman from Vinalhaven has ably demonstrated to the members of this House that he has worked hard and earnestly in behalf of his constituents, and, without taking more of your time at this time, I desire to present to that gentleman a token of our appreciation of his endeavors in behalf of his constituents. (Applause)

(Mr. Berry presented Mr. Boman with a miniature fishing rod and line with a small fish attached to the end of the line.)

Mr. BOMAN of Vinalhaven: Mr. Speaker and Gentlemen of the House, if you knew how much I appreciate this, why, you would cry. As long as this smelt, or whatever it is, is fresh, I will keep it. After that I will present it to the new commissioners of sea and shore fisheries. (Applause) I want you to understand, Mr. Speaker and gentlemen, that they are the authorities to show the fishermen how to catch fish and the manner in which they shall catch fish, and I will give this to them to give to the fishermen for bait. Thank you, gentlemen. (Applause)

Mr. COLE of Elliot: Mr. Speaker, I would like to ask the gentleman if that smelt has a tom-ally box?

Mr. BOMAN: Mr. Speaker, the commissioners of sea and shore fisheries will ascertain. (Laughter)

On motion by Mr. Farrington of Augusta,

A recess was taken until 3 o'clock.

#### After Recess.

#### Passed to be Enacted

An Act to amend Section 8, Chapter 325 of the Private and Special Laws of 1897, decreasing the salary of the recorder of the municipal court of Waterville and providing for payment of same by the county of Kennebec.

An Act allowing dentists to employ women assistants who shall be known as dental hygienists.

An Act in relation to suits in court, the parties whereto being in the military service of the United States or of this State.

An Act requiring certain vehicles to carry lights at night and to control the glare of headlights.

An Act to amend Section 45 of Chapter 117 of the Revised Statutes, relating to clerk hire in certain Aroostook county offices and certain expenses of the Aroostook clerk of courts.

An Act to amend Sections 76 of Chapter 82 of the Revised Statutes relative to the price of Maine Reports.

An Act to grant a new charter to the city of Auburn.



An Act to amend Section 10 of Chapter 99 of the Revised Statutes, relative to leases.

#### Finally Passed

Resolve in favor of the erection of a State sanatorium in the county of Aroostook for the treatment of persons suffering from tuberculosis.

#### Emergency Measure

An Act to provide for the support of the families of volunteers.

The SPEAKER: As many as are in favor of the final enactment of this into law will please rise and stand until counted.

A division of the House being had,

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

The SPEAKER: On the matter of the report on the order calling for a joint committee to consider the matter of the Knox Memorial statue and the Knox Academy of Arts and Sciences, also the matter of a statue to Major General Joshua L. Chamberlain, calls for the appointment of three members from this body to act in conjunction with three members of the Senate.

The Chair appointed as such committee Messrs. Baxter of Portland, Barnes of Houlton and Larrabee of Bath.

On motion by Mr. Barnes of Houlton, the rules were suspended and there was presented from the Senate out of order An Act to appropriate moneys for the expenditures of the government, and for other purposes, for the year 1917. This comes from the Senate, read twice under suspension of the rules and passed to be engrossed.

On motion by Mr. Barnes of Houlton, the bill was received under suspension of the rules without reference to a committee, had its three several readings and was passed to be engrossed in concurrence.

On motion by Mr. Barnes of Houlton, the rules were suspended and

there was presented from the Senate out of order An Act to appropriate moneys for the expenditures of the government for the year 1918. This comes from the Senate read twice under suspension of the rules and passed to be engrossed.

On motion by Mr. Barnes of Houlton, the bill was received under suspension of the rules, given its three several readings and passed to be engrossed in concurrence.

On motion by Mr. Farrington of Augusta, the House recessed until four P. M.

#### After Recess.

#### Passed to Be Enacted

An Act to amend Section seventy-two of Chapter eighty-two of the Revised Statutes, increasing the annual appropriation for the Attorney General's Department.

An Act additional to Chapter two hundred and fifty of the Private and Special Laws of nineteen hundred and eleven, granting to the Clark Power Company the right to extend its lines, and the right to exercise the power of eminent domain.

An Act to amend Paragraph six, Section six, Chapter ten, and Section sixteen, Chapter nine, of the Revised Statutes, relating to the exemption of live stock from taxation.

An Act for the assessment of a State tax for the year one thousand nine hundred and eighteen.

An Act to provide for conducting scientific investigation bearing upon the agriculture of Aroostook county.

An Act to incorporate Gould Electric Company.

An Act to amend Section thirty-eight of Chapter one hundred and seventeen of the Revised Statutes, increasing the salary of the judge of Probate for the county of Androscoggin.

An Act relating to bonds in the Probate court, given by executors and administrators to obtain license to sell real estate, amending Chapter seventy-six of the Revised Statutes.

**Finally Passed**

Resolve continuing unexpended balance of appropriation provided by Chapter three hundred twenty-one of the Resolves of nineteen hundred and thirteen entitled "Resolve in favor of aid in the construction of a highway bridge across the St. John river between Fort Kent, Maine, and St. Francis, New Brunswick."

**Passed to Be Enacted**

Resolve to provide for the building of an armory at the University of Maine.

This resolve carries the emergency clause and requires a two-thirds vote of all the members elected to the House for its passage.

A division of the House being had,

One hundred and three voting in the affirmative and none in the negative, the resolve was declared passed to be finally passed.

An Act for the assessment of a State tax for the year 1917.

This act carries the emergency clause and requires a two-thirds vote of all the members elected to the House for its passage.

A division of the House being had,

One hundred and six voting in the affirmative and none in the negative, the act was declared to be passed to be enacted.

An Act to provide for the better defense of the State and for the discharge of its duties towards the national defense.

This act carries the emergency clause and requires a two-thirds vote of all the members elected to the House for its passage.

A division of the House being had,

One hundred and four voting in the affirmative and none in the negative, the act was declared to be passed to be enacted.

An Act regulating the keeping and sale of dynamite, powder and other explosives.

This act carries the emergency clause and requires a two-thirds vote of all the members elected to the House for its passage.

A division of the House being had,

One hundred and six having voted in the affirmative and none in the negative, the act was declared to be passed to be enacted.

From the Senate: Report of committee of conference on the disagreeing action of the two branches of the Legislature, reporting that they were unable to agree, on An Act to amend Section 26 of Chapter 129 of the Revised Statutes, relating to wanton injury to books, pictures and statues.

On motion by Mr. Rounds of Portland the report was accepted in concurrence.

On further motion by the same gentleman the House voted to adhere to its former action.

From the Senate: Resolution as follows:

"Whereas the Honorable Roscoe T. Holt, senator from the county of Cumberland, has been called into the naval service of the United States and has answered the call of service;

Resolved: That the members of the 78th Legislature commend his example to the young men of the State of Maine and extend to him the appreciation of his associates in both branches and wish him a service of honor and distinction and a safe return to the duties of civil life." (Applause.)

In the Senate read and sent down for concurrence.

Mr. BAXTER of Portland: Mr. Speaker, I move that the resolution be received as read and be spread upon the records and that an official copy be sent to Senator Holt.

A viva voce vote being taken,  
The motion prevailed.

From the Senate: The following order:

"Ordered, the House concurring, that the State librarian be directed to mail a copy of the Legislative Record for each day that has not been already delivered to the desk of the members of the Senate and House to the members at their respective homes, the expense of the same to be taken from money appropriated by order for express and parcel post.

In the Senate the order received a passage.

Mr. ROUNDS of Portland: Mr. Speaker, are we not supposed to have a bound copy of the whole record?

The SPEAKER: The Chair understands we are a little later in the year. This is simply to complete the daily schedule for this session.

The order received a passage in concurrence with the Senate.

On motion by Mr. Allen of Sanford,  
A recess was taken until 7.30 P. M.

#### Passed to Be Enacted

An Act to amend Section 2 of Chapter 5 of the Revised Statutes relating to qualification of voters;

An Act in addition to Chapter 26, of the Revised Statutes, relating to the registration of motor vehicles;

An Act to amend Section 34 of Chapter 55 of the Revised Statutes, relating to free transportation of firemen and policemen by public utilities;

#### Finally Passed

Resolve for the pay of the chaplains and certain employes and for type-writing and stenographic assistance for the official reporter of the Senate;

Resolve authorizing the publication of automobile registration;

On motion by Mr. Besse of Clinton, the House recessed until 9 P. M.

#### After Recess.

#### Passed to Be Enacted

An Act to create a commission of sea and shore fisheries;

An Act for the enforcement of liens on watches, clocks and jewelry for labor and materials furnished in making and repairing same;

An Act to amend Section 18 of Chapter 45 of the Revised Statutes, relating to lobster licenses;

An Act to provide for the seizure and forfeiture of vehicles carrying intoxicating liquor intended for illegal sale;

An Act to authorize Blaine S. Viles and Guy P. Gannett to erect dams and develop water storage basins on

Bog Brook in Dead River Plantation for the storage of water for driving logs and manufacturing.

An Act to amend Chapter 121 of the Public Laws of 1917 entitled "An Act to amend Section 17 of Chapter 12 of the Revised Statutes, providing for notice by registers of deeds to municipal officers of real estate transfers."

An Act to amend Section 2 of Chapter 7 of the Revised Statutes of 1916 relating to the printing of ballots.

An Act to amend Chapter 127 of the Revised Statutes, to make plain the penalties imposed under certain sections thereof.

At the invitation of the Speaker, Governor Milliken took a seat at his right.

An Act to amend Section 16 of Chapter 7 of the Revised Statutes relating to the manner of voting.

On motion by Mr. Barnes of Houlton, the House voted to reconsider the vote whereby the bill was passed to be engrossed.

Mr. Barnes of Houlton offered House Amendment A to amend Section 16 of Chapter 7 of the Revised Statutes relating to the manner of voting by striking out the word "on" in the sixteenth line thereof and inserting the words "in the blank square at."

The amendment was adopted.

On further motion by Mr. Barnes, the bill was passed to be engrossed as amended by House Amendment A.

On motion by Mr. Barnes of Houlton,

A recess was taken until 11:00 p. m.

#### After Recess.

#### Passed to Be Enacted

An Act to amend certain sections of Chapter 148, of the Revised Statutes, relating to pensions for the blind.

An Act to amend Sections 49, 50, 51, 52, 53, 54, 56 and 57 of Chapter 64 of the Revised Statutes, relating to the protection of neglected children.

An Act to establish the farm lands loan commissioners of Maine and to authorize the investment of certain

moneys now on deposit in the State treasury known as the reserved land fund.

An Act additional to Chapter 19 of the Revised Statutes, relating to care and treatment of certain infectious diseases.

An Act to amend Sections 1, 2 and 3 of Chapter 141 of the Revised Statutes better defining the duties and increasing the number of medical examiners.

An Act to prohibit the selling or giving away of air rifles to children under 14 years of age.

An Act to appropriate moneys for the expenditures of the Government for the year 1918.

### Finally Passed

Resolve, appropriating money to aid in screening lakes and ponds, and for other purposes.

Resolve on the pay roll of the House of the 78th Legislature.

Resolve on the pay roll of the Senate.

An Act to license and regulate the business of making loans in sums of three hundred dollars or less at a greater rate of interest than 12 per centum per annum and regulating the assignment of wages or salaries given as security therefor.

Mr. ANDERSON of Portland: Mr. Speaker, I move you that that bill be indefinitely postponed.

Mr. GARCELON of Auburn: Mr. Speaker, we have been very harmonious here this evening; in fact, we have had a great deal of harmony, including the beautiful Easter music this morning—pardon me, I mean this evening. A spirit of goodfellowship has prevailed throughout this long evening, and therefore I am very sorry that the gentleman from Portland (Mr. Anderson) has made this motion. I protest, Mr. Speaker, against any attempt to kill this bill at this time after it has had the verdict of both houses and passed through its several readings and there now remains only the formality of final enactment. The motion is unfair coming at this time. Most of the members, as you all know, have gone home under the gentlemen's agreement that the few of us here would act fairly on these matters.

Mr. Speaker, if the gentleman from Portland insists upon his motion I shall—

Mr. BREWSTER of Portland: Mr. Speaker, I feel in a way that I can speak in this matter, because I opposed this bill in the committee and later in this House; but I certainly entirely agree with the remarks of the gentleman from Auburn, Mr. Garcelon, and I believe that on more careful consideration of the whole situation, my brother from Portland will feel disposed to withdraw his motion, knowing all the circumstances through which we have gone. I would ask in behalf of the people in this matter to whom I have spoken previously, to withdraw his motion. (Applause.)

Mr. FARRINGTON of Augusta: Mr. Speaker, it does seem a shame in these closing hours that any member should feel that he wants to insist on a motion like this. I do not really believe that my brother from Portland wants to insist on this motion. I trust he will withdraw it.

Mr. ANDERSON: Mr. Speaker, I did not know that I was taking any undue or unfair advantage of any member of the Legislature. Far be it from my intentions to do any such thing. This bill had a hearing before the legal affairs committee and there was a majority report of seven "ought not to pass." There has been a great deal of lobbying for the bill. I have asked nobody to vote against the bill except against its merits; and, if this bill passes, it will be nothing but a monopoly of the money interests which are larger than any interest operated in the State of Maine. If the members of this House fully understood this proposition, I do not think they would care to have me withdraw the motion; but before I withdraw it, I would like to have the sense of those present and then I will abide by their action.

Mr. BREWSTER: Mr. Speaker, would it not be perhaps a proper way of expressing it to let everyone rise who desires the gentleman to withdraw his motion?

The SPEAKER: The Chair has no objection. The Chair was about to

put the suggestion that those in favor of the withdrawal of the motion will rise.

Mr. ROUNDS of Portland: Mr. Speaker, I do not like to say anything against my brothers, but this act is going to make in Portland a condition that is going to kill the poor people of Portland—the people that have to borrow small sums of money on no security. Now, if you want to keep doing that and putting it into the hands of a few loan sharks, you are just taking the right way to do it. If you keep on doing it for the next two years, I will guarantee you will have the biggest set of loan sharks and money-grabbers that there is in this State or could be got together in this State, and I know what I am talking about. Therefore, I think it is no more than right that this should lie on the table for the present, and I move you, Mr. Speaker, that this lie on the table

The SPEAKER: The Chair is of the opinion that it cannot entertain that motion at this time.

Mr. ANDERSON: Do I understand the gentleman from Auburn, Mr. Garcelon, to raise the question of quorum on this matter?

The SPEAKER: Of course, the Chair is unable to state and can only infer from the gentleman's remarks.

Mr. ANDERSON: May I ask through the Chair whether the gentleman from Auburn intends to do that?

Mr. GARCELON: Mr. Speaker, the House understands my position in this matter. It is a very important measure and I do not propose to take any chances.

Mr. ANDERSON: Mr. Speaker, I will abide by the result of the members present. (Applause.) I think I will insist upon it.

Mr. FARRINGTON: Mr. Speaker, I wonder if the House realizes what this means? I do trust that the gentleman from Portland will not insist on his motion—that he will withdraw it. It is not necessary to say more.

Mr. BREWSTER: Mr. Speaker, I think it is perfectly plain that the great majority here, whatever their views may have been on this measure previously, that might have been opposed to it and voted against it in consideration of its merits, would and I should certainly vote to give it its final passage under all the circumstances. I think the great majority here are going to do the same by what they have indicated. There certainly will be no danger in taking the vote, as I understand both gentlemen will abide by the result.

The SPEAKER: Is the House ready for the question?

Mr. BOMAN of Vinalhaven: Mr. Speaker, I wonder if the members of the House know what this bill is?

The SPEAKER: The bill was discussed fully on the floor yesterday, I think, and it has also been printed.

Mr. PACKARD of Rockland: Mr. Speaker, I move you that a new vote be taken on this matter—a new expression.

The SPEAKER: The Chair is willing to do anything for harmony. Is it the sense of the House that this motion be withdrawn? Those who have that sentiment will rise.

(A majority of the House rose.)

The SPEAKER: Is the gentleman from Portland satisfied?

Mr. ANDERSON: I rather have the expression.

Mr. ALLEN of Portland: Question, Mr. Speaker.

Mr. ANDERSON: I will withdraw.

The SPEAKER: The Chair understands that the gentleman from Portland withdraws his motion. (Applause)

The bill was then passed to be enacted.

The SPEAKER: The Chair lays before the House a Senate action on the Act to regulate motor vehicles. Comes from the Senate indefinitely postponed.

The Chair will ask the gentleman from Houlton, Mr. Barnes, to explain the legal reasons for the action.

Mr. BARNES of Houlton: Mr. Speaker, at the last minute, within an hour, it was discovered that the jitney-bus bill, so-called, makes the jitney-bus a common carrier; and one of the temperance acts of the winter, namely, the one which was last enacted at the request of certain sheriffs, that automobiles conveying intoxicating liquors with intent to be sold in the State should be libeled, exempts common carriers; so that if this jitney-bus measure were enacted, unless we amended it, or amended the other bill, which would necessitate another printing job now, so near midnight, it was necessary to kill the jitney-bus bill. If I have made myself plain, Mr. Speaker, I move that we concur with the Senate in its indefinite postponement.

The motion was agreed to.

The House recessed for a half hour.

#### After Recess.

##### Passed to Be Enacted

An Act to authorize Fort Kent Electric Company to erect and maintain a dam across Wallagrass Stream.

An Act to appropriate moneys for the expenditures of government and for other purposes for the year nineteen hundred seventeen.

An Act to permit savings banks to invest in certain railroad bonds.

##### Finally Passed

Resolve to provide for the payment of telephone service for members during the present session of the Legislature.

Resolve in favor of Fred F. Lawrence, for services to committee on taxation.

Resolve in favor of George Martin for services as clerk and stenographer of the committee on interior waters.

Resolve for the memorial in honor of Major General Hiram G. Berry.

Resolve in favor of T. M. Rollins, mail carrier of the House of Representatives, for expenses.

Resolve appropriating money for the purpose of obtaining information in regard to wild lands for the purposes of taxation.

Resolve providing for certain State pensions.

##### Passed to Be Enacted

An Act to amend Section sixteen of Chapter seven of the Revised Statutes, relating to manner of voting.

An Act to amend Chapter three hundred nineteen of the Public Laws of nineteen hundred and fifteen entitled "An Act to provide for State and county aid in the construction of highway bridges."

##### Finally Passed

Resolve proposing an amendment to Section three of Part one of the Constitution in regard to the apportionment of representatives in the event of merger of towns and cities.

Resolve relating to the conservation of the storage reservoirs and water powers of the State of Maine.

Mr. HUTCHINS of Mexico: Mr. Speaker, in relation to this resolve, it was a matter that came into this Legislature very late in the session. It is a matter that has never been referred to any committee; never any hearing upon it. It is a matter that was amended practically after the mock session began last night; and I wish to say a few words in support of a motion to indefinitely postpone it, which motion I now make.

This resolve as amended contains nothing that is not already provided for in the general law of our State. It provides for no appropriation and it provides for no powers except those delegated now by statute. The powers of the old Water Storage Commission are all given to the Public Utilities Commission of the State of Maine under the act. The Governor and Council can do anything in connection with this Public Utilities Commission that they can do under this resolve without its passage. There have been several measures before this Legislature which were introduced earlier than this, and they have been defeated. If I

thought for a moment that the passage of this resolve would be of any benefit to the people of the State of Maine, I would be the last person to stand upon this floor and move its indefinite postponement. If I thought that it gave them any power that the present law does not give them, I would be the last to utter a word of protest.

The Public Utilities Commission is a great organization in this State and it has extensive duties to perform and is performing those duties, I have no doubt, to the best of its ability; but I have yet to see a department connected with this State House that has not taken some interest in the legislation that has been enacted here for the benefit of the people with the sole exception of this department. In the fight that has been waged here, not one word or one suggestion has been brought to a committee or to any member, so far as I know, of this Legislature to assist in directing any efforts toward conservation, or any effort toward any legislation provided for in this resolve. I am more lenient in my judgment of them than many of the people back home. I believe, gentlemen, it is because they are too busy to pay attention to these matters; and, if they are too busy to do that, they are surely too busy to put these duties upon them that you think they will do for you.

Now who is it, who are the men who are clamoring for this, and what have they represented in this branch of the Legislature? I will not refer to the other branch. Who are the men who have been before the committee that has had these matters in charge? and insisted that the Public Utilities was the place for them to go instead of to a separate commission? I will tell you who it was. It was the representatives of the hydro-electrical companies in the State of Maine, and no man dares deny it on this floor. That is what they want, and it is very plain to see why they want it, to the average citizen.

Now it is not an unheard of thing to indefinitely postpone a measure at a late hour in the session; it has been done this evening and it has been done to a measure that has had a commit-

tee hearing, and the friends of that measure are back home, many of them representatives in this branch of the Legislature. Of course there is some reason in it. I say to you, gentlemen, that there is a reason for the indefinite postponement of this measure. When any man who reads the law governing the public utilities knows that not one single thing in that resolve, outside of the beautiful preamble—not one single thing in that resolve is not provided for in our present law.

It was intimated last evening that the Governor of the State was in full sympathy and behind the measure. Now that is not so. I am not going to quote the Governor, but I know that it is not a fact.

Now if the public utilities is too busy to look after this, and if this Legislature in its wisdom has not taken action to establish a commission to look after it, I think we had better let it go until we can get some action that will be effective. If they are not too busy to look after it, and are looking after the interests in this particular respect, I say to you, gentlemen, that during the years of their existence, during all the years of their existence down to the time this Legislature met, and including every day during its session, they have had opportunity under their law, and as a part of their duty, to assist and direct and advise the committees of this Legislature or any members of it. If they had had the time and had had the interest, they would have done it. Under the circumstances, in view of the fact that we get nothing from it except the preamble, which is not a part of it, I trust that the measure will be indefinitely postponed.

I do not wish to take any action here that will embarrass this Legislature in its declining moments; I do not wish to take any action or any advantage of any situation here of a parliamentary nature; but there are enough people represented here who are representative men, and I am willing to abide by their decision, whatever it may be. (Applause.)

Mr. BARNES of Houlton: Mr. Speaker and Gentlemen, the gentleman last speaking has not done me the honor evidently

to read the resolution with care. It does add to the beauties of the commission, and it does require them to make a report to the next Legislature, which seems to me in the little that I have studied the matter to be of great value to the State.

Now, all through this session I have occupied a rather unenviable situation. I think the gentlemen of the House have observed it. It has fallen to me to bear the brunt of some heavy shocks; I have been in a fight or two, but there is not a man here who will say that in one single instance I was unfair or that I stabbed anybody in the dark or that I got anybody else to go out and lay out a man or measure. Right out here in the open, the cards all on the table, we have gone through many a little tangle in the House, and I dislike very much to be smitten in the back this way.

I will not allude to the fact that we are working during this last few hours of the session under the gentlemen's agreement, that what is presumed to be the will of the House if they were all here should carry. A few days ago we voted two to one—gentlemen, do not forget—a few days ago we voted two to one on a resolution of broader power and wider scope than this with the earnest desire to save to the State what it might own in water powers and what it might own in industries and what it might gain in industries. We could not get that through the Legislature.

As I said before, I feel that we will suffer a distinct loss if we do not take a definite stand on which both houses will agree along this line, and, feeling that half a loaf is better than no bread, I offered this. Let me state once more, and I am done for the session I hope, what I think it will give.

It will give an authoritative statement of an able body as to what is the law. It will put in the hands of men competent to engage them the engagement of certain engineers to do the work. Even my brother from Mexico would not think any member of the utilities commission would make a survey or gauge a stream or anything of that sort; but even he will not say they are not competent to engage efficient men and just as competent men as any

other commission. They are further directed to ascertain as near as may be what the cost of our developed and undeveloped water powers may be and to report the same with such recommendations as may seem to them good.

Before I close, if you would be at all influenced by my judgment in the matter, let us leave it so that it cannot be truthfully said that any lobby in the House or any octopus or any combination of interests turned us aside from our duty in this matter. Let us make, feeble though it is, our first step in this direction.

Gentlemen, once more, if my services have seemed to you to have been freely given and honestly and fairly given, give this little measure fair treatment at this time so near the end of our session. (Applause)

The SPEAKER: The pending question is on the motion of the gentleman from Mexico, Mr. Hutchins, that the measure be indefinitely postponed.

Mr. BAXTER of Portland: Mr. Speaker, I should like to state to the House just how I feel about this resolution. In my opinion it does not meet the situation; it is not adequate; it is, however, the only thing which we can get passed at this session. I understand the other body will pass it, but that does not add weight to the argument in my opinion for our passing it.

If, however, it would accomplish anything—if in the judgment of the members here—if they conscientiously believe it would accomplish something—I should be the last one to stand here and oppose it. I believe the doctrine of half a loaf is better than no loaf, but in this particular case I cannot make up my mind that this is even half a loaf.

I do not want to oppose any measure that will tend toward giving us information on the subject of water powers and conservation, but I am perfectly willing to leave it to the gentlemen present and to set aside my own personal judgment and inclinations in the matter. I do not want to appear to oppose the resolution of the gentleman from Houlton (Mr. Barnes) if the members who are here this evening think it will accomplish some-



thing. I simply express my opinion that I do not think it will accomplish anything, but I leave it to the others.

On motion by Mr. Farrington of Augusta all remarks made on the floor in relation to the question of a quorum were ordered expunged from the record.

The pending question being on the motion of the gentleman from Mexico, Mr. Hutchins, that the bill be indefinitely postponed,

A viva voce vote being taken,  
The motion prevailed.

The SPEAKER: The Chair lays before the House, Resolve for the memorial in honor of Major General Hiram G. Berry. This was finally passed in the House and comes from the Senate indefinitely postponed in non-concurrence.

On motion by Mr. Packard of Rockland, the House voted to recede and concur with the Senate in the indefinite postponement of the resolve.

A message was received from the Senate through Senator Higgins of Penobscot informing the House that the Senate had transacted all business before it and was ready to adjourn without day.

On motion by Mr. Buzzell of Belfast, it was voted that a committee of one be appointed by the Chair to notify the Senate that the House had transacted its business and is ready to adjourn without day.

The Chair appointed as such committee Mr. Besse of Clinton.

Mr. BARNES of Houlton: Mr. Speaker, during the long stress and strain of the several weeks, while some of us have worked and some have been home over week-ends and some of us have played more or less, we have been greatly aided and assisted by the efforts of a man who has been always affable, always courteous, and is a regular tiger for work. I should hate to have this session close, as I know you, Mr. Speaker, would hate to have it close, without expressing as a body our appreciation of a man who has been exceedingly efficient in helping us get through the work of the session. I al-

lude to our popular clerk, and I move now that we express by a rising vote our appreciation of his services.

By a rising vote the motion was agreed to amid great applause.

At this point Mr. Besse of Clinton, the committee appointed to wait upon the Senate, returned and announced that he had performed the duty assigned him.

The following order was received from the Senate:

"Ordered, that a committee of three on the part of the Senate, with such as the House may join, be appointed to wait upon the Governor and inform him that both branches of the Legislature have acted on all matters before them and are now ready to receive any communication he may be pleased to make."

The order received a passage in concurrence.

The Speaker joined on said committee on the part of the House, Messrs. Buzzell of Belfast, Barnes of Houlton and Packard of Newburgh.

Subsequently Mr. Buzzell for the committee reported that the committee had attended to the duty assigned it and that the Governor would at once communicate with the House.

Thereupon the Speaker laid before the House a communication from the Governor transmitting a list of the acts and resolves passed during the present session of the Legislature and approved by him, numbering 514 acts and 119 resolves.

The communication was accepted in concurrence.

On motion by Mr. Newcomb of Scarborough the Speaker was presented with the gavel that he had used during the session.

On motion by Mr. Baxter of Portland it was

Ordered, that the chair which the Speaker has occupied during the session be, and hereby is, presented to him in token of the esteem in which he is held by the members of the House of the 78th Legislature.

On motion by Mr. Rounds of Portland, The Speaker then declared the House adjourned without day.