

# MAINE STATE LEGISLATURE

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# Legislative Record

OF THE

# Eightieth Legislature

OF THE

# State of Maine

1921

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AUGUSTA  
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### HOUSE

Wednesday, March 16, 1921.

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

Prayer by the Rev. Mr. Perry of Hallowell.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Bill an act to repeal the law authorizing the disbursement of the forestry district funds by the Forest Commissioner, and relating to the doings of the Land Agent.

Came from the Senate referred to the committee on State Lands and Forest Preservation.

In the House tabled by Mr. Small of Brewer, pending reference in concurrence.

From the Senate: Report of the committee on Banks and Banking reporting "ought not to pass" on bill, an act to incorporate the Union Mutual Exchange of Lewiston.

In the House, on motion by Mr. Gagne of Lewiston, tabled pending acceptance of report, and specially assigned for Tuesday, March 22.

From the Senate: Report of the committee on Legal Affairs reporting "ought not to pass" on bill, an act to amend the corporate purposes of the Eastport Hotel Company, which was read and accepted in the House, March 10.

Comes from the Senate, the bill re-committed to the committee on legal affairs in non-concurrence.

In the House, on motion by Mr. Cherry of Eastport that body voted to recede from its former action and concur with the Senate in recommitting the bill to the committee on Legal Affairs.

From the Senate: Bill, an act to incorporate the Ashland Electric

Light and Power Company, which was passed to be engrossed in the House, March 8.

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

In the House, on motion by Mr. Hussey of Blaine, the rules were suspended, and the action of the House whereby this bill was passed to be engrossed was reconsidered. On further motion by the same gentleman, Senate amendment A was adopted in concurrence; and on further motion by the same gentleman, the bill as amended by Senate amendment A was passed to be engrossed in concurrence.

From the Senate: Resolve authorizing the Land Agent to sell Public Lot 85 in Moro Plantation, Aroostook county, which was passed to be engrossed in the House, February 25, and finally passed March 8.

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

In the House on motion by Mr. Smith of Ludlow, the rules were suspended and the action of the House whereby this resolve was finally passed was reconsidered; and on further motion by the same gentleman, the rules were suspended, and the action of the House whereby this resolve was passed to be engrossed was reconsidered. On further motion by the same gentleman, Senate amendment A was adopted in concurrence; and on further motion by the same gentleman, the bill as amended by Senate amendment A was passed to be engrossed in concurrence.

From the Senate: Resolve authorizing the State Land Agent to sell certain lots in the Public Lot in Dennistown Plantation in Somerset county. This was passed to be engrossed in the House February 25, and finally passed March 8.

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

In the House on motion by Mr.

Gipson of Bingham, the rules were suspended and the action of the House whereby this resolve was finally passed was reconsidered; and on further motion by the same gentleman the rules were suspended, and the action of the House whereby this resolve was passed to be engrossed was reconsidered. On further motion by the same gentleman Senate amendment A was adopted in concurrence, and on further motion by the same gentleman the resolve was passed to be engrossed as amended by Senate amendment A in concurrence.

From the Senate: Resolve authorizing the State Land Agent to sell lot numbered 93 in the town of St. Agatha in the county of Aroostook. This was passed to be engrossed in the House February 25, and finally passed March 8.

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

In the House, on motion by Mr. Daigle of Madawaska the rules were suspended and the action of the House whereby this resolve was finally passed was reconsidered; and on further motion by the same gentleman, the rules were suspended and the action of the House whereby this resolve was passed to be engrossed was reconsidered. On further motion by the same gentleman, the House voted to adopt Senate amendment A in concurrence; and on further motion by the same gentleman, the resolve was passed to be engrossed as amended by Senate amendment A in concurrence.

#### Senate Bill in First Reading

Senate 113: An Act to amend Section 43 of Chapter two of the Revised Statutes, relating to the appointment of dedimus justices.

#### Communication From the Attorney General

Augusta, March 11, 1921

To the Honorable House of Representatives of the Eightieth Legislature:

I have the honor to acknowledge receipt of House Order requesting me to give an opinion as to whether the

words "domestic animals" as used in Section 110 of Chapter 4 of the Revised Statutes, includes poultry, and beg to report as follows:

In my opinion, poultry is included in the terms of that statute. At common law, animals which could be used for food and which were domesticated and kept under the control of mankind, were considered domestic animals.

Reference to legal definitions to Statutes and decided cases would seem to warrant this conclusion as will be seen by the following citations:

The term "animal" is comprehensive enough to include birds and will be so considered unless it is provided otherwise by statute, or there is some other reason for a contrary holding.

3 Corpus Juris, Page 15, note 2.  
The word has been held to include domestic fowls generally, duck, chicken, turkeys, doves, geese and rook.

3 Corpus Juris, Page 16  
Statutes and decisions in New York, Massachusetts, Virginia, Michigan, Utah, Colorado, Wyoming, North Carolina, Missouri and Indiana have laid down the rules that under laws relating to cruelty to animals, the term "animal" includes fowl.

In this State, Chapter 126, Section 67 of the Revised Statutes, provides: In every law relating to or affecting animals the word animal includes every brute creature. The uniform interpretation of Statute by the state department entrusted with its administration, has been to regard the law in question as applicable to domestic fowl.

Respectfully,

(Signed) RANSFORD W. SHAW,  
Attorney General.

The communication was ordered placed on file.

#### Communication From Department of State

To the Clerk of the House of Representatives of the 80th Legislature of the State of Maine.

Pursuant to the joint order of the Senate and House of Representatives of the Eightieth Legislature, I have the honor to transmit herewith a list of the Legislative Counsel and Legislative Agents registered in the office of the secretary of State, in accordance with Chapter 100 of the Public Laws

of 1919. This list comprises all such counsel and agents who have registered from March 9, 1921, to March 15, 1921, both dates inclusive.

Respectfully submitted,

(Signed) FRANK W. BALL,  
Secretary of State.

The communication was ordered placed on file, and the subjoined list of legislative counsel and agents was ordered printed in the Record as a part of this day's proceedings.

DANA S. WILLIAMS, of Lewiston, employed to act as Legislative Counsel by Edward S. Stetson, Lewis L. Peck and O. D. Bliss, all of Lewiston. The purpose of employment is "To appear before Judiciary Committee as Legislative Counsel in opposition to bill to amend the act creating the Lewiston Police Commission." Employed March 8, 1921. Employment ceases March 9, 1921. Notification of employment filed March 9, 1921.

BENJAMIN L. BERMAN, of Lewiston, employed to act as Legislative Counsel by Louis L. Levasseur, Charles Morneau, Jr., and Arsene Cailier, all of Lewiston. The purpose of employment is "To promote the passage of and to appear before the necessary committees on behalf of an act to incorporate the United Mutual Exchange of Lewiston, Maine." Employed March 8, 1921. Employment ceases at end of Legislative session. Notification of employment filed March 9, 1921.

ARTHUR E. SEWALL, of York, employed to act as Legislative Agent by Ogunquit Village Corporation. The purpose of employment is "Legislative agent, in favor of an Act to divide the town of Wells and incorporate the town of Ogunquit." Employed March 9, 1921. Employment ceases at end of Legislative session. Notification of employment filed March 9, 1921.

A. L. KAVANAGH, of Lewiston, employed to act as Legislative Counsel and Agent by Litchfield Fish and Game Association of Litchfield, Maine. The purpose of employment is "To represent employee in Proposed Legislation affecting Tacoma

Lakes in town of Litchfield." Employed March 8, 1921. Employment ceases at end of Legislature. Notification of employment filed March 9, 1921.

ALBERT S. WOODMAN, of Portland, employed to act as Legislative Counsel and Legislative Agent by Portland Wholesale Merchant's Association of Portland. The purpose of employment is "To examine proposed bill to tax intangibles, to propose for and attend hearing on said bill before Committee on Taxation." Employed February 26, 1921. Date when employment ceases is given as "Indefinite." Notification of employment filed March 9, 1921.

A. S. LITTLEFIELD, of Rockland, employed to act as Legislative Counsel by city of Rockland, banks of Rockland and Geo. W. Lane of Rockport. The purpose of employment is "To appear before committee on intangible personal property and to appear before committee to repeal Chapter 120, Laws of 1895." Notification of employment filed March 9, 1921.

ALBERT E. NEAL, of Portland, employed to act as Legislative Counsel and Agent by Willard B. Darton of Portland. The purpose of employment is "Advice and assistance in matter of legislation in regard to game and game laws." Employed March 1, 1921. Employment ceases at end of present Legislative session. Notification of employment filed March 9, 1921.

ROBERT B. SEIDEL, of Biddeford, employed to act as Legislative Counsel and Legislative Agent by city of Biddeford. The purpose of employment is "All matters affecting the city of Biddeford." Employed March 3, 1921. Employment ceases at end of the 1921 regular Legislative session. Notification of employment filed March 9, 1921.

WM. S. MATHEWS, of Somersworth, N. H., employed to act as Legislative Counsel and Legislative Agent by O. J. Hubbard and others of the town of Wells. The purpose of employment is "House Bill No. 122, An Act to divide the town of Wells and

incorporate the town of Ogunquit." Employed March 8, 1921. Notification of employment filed March 10, 1921.

CARROLL S. CHAPLIN, of Portland, employed to act as Legislative Counsel by an unorganized group of truck drivers and owners of the city of Portland, consisting of J. E. Stephenson et als. The purpose of employment is "Appearance before committee on hearing on Act relating to motor vehicles." Employed March 10, 1921. Employment ceases same date. Notification of employment filed March 10, 1921.

DAVID E. MOULTON, of Portland, employed as Legislative Counsel by White Service Company of Portland. The purpose of employment is "Appearance before committee on hearing on Act relating to motor vehicles." Employed March 10, 1921. Employment ceases same date. Notification of employment filed March 10, 1921.

WILL C. ATKINS, of Gardiner, employed to act as Legislative Counsel by John M. Eastman of Augusta. The purpose of employment is "On bill to increase salary as register of deeds." Employed March 8, 1921. Employment ceases at end of session. Notification of employment filed March 10, 1921.

WILL C. ATKINS, of Gardiner, employed to act as Legislative Counsel and Agent by Fred N. Boston of Gardiner. The purpose of employment is "To end in obtaining financial assistance for Gardiner and Randolph." Employed March 1, 1921. Employment ceases at end of session. Notification of employment filed March 10, 1921.

JOSEPH E. F. CONNOLLY, of Portland, employed to act as Legislative Counsel by F. R. Sweetsir of Cumberland. The purpose of employment is "To appear before Agricultural Committee in favor of House Bill No. 123, to provide for local inspection of slaughter houses and their product." Employed March 8, 1921. Employment ceases March 9, 1921. Notification of employment filed March 10, 1921.

SANFORD L. FOGG, of Augusta, employed to act as Legislative Counsel by Mrs. C. I. Bailey of Winthrop. The purpose of employment is "To appear before committee in re bill or act establishing game preserve in town of Winthrop." Employed March 8, 1921. Employment ceases March 9, 1921. Notification of employment filed March 10, 1921.

SANFORD L. FOGG, of Augusta, employed to act as Legislative Counsel by Bunker & Savage of Augusta. The purpose of employment is "To appear before claims committee in re claim for services and commission." Employed March 14, 1921. Employment ceases at adjournment of Legislature. Notification of employment filed March 14, 1921.

SANFORD L. FOGG, of Augusta, employed to act as Legislative Counsel by David Pingree of Bangor. The purpose of employment is "To appear before Legislative committee and with parties interested in conference in re "An Act to provide for the creation of water storage on the Aroostook river." Employed March 14, 1921. Employment ceases at close of Legislature. Notification of employment filed March 15, 1921.

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

#### Agriculture

By Mr. Chandler of Dover: Bill "An Act to require a fee for registration of milk dealers."

By Mr. Wing of Auburn: Bill "An Act relating to the wrapping of bread."

By the same gentleman: Bill "An Act relating to the weight of bread."

#### Inland Fisheries and Game

By Mr. Mason of Ellsworth: Remonstrance of W. T. Lunt and 42 others against Sunday open time for hunting in Hancock county.

#### Judiciary

By Mr. Maher of Augusta: Bill "An Act to regulate boxing exhibitions within the State."

### Ways and Bridges

By Mr. Granville of Parsonsfield: Bill "An Act to repeal the law requiring an annual appropriation of the sum of three hundred thousand dollars for State aid construction." (500 copies ordered printed.)

By the same gentleman: Bill "An Act to increase the mill tax highway fund and to provide for the method of its application." (500 copies ordered printed.)

By Mr. Davis of Freeport: Bill "An Act to prohibit the use of motor driven trucks on highways not having a hard surface in the spring of the year." (500 copies ordered printed.)

### Orders

On motion by Mr. Keed of Harmony, it was

Ordered, that the resolve to reimburse the town of St. Albans for the overpaid tax to the State of Maine be recalled from the files of the Secretary of the Senate.

### Reports of Committees

Mr. Croxford from the committee on Public Health reported "ought not to pass" on Bill "An Act relating to protection of the public health."

Mr. Hodgkins from the Committee on Salaries and Fees reported the same on Bill "An Act to increase the salary of the Judge of Probate of Aroostook County."

Same gentleman from same Committee reported the same on Bill "An Act to increase the salary of the Clerk of Courts of Aroostook County."

Same gentleman from same Committee reported same on Bill "An Act to amend Section 15 of Chapter 154 of the Private and Special Laws of 1911 as amended by Chapter 44 of the Private and Special Laws of 1915 relating to the increase in the salaries of the Judge and Recorder of the Houlton Municipal Court."

Same gentleman from same Committee reported same on Bill "An Act to increase the salary of the Register of Deeds, Southern Registry, Aroostook County."

Same gentleman from same Committee reported same on Bill "An Act

to amend Section 15 of Chapter 117 of the Revised Statutes relative to the salary of the Secretary of State."

Same gentleman from same Committee reported same on Bill "An Act to increase the salary of the Sheriff of Aroostook County."

Same gentleman from same Committee reported same on Bill "An Act to amend Section 5 of Chapter 244 of the Public Laws of 1917 relative to the salary of the Commissioner of Inland Fisheries and Game."

Same gentleman from same Committee reported same on Bill "An Act amending Section 41 of Chapter 117 of the Revised Statutes of Maine, relating to the salaries of Sheriffs, especially in regard to the salary of the Sheriff of the county of Oxford."

Reports were accepted and sent up for concurrence.

Mr. Hodgkins from the committee on Salaries and Fees reported "ought not to pass" on Bill "An Act to amend Section 11 of Chapter 16 of the Revised Statutes relating to salaries of members of the Senate and House of Representatives."

(Tabled by Mr. Rounds of Portland, pending acceptance of report, and specially assigned for tomorrow morning.)

Mr. Hodgkins from the Committee on Salaries and Fees reported "ought not to pass" on Bill "An Act to increase the salary of the Register of Deeds in the Northern District of Aroostook County."

The report was accepted and sent up for concurrence.

Mr. Woodruff from the committee on library on Resolve appointing a committee of investigation to procure plans and estimates for a State library building, reported the same in a new draft under same title and that it ought to pass.

Mr. Hodgkins from the committee on salaries and fees on Resolve to increase the salary of judge of municipal court in Gardiner, reported the same in a new draft under same title and that it ought to pass.

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

### First Reading of Printed Bills and Resolves

House 286. An Act to legalize acknowledgments taken, oaths administered and marriages solemnized by Adelmia G. Humphrey.

House 287. An Act to amend the charter of the city of Calais increasing the jurisdiction of the Calais municipal court.

House 288. An Act authorizing the Princeton Terminal Company to erect and maintain piers and booms in the waters of Lewys Lake and Long Lake in the county of Washington.

House 289. An Act to enable the inhabitants of the town of Caribou to raise money for the benefit of Cary Hospital.

House 290. An Act authorizing the payment of an annuity by the city of Portland to Nettie M. Hamilton.

House 291. An Act to amend Chapter 436 of the Private and Special Laws of 1834, entitled "An Act to incorporate the city of Bangor and Acts amendatory thereof or additional thereto."

House 292. An Act to amend Chapter 145, Section 47 of the Revised Statutes, relating to the duties of Hospital Trustees, admitting to Home for Feeble Minded.

House 293. An Act to amend Section 1 of Chapter 139 of the Private and Special Laws of 1899, as amended by Chapter 145 of the Private and Special Laws of 1915, amending the charter of the Dixfield Village Corporation by extending the territory of said corporation.

House 297. An Act to amend Section 57 of Chapter 8, of the Revised Statutes relating to the duties of the Forest Commissioner.

House 298. An Act for the preservation, perpetuation and increase of the forests of the State of Maine.

House 299. An Act to amend Section 69 of Chapter 8 of the Revised Statutes, increasing the compensation of chief forest fire wardens and their deputies.

House 294. Resolve authorizing the land agent to sell a parcel of land not

exceeding two acres from one of the Public Lots in West Forks Plantation, Somerset County.

Mr. Gipson of Bingham offered House amendment A, by adding in the second line thereof after the word "convey" the words, "with the advice and consent of the Governor and Council," and moved the adoption of the amendment.

The amendment was adopted.

House 295. Resolve appropriating money for general forestry purposes.

House 296. Resolve appropriating money for further maintenance of the State Forest Nursery.

### Passed to be Engrossed

Senate 82: An Act to amend Section 146 of Chapter 16 of the Revised Statutes as amended relating to the appropriation for maintenance of normal and training schools.

Senate 104: An Act to make necessary the filing of affidavits by mortgagees in foreclosing real estate mortgages.

Senate 106: An Act to amend Section 17 of Chapter 12 of the Revised Statutes, as amended by Chapters 121 and 299 of the Public Laws of 1917 relating to the recording of deeds.

(Tabled by Mr. Smith of Skowhegan, pending third reading.)

Senate 109: An Act to extend the charter of the R. and T. Cement Railroad.

House 247: An Act to amend Section 4 of Chapter 167 of the Private and Special Laws of 1907, incorporating the Allagash Improvement Company.

Senate 61: Resolve in favor of the State purchasing the alphabetical index of Revolutionary Pensioners in Maine, and appropriating money for said purpose.

Senate 107: Resolve in favor of Lena I. Sanborn, an employee of the Board of State Assessors in 1918.

Senate 108: Resolve in favor of Rena Cooley.

House 170: Resolve reimbursing the county of Kennebec for money expended in pursuing insane criminals escaping from Augusta State Hospital.



### Orders of the Day

On motion by Mr. Wadsworth of Winthrop, the vote was reconsidered whereby the House passed to be engrossed Bill, An Act to incorporate the Monmouth Water & Sewer District.

Mr. Wadsworth then offered House Amendment "A," to amend by adding to Section one thereof the words: "Provided, however, that it shall not construct any system of water supply, drainage or sewerage, without having first submitted its plans to the Public Utilities Commission, and obtained its approval therefor in writing, under power vested in said Commission by Chapter 98 of the Public Laws of 1917."

The amendment was adopted, and on further motion by Mr. Wadsworth the bill was passed to be engrossed as amended.

The SPEAKER: The Chair will present at this time, in compliance with the order passed by the House this morning, Resolve to reimburse the town of St. Albans for overpaid taxes to the State of Maine.

On motion by Mr. Reed of Harmony, the Resolve was laid upon the table.

The SPEAKER: The Chair presents for consideration House Doc. No. 225, Resolve in favor of the Commissioner of Labor and Industry, tabled March 9th, by the gentleman from North Anson, Mr. Holley, pending commitment to Committee on Bills in third reading.

On motion by Mr. Holley, the bill was committed to the Committee on Bills in third reading.

The SPEAKER: The Chair presents for consideration House Doc. No. 250, Bill, An Act relating to office of Live Stock Sanitary Commissioner, tabled March 11th, by the gentleman from Augusta, Mr. Viles, pending its third reading.

On motion by Mr. Viles, the bill then received its third reading and was passed to be engrossed.

The SPEAKER: Under the heading "tabled and unassigned," this be-

ing Wednesday morning, in accordance with the rules of the House, the Chair now presents for consideration House Doc. No. 238, Bill, An Act authorizing the Ashland Company to construct booms and piers in the Aroostook River, tabled pending its second reading, on motion by the gentleman from Bath, Mr. Snipe.

On motion by Mr. Snipe, the bill then received its second reading and was assigned for tomorrow morning for its third reading.

The SPEAKER: The Chair will state that all matters come off the table automatically on Wednesday morning, no motion being necessary, and the Chair will present them in their order on the calendar unless the House rules otherwise. The Chair will present for consideration, House Doc. No. 244, Bill, An Act authorizing proprietors of Portsmouth Bridge to Discontinue the Public use of Its Bridges and to Sell Its Property and Franchise to and merge the same with the Boston and Maine Railroad, tabled pending its second reading on motion by the gentleman from Eliot, Mr. Cole.

On motion by Mr. Cole, the bill was again tabled, pending its second reading.

The SPEAKER: The Chair presents for consideration, Senate Doc. No. 58, Resolve to purchase History of Williamsburg, tabled pending commitment to Committee on Bills in third reading, on motion by the gentleman from Portland, Mr. Dodge.

On motion by Mr. Dodge, the Resolve was then committed to the Committee on Bills in third reading.

The SPEAKER: The Chair presents for consideration Senate Doc. No. 62, Resolve to purchase history of York, tabled pending commitment to Committee on Bills in third reading, on motion by the gentleman from Portland, Mr. Dodge.

On motion by Mr. Dodge, the Resolve was then committed to the Committee on Bills in third reading.

The SPEAKER: The Chair presents for consideration of the House

the Report of the Portland delegation, on Bill, An Act relating to the Fire Department of the City of Portland, tabled pending the acceptance of the report, on motion by the gentleman from Portland, Mr. Cram.

Mr. Cram then yielded to the gentleman from Portland, Mr. Rounds.

The SPEAKER: The Chair might perhaps state the parliamentary situation of this measure. The Portland delegation reports that this bill ought not to pass.

Mr. ROUNDS of Portland: Mr. Speaker, I simply wish to say that yesterday we wanted to get together with some of the members of this House, and it was so late that we could not get together at the time, and we would like to have that matter tabled and specially assigned for consideration tomorrow morning, and I will move that the matter be again tabled and specially assigned for consideration tomorrow morning.

The motion was agreed to.

The SPEAKER: The Chair presents for consideration of the House, Report of the Committee on Education on Bill, An Act relating to payment of salaries of Superintendents of Schools, tabled pending the acceptance of the report, on motion by the gentleman from Windham, Mr. Varney.

On motion by Mr. Varney, the report was again tabled.

The SPEAKER: The Chair presents for consideration, House Doc. No. 125, Resolve appropriating money for purchase of history of Grand Lake Stream, tabled pending its final passage on motion by the gentleman from North Anson, Mr. Holley.

On motion by Mr. Holley, the Resolve was then finally passed.

The SPEAKER: The Chair presents for consideration, House Doc. No. 158, report of the Committee on Sea and Shore Fisheries on Bill, An Act to repeal all laws relative to taking fish from waters on the coast of Maine, tabled pending the acceptance of the report, "ought not to pass," on

motion by the gentleman from Portland, Mr. Rounds.

Mr. ROUNDS of Portland: Mr. Speaker, the purpose of this bill, as I understand it, was to abolish the Sea and Shore Fisheries commission. Mr. Crie was to be here, and as I understand it he is here this morning, but I have not yet had time to have a consultation with him, and I would move this this report be again tabled and be specially assigned for consideration tomorrow morning.

The motion was agreed to, and the report was again tabled and specially assigned for tomorrow morning.

The SPEAKER: The Chair presents for consideration, House Doc. No. 124, Bill, An Act relating to appointment of deputy forest fire wardens, tabled pending its second reading on motion by the gentleman from Lewiston, Mr. McIlheron.

On motion by Mr. McIlheron, the bill then received its second reading and was assigned for tomorrow morning for its third reading.

The SPEAKER: The Chair presents for consideration, House Doc. No. 278, Bill, An Act to provide for jurisdiction of Public Utilities Commission over certain motor vehicles, tabled pending its passage to be engrossed, on motion by the gentleman from Portland, Mr. Rounds.

Mr. Rounds then yielded to the gentleman from Poland, Mr. Ricker.

Mr. Ricker then moved that the bill be again tabled and be specially assigned for consideration on Tuesday of next week.

The motion was agreed to.

The SPEAKER: The Chair presents for consideration, owing to an inadvertence in the omission of two matters on the calendar, Senate Doc. No. 75, Bill An Act relating to Street Railroads, tabled pending its passage to be enacted, on motion by the gentleman from Belfast Mr. Buzzell. The Chair will state that this is the bill giving street railroads by the right of eminent domain the right to set their poles over private property, and

the bill is now in the situation of being on its passage to be enacted.

Mr. HINCKLEY of South Portland: Mr. Speaker and gentlemen, I wish to call the attention of the House to this amendment. Under the law, as it exists at the present time—and I will say that I am talking upon a motion to indefinitely postpone this bill—under the law at the present time, a street railroad company has broad rights and powers to take by eminent domain private property for the purpose of laying its tracks and constructing its railroad. It also has rights, subject to limitation of privilege given by municipalities, to construct its railroad along the public highways, in the public highways. This act is for the purpose of giving a further right, and it seems to me a very important, a very dangerous privilege, by adding these words—after reciting “Such corporation may purchase or take and hold by its location aforesaid as for public uses, land outside of the limits of streets, roads or ways,” and then these words are added: “Including locations for poles, towers, underground conduits and small structures for the protection of openings to underground conduits, and supports of poles and towers used for the transmission of power”—ad this means simply that a street railroad company, if they have an electric line running along a highway, and if you have a piece of land abutting on that highway, that they can put their poles over on your land, they can build towers on your land, even on the lawn in front of your own house, subject to the approval of the Public Utilities Commission.

It seems to me the most dangerous element of the proposition is this. At the present time I think they have no serious trouble about getting those rights by permission of the owner; but under this provision if you have a tract of land along the highway that in years to come you may think of developing and building houses thereon, they have a right to appeal to the Public Utilities Commission and they can put conduits, and they can put poles, and they can put towers on that land over a strip four

rods wide, along the highway, and take in your whole front on the street and once having taken it and paid the damages, and the damages would be paid of course having in mind the value of the land at that particular time—once having taken it, they have ruined your property there for all time for development purposes; and I want to say that I consider this one of the most, if not the most dangerous measures I have seen in this Legislature during this session, and for that reason I move that this be indefinitely postponed.

Mr. McIlheron of Lewiston seconded the motion.

A viva voce vote being taken,

The motion was agreed to, and the bill was indefinitely postponed.

The SPEAKER: The Chair presents for consideration Report of the committee on Judiciary, on Bill, An Act enabling the voters of the city of Lewiston to elect a policy commission, tabled pending the acceptance of the report, on motion by the gentleman from Lewiston, Mr. McIlheron.

Mr. McIlheron then moved that the bill be substituted for the report and be specially assigned for consideration on Tuesday of next week.

The SPEAKER: The Chair will state that this is an unanimous report from the Committee on Judiciary, reporting “ought not to pass.” The gentleman from Lewiston, Mr. McIlheron moves that the bill be substituted for the report.

A viva voce vote being taken.

The motion was lost.

Mr. Buzzell of Belfast then moved that the report of the committee be accepted.

The motion was agreed to.

The SPEAKER: The Chair presents for consideration, House Doc. No. 275, Bill, An Act relating to the age of commitment to the State School for Girls, tabled pending its third reading on motion by the gentleman from Skowhegan, Mr. Smith.

On motion by Mr. Smith, the bill

then received its third reading and was passed to be engrossed.

The SPEAKER: The Chair presents for consideration House Doc. No. 273, Bill, An Act relative to mutual fire insurance companies, tabled pending its passage to be engrossed, on motion by the gentleman from Poland, Mr. Ricker.

On motion by Mr. Ricker, the bill was again tabled and specially assigned for Tuesday of next week.

The SPEAKER: The Chair presents for consideration, Senate Doc. No. 110, Bill, An Act relative to appropriation for abolishment of grade crossings, tabled pending its assignment for third reading, on motion by the gentleman from North Anson, Mr. Holley.

On motion by Mr. Holley, the bill was assigned for tomorrow morning for its third reading.

The SPEAKER: The Chair presents for consideration Senate Doc. No. 105, Bill, An Act to prevent cruelty to animals in preparing picture films, tabled pending its assignment for third reading, on motion by the gentleman from Gardiner, Mr. Gardiner.

On motion by Mr. Gardiner, the bill was tabled pending assignment for third reading.

The SPEAKER: The Chair presents for consideration Senate Doc. No. 97, Bill, An Act to amend Section 18 of Chapter 130 of the Revised Statutes in Relation to the Disposal of Fines Imposed Thereunder and Personal Property used for Prizes in Lotteries or Devices of Chance, and the Procedure of Punishment, tabled pending its passage to be enacted, on motion by the gentleman from Rockport, Mr. Spear.

Mr. Spear then moved that the bill be again tabled and specially assigned for Wednesday of next week.

A viva voce vote being taken,

The motion was lost. The same gentleman then moved that the bill be indefinitely postponed.

A viva voce vote being taken.

The motion was lost.

The same gentleman then asked for a division of the House..

A division being had, the motion was lost by a vote of thirty-two in favor and fifty-eight against.

Mr. Crafts of Greenville then moved that the bill have its passage to be enacted.

Mr. ROUNDS of Portland: Mr. Speaker and gentlemen, I don't very often go to church fairs and things like that, but there may be somebody in the country getting up a little church fair in an endeavor to pay off the minister's salary, or something like that, and that might come under the provisions of this bill, and I do not want to see any of my good Christian friends go to jail for thirty days in trying to carry out an endeavor to pay the salary of their minister. I think we are getting a little bit hasty about some of these things, and I do not think anybody is taking this matter seriously at this time, and it looks to me as though we ought to go slow and see what we are doing before we make such haste. I think this matter had better be looked into, and I for one would like to see this thing go along right. I do not want to see any lotteries or anything of that kind, but I would like to protect some of our church societies and not send them to jail for thirty days, because we need all the people who are going to church now. It seems to me that we are a little bit hasty in this business, and I would like to see the vote reconsidered upon this matter so that it can be laid upon the table for a few days until the members of this House have had a chance to look at the bill and see what it is. I haven't had time to look at it, and I haven't thought much about it, but it seems to me that there is a great injustice being done.

The SPEAKER: Does the gentleman from Portland, Mr. Rounds, make a motion? If the gentleman makes a motion to table, it is not debatable.

Mr. ROUNDS: I did not make a motion.

The SPEAKER: Will the gentleman from Portland make a motion?

Mr. ROUNDS: I make a motion that the bill be tabled.

The SPEAKER: The Chair will state that that motion is not debatable. The motion now before the House is that this bill be tabled.

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

Mr. Crafts then moved that the bill be passed to be enacted.

The motion was agreed to, and the bill was passed to be enacted.

Mr. ROUNDS of Portland: Mr. Speaker, I have a bill that I would like to present out of order, under suspension of the rules, an act authorizing the insurance commissioner to review rates fixed by fire insurance companies or the representatives of fire insurance companies; and I want to say that my reason for introducing this bill is this: I have in my hand a letter to a man in New Jersey, written by a gentleman in Portland, as follows:

"Portland, Maine,  
March 7, 1921.

Mr. James S. Merrill,  
152 Fifth Ave. East,  
New Roselle, N. J.

Dear Sir:-

The insurance amounting to \$1600. on the dwelling and \$300. on the contents at Oceanside Ave., Peaks Island, will expire March 29th.

Owing to the fact that the Island has no water for fire fighting purposes the rates of insurance have been increased so that now the rate is 70c for each \$100. insurance for one year on both dwelling and contents, whereas a year ago the rate was 45c on the dwelling and 47c on the contents.

Will you kindly let me know at your earliest convenience whether you wish this insurance renewed for

the same amounts as before or not, and greatly oblige

Yours very truly,  
(Signed) HERBERT A. HARMON."

Now the city of Portland is paying \$10,000 for fire protection on that island, or over, and it looks to me as though they should not increase this almost 70 per cent. of insurance on that when they did not formerly charge so much when he had nothing at all in the way of protection. We are paying \$10,000 trying to protect that island for the insurance companies, and they have taken off from that island, I should say, since the water works were put in over a million dollars' insurance, and I think it is time we did something to protect ourselves, and this bill is for that purpose—to protect the citizens of the State of Maine against these insurance men getting into some back office in Boston and making any rate for any town or city in the State of Maine. I think we should have something to say about it anyway.

Thereupon the rules were suspended, and that gentleman was given permission to introduce out of order the foregoing bill and it was referred to the committee on Mercantile Affairs and Insurance.

On motion by Mr. Perkins of Orono, the rules were suspended, and that gentleman was permitted to introduce out of order Bill, An Act to legalize and make valid the doings of the town of Orono at the special meeting of the voters of that town, held August 14, 1920; and on further motion by the same gentleman the rules were suspended, and the bill received its three several readings without reference to a committee, and was passed to be engrossed.

On motion by Mr. Perkins of Orono,  
Adjourned until ten o'clock tomorrow morning.