

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Seventh Legislature

OF THE

STATE OF MAINE

1915

### HOUSE

Tuesday, February 23rd, 1915.

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

Prayer by the Rev. Mr. Haines of Augusta.

Journal of previous session read and approved.

The SPEAKER: The Chair lays before the House a matter that was acted upon last week and which will require reconsideration this week. On the 17th of February the Resolve in favor of preserving the life of the fish in the several fish hatcheries and for the temporary operation of the hatcheries and feeding stations for fish in this state and for the protection of fish, game and birds was finally passed. This resolve carried an emergency clause upon it which was not noticed by the Chair at the time when this together with other resolves was finally passed. It therefore becomes necessary in order to make this resolve effective, with the emergency clause upon it, that our action be reconsidered and that this resolve be recalled from the Senate.

Mr. HIGGINS of Brewer: Mr. Speaker, I move that the vote be reconsidered whereby this resolve was finally passed, and that the following message be sent to the Governor: "The House of Representatives respectfully requests the Honorable Senate to ask His Excellency, the Governor, to return to the Senate Resolve in favor of preserving the life of the fish in the several fish hatcheries and for the temporary operation of the hatcheries and feeding stations for fish in this state, and for the protection of fish, game and birds, which was finally passed in the House Wednesday, February 17, and finally passed in concurrence by the Senate on Thursday, February 18; and the Senate is further requested upon the return of said resolve to reconsider its action whereby the same was finally passed in concurrence, and after such reconsideration to return said resolve to the House for its further consideration."

The motion was agreed to, and the clerk was charged with the duty of

transmitting the message to the Senate.

Subsequently the clerk reported that he had performed the duty assigned him.

Papers from the Senate disposed of in concurrence.

At this point a message was received from the Senate through its secretary stating that the Senate had received the message from the House, and that that body would forthwith request of the Governor the return of the Resolve as specified in the message.

From the Senate: An Act establishing a uniform tax on intangible personal property. (Tabled for printing pending concurrent action on motion by Mr. Higgins of Brewer.)

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

#### Agriculture.

By Mr. Hart of Holden: Resolve in favor of the Live Stock Sanitary Commissioner, with statement of facts.

#### Inland Fisheries and Game

By Mr. Allen of Machias: An Act to provide for a non-resident fishing license. (Ordered printed and referred.)

#### Judiciary.

By Mr. Pierce of Houlton: An Act to amend Section 27 of Chapter 83 of the Revised Statutes, relating to the record of attachment of bulky personal property. (Ordered printed and referred.)

#### Labor.

By Mr. Fossett of Portland: An Act to regulate the hours of labor and wages of employees in the Department of Public Works, Street and Highway Departments of the cities of the State. (Ordered printed and referred.)

#### Legal Affairs.

By Mr. Fossett of Portland: An Act to create the offices of City Carpenter and Assistants in all cities of more than 15,000 inhabitants. (Ordered printed and referred.)

#### Salaries and Fees.

By Mr. Holt of Goldsboro: An Act re-

lating to salaries of subordinate officers of the House of Representatives.

### Sea and Shore Fisheries.

By Mr. Mulligan of Nobleboro: An Act to amend Section one of Chapter 62 of the Private and Special Laws of 1905, entitled "An Act to protect cod and other ground fish in waters off the coast of Lincoln and Sagadahoc Counties." (Ordered printed and referred.)

By Mr. Small of Mt. Desert: Petition of A. F. Ramsdell and five others to amend the Public Laws of 1905, Chapter 144, relatives to seining herring also petition of C. E. Richardson and 59 others in favor of same.

By the same gentleman: Remonstrance of Fred Fernald of Southwest Harbor and others, against any change in the laws and method of measuring lobsters in this State; also remonstrance of E. A. Lawler and others of Southwest Harbor against same; also remonstrance of G. Raymond Joy and others of Eden against same; also remonstrance of Leander R. Bunker and others of Cranberry Isles against same; also remonstrance of Leslie R. Bunker and others of Sutton, against same; also remonstrance of W. S. Teel and 38 others against same; also remonstrance of Leslie S. King and 18 others against same; also remonstrance of Arthur S. Spurling and others of Cranberry Isles against same.

By Mr. Holt of Goldsboro: Remonstrance of Maurice Torry and 42 others against same.

By Mr. Small of Mt. Desert: Remonstrance of L. D. Newman and 28 others of Manset against same; also remonstrance of Albert D. Moore and 19 others against same.

At this point a message was received from the Senate through its secretary stating that the Senate has received from the Governor the resolve as requested, has reconsidered the vote whereby the resolve was finally passed and now transmits the same to the House for its further consideration.

The SPEAKER: The Chair now lays before the House the resolve which has been returned from the Senate, being Resolve in favor of preserving the life of the fish in the several fish hatcheries and

for the temporary operation of the hatcheries and feeding stations for fish in this state, and for the protection of fish, game and birds. This resolve was finally passed in the House on Wednesday, February 17; it was finally passed by the Senate on Thursday, February 18, and sent to the Governor for his approval. At the request of the House, in accordance with the message which the House has just sent, this resolve has been returned to the House for further action. The gentleman from Brewer Mr. Higgins, has moved that the rules be suspended and that the House reconsider the vote whereby this resolve was finally passed. That motion was agreed to. This resolve bearing the emergency clause, under the provisions of the Constitution requires a two-thirds vote of all the members elected to this House. All those in favor of the final passage of this resolve will please rise and stand in their places until the monitors have returned the count.

A division being had, 126 voted in favor of the final passage of the resolve.

The SPEAKER: 126 having voted in favor of the final passage of this resolve, the resolve has received the necessary two-thirds vote required by the Constitution and has been finally passed by the House. It will be signed by the Speaker and sent to the Senate; and the clerk will be charged with the duty of transmitting the same to the Senate.

### Reports of Committees.

Mr. Nicholas from the committee on appropriations and financial affairs, reported "ought to pass" on resolve in favor of Frank Francis, representative of the Passamaquoddy tribe of Indians.

Mr. Higgins from the same committee, reported "ought to pass" on resolve in favor of Edgar S. Fossett, secretary of the committee on state prison.

Same gentleman from same committee reported "ought to pass" on resolve in favor of the Clerk, Assistant Clerk, Messenger, Assistant Messenger, Mail Carrier, First Folder Assistant Folder, Doorkeeper and Pages of the 76th Legislature for attendance at the organization of the 77th Legislature.

Mr. Holt from the same committee, reported in a new draft and "ought to pass" resolve in favor of the Board of Dental Examiners.

Mr. Lord from the same committee, reported "ought to pass" on resolve in favor of Leonard A. Pierce, chairman of the House committee on elections.

Mr. Maxwell from the same committee, reported in a new draft and "ought to pass" resolve in favor of the secretary of the committee on Indian Affairs to defray expenses of said committee in visiting the reservations at Peasant Point and Old Town.

Mr. Ryder from the committee on federal relations, reported "ought to pass" on memorial to Congress relative to retirement and pensions of civil service employees.

Mr. Gerrish from the committee on inland fisheries and game, reported in a new draft and "ought to pass," bill, An Act to provide for a closed season on bull moose.

Mr. Small from the committee on pensions, reported "ought to pass" on resolve in favor of Sarah A. Robinson of Mount Vernon.

Same gentleman from same committee, reported "ought to pass" on resolve in favor of Annie L. Durham of Belfast.

Same gentleman from same committee reported "ought to pass" on resolve providing a state pension for Hannah M. Condon.

Same gentleman from same committee, reported "ought to pass" on resolve granting a military pension to Elias Lyon.

Mr. Pollard from the committee on ways and bridges, reported in a new draft and "ought to pass" resolve to provide for improvement of highway in the towns of Greenwood and Woodstock.

Mr. Holt from the committee on salaries and fees, reported in a new draft and "ought to pass" bill, an Act to amend Section 11 of Chapter 211 of the Private and Special Laws of 1895, as amended by Chapter 101 of the Laws of 1909, relating to salaries of judge and recorder of Bangor municipal court.

Same gentleman from same committee, reported in a new draft and "ought to pass" on bill, an Act to fix the salaries of the judge and recorder of the municipal court of Sanford.

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

Mr. Pollard from the committee on ways and bridges, reported "ought to pass" on resolve in favor of repairing the main highway in the towns of Norway and Waterford, Oxford county.

The report was accepted.

At this point the clerk of the House reported that he had attempted to perform the duty assigned him in transmitting the resolve relative to fish hatcheries and feeding stations to the Senate, but that he was delayed by reason of an address being given by the Governor to the Senate.

Mr. SANBORN of South Portland: Mr. Speaker, I will ask leave at this time to offer out of order and under a suspension of the rules the majority and minority reports of the committee on judiciary on resolve giving equal rights of suffrage to women, and I ask that they may be laid on the table and that they be specially assigned for consideration on Friday next.

Mr. Higgins of Brewer offered an amendment by substituting Tuesday of next week for Friday of this week.

The amendment being satisfactory to Mr. Sanborn of South Portland,

The motion was agreed to, and the matters were tabled and specially assigned for consideration on Tuesday of next week.

### First Reading of Printed Bills and Resolves.

House 277: An Act to amend Section 17 of Chapter 352 of the Private and Special Laws of 1905, relating to the salary of the judge of Caribou municipal court.

House 276: An Act to amend Section 15 of Chapter 393 of the Private and Special Laws of 1909, as amended by Chapter 220 of the Private and Special Laws of 1913, relative to salary of the judge of Millinocket municipal court.

House 275: An Act to amend the special law of the year 1905, entitled "An Act to provide for the appointment of a probation officer for the county of Cumberland."

House 274: An Act to fix the salary of the judge of the Belfast municipal court.

House 273: An Act in relation to the salary of the judge of the municipal court of Portland.

House 272: An Act to amend Section 1, Chapter 444 of the Private and Special Laws of 1907, relating to clerk hire for the municipal court of the city of Lewiston.

House 271: An Act to amend Chapter 274 of the Private and Special Laws of 1887 as amended by Chapter 360 of the Private and Special Laws of 1897, relating to salary of the recorder of the municipal court for the city of Portland.

House 270: An Act to amend Section 9 of Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to the taking of suckers, eels, hornpouts and yellow perch with eel pots, traps, spears, or nets.

House 267: An Act to amend Section 2 of Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in Burnt Land brook, so called, a tributary to Presque Isle stream, and in the East Branch of said Presque Isle stream, in the county of Aroostook.

House 219: An Act to amend Section 49 of Chapter 23 of the Revised Statutes, relative to loghaulers.

House 215: An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in North Branch brook and its tributaries, in the county of Cumberland.

House 214: An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to the protection of muskrates in the town of Fryeburg, in the county of Oxford, and in the town of Bridgton, in the county of Cumberland.

House 213: An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in Ward's Brook and in Ward's Pond, in the town of Fryeburg, in Oxford County.

House 269: Resolve in favor of the Penobscot Tribe of Indians for the general care, maintenance, relief and education thereof.

House 268: Resolve making appropriation for Passamaquoddy Tribe of Indians for the years 1915 and 1916.

House 266: Resolve in favor of the

Farmington State Normal School for the purchase of land.

House 223: Resolve for further public instruction in forestry.

House 222: Resolve in favor of the town of Bridgton, in the county of Cumberland.

House 221: Resolve to maintain the State Forest Nursery and to encourage the reforestation of the waste lands of Maine.

House 220: Resolve authorizing the Land Agent to sell and convey certain lands in the public lots in Plantation No. 33, in Hancock County.

House 216: Resolve for an appropriation for traveling libraries suitable for high schools in towns having no public libraries.

House 217: Resolve in favor of the purchase of 125 copies of the History of Buckfield.

House 218: Resolve in favor of the purchase of the Maine State Year Books for the years 1915 and 1916.

#### Passed to be Engrossed

Senate 61: An Act for the relief of the needy blind residents of Maine.

House 202: An Act to amend that part of Section five of Chapter 89 of the Revised Statutes of Maine, as amended by Chapter 11 of the Public Laws of 1911, relating to regular sessions of the county commissioners in Oxford county.

House 203: An Act to repeal Chapter 326 of the Private and Special Laws of 1905, entitled "An Act to regulate the use of the roads in the town of Castine."

House 212: An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in Fresh Pond, so called, in the town of North Haven, in the county of Knox.

Senate 101: Resolve appropriating money for the reconstruction of Lord bridge over Marsh Stream, in the town of Frankfort.

Senate 102: Resolve appropriating money to aid in repairing a highway in the town of Otisfield, and providing for the future maintenance thereof.

Senate 103: Resolve appropriating money to aid in the construction of

a bridge across the easterly part of the west channel of Sebec river, in the town of Milo.

Senate 104: Resolve appropriating money to aid in the reconstruction of bridge in the town of Montville.

House 201: Resolve to Congress favoring movement for permanent international peace.

House 204: Resolve in favor of appropriating money to aid in the construction of a bridge across Mattagoodus Stream, in the town of Webster, Penobscot county.

House 205: Resolve appropriating money to aid in the rebuilding of a road through Lowell's Woods, so called, in the town of Penobscot.

#### Finally Passed

Resolve appropriating money to aid in the repairing and altering of the River Road in Pleasant Ridge Plantation, in the county of Somerset.

Resolve appropriating money to aid in the improvement of highway in Carratunk Plantation.

#### Orders of the Day

The SPEAKER: The Chair will now deliver to the Clerk a message conveying to the Senate the resolve in favor of preserving the life of the fish in the several fish hatcheries and for the temporary operation of the hatcheries and feeding stations for fish in this state and for the protection of fish, game and birds, which was finally passed in the House this morning.

Subsequently the Clerk of the House reported that he had performed the duty assigned him.

On motion by Mr. Plummer of Lisbon, House Document, No. 123, bill, An Act to enlarge the purposes and powers of the Cleveland Concrete Building Block Company, was taken from the table, and on further motion by the same gentleman the bill received its third reading and was passed to be engrossed.

On motion by Mr. Plummer of Lisbon, the order into inquiry into changing of date of ending fiscal year, was taken from the table, and on further

motion by the same gentleman the order received a passage.

On motion of Mr. Brown of Auburn, bill, "An Act to provide for the convenience of travelers on Electric Roads", was taken from the table.

The pending question being the acceptance of the report by the committee reporting "ought not to pass" Mr. Brown moved that the bill be substituted for the report of the committee.

Mr. BROWN: Mr. Speaker and Gentlemen: This is a bill that has been before you all in some form or other; that is, you have all heard more or less talk about it, undoubtedly. It is unfortunate that it is a people's bill with no lobby behind it and no paid attorney behind it. It comes to you here simply as a bill from the people asking you for help, this being the only authorized court in which they can appear. I come before you this morning with this bill and ask your support. I ask it for the reason that it is the most humane bill that has been presented for your consideration this season. I ask it for the reason that it calls for no appropriation. It is simply the people on one side and the corporation—the electric road—on the other; and, as I have said, you seem to me to be the people's court. I doubt whether you can find two men who will stand up here and be recognized as belonging to the corporations or the trusts. We all put in the claim that we came here for the people, to do business for the people, and the people simply ask this at your hands.

The steam railroads provide ample toilet conveniences not only on their cars as you travel in them, but in every small station wherever that train stops. They even go further than that for our comfort. They supply us with water and in the summer time we are furnished with ice water; but these electric roads whom the people have helped build, and to whom the people have given up many of their rights, step in and try to usurp the whole power, saying to the people "you are helpless". When they appeared before the committee they did not come with any argument, but they simply came in with mirth and laughter and scorn and contempt that the people should ask for such a thing. In the

first place the people have given the electric road rights and privileges that they never would think of giving to a steam road; and no steam road would ever ask for such privileges as has been granted the electric roads. They have gone through the principle streets of our cities and, on account of the use of salt on the rails in the winter time, our farmers cannot haul in their stuff as they would like by reason of the fact that the rails are continually bare. You know all this, gentlemen. There should be no need of my standing up here and making an argument for this matter. It is so clearly one-sided that it should be carried through here, signed by the Governor, and be ready to take effect. The bill, if I remember correctly, gives them from now until next September in which to get ready for this. It is not intended to apply to local cars, but to cars travelling long distances. For instance, you take a car at Lewiston going to Waterville, and you are some over three hours on that car before you land, with no possible place in that time to attend to the demands of nature. There are thousands of people landed at the terminus of these roads in the city of Portland. Now we are all proud of the City of Portland. I have known it ever since I was a small boy, but the people of Portland seem to be backward in furnishing facilities of this kind. The people of Portland have not yet awakened to the necessity of a toilet in what is known as Monument Square on Congress street. If a gentleman goes there, and perchance wants to use a toilet, he must rely upon those furnished by the steam railroads; but, when the people come and ask the electric roads for like privileges they say "Oh, it is impossible." From the people of Lewiston, Gardiner, Hallowell, Augusta and Waterville there is going up a cry--not only a cry but a wail--"Brown, I do hope you will get that bill through."

Now, gentlemen, I suppose it is almost a waste of time for me to stand here and advocate this. I am not here simply to make amusement for you; this is something that is serious and it should be treated seriously. You are providing liberally for your State Prison birds; you want them to be comfortably cared for; you want the

tuberculosis patients taken care of. Why, you cannot transport cattle on the steam railroads in the shape that human beings are transported on these electric cars, and the cruelty officers will not allow you to do it. Sunday morning when I came out of the city of Lewiston on the nine o'clock car they registered 78 on the register, and the car holds about 35; yet you never hear a murmur from them. We are glad to patronize these electric cars; we want to patronize them. We are thankful that they are here; but, gentlemen, when it comes down to the subject of this toilet business, we do demand that they furnish us a suitable place where the demands of Nature may be attended to. I do not think it is anything unjust. It is simply the demands of the people. You hear them on all sides if you will only keep your ear to the ground. You have heard nobody raise any objection to this. Every member on this floor knows down in his heart that there is a crying need for this thing. Now, gentlemen, let us rise above being led around by trusts and corporations. Let us send out the glad tidings that the good old State of Maine, away up here in the northern part of this united country, has gone forward on the line of progression, and has caused these electric roads to furnish us with suitable toilets. Gentlemen, with these remarks I am going to leave the matter with you. It seems to me that I can almost hear you say: "Well, I would like to vote with you, but I hardly dare to." Well, I thank God for the corporations, just the same as I do for the horses or the cookstove. I am very thankful for such things; but I do not want to ride behind a horse without reins or without bits in his mouth; and I do not think it safe for the people of this State to ride behind these corporations and trusts without we have bits in their mouths; and here in this Hall of Representatives is the place where we can put the bits in their mouths. Gentlemen, let us see that we do this.

Mr. HIGGINS of Brewer: Mr. Speaker, the distinguished gentleman from Auburn has well placed his matter before you. I only wonder that he



had not gone a little further in his investigation, and included the provision to apply to public automobiles and air ships. I have always made it a practice, Mr. Speaker and gentlemen of the House, to lay these matters before committees. The committee to whom this matter was referred gave it their undivided attention, and they come back here to the members of this House with a report that the bill ought not to pass; and, gentlemen, I want to stand on the report of that committee. Mr. Speaker, when the vote is taken, I move you that it be taken with the yeas and nays.

Mr. MILLETT of Belfast: Mr. Speaker, there is something beyond the discomfort of children and adults in taking these long rides on the trolleys. There is a long train of diseases following the retaining of the urine for a long time, such as cystitis. There is cystitis and the retention still continues. The bladder partially gives way and forms little sacs. The urine is retained in these sacs after urination. This sets up further inflammation, the poisons are absorbed, and twice I have known death to result from such retention of the urine. I think that we will do a great good for the people of the State of Maine if we accept the bill instead of the report. Therefore, Mr. Speaker, I second the motion of the gentleman from Auburn.

Mr. CONNELLAN of Portland: Mr. Speaker, I rise to reply to the gentleman from Auburn. I do not think the city of Portland needs any defence. Portland is a center of intelligence, of beauty, of progressiveness, and of ability. The city of Portland is known all over these United States for those reasons. The city of Portland is satisfied with itself. We, its representatives and citizens, are proud of the people of the city of Portland, of the men of Portland, of the women of Portland, and we cannot see how any just criticism can be made on the city of Portland.

Mr. ST. CLAIR of Calais: Mr. Speaker, it seems to me that this bill deserves to be considered with some degree of seriousness. When an electric road usurps the place of a steam road and goes long distances through

the State, it seems to me that it should submit to the same requirements to which the steam roads submit. Now the electric lines are reaching out farther and farther into the districts in which they lie. There are places where one can travel continuously for long distances on the electric road, and people patronize them. It seems to me that the electric road should not have any advantages over the steam road in matters of convenience or health or hygienic reasons. All steam roads are required to supply their cars with toilets. It does seem to me that the electric roads, traveling long distances, should submit to the same requirements. There is nothing laughable about this. The remarks made by Dr. Millett, a physician who knows what he is talking about, call your attention to one grave thing. Now people submit to inconveniences because they get accustomed to being imposed on. People will stand in the car when they have paid for a seat. That is because we are used to doing that thing, and we do it. Now here is a bill brought in here asking an electric road which travels beyond a certain number of miles to furnish the people with the ordinary conveniences of life; and I say that this bill ought to pass.

Mr. ROBERTS of Portland: Mr. Speaker, I simply want to speak in behalf of the citizens of Portland. The provisions of this bill, as I understand it, apply if the road is 10 miles in length or more. Now, we have several lines of electric road running out from Portland, and the longest distance we have is on the line running to Old Orchard, starting from Portland and running to Old Orchard, a distance of something like 15 miles; the provisions of this bill would require our electric roads to furnish sections in the cars running over that route with a toilet. That line goes through the city of Portland, through South Portland and out through Dunstan, and through a thickly settled country, and especially in the summer, when the cars are very much patronized, the road is used extensively by the people living along this line. Along this line are a great many houses and homes, some of the homes running clear into

Old Orchard. The cars run over this route every half hour, especially on Sundays, and often three or four cars in a section running out and back every half hour, and it will be practically impossible for any company operating such a line to put toilets on those open cars, and if they were so equipped I would like to see anybody with nerve enough to get into them. It is simply a ridiculous idea as applied to our locality; it may do back in the country where the lines run through sections where there are woods, but in our locality all our electric roads go practically in the highways. Now, with that machine going through our city from one end to the other, and by all our houses, it would simply be a ridiculous idea; it seems to me it would be a ridiculous idea if we should have such a spreading machine going through the thickly settled portions of our city and through our country, too. I do not think the bill has any merit in itself. If the gentleman from Auburn (Mr. Brown) has any road running out of Lewiston that requires such a provision, then let the people of that city go before the Public Utilities Commission and show that there is a demand for this thing for those country roads; but in the cities and along our thickly settled country roads I do not think it is wise.

Mr. HARADEN of Bath: Mr. Speaker, as a member of the committee which considered this matter I wish to state a few things. The gentleman from Auburn, Mr. Brown, has stated that this is a people's measure. The gentleman appeared before the committee himself, and he was the only person who did appear, and there was nobody to back him up. I asked the superintendent of one of our roads during the hearing if he had ever had this request made of him before in any way for these toilets, and he said no; he further said that his line did establish them once between Yarmouth and Brunswick and ran them for about a year, and then they became such a nuisance that they were obliged to remove them from the cars. While the gentleman from Auburn, Mr. Brown, stated it was a people's movement, there was not a living individual of the State of Maine who appeared before the committee in behalf of this measure except-

ing the gentleman from Auburn (Mr. Brown) himself.

Mr. THOMBS of Lincoln: Mr. Speaker and gentlemen of the House, I want to remind you gentlemen that this is the first time during this session that this House has been called upon to turn down a committee report. Without going into the merits of the matter which has been so ably argued here this morning, I simply desire to say to you that in my own opinion you are establishing a dangerous precedent if you take such action. At the beginning of the session of this Legislature the presiding officers of the two branches gave the matter of selection of committees very, very careful consideration, and I am very sure that you will all agree with me that the committees have been patient and have attended well to the duties that have been assigned them; and I wish to ask you, gentlemen, this morning at the beginning of the enactment of legislation which will require our attention for the next three or four weeks to carefully consider every request that is made of you to turn down a unanimous report of one of your committees. Gentlemen, I hope you will not do it in this instance.

Mr. PLUMMER of Lisbon: Mr. Speaker, I had no intention of entering into this discussion; but one or two points have been brought up that it seems to me are perhaps worthy of consideration. In the first place, the point raised by the gentleman from Brewer, Mr. Higgins, and the gentleman from Lincoln, Mr. Thombs, in regard to substituting the bill for the report of the committee, or taking any action different from that recommended by the committee. Their statement was that we should hesitate about acting differently from the report of the committee. It is true that in any case where such action is opposed, the burden of proof might properly be laid on those who wish to make the change; but it is not true, gentlemen, that we are here to be bound to the action of any committee to which matters are referred. If that were true, we might as well resolve ourselves into those committees of which we are members, and let those committees take the action clear through. That is not, gentlemen, I submit, what we are here for.

We are sent here to use our own judgment in so far as we can get at the fact or the merit of any particular case, and not to act upon the judgment of any other member of this House, however able he may be. As to the point made by the gentleman from Portland (Mr. Connellan) I am strongly of the impression that my friend from Auburn, Mr. Brown, is correct, if I understood this statement aright; that in the waiting-room at Portland there is no toilet. Am I correct in that, Mr. Connellan?

MR. CONNELLAN: I think you are.

MR. PLUMMER: So that the people of Portland, or the company which operates the Portland Railroad, certainly needs some advice from the Portland delegation or somebody else, because all you gentlemen who have been there—

MR. ROBERTS: I will say to the gentleman there is a toilet in the waiting-room at the Union Station and at the car station—

The SPEAKER: The Chair will state that the gentleman from Lisbon (Mr. Plummer) has the floor.

MR. PLUMMER: I yield to the gentleman, Mr. Speaker. I would like to understand what he said.

MR. ROBERTS: I will say that in the waiting-room at the station at Portland, the electric station there, there is a toilet for women only.

MR. ST. CLAIR: That is not the point—

The SPEAKER: The gentleman from Lisbon (Mr. Plummer) has the floor.

MR. PLUMMER: Mr. Speaker, I am glad to learn that they have a toilet for women; but, unfortunately, when some of us are in Portland we are quite a distance from home, and it is not always convenient to return there.

MR. ROBERTS: Mr. Speaker, I rise to a point of order.

The SPEAKER: Will the gentleman state it?

MR. ROBERTS: We are discussing the toilets on the electric cars; not at the station.

MR. PLUMMER: I so understand the matter, Mr. Speaker I think the matter of toilets in Portland, or the conven-

iences in the city of Portland was first interjected by the gentleman from Portland (Mr. Roberts). As to the matter of cars running to Old Orchard and places like that, it is possible that the bill might be amended to cover certain contingencies of that kind, but it is necessary first to get the bill upon its passage in some way before any amendments can be made to it. There is one other point that occurs to me, and that is that arrangements are such now that by the use of chemicals conveniences of this kind can be carried upon cars and there need be no odor in the car, no discomfort and no deposit upon the streets through which the line runs. That is all I have to say, Mr. Speaker.

The SPEAKER: The pending question is on the motion of the gentleman from Auburn, Mr. Brown, to substitute the bill for the report of the committee. Upon this motion the gentleman from Brewer, Mr. Higgins, has moved that when the vote be taken it be taken by the yeas and nays. As many as are in favor of the yeas and nays being called will rise and stand in their places until counted.

A sufficient number having arisen, the yeas and nays were ordered.

The SPEAKER: The Chair will state the question again so that there may be no misunderstanding. The pending question before the House is on the motion of the gentleman from Auburn, Mr. Brown, to substitute the bill for the report of the committee. All those in favor of substituting the bill for the report of the committee, when their names are called will answer yes; all those opposed will answer no. The clerk will call the roll.

(On the call of the roll when the name of Mr. Greenleaf of Portland was reached, that gentleman said: "Mr. Speaker, with the understanding that the bill is to be amended as suggested by the gentleman from Lisbon (Mr. Plummer) so that it will not affect thickly settled portions of the country through which these roads run and along the highways, I vote yes.")

YEA—Albert, Ames, Averill, Ballard, Benn, Bernier, Blake of Oakland, Bourque, Bradbury, Brawn, Brown of Auburn, Brown of New Sharon, Campbell, Chadbourne, Clement, Clifford, Cof-

fin, Dilling, Douglass, Durgain, Dutton, Edwards, Evans, Goodwin, Gould, Greenleaf, Holt of Gouldsboro, Lawrence, Lewis, Libby, Lord, Mansir, Maxwell, McCarty, McCarrison, McIntire, Michaud, Millett, Mitchell, Mulligan, Morse, Neilson, Newell, Peabbles, Perham, Perkins, Peterson, Picher, Plummer, Pollard, Russell of Alfred, Russell of Lewiston, St. Clair of Calais, Small, Smith, Tabbutt, Tate, Thibodeau of Fort Kent, Tobey, Turner, Wasgatt, Webb, Welch, Westcott, Wilkins, Wilson, Woodman, Wyman—69.

NAVY—Bragdon, Brann, Bussey, Carson, Chaplin, Chamberlin, Cobb, Colcord, Connellan, Connors, Corliss, Currier, Danforth, Davis, Descoteaux, Drapeau, Drummond, Ellis, Erskine, Fay, Ford, Fassett, Gallagher, Gerrish, Gilmour, Goldthwait, Gooding, Grant, Greateon, Greenlaw, Hanson of Saco, Hanson of Sanford, Haraden, Hart, Haskell, Higgins, Hill, Hodgkins, Jameson, Jordan, Littlefield, Lombard, McKinley, McNally, Morrison, Morse, Nicholas, O'Connell, Pierce of Farmington, Pierce of Houlton, Ranney, Ricker, Roberts, Ryder, St. Clair of Rockland, Sanborn, Snow, Thombs, Towle, Trafton, Tuttle, Ward, Washburn, Waterhouse—64.

ABSENT—Allen, Beal, Besse, Blake of New Gloucester, Bonney, Daigle, Greeley, Harper, Hobbs, Holt of Skowhegan, Leader, Meader, Noyes, Robinson, Varney, Watts, Wheeler, Wise—18.

The SPEAKER: Sixty-nine having voted in the affirmative and 64 in the negative, the motion prevails and the bill is substituted for the report of the committee.

On motion by Mr. Brown of Auburn, the bill was then tabled for printing.

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On motion by Mr. Conners of Bangor, House Doc. No. 184, Resolve for the building of a bridge across Kenduskeag stream, in the town of Corinth, Penobscot county, was taken from the table, and on further motion by the same gentleman the resolve received its second reading and was passed to be engrossed.

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On motion by Mr. Conners of Bangor, House Doc. No. 187, Resolve in favor of repairing the new Kenduskeag road in the town of Glenburn, was taken from the table, and on further motion by the same gentleman resolve received its second reading and was passed to be engrossed.

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On motion by Mr. Sanborn of South Portland, it was,

Ordered, That the clerk of the House be authorized to censor the report of the debate for this session, so as to conform to a fair sense of propriety.

On motion by Mr. Averill of Prentiss, Adjourned until tomorrow morning at 10 o'clock.