

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Third Legislature

OF THE

STATE OF MAINE

1927

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Wednesday, February 23, 1927.

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

Prayer by the Rev. Mr. Greenman of Augusta.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Bill an act to incorporate Somerset Woods Trust, S. P. 354.

In the Senate introduced out of order, under suspension of the rules by unanimous consent and referred to the committee on Ways and Bridges.

Mr. WING of Auburn: Mr. Speaker, I move that the House non-concur with the Senate in the reference of this bill to the committee on Ways and Bridges.

Mr. PIPER of Jackman: Mr. Speaker, I move—

Mr. WING: I am not aware, Mr. Speaker, that I yielded the floor.

The SPEAKER: The gentleman is correct.

Mr. WING: Mr. Speaker, I now move that this bill be referred to the committee on Judiciary in non-concurrence with the Senate. This bill, members of the House, creates a corporation, property is exempted from taxation, and its reference to the committee on Ways and Bridges, it seems to me, is out of place.

The SPEAKER: The gentleman from Auburn, Mr. Wing, moves that this bill be referred to the committee on Judiciary in non-concurrence.

Mr. PIPER of Jackman: I move, Mr. Speaker, that the bill lie upon the table.

Mr. WING: Mr. Speaker, I move that the bill now be printed.

The SPEAKER: Does the gentleman from Jackman, Mr. Piper, give consent to the motion for printing of the gentleman from Auburn (Mr. Wing).

Mr. PIPER: Yes, Mr. Speaker.

Thereupon it was voted that the bill be printed, and on motion by Mr. Piper of Jackman the bill was tabled pending reference.

The following bills and remonstrances were received and, upon

recommendation of the committee on reference of bills, were referred to the following committees:

Inland Fisheries and Game

By Mr. McIntire of Norway: Remonstrance of W. I. McAllister and 36 others against closing Virginia Lake to ice fishing. (H. P. 923)

By the same gentleman: Remonstrance of S. W. Johnson and 49 others against same. (H. P. 926)

Salaries and Fees

By Mr. Littlefield of Kennebunk: An Act to increase the salaries of the County Commissioners of York County. (H. P. 924)

By the same gentleman: An Act to increase the salary of the Treasurer of York County. (H. P. 925)

Reports of Committees

Mr. Webber from the Committee on Claims reported "Ought not to pass" on Resolve in favor of Guy B. Webber of York Village, Maine. (H. P. 40)

Same gentleman from the same Committee reported same on Resolve in favor of Henry Phinney compensating him for loss of fowl by foxes. (H. P. 337)

Mr. MARDEN from the Committee on Ways and Bridges reported same on Resolve in favor of Wallagrass Plantation, county of Aroostook. (H. P. 247)

Reports read and accepted and sent up for concurrence.

Mr. LEATHERS from the Committee on Claims reported "Ought to pass" on Resolve in favor of Alvin Bolstridge of Winterville. (H. P. 72)

Same gentleman from same Committee reported same on Resolve in favor of the estate of Eddie Fitzgerald, Seven Islands, Maine. (H. P. 74)

Same gentleman from same Committee reported same on Resolve in favor of the town of Abbot for reimbursement of money expended for the support of Scott W. Pierce and family. (H. P. 260)

Mr. WEBBER from same Committee reported same on Resolve in favor of the town of Yarmouth. (H. P. 220)

Same gentleman from same Committee reported same on Resolve to reimburse the Biddeford & Saco Railroad Company for over-payments on Taxes. (H. P. 257)

Same gentleman from same Committee reported same on Resolve to reimburse the town of Lincoln for support of State Paupers. (H. P. 219)

Mr. LEATHERS from same Committee reported same on Resolve in favor of Clifford T. Kennedy of Vanceboro, for reimbursement for expenditures for Civil Suit brought against him. (H. P. 124)

Same gentleman from same Committee reported same on Resolve to reimburse the town of Washburn for support of State Pauper. (H. P. No. 162)

Reports read and accepted and the Resolves ordered printed under the Joint Rules.

Passed to be Engrossed

(S. P. No. 66) (S. D. No. 20) An act to amend Chapter 11 of the Private and Special Laws of 1925, incorporating the Bay Point Village Corporation

(S. P. No. 24) (S. D. No. 83) An act to regulate fishing in the Silver Lakes, so-called, in Manchester, Sidney and Belgrade.

(H. P. No 114) (H. D. No. 42) An act in favor of Frenchville in the county of Aroostook.

(Tabled by Mr. Eustis of Strong pending third reading.)

(H. P. No. 142) (H. D. No. 49) An act to incorporate the Southwest Harbor Water District.

(H. P. No. 291) (H. D. No. 74) An act to incorporate the Bluehill Water Company.

(H. P. No. 14) (H. D. No. 166) An act to establish Duck Sanctuaries in Knox County.

(H. P. No. 828) (H. D. No. 237) An act to amend the charter of the city of Rockland to provide that the municipal fiscal year shall end on the first day of November.

(H. P. No. 64) (H. D. No. 238) An act to eliminate Jackman from the Maine Forestry District.

(Tabled by Mr. Eustis of Strong pending third reading.)

(H. P. No. 113) (H. D. No 239) An act relating to taking of clams in Addison.

(H. P. No. 135) (H. D. No. 240) An act to amend the charter of Rumford Falls Village Corporation.

(H. P. No. 131) (H. D. No. 241) An act to change the name of Tunk Pond to Tunk Lake.

(H. P. No. 295) (H. D. No. 242) An act to confirm the title of Rumhill's Hub in Tremont, Hancock County.

(H. P. No. 396) (H. D. No. 243) Resolve that the Forest Commis-

sioner be empowered and directed to convey a lot of land in Wallagrass Plantation.

(H. P. No. 27) (H. D. No. 167) Resolve in favor of Joseph L. Paquin to cover salary as Secretary of the Board of Prison Commissioners.

(H. P. No. 788) (H. D. No. 169) Resolve providing for the purchase of "Music and Musicians of Maine".

(H. P. No. 789) (H. D. No. 170) Resolve to appropriate money to aid in the screening of Alford's Lake, in the county of Knox.

Passed to be Enacted

An Act to repeal Chapter 456 of the Private and Special Laws of 1870, relating to procuring the enforcement of "An Act to prevent the throwing of slabs and other refuse into Penobscot River."

An Act relating to pilots for the Port of Portland.

An Act to provide for the retirement of police officers and firemen, in the city of Westbrook, upon Half Pay.

An Act relating to the Edward Little Institute, and to appointment of trustees thereof.

An act relating to and defining the duties of certain officers with reference to aliens committed for violation of Law.

An act to establish the Narragansett Game Sanctuary in the town of Gorham.

Finally Passed

(Emergency Measure)

Resolve appropriating money for the construction and equipment of a new wing for the Bangor State Hospital.

The SPEAKER: This being an emergency measure, and requiring under the Constitution the affirmative vote of two-thirds the entire membership of this House on its final passage, all those who are in favor of the passage of the Resolve will rise and stand in their places until counted, and the monitors will return the count.

A division being had,

One hundred and thirty seven voted and all in the affirmative, so the resolve was finally passed.

Orders of the Day

The SPEAKER: The Chair lays before the House Joint Order relative to State of Maine Associates, tabled

by Mr. Wing, of Auburn, on February 18, pending indefinite postponement in non-concurrence.

Mr. WING of Auburn: I yield to the gentleman from Strong, Mr. Eustis.

On motion by Mr. Eustis of Strong, the House voted to indefinitely postpone this order in non-concurrence with the action of the Senate.

The SPEAKER: The Chair lays before the House Joint Order relative to investigation of operation, etc., of Workmen's Compensation Act, tabled by Mr. Bishop of Boothbay Harbor, on February 18, pending passage in concurrence.

(At this point Mr. Wing of Auburn assumed the Chair)

Mr. BISHOP of Boothbay Harbor: Mr. Speaker, the purpose of this order, as I understand it, is to investigate the operation of the workmen's compensation insurance in the State of Maine for the past ten years by a committee appointed by the House and Senate, and report to be made in the fall of 1928. An investigation of workmen's compensation insurance for ten years, or more, can certainly do no harm, and probably will do no good.

Massachusetts has been through two such investigations; the last one took place during the recess between the last two sessions of the Massachusetts Legislature. The committee having that in charge recently reported to the present Legislature in Massachusetts, and as far as I have been able to find out, the only result of that investigation was to give employment to quite a large number of people, and the compiling and printing of a report which few people will read. I am informed that that investigation cost a very large sum of money—many thousands of dollars. This report made in a neighboring State in recent times is available to this Legislature and to the people of the State of Maine if we care to use it. It is hard to recall any investigations of this kind that have accomplished enough to justify their expense. If this order is passed in its present form, this Legislature will be giving to this Committee, as yet unnamed, a blank check signed by the Legislature, that Committee to fill it in for any amount that it sees fit to spend. If the Legislature desires to do this, well and good. To me it does not seem good business. The author or authors of this Joint

Order have not seen fit to state in the Order how much, in their opinion, the investigation would cost, and how much they would like to expend. For that reason I offer an amendment as follows:

"Amendment A. Said Committee shall be authorized to expend for all purposes a sum not exceeding one thousand dollars."

The SPEAKER pro tem: The question before the House is the adoption of the amendment offered by the gentleman from Boothbay Harbor, Mr. Bishop, to Senate order of February 17, 1927, which is to amend said order by adding the following: "Said Committee shall be authorized to expend for all purposes a sum not exceeding one thousand dollars." What is the pleasure of the House?

Mr. FOSTER of Ellsworth: Mr. Speaker, for the past few years there has been a considerable discussion among the industries of this State that the rates charged by the insurance companies for this line of protection have been excessive, which may or may not be true. We do know this, at least, that many of the larger companies in this State are carrying their own insurance, or otherwise insuring themselves, and among them are the Great Northern Paper Company, the S. D. Warren Company, the R. P. Hazzard Company, and the State of Maine itself, and in most instances at a great saving to themselves, particularly in the case of the State. Last year, I am informed, that the State paid out in indemnities to the insured or to its employees approximately sixty thousand dollars and had they been insured by the insurance companies the premiums would have amounted to approximately one hundred and sixty thousand dollars. Last year the industries of this State paid approximately one million, five hundred thousand dollars, in premiums to the several companies, and that money was distributed in this way: Fifty-eight cents on a dollar returned to the employees or the insured, or approximately nine hundred thousand dollars, and six hundred thousand dollars was allowed to be retained by the companies for giving their services.

Now it seems to me that this is the proper way to handle this proposition: That at least this committee, whoever it may be, or the Com-

mission, should be allowed sufficient funds to function intelligently, and it may be five thousand dollars or it may be twenty thousand dollars. If one per cent of the premium for one single year, it might not be excessive, and I hope that the amendment, if this is good reasoning, will not be accepted, and after this House has thought it over, I hope the members will see their way clear to give this order passage without the amendment. At all times this expenditure, as I understand it, is under the supervision of the Governor and Council.

The SPEAKER pro tem: The question is upon the adoption of House Amendment A. Is the House ready for the question?

A viva voce vote being taken, the motion to adopt the amendment was lost.

The SPEAKER pro tem: The question now returns upon the passage in concurrence with the Senate of Senate order of February 17. As many as are in favor—

Mr. ALDRICH of Topsham: Might we have that order read in order that we may thoroughly understand it?

(Order read by the Clerk)

The SPEAKER pro tem: The question returns upon the passage of the order in concurrence with the Senate.

A viva voce vote was taken, which was doubted.

The SPEAKER pro tem: As many as are in favor—

Mr. FOSTER of Ellsworth: Will you please make that question a little plainer?

The SPEAKER pro tem: In accordance with the request the Chair will state that the question is now upon the passage in concurrence of the order as read by the Clerk.

Mr. ALDRICH: Mr. Speaker, I should like to move to re-table this order. This is apparently a very important matter. The order, as it stands, as the gentleman pointed out, would allow this committee carte blanche to spend any amount of money, and we have no idea as to what amount of money might be expended. My motion is that this be re-tabled.

A viva voce vote being taken, the order was re-tabled.

On motion by Mr. Hale, of Portland, a viva voce vote being taken, 500 copies were ordered printed.

Mr. FOSTER of Ellsworth: Mr.

Speaker, I would ask the gentleman from Topsham, Mr. Aldrich, to assign a specific day for taking this from the table.

Mr. ALDRICH: I would suggest next Wednesday.

The SPEAKER: The Chair will state that under the rules the orders will come from the table automatically next Wednesday.

Mr. ALDRICH: I move that the order just laid upon the table be assigned for Friday, February 25th.

Mr. FOSTER: I am wondering if the gentleman will assign this bill for tomorrow, Friday being a short session, and many members away.

Mr. ALDRICH: Mr. Speaker, my only reason for making the motion is to enable this House to make a study of this order, and determine whether or not it wishes to pass a carte blanche order of this kind. I doubt if by assigning it for tomorrow, we would be given sufficient time to do it.

The SPEAKER pro tem: If the Chair may interrupt long enough to say that the matter will not be printed and on the desks of the members by tomorrow, but will undoubtedly be here Friday.

Mr. ALDRICH: May I ask for a point of information in respect to this matter, Mr. Speaker: Whether or not this order has been considered by any committee of either house.

The SPEAKER pro tem: The Chair understands that the order has not.

Mr. FOSTER of Ellsworth: Mr. Speaker, may I ask you to read the last few lines of the order referring to the Governor and Council.

The SPEAKER pro tem: The Chair rules that the gentleman from Ellsworth (Mr. Foster) is out of order. The order is on the table.

The SPEAKER pro tem: The Chair lays before the House for its consideration House order, relative to advertising hearings before committees, tabled by Mr. Hale of Portland, February 2, pending passage, and recognizes the gentleman from Portland, Mr. Hale.

Mr. HALE of Portland: Mr. Speaker, I move that this order be re-tabled.

A viva voce vote being taken, the order was re-tabled.

Mr. GREENLEAF of Auburn: Mr. Speaker, that order that the House

passed relative to taking bills off the table, did that apply to this Wednesday or a week from today?

The SPEAKER pro tem: The Chair informs the gentleman that it applies to today, and the House is proceeding under that order.

The SPEAKER pro tem: The Chair lays before the House an act to incorporate the city of Belfast School District, H. P. 602, tabled by Mr. Bruce of Belfast on February 15, the pending question being reference to a committee; and the Chair recognizes the gentleman from Belfast, Mr. Bruce.

Mr. BRUCE of Belfast: Mr. Speaker, I move that that bill be taken from the table and referred to the committee on Judiciary.

A viva voce vote being taken the bill was referred to the committee on Judiciary.

The SPEAKER pro tem: The Chair lays before the House an act in relation to employment agencies, H. P. 603, tabled by Mr. Eustis of Strong, February 15, the pending question being reference to a committee; and the Chair recognizes the gentleman from Strong, Mr. Eustis.

Mr. EUSTIS of Strong: Mr. Speaker, I move that this bill be referred to the committee on Legal Affairs in non-concurrence with the Senate.

Mr. LAIT of Old Town: Mr. Speaker, I wish to inform the Chair at this time that this bill is in non-concurrence with the committee of reference, and that it has not gone to the Senate as yet.

The SPEAKER pro tem: The gentleman is right. The pending question is reference to the committee on Legal Affairs.

A viva voce vote being taken, the bill was referred to the committee on Legal Affairs.

The SPEAKER pro tem: The Chair lays before the House a resolve in favor of the town of New Vincyard, H. P. 637, tabled by the gentleman from Strong, Mr. Eustis, February 15, pending reference to a committee; and the Chair recognizes the gentleman from Strong, Mr. Eustis.

Mr. EUSTIS: Mr. Speaker, I move that this resolve be referred to the committee on Ways and Bridges.

A viva voce vote being taken the resolve was referred to the committee on Ways and Bridges.

The SPEAKER pro tem: The Chair lays before the House, House Report of the committee on Public Utilities on bill an act to authorize the Portland Railroad Company to operate motor busses, H. P. 26, S. D. 8, tabled by Mr. Rounds of Portland, February 15, it being a report, ought to pass, and tabled pending acceptance of report; and the Chair recognizes the gentleman from Portland, Mr. Rounds.

Mr. ROUNDS of Portland: Mr. Speaker, I move the indefinite postponement of the acceptance of the report. Stating my reasons, I will say this that this is a large bill but there is not very much to it. It has been a good many years since the city of Portland got a charter to build a railroad in the city of Portland—I think it was the year 1860, which was before a good many of us were born. It has been five times amended in the House of Representatives and Senate. It was originally a Portland concern and Portland men owned it—Portland men built it so as to have a railroad of their own, and what was the consequence? As years rolled by electricity came into fashion and there came a gentleman from Philadelphia and he bought up—I will say, the controlling interest at that time as held by two men. They got at loggerheads and one of them asked the other how much he would take and he told him and it was snapped up at \$119 per share. After a contract was made with the electric company the stock was sold back to people all through the State of Maine for \$109 a share. This thing went on and pretty soon the electric company was changed to another company called the Cumberland County Power and Light Company. They went on and there were bond issues of \$3, 645,000—, \$2,045,000 at 5 1-2 percent due in 1945, and \$1,600,000 of 3 1-2 percent, due July, 1951.

In 1912 they made a contract with the Portland Company—the Cumberland County Power and Light Company—that they should go ahead and take this company and take it for ninety-nine years. They were to pay the interest on all the bonds up to that time and they were to pay for the stock. They come now and ask us to go ahead and give them carte blanche to do away with any and all parts of that institution. At the

present time they have done away with one park that I understand they paid \$50,000 for, and there is another for which I do not know how much they got, but it was one of the beautiful scenic spots of the State of Maine, and that park has gone in for residential purposes. Another park in the town of Falmouth has been put into house lots and summer camps. That was sold without the Legislature having anything to say about it.

Perhaps I cannot explain this as well as some lawyers could, but if I can read the English language aright Article V says "The Power Company undertakes and agrees to take over the estates and properties hereby demised, to maintain, preserve and operate the same as a going concern, to keep them in good order and repair as a first-class and efficient street railroad property and park system,"—remember "park system",—"in condition not inferior to that existing at the date of this Lease, making to that end all necessary and proper repairs, replacements and renewals, and to operate them in good faith and to the best of the Power Company's ability."

Now they have gone to work and sold three parks without reference to the Legislature at over \$100,000, I dare say it ought to have been more. But the bondholders—the savings banks of this State own almost \$2,000,000 of all this property. A little child may have put in five dollars, a lady one hundred dollars; and may be a gentleman has gone to work and put in his money and what have they got? They have got a park, but they lose sight of the fact that by this bill they can take up every mile of track that they have got, which now is seventy-seven, but which at the end of the time—at the end of 1945—they may not have any—and there is no sinking fund required.

It has been stated that they have put away on book accounts \$122,000, but there is no money there. The books are there all right but the money is gone and nobody knows where it has gone to.

Now the Portland railroad comes here, and what is the Portland railroad? I hold in my hand a list of stockholders of the Portland railroad. The savings banks of this state own 2,132 shares. The trust companies

hold in trust 5,030 shares, and other gentlemen hold in trust other shares; but the directors come here and ask you to make this change. You will see I think by the report of the Public Utilities Commission that they hold 243 shares out of 19,990 shares. They have come here to tell the poor people who have saved a few dollars and put into their hands—and I was talking with the treasurer of one of the savings banks of the State recently and he said there can be no such bill as that in. I said they can put it where they have a mind to and take up any part of the track they have a mind to without coming to any succeeding Legislature. I shall offer an amendment at the right time in the endeavor to make sure that they do come to the succeeding Legislatures to have something done.

I will tell you something more. The bonds of this Company were sold for one hundred per cent. Today the five and one-half's are worth 86, and the bank men have said that it was less than 60, but a member of this House has told me, I think, that it was 66. Now gentlemen they bought these bonds. The savings banks and the trust companies are holding these bonds for one-half of this whole capital stock. They bought all this at 100 and now it is worth only about 60. Who is going to pay for that loss? Is it going to be the rich capitalists who have got a lobby hanging around here in this House to pass this bill, or is it the poor man who has put a few dollars in the savings banks?

Gentlemen, I think it is time to legislate for them who cannot afford to have a lobby here to push this thing through. I can see them hanging around here now (laughter and applause) to see this thing go through. They are not only hanging around here, but they are lobbying with other bills here to push this thing through. I will say that there is a man in this House who has paid one hundred cents on the dollar for five thousand dollars of those bonds and today they are only worth eighty-six. Now, gentlemen, that man has lost. Although he has got his 5½% interest, he has lost 14 cents on every dollar that he put in; and if they keep taking up this track, as they can do, at the end of 1945 they will have nothing there left either for the bondholders or the stockholders.

Another thing! Congress street today is congested and they are talking about having a one-way street. They have two lines of electric railroad down through there. Every half minute of the 12 hours of daytime there is a car passes that square. Now if you let them run hit-a-miss, with automobiles by the thousands in the summer time down through there, what will happen? Somebody will be killed. It may be your friend, it may be you; it may be your children; but somebody is going to be killed because the man ahead will swerve out, but with the railroad track there they cannot swerve out, and it will be known where the automobiles are going. Perhaps it may be a drunken driver and he may go right across and with the likelihood of killing somebody. I hope this bill will be definitely postponed.

Mr. COMINS of Eddington: Mr. Speaker, this bill has been very carefully considered by your committee on public utilities. It is very brief and is printed as Senate Document 8, and I will ask that the Clerk read it.

The SPEAKER pro tem: I suggest that the members take their binders and read with the Clerk. You will find it as Senate Document No. 8.

(Clerk reads the bill.)

Mr. COMINS: Mr. Speaker, as I said before, this matter has been given careful consideration by your committee on public utilities, and I think other members of the committee will bear me out when I say that a fair hearing was held. The hearing was extended for one week and ample time given everybody to be heard. It seems to me that if this bill is going to cause so much trouble in the city of Portland, or if a majority of the citizens thought it was, a delegation from Portland would have been here opposing this bill. The fact is that our good friend Mr. Rounds was the only man who spoke in opposition to it.

It seems to me that the Portland Street Railroad Company cannot do just as it sees fit. It is granted the right to operate motor busses upon the approval of the Public Utilities Commission with the consent of the municipal officers of the cities and towns interested, subject to such conditions and regulations as they may impose; and, Mr. Speaker, I now yield to the gentleman from Cape Elizabeth, Mr. Chase.

Mr. CHASE of Cape Elizabeth: Mr. Speaker, when it was suggested to me

that I might explain this bill, I did not expect to have to go so far back in history. The committee in considering the proposition took into account the financial condition of the company and the various historical developments. We did not go back to the original owners nor did we attempt to differentiate between those who own it now as to whether they lived in or out of Maine because we felt that the same law ought to run for everybody.

In 1912 the Cumberland County Power and Light Company, which was at that time in existence, I believed leased the Portland Railroad Company, and the Portland Railroad Company was then considered a far more important concern than the Cumberland County Power and Light Company. That was so for several years thereafter. Three or four years ago the railroad was taking in more money than the power and light company. But now conditions have changed. In 1912 the Portland Railroad was supposed to be the best proposition there was in the city of Portland, and it came about, as I remember it, that between A. B. Leach and parties representing the Chisholm interests there was competition to lease that railroad. The stockholders were paid, as I recall it, \$119 or \$120 for the stock by somebody who later sold it for a lower price. The bonds of the Portland Railroad Company were outstanding at the time to some extent. The three and a half's were outstanding and the five's were issued later. The lease of the Portland Railroad Company to the Cumberland County Power and Light Company, so far as it relates to the security which Mr. Rounds has said were held by savings banks and trust companies in the State of Maine, the lease so far as it relates to the securities provides that the Cumberland County Power and Light Company shall pay the interest on the bonds and that it shall pay dividends on the stock. It further provides that when the bonds come due and should be paid, the Cumberland County Power and Light Company will either pay those bonds or will provide a purchaser who will buy the bond issue for money enough to pay the old bonds, which is in effect, as I see it, a guaranty that these bonds will be paid when they come due. Now these securities, bonds particularly, which are secured by mortgage on all the property of the Portland Railroad Company, derive their security, of

course, from the earning power of that property; and it would certainly be of no advantage to the bondholders in 1945 or 1951 to have a bunch of old cars and old rails held there for the earning power of rails and cars would by that time be eliminated. The scrap value of the Portland Railroad Company if the earning power disappears would be insignificant in comparison to the amount of securities. So the proposition so far as looking after the securities is concerned is to protect the earning power of that company, of course at the same time protecting the public.

Now that company—the Cumberland County Power and Light Company which is in control of the management of the Portland Railroad Company—through this lease wishes to try motor bus operation. They have this lease of this railroad property which costs them about \$265,000 a year. If all the Portland property of the Portland Railroad Company was pushed into the sea, and no money was taken in or paid out on account of that property except to the holders of the securities, it would cost the Cumberland County Power and Light Company \$265,000 approximately to continue to make good under the provisions of that lease. Under existing conditions the power company is carrying the railroad company and the railroad company is losing money. Last year the railroad company lost for the Cumberland County Power and Light Company \$125,000 or thereabouts. It cost the Cumberland County Power and Light Company \$125,000 to have that lease. It would only cost them \$265,000 to push the railroad into the sea and continue to pay the interest thereon. You can see that at the present time they would make more by running the property than they would by trying to get rid of it, because they cannot get rid of their obligation with reference to the securities even if they desired to do so, which they do not want to do so far as I know.

The question is, as I see it, in looking at this proposition from a broad public policy that the company want to try motor bus operation in the hope that they can make more money, or lose less, and the service which they give is dependent on the proposition paying for itself; and so

far as the Portland Railroad Company bonds are concerned, if it were not for this lease to the Cumberland County Power and Light Company, the bonds would not be worth 30 and 50 respectively today, because there would not be any earning power to back up the bonds.

Of course, so far as the question of market of the bonds is concerned, I presume you know that the market follows the general condition of interest rate and to some extent the popularity of the security of the company. I have seen those bonds sell all the way from fifty up to the present prices, but that was due to abnormal conditions. That is nothing for which anybody is responsible. When you buy a bond you are promised interest and you are promised to have them pay at maturity, and neither company has done anything to the security holders which interferes with the terms and conditions of that contract.

So far as the sinking fund is concerned, it is obvious, of course, that a company which has kept up its property in good shape for a period of thirty years, which is the life of a five per cent bond, we will say, will be obliged to scrap certain property, purchase other property, sell that which ceases to be useful and keep that which is useful at that time; and this proposition of the retirement of this property,—the Cumberland County Power and Light Company, if it retired property either spent that money for new property or else they set it up in a special account as something which they owed to the Portland Railroad Company.

Now so far as the proposition of a mortgage is concerned: Let's put the best proposition squarely to the Portland Railroad Company. As I understand it, if they spend money to buy a bus to put on Spring street in Portland, or where you please on any line, that bus comes under the mortgage, and I ask any of you which you had rather have,—would you rather have a mortgage on a bunch of old rails and some old cars that are no good, or would you rather have a mortgage on a motor bus which you can sell or operate on a highway anywhere? This merely means substitution of modern property for property rapidly becoming obsolete.

My thought is this, that it is a wise thing for the Legislature today to follow along in the improvements of transportation. You know electric railway transportation is very much less popular than it was. Many railroads have been forced to suspend operations altogether. Many security holders in electric railway properties have lost everything. By making this change and by meeting modern conditions and by permitting bus operations subject to certain conditions and restrictions and under the control of the Public Utilities Commission and the municipal officers of the towns interested, I claim that it affords the people of the State of Maine better assurance to continue transportation of that kind, and it affords the security holders better security, and that it is a wise thing for the Legislature to do to follow along with modern conditions and give this company a chance to work its own problems in a modern way.

Mr. ROUNDS of Portland: Mr. Speaker, the gentleman (Mr. Chase) has referred to motor busses. I will ask any of you who know about automobiles how much they depreciate the day you buy them, and then what it will be a year afterward. The minute you buy an automobile it depreciates 25 per cent; a year afterward, 50 per cent. Two years afterward you are lucky if you can sell it for old junk or anything else. As to the cars of the Portland railroad that are running today, I heard the late Thomas B. Reed say twenty-five years ago that that was the best road he had seen in the country. I heard him say that on one of its cars when riding up Congress street. Now that car is running today, but show me a bus that will run three years without being junked. It is true that they did buy some one-man cars, and it is true that they have got a deficiency of \$127,000, but the Cumberland County Power and Light Company, according to the papers of a few days ago, shows a surplus of \$223,942. I wonder how those books are kept and how much they are paying for the electricity to heat the cars. I notice that here in Augusta some of the cars are heated by coal because it is too expensive to heat them by electricity. The Portland Company is heating by electricity, but the Cumberland County Power and Light Company is run-

ning it and they are charging it off to the Portland Railroad. In my opinion I do not think anybody knows how much they have charged off in that way. Now throw the cards on the table and let us see, and not let us go to any one place. When they put those rails down, one street was nothing but a dirt street. Now they are going to take up those rails. Are they going to put them back in the way they were before, or are they going to fix the street as the State of Maine fixed it about ten years ago? Are they going to leave a dirt street and somebody come to the next Legislature and ask for money and be referred to the committee on claims? Spring street is paved now, but when they put those rails down it was not paved, and I remember when they put them down. I do not think the gentleman from Cape Elizabeth (Mr. Chase) was there or knew anything about it at that time (laughter) because that was years ago.

I want to say that I hold in my hand a letter from one of the stockholders of the Portland Railroad Company who resides on Spring street, and with your permission I will read that letter:

"Hon. Edgar E. Rounds, State House, Augusta, Maine.

"Dear Mr. Rounds: I notice that a further hearing on the question of giving the Portland Railway Company the right to discontinue its trolley service on the Spring street line and on other lines of the Company is to be held this week. I shall be unable to attend the hearing, but I do desire to enter a protest against the Company being given the right to discontinue its Spring street line.

"I reside on the corner of Park and Spring streets and the trolley line passes my house on Spring street. I think that to take up the rails and substitute a bus service would tend to depreciate the value of the property in which I reside.

"I have heard a number of people speak with regret that this change was contemplated. I understand that there are a number of people who would be pleased to see the tracks taken up, but I think that a large proportion of these people are users of automobiles and that they feel that they would have a smoother road if the trolley cars were banished. I have seen from the newspapers that some people object to the

noises which the cars make, but personally I have found that I have been far more disturbed by the automobiles on Park street than by the trolleys on Spring street.

"Very truly yours,

(Signed)

"CHARLES L. HUTCHINSON."

I have another letter from a lady in Saco as follows:

"Edgar E. Rounds: There is much comment on your stand on the bus bill of the Portland R. R. Co. It is feared by many people that if passed will jeopardize the present transportation system in Portland and vicinity. People in other places have found that the bus cannot take place of the trolley car. If it is going to cost ten thousand dollars more to install busses and be less efficient on Spring St. line it is better not to give any right to go into the bus business. Portland and vicinity is well taken care of with the trolley and it is poor judgment to try anything else in its place. When this bill was first introduced it was understood not to affect the existing trolley lines. It is also said the Company would place these bus lines in operation only on approval of the P. U. Com. and municipal officers of Portland but would give no mention of the other towns and cities involved. It seems as though that it will be for the interest of the public for this bill to be defeated. If it had not been for previous engagement I would be at hearing but hope this will be carefully considered.

"Thanking you,

(Signed)

"H. L. DAVIS, Saco Maine."

On top of that there was going to be a petition, but the women who was going to circulate it on Spring Street became sick and she did not present it. Also the hearing was to be held at two o'clock but they had it at one. It was my mistake not being there. I ought to have read the Kennebec Journal more carefully, but I did not expect them to have a hearing at one. I was confronted by the president of the Cumberland County Power and Light Company, and the manager, and they laughed at me. I said "I'll have my inning when it comes around. I don't know but what you will beat me but I will have my innings in court." So I am here in court today representing the people—the poor people.

The gentleman from Cape Eliza-

beth (Mr. Chase) has said they cannot pay. Well, they put on some little cars and they put on strap hangers and I remember once that on a car going out where I live there were 36 in the car seated, 42 standing. Now if they cannot run cars at ten cents, or eight cents with a coupon ticket, I don't know how these other little lines that I see going by certain places can pay their running expenses. Another thing! I counted 37 in one of those little cars, and the motorman said: "Please get back" and when he was asked where, he said, "You can sit on the roof if you want to ride out." Now if they have got to go that way it is time something was done about it.

You have a Public Utilities Commission and they have passes for themselves and their friends. They can get on and ride, but the poor people who pay their eight and ten cents have to stand up and hang on to the straps. The United States would not allow that if it were on a ship. There would have to be so many square feet of space for every passenger; but here—I don't know. You call it "Public Utilities"; I call it "Public Nuisances." (Laughter) They have not done anything for the public; they have done everything for the rich corporation—they and the lobby hanging around here to help them out.

Gentleman, I thank you for the time I have taken on this matter, and I hope you will see it as I do that this thing should be indefinitely postponed.

Mr. ALDRICH of Topsham: Mr. Speaker, in addition to what has been said already, one of the most interesting features of this entire situation, to me, is that notwithstanding the feeling manner in which our good friend from Portland (Mr. Rounds) has spoken of these investors in the securities of this Portland Railroad Company, at the hearing which was given, which was apparently properly advertised, it does not appear that any of those investors appeared in opposition to this bill, and it seems to me that if the savings banks of this State, which are managed, controlled and directed presumably by the leading business men of their community, and the same is true of the trust companies, if, as has been said by the gentleman from Portland (Mr. Rounds) they are the largest security holders of this Portland

Railroad, and if they, as security holders, having in charge the funds of these small depositors, think it wise, and I think we may assume from the fact that they have not appeared to oppose this bill, that they think it wise that this bill should become a law.

It would seem to me under those circumstances, that it would ill become us to oppose the passage of this act simply because of the fact that owing to conditions over which these power companies have no control, in the last ten or twelve years they have been struggling and struggling and struggling all over this country to make both ends meet, and as we well know, they have been going to the wall all over the country. If the security holders are agreeable to this proposition to oppose anything which apparently designed to assist and enable them to give to the city of Portland and its environs a service which that city undoubtedly needs, and I say to you, Mr. Speaker and gentlemen of this House that just as sure as we sit here if that Trolley Company and its lines in Portland and thereabouts arrive at a position where it can make no money, that trolley line will close down because the Cumberland County Power and Light Company, under that lease, when it gets to the point that the lease of this company is equivalent to what they are responsible for, they certainly won't continue to run this company for the fun of running it. I don't know, but I assume that the Public Utilities committee has some idea as to the purpose and what may be accomplished by this bill, and under the circumstances and under our knowledge and experience of the last ten years with respect to the difficulties which utility companies of this kind have been experiencing, I submit that if there is nothing in the proposed bill which is inimical to the interests of the people, we should pass it.

I would call your attention to the fact that this bill does not provide for the discontinuance of any lines in Portland; it simply provides that this company may have the power to operate motor busses by electricity or gasoline in cases which shall be determined by the Public Utilities commission and in addition by the

selectmen or municipal officers of the community affected.

There is nothing in this bill about discontinuing Spring Street or any other street, and while I am not familiar with the wording, gentlemen, I am assuming that there will not be a discontinuance of these lines or any other lines without the permission of the Public Utilities Commission, and there will not be any new lines or busses installed without the permission of the Public Utilities Commission and the Municipal Officers.

Mr. HOLMAN of Bangor: Mr. Speaker, I would like to inquire whether or not the committee reported unanimously in favor of the passage of this bill.

The SPEAKER pro tem: Answering the inquiry of the gentleman from Bangor, Mr. Holman, the Chair will state that on Senate Document No. 8, House Paper 26, which was referred to the committee on Public Utilities, that committee reported on an act to authorize the Portland Railroad Company to operate motor busses, they had the same under consideration and asked leave to report that the same ought to pass.

Mr. LAIT of Old Town: Mr. Speaker, I believe that I can answer the gentleman from Topsham (Mr. Aldrich) in regard to the stockholders of this company who are interested in this measure not being present at the committee hearing. If the gentleman from Topsham would bear in mind that on the first day of this session we were informed that committee hearings did not amount to a great deal, and that everything pertaining to matters were fought out on the floor of the House—that is a statement which was published in the newspapers—I took it for granted that the matter would be fought out in the House and it would be of no use to come before a committee hearing.

The SPEAKER pro tem: The motion before the House is on the motion of the gentleman from Portland, Mr. Rounds, to indefinitely postpone the report of the committee on Public Utilities.

Mr. MCINTIRE of Norway: Mr. Speaker and ladies and gentlemen of the House, if I remember correctly, in the discussion before the first

hearing on this bill, practically everything centered around Spring Street in the city of Portland, and the condition of traffic there; practically nothing was said or intimated about any other part of the company's business. The act before us covers all the cities and all the towns in which this railroad operates. I consider that that fact alone is sufficient reason to support the motion of Mr. Rounds regardless of how, when and where the bonds of that company were or are invested.

Mr. CHASE: Mr. Speaker, I would like to speak in regard to the Spring Street proposition. The immediate occasion for this bill was this: The City Government of the city of Portland was represented by Mr. Deering, who appeared before the committee in favor of this bill, he being a member of the City Council or whatever they call it there. The city wants to rebuild Spring Street in the city of Portland. There are tracks there now, and the City Government does not want tracks there; they want to go ahead and build a concrete smooth street there. This Spring Street proposition started right with the City Government of Portland and they are in favor of it. Now the company, according to the testimony presented at the hearing, since it became necessary to get legislative authority in order to operate on Spring Street, and because that would give them an opportunity to try motor bus operation, and see what they could do with it, put in this bill to give them authority to also operate motor busses under the restrictions which have been brought out, and we had two hearings on it, and the discussion was on Spring Street because that was where they expected to start operating motor busses. They do not know whether they will want to operate any more or where they may want to operate, so that, as I say, Mr. Deering of the Portland City Government, appeared in favor of the bill, and that is why the Spring Street proposition received so much publicity and comment, because that is where they want to start bus operation in order to try it out.

The SPEAKER pro tem: The question is upon the motion of the gentleman from Portland, Mr. Rounds, who moves that the com-

mittee's report on Public Utilities on an act to authorize the Portland Railroad Company to operate motor busses be indefinitely postponed.

Mr. COMINS of Eddington: Mr. Speaker, I ask for a division of the House.

The SPEAKER pro tem: The gentleman from Eddington, Mr. Comins, asks for a division of the House on the motion of the gentleman from Portland, Mr. Rounds, which is to indefinitely postpone the report of the committee.

A division of the House being had,

Thirty-one having voted in the affirmative and fifty-two in the negative, the motion of the gentleman from Portland, Mr. Rounds, was lost.

The SPEAKER pro tem: The question returns upon the acceptance of the report of the committee.

A viva voce vote being taken, the report of the committee was accepted.

The SPEAKER pro tem: This being a printed bill, is it the pleasure of the House that the rules be suspended and that the bill have its first two readings at this time?

Mr. ROUNDS: Mr. Speaker: I move it lie on the table for amendment so we shall have some protection against the monopolies of this State.

The SPEAKER pro tem: The amendment is not in order until the bill has its first two readings. Does the gentleman move that the bill lie on the table?

Mr. ROUNDS: Mr. Speaker: I move that it lie upon the table.

A viva voce vote being doubted,

A decision of the House was had. Forty-eight having voted in the affirmative and thirty in the negative, the motion of the gentleman from Portland, Mr. Rounds, to table, was carried.

(At this point the Speaker pro tem, Mr. Wing, retired amid the applause of the House, the members rising, and Speaker Martin resumed the Chair.)

The SPEAKER: The Chair lays before the House H. D. 23, an act relating to the excise tax on railroads, tabled by Mr. Williams of Falmouth, February 17, pending assignment for third reading.

On motion by Mr. Williams of Falmouth a viva voce vote being tak-

en the bill was retabled and specially assigned for Tuesday, March 1.

The SPEAKER: The Chair lays before the House an act to increase the salary of the judge of the Western Somerset Municipal Court, S. P. 258, tabled by Mr. Page of Skowhegan, February 17, pending reference to a committee in concurrence.

On motion by Mr. Page of Skowhegan, the bill was referred to the committee on Salaries and Fees in concurrence.

The SPEAKER: The Chair lays before the House an act to incorporate the city of Augusta Cony High School District, H. P. 871, tabled by Mr. Kinsman of Augusta, February 17, pending reference to a committee.

Mr. KINSMAN of Augusta: Mr. Speaker, I would like to explain to the members of this House that I had to introduce this bill last Thursday in order to get it under the wire, so to speak. The school committee of the city of Augusta has not had an opportunity to meet and decide whether or not this bill is advisable; and I would like to ask the consent of the House to have this again laid on the table until a week from today so that the committee may decide.

On motion by Mr. Kinsman, the bill was re-tabled and definitely assigned for Wednesday, March 2.

The SPEAKER: The Chair lays before the House an act relative to the salary of the mayor of the city of Augusta, H. P. 889, tabled by Mr. Kinsman of Augusta, February 17, pending reference to a committee.

Mr. KINSMAN: Mr. Speaker, in regard to this being tabled by me February 17, I will say that I expect to offer an amendment tomorrow and would like to have this tabled until tomorrow morning.

The SPEAKER: The Chair will state that an amendment cannot be offered until the bill has had its first two readings. Does the gentleman wish to have this re-tabled until tomorrow morning?

Mr. KINSMAN: If you please, Mr. Speaker.

Thereupon on motion by Mr. Kinsman, the bill was re-tabled until Thursday, February 24.

The SPEAKER: The Chair lays before the House an act relating to the use of power boats, H. D. 183, H. P. 863, tabled by Mr. Boynton of So. Portland, February 17, pending reference to a committee.

On motion by Mr. Boynton of South Portland, the bill was referred to the committee on Sea and Shore Fisheries.

The SPEAKER: The Chair lays before the House H. D. 182, an act to amend the charter of the city of Westbrook, tabled by Mr. Robie of Westbrook, February 17, pending reference to a committee.

Mr. ROBIE: Mr. Speaker, was that bill originally referred to the committee on Legal Affairs?

The SPEAKER: The Chair will state that that is the reference suggested.

Thereupon on motion by Mr. Robie of Westbrook, the bill was referred to the committee on Legal Affairs, as originally suggested.

The SPEAKER: The Chair lays before the House, H. D. 187, an act to amend the charter of the city of Westbrook, tabled by Mr. Varnum of Westbrook, February 17, pending reference to a committee.

On motion by Mr. Varnum of Westbrook, the bill was referred to the committee on Legal Affairs, the committee originally suggested.

The SPEAKER: The Chair lays before the House S. P. 186, an act to regulate the sale of cider, tabled by the gentleman from Appleton, Mr. Thurston, on February 18, pending reference in concurrence.

Mr. THURSTON of Appleton: Mr. Speaker, yesterday the Aroostook delegation and the Temperance committee met in the Senate Chamber. While we were trying to organize, the Aroostook delegation started to sing "How Dry I Am." I think that is a reflection on the Temperance committee. If the Aroostook delegation is dry, I think the Temperance committee is more so; and I move to refer this cider bill to the Temperance committee.

The motion prevailed and the bill was referred to the committee on Temperance.

The SPEAKER: The Chair lays before the House majority and minor-

ity reports of the committee on Judiciary on bill an act relating to advertising signs along public highways, S. D. 11, H. P. 47, tabled by Mr. Hale of Portland, February 18, pending acceptance of either report.

Mr. HALE of Portland: Mr. Speaker, I yield to the gentleman from Bridgton, Mr. Stone.

On motion by Mr. Stone of Bridgton it was voted that the majority report "ought to pass" be accepted.

Mr. LITTLEFIELD of Kennebunk: Mr. Speaker, I have not had time to look at this bill. Does this refer wholly to hotels?

Mr. STONE of Bridgton: Mr. Speaker, I would like to say that it applies wholly to public inns and hotels.

The SPEAKER: The Chair will also state that it is S. D. No. 11.

Mr. CYR of Waterville: Mr. Speaker, how many of the committee reported in favor and how many against?

The SPEAKER: The Chair will state that seven members of the committee reported "ought to pass," and the minority report, "ought not to pass," was signed by three members of the committee.

On motion by Mr. Littlefield of Kennebunk the bill was tabled pending first reading under suspension of the rules.

On motion by Mr. Heath of Guilford, it was voted to take from the table H. D. 44, an act to amend Section 11 of Chapter 6 of the Revised Statutes relating to the opening and closing of the polls at primary elections, tabled by that gentleman, February 22, pending third reading; and on further motion by the same gentleman the bill received its third reading and was passed to be engrossed.

On motion by Mr. Heath of Guilford, it was voted to take from the table H. D. 45, an act to amend Section 21 of Chapter 7 of the Revised Statutes relating to closing of polls at elections, tabled by that gentleman, February 22, pending third reading; and on further motion by the same gentleman the bill received its third reading and was passed to be engrossed.

On motion by Mr. Rounds of Portland, unanimous consent was given that gentleman to present an order, out of order, as follows:

Ordered, that the Clerk of the House be authorized to employ at the expense of the State one or more stenographers to attend and report the hearings before the joint committee composed of the public utilities, judiciary and interior waters committees relating to the control of the water powers of Maine and the generation of electric energy; also that said report be transcribed and one thousand copies printed.

The order received passage.

On motion by Mr. Carleton of Winterport, unanimous consent was given that gentleman to present an order, out of order, as follows:

Ordered, that Mrs. Edna Knowlton, now serving the Progressive Spiritualist Association of Augusta, be invited to act as chaplain of the House, Thursday, February 24.

The order received passage.

On motion by Mr. Harris of Minot, Adjourned until 10 o'clock tomorrow morning.