

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Fourth Legislature

OF THE

STATE OF MAINE

1929

KENNEBEC JOURNAL COMPANY  
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## SENATE

Wednesday, March 20, 1929

Senate called to order by the President.

Prayer by the Rev. A. W. Brown of Gardiner.

Journal of previous sessions read and approved.

From the House: The Committee on Engrossed Bills reported as truly and strictly engrossed the following bill: An act to re-letter paragraphs 'e' and 'f' of sub-division 12 of section 27 of chapter 144 of the Public Laws of 1923, relating to collateral loans. (S. P. 483) (S. D. 192)

(In Senate, March 8, passed to be engrossed)

Comes from the House, indefinitely postponed in non-concurrence.

In the Senate, on motion by Mr. Littlefield of York, that body voted to recede and concur with the House in the indefinite postponement of the bill.

From the House; the following order:

Ordered, the House concurring, that there be added to the Joint Rules of the Senate and House, to be numbered as number twenty, the following:

"No act or resolve involving an appropriation can be engrossed unless it bears the following endorsement: 'Examined and recorded by the Committee on Appropriations and Financial Affairs'."

(In Senate, March 15, the foregoing order was read and passed.)

Comes from the House, passed as amended by House Amendment A in non-concurrence.

In the Senate, that body voted to recede and concur with the House in the adoption of House Amendment A

Thereupon Mr. Spear of Cumberland presented Senate Amendment A and moved its adoption: "Amend said order as amended by House Amendment A by adding after the word 'carrying' the words 'or requiring'."

Senate Amendment A was adopted and the order as amended by House Amendment A and Senate Amendment A was passed in non-concurrence.

Sent down for concurrence.

From the House: Resolve to improve the road to Fort William Henry (H. P. 1621) (H. D. 634).

(In the Senate, March 14th, passed to be engrossed in concurrence.)

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

In the Senate: That body voted to recede and concur with the House in the adoption of House Amendment A, and the resolve as so amended was passed to be engrossed in concurrence.

Papers from the House disposed of in concurrence.

### House Bills in First Reading

Resolve in favor of the town of New Sharon (H. P. 1646) (H. D. 669)

Resolve in favor of Lloyd W. Hickey to reimburse him for injury and expense incurred while in the employ of the State of Maine. (H. P. 1647) (H. D. 670)

An act relating to the protection of fur-bearing animals. (H. P. 1536) (H. D. 557)

An act relating to designation of through ways (H. P. 1640) (H. D. 665)

An act for the purchase of books and to provide for cataloging the Androscoggin County Law Library. (H. P. 1469) (H. D. 512).

An act to increase the time for filing appeals in municipal, police, or trial justice courts. (H. P. 1562) (H. D. 571)

An act providing for the fencing and care of burying grounds in unincorporated places. (H. P. 1564) (H. D. 572)

An act to incorporate the South Orrington Cemeteries Association. (H. P. 1641) (H. D. 666)

An act relating to the investment in permanent securities of school funds and other trust funds held by city, town, quasi-municipal corporations and State officers. (H. P. 1642) (H. D. 667)

From the House: The report of the Committee on Sea and Shore Fisheries, on bill an act to incur the quality of sardines packed in Maine (H. P. 1090) (H. D. 352) reported the same in a new draft, under the same title (H. P. 1639) (H. D. 664) and that it ought to pass.

Comes from the House, read and accepted.

In the Senate, on motion by Mr. Spear of Cumberland, tabled pending acceptance of the "ought to pass" report in concurrence.

From the House: Report of the Committee on State School for Boys, State School for Girls, and State Reformatories, on resolve in favor of the State Reformatory for Women for the erection of a house for mothers and babies (H. P. 185) (H. D. 663) reported that the same ought to pass.

Comes from the House, read and accepted.

In the Senate, the report was accepted in concurrence the resolve received its first reading and Mr. Harriman of Kennebec offered the following amendment: "Senate Amendment A to House Document 663. Amend House Document 663 by adding at the end thereof the words 'and the said appropriations of \$48,000 to be expended from surplus revenue funds.'"

Senate Amendment A was adopted and the resolve as so amended was tomorrow assigned for second reading.

An act to amend the fees for registration of motor vehicles. (H. P. 341) (H. D. 102)

Resolve in favor of the town of Salem, for a new bridge. (H. P. 1648) (H. D. 671)

Mr. MINOTT of Cumberland: Mr. President, I would like to ask that the rules be suspended that I may be allowed to introduce an act to create a commissioner of highways. The reason for asking permission to suspend the rules at this time is that very recently a situation has arisen which creates what I believe to be an emergency regarding our highway problem, which situation did not present itself previous to the order being passed prohibiting the further entering of new bills. I believe that this situation is one that demands that each member of the Legislature should do what he can to help straighten out this very serious problem. That is my reason. I have understood that there was to be an objection raised regarding the granting of the suspension of the rules for the simple reason that it was thought the purpose of this was to try to con-

fuse the issue by injecting personalities into the problem. I might say that this act which I ask to be allowed to introduce does not have to do with the personality of any member of the present commission and is only presented with the idea of perhaps helping the situation.

The PRESIDENT: The Senator from Cumberland, Senator Minott, moves that the rules be suspended that he may be permitted to introduce a bill. Is it the pleasure of the Senate that the motion of the Senator prevail?

The rules were suspended and Mr. Minott of Cumberland presented bill an act to create a commissioner of highways (S. P. 693).

The PRESIDENT: Does the Senator from Cumberland, Senator Minott, wish to make a motion in regard to reference?

Mr. MINOTT: I would like, Mr. President, to have the bill lie upon the table and that five hundred copies be printed.

The PRESIDENT: The Senator from Cumberland, Senator Minott, moves that the bill lie upon the table pending reference and that five hundred copies be ordered printed. Is this the pleasure of the Senate?

The motion to table and print prevailed.

#### Bill in First Reading

Resolve in favor of Emmerson J. Hills and Alice S. Hills of Belmont for damages. (S. P. 685) (S. D. 361)

#### Reports of Committees

Mr. Weatherbee, from the Committee on Revision of Statutes, on bill an act to amend section 37 of chapter 85 of the Revised Statutes, relative to assistance to discharged prisoners. (S. P. 598) (S. D. 267) reported that the same ought not to pass.

The report was read and accepted.

Sent down for concurrence.

Mr. Murchie, from the Committee on Legal Affairs, on bill an act to acquire the property of the Arrow- sic Bridge. (S. P. 309) reported the same in a new draft, under the same title (S. P. 690) and that it ought to pass.

Mr. Crockett, from the Committee on Library, on resolve providing for

the purchase of "Music and Musicians of Maine." (S. P. 621) (S. D. 289) reported the same in a new draft, under the same title (S. P. 691) and that it ought to pass.

The reports were severally read and accepted, and the bill and resolve laid upon the table for printing under the joint rules.

Mr. Weatherbee, from the Committee on Revision of Statutes, on bill an act to repeal section 5 and amend section 6 of chapter 72 of the Revised Statutes, relative to notice on application by municipal officers for appointment of guardians. (S. P. 601) (S. D. 269) reported that the same ought to pass.

The report was read and accepted, the bill read once and tomorrow assigned for second reading.

Mr. Carlton, from the Committee on State Lands and Forest Preservation, on resolve appropriating money for the study and control of the birch saw-fly leaf miner and birch case bearer. (S. P. 160) (S. D. 70) reported the same in a new draft, under the same title (S. P. 692) and that it ought to pass.

The report was read and accepted and the resolve laid upon the table for printing under the joint rules.

#### Passed to be Engrossed

Resolve in favor of John M. Eastman. (H. P. 736) (H. D. 212.)

From the House: An act relating to pilots for the Port of Portland. (H. P. 862) (H. D. 285.)

Comes from the House, minority report "ought not to pass" accepted.

In the Senate, passed to be engrossed in non-concurrence.

An act relating to the collection of a fee from persons visiting the State prison. (H. P. 1165) (H. D. 373.)

An act relating to deductions from State school fund. (H. P. 1181) (H. D. 387.)

An act relating to vacancies in town offices. (H. D. 1255) (H. D. 427.)

An act to place the administration of the affairs of the Indian Tribes under the Department of Forestry. (H. P. 1275) (H. D. 432.)

An act relative to Probate Courts. (H. P. 1281) (H. D. 438.)

An act relating to the funds of the Maine Forestry District. (H. P. 1404) (H. D. 466.)

An act relative to snow removal from State and State aid highways in unincorporated townships and plantations, and declaring chapter 227 of the Public Laws of 1927 to be a part of chapter 25 of the Revised Statutes entitled State highways. (H. P. 1443) (H. D. 498.)

(On motion by Mr. Murchie of Washington, tabled pending passage to be engrossed in concurrence.)

An act to revise, arrange and simplify the mill tax highway fund laws. (H. P. 1445) (H. D. 500.)

An act relating to fishing in Kewayden Lake in the town of Stoneham. (H. P. 1534) (H. D. 555.)

An act relative to the hours of employment of women. (H. P. 1568) (H. D. 603.)

An act relating to taking of land of railroad corporations for streets or ways. (H. P. 1574) (H. D. 580.)

Resolve in favor of the Maine State Prison for maintenance and current expenses. (H. P. 1584) (H. D. 587.)

An act relating to the removal of snow from highways and town ways. (H. P. 1634) (H. D. 660.)

(On motion by Mr. Murchie of Washington, tabled pending passage to be engrossed in concurrence.)

An act relative to the extermination of mosquitoes. (H. P. 1638) (H. D. 662.)

Resolve in favor of the towns of Sangerville and Guilford. (S. P. 256) (S. D. 355.)

An act to provide for building a bridge across the Penobscot River, at or near Bucksport. (S. P. 541) (S. D. 220.)

Mr. Nickerson of Waldo offered Senate Amendment A and moved its adoption: "Senate Amendment A to Senate Document 220: An act to provide for building a bridge across the Penobscot River, at or near Bucksport, to be known as the Waldo-Hancock Bridge. Amend section two by inserting in the eleventh line after the word 'million' the words 'two hundred thousand,' also by striking out in the twelfth and thirteenth lines the words 'if necessary, said bridge shall contain such draw as shall be

satisfactory to the United States war department,' also by striking out in the twenty-seventh and twenty-eighth lines the words 'the railroad and other'; amend section six by striking out in the third and fourth lines the words 'except that travelers on foot shall be allowed to cross said bridge free from the payment of toll', also by striking out in the sixth line the words '(Other than foot passengers)', also by striking out in the eleventh line the words '(exclusive of foot passengers)'; and amend section eight by striking out in the first line the words 'to congress' and inserting in place thereof the words 'for Federal Aid.'"

Senate Amendment A was adopted and on further motion by the same Senator the bill as so amended was tabled pending passage to be engrossed and tomorrow assigned.

Thereupon, on motion by Mr. Carlton of Sagadahoc five hundred copies of the bill as so amended were ordered printed.

Resolve in favor of the Passamaquoddy Tribe of Indians for the general care, maintenance and education thereof. (S. P. 686) (S. D. 357)

Resolve in favor of the Northern Maine Sanatorium for the construction and equipment of a nurses' home. (S. P. 687) (S. D. 358)

Mr. Mitchell of Aroostook offered Senate Amendment A and moved its adoption: "Senate Amendment A to Senate Document 358. Amend said resolve by striking out in the second line the words 'Thirty-five' and inserting in place thereof the words 'forty-five.'"

The amendment was adopted and the resolve as so amended was passed to be engrossed.

Resolve in favor of the Central Maine Sanatorium for construction and equipment of an additional building for patients. (S. P. 688) (S. D. 359)

Resolve in favor of the Western Maine Sanatorium for the construction of a superintendent's home. (S. P. 689) (S. D. 360)

#### Passed to be Enacted

An act to incorporate the Eastern Loan Company, Incorporated. (S. P. 194) (S. D. 107)

An act to change the name of

Westbrook Seminary; to enlarge the Board of Trustees thereof and to authorize said Trustees to accept and administer gifts to said institution. (S. P. 216) (S. D. 86)

An act to incorporate the Maine Pharmaceutical Association. (S. P. 229) (S. D. 93)

An act to aid in the enforcement of statutes governing the use of vehicles on closed or restricted ways and bridges. (S. P. 329) (S. D. 309)

An act relating to bonds to be given by officials, trustees, or employees of savings banks. (S. P. 482) (S. D. 191)

An act granting authority to the State Highway Commission in the reconstruction of intra-state bridges. (S. P. 539) (S. D. 211)

An act relating to investments in industrial bonds by savings banks. (S. P. 546) (S. D. 225)

An act relative to State stipends to agricultural societies. (S. P. 652) (S. D. 307)

An act relating to increase of salary of county attorney of Androscoggin County. (S. P. 657) (S. D. 316)

An act relating to the increase of the salary of the Assistant County Attorney for the county of Androscoggin. (S. P. 658) (S. D. 317)

An act to increase the salary of the Register of Probate of Androscoggin County. (S. P. 659) (S. D. 318)

An act relating to administration upon estates of persons who have disappeared and not been heard from for a period of at least seven years from the date of disappearance. (S. P. 662) (S. D. 324)

An act relating to the extradition of persons charged with crime, and to make uniform the law with reference thereto. (S. P. 663) (S. D. 328)

An act to establish the Fort Fairfield Municipal Court. (H. P. 9) (H. D. 5)

An act relating to taking of clams in Trenton. (H. P. 24) (H. D. 8)

An act relative to the County Commissioners of Penobscot County. (H. P. 61) (H. D. 635)

An act relating to teachers' pensions. (H. P. 96) (H. D. 40)

An act to provide a town manager form of government for the

town of Fort Fairfield. (H. P. 243) (H. D. 81)

An act to provide a town council and manager form of government for the town of Freeport, in the county of Cumberland. (H. P. 319) (H. D. 94)

An act regulating the catching of smelts in the waters of Casco Bay and mouth of the Presumpscott River in Cumberland County. (H. P. 336) (H. D. 99)

An act to increase the compensation of clerk hire in the office of Waldo County Register of Deeds. (H. P. 521) (H. D. 637)

An act relating to voters in unincorporated places and on islands. (H. P. 609) (H. D. 180)

An act relating to the salary of the Register of Probate of Washington County. (H. P. 674) (H. D. 638)

An act relating to the salary of the Register of Deeds in Piscataquis County. (H. P. 676) (H. D. 627)

An act relating to expenses and clerk hire of the Commissioner of Agriculture. (H. P. 740) (H. D. 481)

An act relating to the Park Commission of the city of Portland. (H. P. 852) (H. D. 277)

An act authorizing the city of Lewiston to issue bonds. (H. P. 861) (H. D. 284)

An act to make valid copies of records of instruments affecting or conveying title to real estate in the county of Knox and recorded in other counties. (H. P. 864) (H. D. 287)

(On motion by Mr. Dwinall of Knox, tabled pending passage to be enacted in concurrence.)

An act relating to clerk hire in the Register of Probate's Office for Oxford County. (H. P. 886) (H. D. 619)

An act to change the name of the town of Old Orchard to Old Orchard Beach. (H. P. 899) (H. D. 300)

An act increasing the salary of the Judge of the Rumford Falls Municipal Court. (H. P. 891) (H. D. 620)

An act relating to the digging of clams in Biddeford in the county of York. (H. P. 894) (H. D. 456)

An act relating to closing of ways in winter. (H. P. 979) (H. D. 628)

An act relating to the care of abandoned or neglected animals. (H. P. 1029) (H. D. 325)

An act relative to canning of short lobsters. (H. P. 1085) (H. D. 348)

An act relating to deposits individually and in trust in savings banks. (H. P. 1238) (H. D. 415)

An act relating to the use as part of name the words "saving", "savings", "savings banks" and kindred words. (H. P. 1239) (H. D. 416)

An act legalizing guaranteed bonds of Canadian railroads as an investment for the savings banks of Maine. (H. P. 1240) (H. D. 417)

An act relating to collateral loans by mutual savings banks. (H. P. 1241) (H. D. 418)

An act relating to personal loans by mutual savings banks. (H. P. 1242) (H. D. 419)

An act relating to the allowance of interest on certain deposits by mutual savings banks. (H. P. 1243) (H. D. 420)

An act relating to dividends; maintenance of reserve fund; declaration of dividends in mutual savings banks. (H. P. 1244) (H. D. 421)

An act relative to military parades on election days. (H. P. 1513) (H. D. 615)

An act to incorporate the Home Finance Company. (H. P. 1612) (H. D. 622)

An act relating to loan and building associations. (H. P. 1613) (H. D. 623)

An act to establish a game sanctuary in the towns of Mapleton and Chapman in the county of Aroostook. (H. P. 1615) (H. D. 624)

An act relating to the service of process on non-residents involved in automobile accidents. (H. P. 1616) (H. D. 629)

An act to change the name of Cumberland Agricultural and Horticultural Society; to enlarge the board of directors and to increase the amount of property the society may hold. (H. P. 1617) (H. D. 630)

An act relating to amount allowed for clerk hire in the office of the Register of Deeds in Piscataquis County. (H. P. 1619) (H. D. 632)

An act to increase the salary of the Treasurer of Androscoggin County. (H. P. 1620) (H. D. 633)

An act relating to the Hancock Sullivan Bridge. (H. P. 1927-903) (H. D. 541)

### Finally Passed

Resolve appropriating money for the expenses of the electoral college. (S. P. 93) (S. D. 322)

Resolve providing for a State pension for Mabel Paul Ferrow of Belfast. (S. P. 154) (S. D. 311)

Resolve in favor of Newell Lewey, Representative of the Passamaquoddy Tribe of Indians. (S. P. 564) (S. D. 319)

Resolve appropriating money to restore the early records in the office of the Register of Deeds for York County. (S. P. 661) (S. D. 321)

Resolve providing for a State pension for Alice M. Whitten of Albion. (H. P. 1475) (H. D. 639)

Resolve for the laying of the county taxes for the year 1930. (H. P. 1628) (H. D. 646)

### (Emergency Measure)

Resolve for the laying of the county taxes for the year 1929. (H. P. 1630) (H. D. 647)

This resolve, carrying the emergency clause, required the affirmative vote of two-thirds of the membership of the Senate on its final passage.

Thirty Senators having voted in the affirmative and none opposed the resolve was finally passed.

### Orders of the Day

The PRESIDENT: This being Wednesday, everything must be taken from the table in the order that it appears on the calendar, and the Chair lays before the Senate, Senate Report from the Committee on Public Health, "Ought not to pass" on an act relating to a filtering plant for the Portland Water District, (S. D. 132), tabled on March 13th by Mr. Slocum of Cumberland pending acceptance of report, and recognizes that Senator.

Mr. SLOCUM of Cumberland: Mr. President, I move to substitute the bill for the report, and in support of my motion, I would like to bring a few facts to the attention of the Senate.

The Portland water supply comes from Sebago Lake. It is not filtered. The waters of Sebago Lake are, in effect, very good waters. Chemically speaking, the water is very pure. Bacteriologically speaking, it is not above question. Un-

fortunately, there are a number of people living in the water shed of Sebago Lake and the drainage from the surrounding territory goes into the lake. The Portland Water District, in an attempt to protect the supply has purchased a fringe of land bordering the lower bay. Their intake enters Sebago Lake in the lower bay. The water is, however, subject to the drainage from the area behind this fringe of land and unfortunately, while we are here, there are four sewers draining into the lake within a mile of the intake. They are open brooks and they drain open closets. The largest of those four has a so called purification plant which adds chlorine to the waste that goes into the lake.

This matter was all very carefully considered by the Committee on Public Health, before which I appeared as the sole proponent. I represented, however, the majority of the medical fraternity, dental fraternity, and a number of prominent citizens of Portland, who, unfortunately considered that I had sufficient ability to sell the idea to the Committee, and did not appear. The opponents of the bill were all paid employees of the Water District. They alone appeared against the bill despite the fact that there was considerable publicity in the papers that the bill was to be heard and that the claims of the opponents of the bill were that this filter would cost a million and a half dollars. Now, I am very sure if the people of Portland thought there was a possibility of the introduction of a filter that was unnecessary, that they would have to pay a million and a half for, that they would have been swarming down here in large numbers. But the only people that appeared in opposition were the legal counsel of the Water District, the Treasurer and General Manager, the Superintendent, Engineer and their Sanitary Adviser, Professor Caird.

I have here, the report of the Portland Water District for 1927. The report for 1928 has not as yet come out, but in this report it shows that there are colon bacilli present in the water in Portland. Colon bacilli are the germs from the intestines of a human being or animal, and it seems most un-



fortunate that Portland should continue to have to drink water that is not pure, as pure as it is physically possible to make it. I say the city of Portland, but this water is supplied not only to Portland but to South Portland, Deering section, Westbrook, Cape Elizabeth, South Windham Scarboro, Foreside, Gorham, Prout's Neck, Diamond Island and Higgins' Beach.

The colon bacilli rate is not above the legal standard required by the federal government but it is of sufficient amount to be of interest and the average of the last four years at the old intake, which varies incidentally, from 10.78 to 3.88 is 6.47, and the average for the whole area supplied by the Water District is somewhere in the neighborhood of five colon bacilli in each 10 c. c. samples.

We know that typhoid is a water born disease. We know that where there are colon bacilli in the water, there is always the possibility of typhoid because the typhoid bacilli cannot be dissociated from the colon bacilli.

I was very much interested that Professor Caird, who is the sanitary adviser of the Portland Water District, and incidentally over one hundred other water districts, should come down here and state that the water was sufficiently pure to not require a filter, and that as soon as a filter was required, he would be the first man to request it. He went on in great length to tell of the protection they were giving to the water, and in this report it states, "The water supply of Portland is obtained from Sebago Lake, some 16 miles distant. The water flows by gravity through a conduit to a settling basin, and after passing this basin it is treated with liquid chlorine." This is the report of Professor Caird to the people of the District, as printed by the Water District. He says, "The water flows through a conduit to a settling basin" and yet the legal counsel and the general manager testified before the Committee that the settling basin is not used. Apparently their own witnesses did not know what was going on, but they are adding chlorine to cut down the colon bacilli,—by adding chlorine to the water simply to kill the germs.

It was testified by their repre-

sentative that the water was positively sterile one hundred feet below their chlorinator,—and yet there are colon bacilli in Portland. Now, it is impossible for the water to be sterile and later have colon bacilli, unless the water can leak into a pipe that is under pressure.

It is interesting further to note that the percentage of bacteria in this last report that they got out is 77.8% higher than in previous years, as can be noted on Page 46. Now, why should we worry about the colon bacilli in the water? As it is one of the indications of where typhoid comes from, and other cities that have had typhoid and have put in filters have reduced their typhoid rate, it is to be presumed that if we could remove this pollution from the water, we would lower the typhoid rate in the Portland Water District area.

I have the latest consolidation of articles on Water Purification, gotten out by a man named Ellms, who refers to all the different specialists and he has compiled the different works and ideas of all the specialists on water purification, and he says here, and I hope that you will all note this expression, "To illustrate the decrease in typhoid fever between 1910 and 1925 in American cities, statistics show that of the 77 largest cities in the United States, 30 had typhoid fever death rates below 2 per 100,000 of population in 1925, while only two cities had rates over 20 per 100,000."

I am now going to read the typhoid rates of the city of Portland. This comes from the State Board of Health: "In 1923, 5.5; 1924, 6.7; 1925, 20." In other words, the city of Portland was one of the two cities in the United States that had 20 or over. "In 1926, 1.3; 1927, 2.6; 1928, 6.7 per 100,000."

Now that is the death rate per 100,000. Now those were the unfortunates among the people who caught typhoid and the number who had typhoid in Portland in 1923 in the rate per 100,000 was 35. The rate in 1924 was 63, 1925, 80; 1926, 34; 1927, 42. I have not the figures for 1928.

The Portland Water District, in their report say that they are adequately protecting the shores by the buying of land, and by frequent and regular inspections. Their inspections, according to personal ob-

servation, amounts to a man going around the lake in a boat once a day, if it isn't too rough, or if he hasn't something else to do. I presume the trustees go out now and then. I see by the press every so often that they have a dinner at Sebago Lake Village—at Sandy's, it is sometimes called. I do not know what inspection is done by the trustees.

I appreciate the position of the Committee on Public Health in reporting this bill "ought not to pass". No legislative body wants to force a corporation to do anything that they are supposed to do. It is only natural to presume that the Water District trustees would put in a filter if necessary, but unfortunately with the present line-up we have in the Portland Water District, it appears that force is necessary.

Three years ago a candidate appeared in the field, a man well qualified to act as a trustee of the water district, as he was a graduated sanitary engineer and a graduated doctor. He is a practicing physician in the city of Portland, and it was commonly understood by both sides that the plank of his platform was to require adequate protection of the purity of Portland's water supply, and the campaign at that time brought out the fact that Portland's water was not filtered.

Had I not been a freshman in this body two years ago, I would have introduced this bill at that time, but I have introduced it at the first opportunity because, despite the fact there has been a considerable demand for the adequate protection of the water, nothing has been done on the part of the Water District to introduce a filter. In 1913—

Mr. DWINAL of Knox: May I interrupt and ask a question?

Mr. SLOCUM: I will yield to the Senator from Knox, Senator Dwinal.

Mr. DWINAL: Was any change made in the water plant in 1925 that you have knowledge of?

Mr. SLOCUM: In November, 1925, they put in a new conduit or tunnel from the lake to the entrance of their pipes in the town of Gorham. The water comes now from an intake approximately one eighth of a mile to a quarter of a mile from the shore. Previously it came from practically the surface

at the shore and was taken down from an old conduit to a pipe line. Now they take the water further from the shore, carry it through a tunnel and that tunnel extends through the pipe line, and that pipe line is beyond the town of Standish. The interesting thing is that despite the fact that they have taken the water pipe out in the lake and have a much better conduit than they had before, there is still this pollution present in the water in Portland.

In 1913 liquid chlorine replaced the use of bleaching powder for the chlorination of water, and despite the fact that this was called to the attention of the Portland Water District by the Portland health officer, it was several years before they put that in. And another instance where force was required to get them to do something, was the fact that steamboats running up and down Sebago Lake used open closets, and was testified to by the opponents of the bill. They sent a doctor to Lake Champlain and after a couple of years closed-in toilets were put in. The Maine Central Railroad ran trains around the shores of Sebago Lake for two miles,—four a day all the year round, and eight trains a day in summer, to say nothing of working freight trains, all with open closets.

I use this water myself and I am very anxious that it be pure and be kept pure and I did all I could to get the railroads to close their closets. I was unable to get any action from the Portland Water District. I took it up with the Portland Medical Club and in 1924 they forced the closets to be closed.

They testified that if it was necessary to put in a filter, they would be the first to do it. I want to read a list of a few cities with their typhoid rate per 100,000. "Canton; 0.0; Kansas City, Kan; 0.0; New Haven, 0.0; Paterson, N. J; 0.0; Richmond, Va; 0.0; Springfield, Ill, 0.0; Yonkers, N. Y; 0.0; Providence; 0.4. There are 53 cities before you get to Portland with 2.6 in 1927, and Portland and one other city have the unenviable position in the 1925 list for 20 as the typhoid death rate.

It is admitted that typhoid can come from other sources than wat-

er. It can come from shellfish, travelers,—that is, contact,—and many other sources, and milk, and it is interesting that not a single one of these cases was traced to milk. Some may have been traced to shellfish, but the other cities of New England eat shellfish and have travelers, but the typhoid death rate of New England is 2.42. Now, with Portland varying from 6 to 20, is there not anything that should be done? Possibly this is not a solution, but we do know that it has improved the rates, the typhoid rates in other cities where filters have been put in.

There is, of course, an economic side to this question, and I have heard it rumored that some feel because I have introduced another bill with reference to requiring the water district to pay taxes on the lands and improvements in the town of Standish that this bill was designed to put a million dollar filter in the town of Standish so that we, in the town of Standish could pay taxes on another million dollars.

I can assure you it would be most impractical and practically impossible to put a million dollar filter plant in the Portland Water District's system in the town of Standish. You would have to either locate it in the lake or else under ground because the water travels in a pipe under the lake until it enters the tunnel, and continues in the tunnel until it gets to the town of Gorham. So I think that is a most unworthy thought on the part of anyone.

I believe that the opponents of the bill were justified in saying that it could cost a million and a half. They first started with a million and then raised the ante to a million and a half, but it should not cost over three hundred fifty to four hundred thousand dollars, depending upon the estimates made from other water districts. These water districts all over the country have been averaged and according to their cost, a slow sand bed filter that would supply Portland, should not cost over three hundred fifty thousand dollars, and one estimate is as low as two hundred fifty thousand. The average cost of a rapid sand bed filter would come between four hundred

fifty and five hundred thousand dollars. The slow sand bed filter costs more to maintain than the rapid sand bed filter.

I was surprised to hear the expression of one of my colleagues when he read this bill. He said, "When I was a youngster I used to sell filters to put on the faucets in South Portland, and I am against filters because after one of those filters was on the tap for a very short time—two or three days—it was full of slime."

This leads me to the proposition that besides this dangerous pollution that is not so noticeable, that is, the colon bacilli which cannot be seen, is the pollution of the fish, that is not so dangerous, but nevertheless present, and I note in the report of the Water District that they had to clean out some 833 services in 1927. Now that is not a dangerous pollution, but it is not very aesthetic.

If the Portland Water District, from the economic side again, should put in a filter, the land beyond the protected area, owned by the Water District, could be sold. As it stands, today there is one estate alone of fifteen hundred acres that is not on the market because no one dares to move in there because they know that within a short time they might lose their home.

The filter would also remove another pollution which exists right now, namely, that there are a number of human bodies—at least eight—in the bottom of Sebago Lake, to say nothing of a large number of horses and other animals that are disintegrating and washing down the pipe. That condition at present exists besides this pollution of the fish and human waste flowing in from the open sewers, and I believe that every known precaution should be used to protect that water and keep it pure, and those things that will go into the water should be removed before it is furnished to the people of the Portland Water District.

I therefore hope, Mr. President, that this body will vote to substitute the bill for the report.

Mr. GREENLEAF of Androscoggin: Mr. President, as a member of the Public Health Committee I would like to address a few re-

marks to the Senate in regard to this bill. The Senator from Cumberland, Senator Slocum, has been very fair in his presentation of the subject. In fact, he has presented the very argument which defeated his bill. I believe there are about seventeen representatives from the Portland Water District in this Legislature and Mr. Slocum admits that he was the only one at this hearing to favor the passage of this bill. It is easy to be seen that if there were any alarming situations existing in the Portland Water District some of the representatives would have been there to look after the rights of their constituents. As the Senator from Cumberland, Senator Slocum, has said, the counsel for the water district was there and he gave us a brief historical sketch of the situation in which he told how they had called in the leading sanitary experts of the country, men whose records are of the best, and that they had proposed to these experts that they build a sand filter, or a suitable filter and had expected to do it but after investigating the situation it appeared wise to them not to do so as it was unnecessary to filter the water, and thereby incur an unnecessary expense, and that the probability of their ever having to do so, or at least in the near future, was quite remote. So they did not build this filter which, of course, would have meant additional capital expenditure on which the water users of the Portland Water District would have to pay the carrying charge.

Now, in regard to the bacteria. The State Board of Health requires that all city water supplies shall be tested at least four times a year and that samples must be sent to the State Health Department for examination. Portland even goes so far as to maintain, through the service which they get from their sanitary engineers, a man on duty all the time and I believe he testified that the water was tested twelve times a day. Twelve times a day against four times a year, as the water supply from which most of us have our water is tested! Twelve times a day! And this expert said: "I want to go on record as saying that the water one hundred feet"—or a certain number of feet—"below this chlorinator is absolute sterile." Now, if the fil-

ter was built what more could it do than to render the water absolutely sterile? It couldn't possibly do any more.

And then the colon bacilli. Why, the fact that there are some there that are found in the water, it was brought out, might be due to gulls flying over the various reservoirs which are situated in the district. They certainly didn't go through the chlorinator.

Now, as I have said, none of the Portland representatives or representatives of this district, felt sufficiently alarmed to go down and appear before the committee and the view of a committee in this matter was that we didn't feel that we wanted to set ourselves up as sanitary experts and render a verdict in this matter which the sanitary experts employed by the Portland Water District had advised wasn't necessary. I hope, Mr. President, that the motion of the Senator from Cumberland, Senator Slocum, will not prevail.

Mr. SLOCUM: Mr. President, I would like to correct one thing, in justice to the Portland Water District. The statement made by the Senator from Androscoggin, Senator Greenleaf, was that they tested the water twelve times a day. As a matter of fact I believe it is tested fifteen times a day. I have tried in every way to be fair in the presentation of this matter but I would like to differ with the views of the opponents in that I cannot see if that water is positively sterile, where the colon bacilli come from. I am informed that the excrement from a gull does not contain the colon bacilli that is found in the water and I think that that statement of my colleague's is in line with some of the other claims of the opponents that this water is positively sterile, when there are colon bacilli present in it.

Mr. SPEAR of Cumberland: Mr. President, I have been hesitating a great deal about approaching this proposition but if I could have the indulgence of the Senate for a few moments I would like to explain the situation as I see it. I was born in the town of Standish. Some thirty years ago the George W. Wescott Company, or he and his associates, sold to the New Portland Water District that property. The people in the town of Standish had weak officials at that time

and they entered into the water district without reserving for themselves any rights. There has been a constant agitation among their people ever since.

I do not agree with the Senator from Cumberland, Senator Slocum, that the water is polluted when it reaches the consumer. I have talked with Dr. Tetreault of the Board of Health and he tells me that sometimes it is sterile and sometimes it is not, but be that as it may they have a Class A water district. The Senator from Cumberland, Senator Slocum, has accomplished much good in agitating this proposition. He has made the Portland Water District much more fair to the citizens of Standish. I think one of the problems at this time and one of the reasons why he gets so much support from that town is because they think that they have been deprived of something. They haven't been able to have water themselves although originally they controlled many miles of the shores of the lake. With this brief explanation, Mr. President, I am going to ask that this matter be tabled in order that the members of the water district and the water users, as well as the people in Standish and Senator Slocum, possibly, may get together. If they could have water mains through Sebago Lake Village and through the town of Standish I think they would be satisfied. The water district has offered ten thousand dollars toward that project. They should build the mains and then charge whatever anybody else pays. I thank you.

Mr. SLOCUM: Mr. President, I would like to correct an impression that I got from the remarks of my colleague, that I am not doing this for the protection of my constituents in Standish alone but also for the protection of the health of my constituents in Portland, South Portland, Westbrook and the rest of the district.

Mr. SPEAR: Mr. President, I move that the matter be laid upon the table.

The PRESIDENT: The Senator from Cumberland, Senator Spear, moves that the matter be laid upon the table, the pending question being the motion of the Senator from

Cumberland, Senator Slocum, to substitute the bill for the report. Is this the pleasure of the Senate?

The motion prevailed.

The President laid before the Senate, Senate Report from the Committee on Judiciary "ought to pass in a new draft" on an act relating to the powers of the State Highway Police, (S. D. 143) tabled on March 13th by Mr. Littlefield of York pending acceptance of the report; and on motion by that Senator the report was accepted and the bill laid upon the table for printing of the new draft under the joint rules.

The President laid before the Senate, an act relating to the Bangor Bridge District (H. D. 535) tabled on March 13th by Mr. Weeks of Somerset, pending passage to be engrossed in concurrence; and that Senator offered Senate Amendment A and moved its adoption: "Senate Amendment A to House Document 535. Amend said bill by striking out in the fifth, sixth and seventh lines thereof the words 'subject to the limitations provided by the Revised Statutes, Chapter 1, Section 6, in regard to organization and commencing actual business' and inserting in place thereof the following: 'Provided actual business shall have been commenced within two years from July 15th, 1929.'"

Senate Amendment A was adopted and the bill as so amended was passed to be engrossed in non-concurrence.

The President laid before the Senate, an act fixing trial terms of the Superior Court (S. D. 329), tabled on March 13th by Mr. Oakes of Cumberland pending second reading; and on motion by that Senator the bill was retabled.

The President laid before the Senate, an act protecting muskrats in the town of Orrington (H. D. 76) tabled on March 13th by Mr. Douglas of Hancock pending consideration.

Mr. DOUGLAS of Hancock: Mr. President, I would ask again to have this retabled as if the gener-

al law which is coming out should pass it would cover this.

The motion to retable prevailed.

The President laid before the Senate, Senate Report from the Committee on Public Utilities "ought not to pass" on an act relating to the Portland Water District (S. D. 116), tabled on March 13th by Mr. SLOCUM of Cumberland pending acceptance of the report.

Mr. SLOCUM of Cumberland: Mr. President, I move that this be retabled as the opponents and proponents and the committee are trying to redraft it to take care of the objection.

The motion to retable prevailed.

The President laid before the Senate, resolve for a teachers' pension for Sadie Cummings (S. D. 310) tabled on March 13th by Mrs. Pinkham of Aroostook, pending passage to be engrossed.

Mrs. PINKHAM of Aroostook: Mr. President, I ask permission to retable this resolve and I hope that we can dispose of it within a very few days as it would be cared for if another bill which is before us receives final enactment.

The motion to retable prevailed.

The President laid before the Senate, an act relating to wards in the city of Portland (H. D. 278) tabled on March 13th by Mr. Oakes of Cumberland pending passage to be engrossed in concurrence; and that Senator offered Senate Amendment A and moved its adoption: "Senate Amendment A to House Document 278. Strike out all after the enacting clause and insert in place thereof the following: The City shall remain divided into nine wards unless and until the City Council shall change the number thereof as hereinafter provided. It shall be the duty of the City Council, not oftener than once in ten years, if the City Council determines that the wards do not represent an equal number of voters in each ward, to alter the boundaries of the wards so that, as nearly as may be, there shall be an equal number of voters in each ward, and the City Council may change the number of wards, keeping as nearly as may be an equal number of voters in each ward.

Sec. 2. All acts, parts of acts, inconsistent herewith, are hereby repealed."

The PRESIDENT: Is it the pleasure of the Senate that Senate Amendment A to House Document 278 be adopted?

Mr. SLOCUM of Cumberland: Mr. President, I rise to inquire through the Chair of the Senator from Cumberland, Senator Oakes, what is the disposition of the island wards of Portland.

The PRESIDENT: The Senator from Cumberland, Senator Oakes, may answer if he desires.

Mr. OAKES of Cumberland: Mr. President, the island wards are now part of ward one. The returns come in to ward one. They are established as separate precincts of that ward. I think there would be no question about that being continued. This is the only way that could be handled as far as I know.

The PRESIDENT: The pending question is on the motion of the Senator from Cumberland, Senator Oakes, that Senate Amendment A be adopted.

Thereupon Senate Amendment A was adopted and the bill as so amended was passed to be engrossed in non-concurrence.

The President laid before the Senate, Senate Report from the Committee on Inland Fisheries and Game "ought not to pass" on an act making it lawful to kill foxes and skunks (S. D. 88) tabled on March 13th by Mr. Douglas of Hancock pending acceptance of the report.

Mr. DOUGLAS of Hancock: Mr. President, I would like to ask the indulgence of the Senate to retable this matter for the same reason as the other one.

The motion to retable prevailed.

The President laid before the Senate, an act increasing the amount of exemption from taxation of household furnishings (H. D. 295) tabled on March 13th by Mr. Crosby of Penobscot pending motion to indefinitely postpone.

Mr. CROSBY of Penobscot: I yield to the Senator from Somerset, Senator Page.

Mr. PAGE of Somerset: Mr. President, I tabled the act for the

purpose of looking into the matter. I went up to the State Assessors office and talked it over with them and they were of the opinion that it would reduce the revenue of the State approximately \$630,000 I immediately got in touch with the member from the House and he went up and talked to the State Assessors, as I understand, and they didn't think it would make a great deal of difference. A little later he and I went up together and we really didn't get much information. I would like to withdraw my motion to indefinitely postpone.

The PRESIDENT: The Senator from Somerset, Senator Page, asks the unanimous consent of the Senate to withdraw his motion to indefinitely postpone the bill. Is this the pleasure of the Senate?

Unanimous consent to withdraw the motion was given.

Mr. PAGE: Mr. President, I think there are thirty members here who know more about this than I do and I yield the floor to them.

The PRESIDENT: The question now before the Senate automatically becomes the passage of this bill to be enacted.

Thereupon, the bill was passed to be enacted in concurrence.

The President laid before the Senate, resolve in favor of the adoption of an address to the Governor for the removal of Clyde H. Smith, Charles H. Murray and Edwin T. Clifford (S. D. 333) tabled on March 12th by Mr. Spear of Cumberland pending consideration.

Mr. SPEAR of Cumberland: Mr. President, I move that this be retabled as we may need it later.

The motion to retable prevailed.

The President laid before the Senate, an act relating to the registration of non-resident trucks (S. D. 111) tabled on March 14th by Mr. Oakes of Cumberland pending enactment.

Mr. OAKES of Cumberland: Mr. President, this is involved in other legislation that may include it and I therefore move that it be retabled.

The motion to retable prevailed.

The President laid before the

Senate, an act confirming the construction of the Ferry Wings at Peaks Island, (H. D. 294), tabled on March 14th by Mr. Weatherbee of Penobscot, pending enactment.

Mr. WEATHERBEE of Penobscot: Mr. President, this bill is, though very short, imperfectly drawn and I desire to offer an amendment correcting the error. I therefore move that the rules be suspended and we reconsider the vote whereby this bill was passed to be engrossed.

The motion prevailed.

Thereupon the same Senator offered Senate Amendment A and moved its adoption.

Senate Amendment A to House Document 294 An act confirming the construction of the Ferry wings at Peaks Island. "House Document 294, An Act confirming the construction of the Ferry wings at Peaks Island is hereby amended by striking out all of said bill after the enacting clause and substituting the following: The location of the existing Ferry wings constructed by the Peaks Island Ferry Company at Peaks Island is hereby approved and made valid."

Senate Amendment A was adopted, and the bill as amended was passed to be engrossed in concurrence.

The President laid before the Senate an act relating to the Milo Water Company, (H. D. 537), tabled on March 14th by Mr. Leland of Piscataquis, pending enactment; and on motion by that senator, the rules were suspended and the Senate reconsidered its action whereby this bill was passed to be engrossed.

Thereupon the same Senator offered Senate Amendment "A" and moved its adoption:

"Senate Amendment A to House Document 537 entitled An act to amend section two of Chapter One Hundred Seventy-three of the Private and Special Laws of Nineteen Hundred and Five Relating to the Purposes of the Milo Water Company. Amend by adding in the thirteenth line in section two after the word 'Brownville' the following: 'Such sewage system is hereby declared to be a Public Utility and as such subject to all the provisions of chapter fifty-five, revised

statutes of nineteen hundred sixteen and acts amendatory thereof and additional thereto.”

The PRESIDENT: Is it the pleasure of the Senate that Senate Amendment “A” be adopted?

Mr. MURCHIE of Washington: Mr. President, may I ask the Senator from Piscataquis (Senator Leland) a question through the Chair?

The PRESIDENT: The Senator may answer if he desires.

Mr. MURCHIE: Do you mean to make that subject to the Public Utilities act?

Mr. LELAND of Piscataquis: Yes, sir.

Mr. MURCHIE: If my memory is right, that is Chapter 55 of the Revised Statutes instead of 45, but I am not in a position to say. I move that the bill be tabled.

The bill was tabled pending adoption of Senate Amendment “A”.

The President laid before the Senate, resolve in favor of the Charles H. Cutter Coal Company, (H. D. 642), tabled on March 15th by Mr. Dunbar of Hancock, pending Adoption of Senate Amendment “A”; and on motion by that Senator, the bill was retabled.

The President laid before the Senate an act relative to the National Encampment of the G. A. R., (H. D. 643), tabled on March 18th by Mr. Spear of Cumberland, pending motion to indefinitely postpone House Amendment “A”.

Mr. SPEAR of Cumberland: Mr. President, I called the city manager of the city of Portland this morning but he was away at the time. I am trying to get some information as to what the city of Portland is going to do in this matter, and therefore I would move to retable this bill until tomorrow morning.

The motion to retable and assign prevailed.

The President laid before the Senate, an act relative to a Town Line between Hancock and Lamoine, (S. D. 337), tabled on March 18th by Mr. Littlefield of York, pending adoption of Senate Amendment A; and recognized that Senator.

Mr. LITTLEFIELD of York: Mr. President, I realize perhaps that what I should say in regard to this

matter would not change a vote in this Senate. I simply wish to say that I was a member of the Committee on Towns that heard this bill. At the same time we heard this matter we had three other bills, and on the others we voted to give the town or towns a chance to vote, or in other words, a referendum.

This bill, when it came before the Committee as it did, the Committee voted that the bill “ought not to pass,” but the Chairman, in talking with the Committee, favored a referendum on the bill. This referendum, after some little argument from the Chairman and some of the committee, we agreed to, thinking that it would be all right.

The argument before that committee was in part, in the executive session, that they, themselves did not want Aroostook members to come to their town and say that their town should be divided. We talked this over very thoroughly. Now I understand—I do not know—that this is true, that the people were perfectly willing to do that. I do know that we had a good, fair hearing before the Committee on Towns, and I know that the committee was very set and if it had not been for the Chairman of that committee, there would have been no referendum attached to this bill.

Now, the amendment that is offered strikes off the referendum and simply says that the Legislature says they must divide whether they wish to do it or not.

Now, while I have no interest in it at all,—I have asked no man to vote for or against it,—I do think that the people of Hancock and the people of Lamoine know whether they need the division or not, and I am perfectly willing, as one of the committee, to leave it to them, and I hope that the Senate will feel the same.

Mr. DOUGLAS of Hancock: Mr. President, I didn't think that I would perhaps have to go over this bill again. The Senator from York, (Senator Littlefield) cites other cases that they had before them which had no reference to this case whatever. He points out that perhaps the chairman of that committee argued—I imagine they argue in every committee—that persons from Aroostook have nothing to do about towns down in Hancock. That has been true in all the separations and all the in-



creasings in the town bills that have gone through this Legislature, and if it was not for the purpose of getting some action from a Legislature, it would not be necessary to come up here for that purpose. But if my knowledge of that particular thing, and representing as I do, both of those towns, and living in close proximity to both of them, having a personal knowledge, perhaps more personal knowledge of their particular needs than anyone who might come up here to represent them. I do not think without exaggeration at all that there is a man in that county that is personally known and knows his neighbors better than I, and I have told you the truth that that little hamlet here has been taxed since 1781 without representation. They are geographically in Lamoine and socially in Lamoine. Now gentlemen, I am telling you the truth. It is a fact the only bill I have in this Legislature that I am working for, it is for the reason that those people may legally come over to our place and vote, where they spend all of their time, and I hope that you will vote to pass this amendment.

The PRESIDENT: Is there further debate? The Chair will state that the question before the Senate is on the motion of the Senator from Hancock (Senator Douglas) that the amendment be adopted.

A division of the Senate was had. Twenty-two having voted in the affirmative and five in the negative, the motion to adopt Senate Amendment A prevailed.

Thereupon, the bill as amended by Senate Amendment A was passed to be engrossed.

On motion by Mr. Murchie of Washington, the Senate voted to take from the table An act relating to the Milo Water Company, (H. D. 537), tabled by that Senator earlier in today's session, pending enactment.

Mr. MURCHIE of Washington: Mr. President, I understood the Secretary, when reading the amendment to read "Chapter 45 of the Revised Statutes". Examining the amendment, I find it is Chapter 55. Probably it was my hearing and not his voice that was at fault. I move the adoption of Senate Amendment A.

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

(On motion by Mrs. Carter of Androscoggin, the rules were suspended and the Senators were allowed to smoke.)

On motion by Mrs. Carter of Androscoggin

Adjourned until tomorrow morning at ten o'clock.