

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fourth Legislature

OF THE

STATE OF MAINE

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support and telephones and telephone lines. I think this bill ought not to become a law giving towns and cities the authority to go into the telephone business and tax the inhabitants for running a business like this. All over the State there are bankrupt telephone companies whose only hope is that some larger company would take them over and take care of the stock and the stockholders. The stock telephone companies require some capital. A town can issue stock and run a telephone company by taxation, and you can see at once the difficulties that would arise. Enact this law and some town which has a weak board of municipal officers or a town which is being run by some fellow who wants a telephone company established will induce the town to go into this telephone business. We must protect these towns against themselves. Charles Francis Adams says that a municipality may at times properly own its light and heat and water plants but wherever a town or city has attempted to have under its own control and own street railways or telephones and operate them it has been a failure on every occasion and that it has resulted in disaster to the city or town that has tried it; and he advises that it never should be done. I think this House should say that this bill ought not to pass, and I move that it be indefinitely postponed.

Mr. CAMPBELL of Kingman: Mr. Speaker: The report of the committee on this bill was unanimous in its favor. I would like to hear from some member of the committee.

Mr. BEYER of Portland: I hope the motion to indefinitely postpone will prevail. This is a general law which allows a city by a majority vote of its city council to buy any telephone line or erect one and tax its inhabitants for the support of that line. If it were a special act it would be a different matter. A general law allowing the wholesale buying of any one of this class of operations I do not think should go through this Legislature.

The question being on the motion to indefinitely postpone the bill.

The motion was agreed to.

Unfinished business: An Act to restore Portland bridge.

Mr. MOULTON of Cumberland: Mr. Speaker, this bill was tabled pending the adoption of House Amendment A. Last week I made a motion to indefinitely postpone this amendment with the bill. The gentleman from South Portland (Mr. Spear) proposed that unless he could offer a proposition which was acceptable to every representative on the delegation outside of the city of Portland he would let the matter drop. Under those conditions I accepted the proposition. At that time every delegate in Cumberland county, together with the county commissioners, was opposed to this bill except three, and during this time the Portland delegation have got together and have agreed on matters in regard to City hall and the other matters pertaining to Portland with the understanding that the remaining delegates from Portland shall support this bill that the Portland bridge shall be built over. This amendment says that work on this bridge on the passage of this act shall at once begin. The bridge at the present time is in a good state of preservation and probably the best authority we have says that it will answer the purpose and be safe for from four to six years. Three county commissioners are opposed to this bill and the best experts they can obtain say that the bridge is absolutely safe. The only thing about it that they bring up is that the bridge is inadequate to do the business which is done at the present time. I make a motion to indefinitely postpone this bill and the amendment.

Mr. ROUNDS of Portland, Mr. Speaker, I have an amendment to offer which provides that in the judgment of the county commissioners, when they deem it advisable, they shall build Portland bridge on certain lines. Those of you who wanted to do so had an opportunity to look at the situation there and you saw what it was, how they had to wait for the draw to be opened and working as it did in the old way; but we are willing to keep on until it gets worn out so that it may be built right under the direction of the county commissioners; and if

you vote against the indefinite postponement of it I shall introduce an amendment to that effect.

When Portland draw was built 18 years ago that bridge was not built to allow an electric car over it. It was only designed for a six ton bridge. That bridge has existed all these years and since then the large Saco cars weighing 10 or 12 tons are passing over that bridge. I am not asking for the county commissioners to construct this bridge right away, but when in their judgment they shall think it best to do so. If I am permitted I shall offer an amendment to this effect, that whenever in the judgment of the county commissioners public safety and business requires the reconstruction of the bridge the county commissioners shall proceed to construct it with a suitable draw of sufficient width to accommodate all of the Cumberland delegation. The gentleman from Cumberland has told us that nearly all of the Cumberland delegation are opposed to having this bridge built. I want to say that 90 per cent. of the tax paying public down there are in favor of this bill as amended.

The SPEAKER: The gentleman from Cumberland moved to indefinitely postpone but prior to his motion the gentleman from Portland (Mr. Rounds) offered an amendment. The motion to amend has precedence over the motion to indefinitely postpone.

Mr. GRANT of Freeport: Mr. Speaker, last week the gentleman from Portland (Mr. Rounds) was shouting for economy and did everything he could to defeat the building of City hall on the ground of economy. Now here is a bridge that is not needed and according to the best authority will not be needed for some six years and it will cost a million dollars; and this same gentleman now wants the county of Cumberland saddled with that bill. He said last week that he did not want to build City hall because it would be a monument to Mayor Leighton, and he is asking you by passing this bill to build a monument to himself that will cost a million after Cumberland county has just completed a million and a half dollar court house. Monday night at our session this same gentleman

said that if some people keep on they will have Cumberland county bankrupt. Now this bridge that they are asking to have built is not only the present bridge but seven hundred feet more into the city of Portland and enough higher to extend over the tracks of the Boston & Maine and Maine Central Railroad; and the people outside of the city of Portland have got to help maintain that bridge after it is built.

We do not need this bridge at the present time and it will be six years before we do need it, and why not let some future Legislature enact this law? I have not the slightest doubt that my friend from Portland (Mr. Rounds) will be here two years from now and can get this bill through if necessary; and I am going to predict, as was predicted last fall when he was elected, that if he is here he will be heard from. (Laughter.) My people living in a country town oppose this bill, and I understand that a greater part of the people in Portland oppose this bill. The county commissioners are to a man opposing this bridge bill. I learned a good many years ago that it was a good rule not to cross a bridge until you come to it, and I do not believe but what the same rule will work well today, not to build the bridge until we need it. This is the first time I have occupied any time on the floor and asked any favors of this house, but I do hope you will be reasonable about this matter and vote with us to indefinitely postpone this bill. (Applause.)

Mr. MARSHALL of Portland: Mr. Speaker, I realize that Portland has occupied a great deal of the time of this House. (Applause.) The amendment offered it seems to me is reasonable. It puts no burden on the county. It simply provides that in case of any accident, in case it should be demonstrated that a new bridge was immediately needed there by reason of any accident which should occur, that then the county commissioners have the authority to go ahead and do the work promptly. The amendment offered is very different from the original bill. I think the original bill did not meet the general approbation of the Portland delegation; I believe the amendment does.

Mr. Rounds offered House Amendment B.

Mr. DAVIES of Yarmouth: Mr. Speaker, Portland is a large city (applause) and a very influential city (applause) and I think that the very able representatives from that city who come here do not intend that the city shall lose any prestige (applause) on account of their being here. (Applause.) But there is another consideration. Portland is not the only town or city in Cumberland and this is a Cumberland county matter which involves the sum of a million dollars; so think it is best that we should go ahead to the considerations which have been offered on both sides, weighing the matter carefully, and then doing justice as we see it. I believe the matter is one which should have gone to the Cumberland county delegation for consideration. I do not intend to suggest at all that the matter was not fairly and honestly acted upon, but I do feel that it is a matter where the members of the Cumberland delegation would know more about and could decide more intelligently than the committee to which it was referred.

Now the bill provides for the reconstruction of Portland bridge. Could there be anything more simple or appropriate than that? But there is tacked onto the bill a provision that the rest of the county shall pay for a viaduct that goes from Brackett street to the bridge, and I can hardly see why the county should do that. As has been suggested by the gentleman from Freeport, Cumberland county is building a court house and there have been enabling acts passed by this Legislature thus far providing for the expenditure of \$950,000, and I do not think that anything has been done yet on the inside of the building. The city of Portland pays 60 per cent. of it, or thereabouts, and the county pays the balance. Now we are poor in Cumberland county outside of Portland, and in addition to its other outlays Portland wants to hook on about a million dollars for a bridge and is going to ask the county to pay half of it and it is going to include this viaduct. Of course the bridge is going to benefit the county somewhat, but the conditions are these: \$5200 has been expended on the present bridge, and I think it has been acknowledged by a number of people interested in it that at the present time

there is no immediate need of rebuilding this bridge. Now considering all that is going on in Cumberland county and particularly in the city of Portland, the debts that are being incurred there which have got to be met, does this Legislature representing the State of Maine want to say to the inhabitants of Cumberland county outside of the city of Portland, you must help them build a bridge at the present time that is approximately 2800 feet long? Or would it be better and the part of wisdom to wait a short time until we get our second wind down there on the financial question and then say to us: "This is something that has got to be built and the proper time has come and we feel it necessary to call upon you to pay your proportional part?" It is one of the largest propositions which has been offered at this Legislature; and speaking for the inhabitants of my own town and our sister town of North Yarmouth I feel that we ought not to be called upon to go to this expenditure at the present time. (Applause.)

Mr. ROUNDS: Mr. Speaker: I don't think the gentleman from Yarmouth has read the bill very carefully. It seems that the gentleman from Yarmouth when he wanted a bridge so that he could get it out of Yarmouth to Portland, they came here and we gave them a nice iron bridge. Now, we are only asking a little for the other parts of the county, as to this viaduct it is a part of the old bridge; it is the old right of way. That is all we are asking for is to put that bridge back in the old right of way.

Mr. SPEAR of South Portland: Mr. Speaker: When this bill came from the table last week the motion was made by the gentleman from Cumberland (Mr. Moulton) to indefinitely postpone, and at that time I asked that the matter be assigned until Friday of the same week. I made a statement that I had a proposition to submit to the county delegation that seemed to be satisfactory to the gentleman and to the House. I made my proposition to the gentleman from Cumberland and to perhaps three or four more of the delegation within 20 minutes, and it was not favorably received, and I dropped it. There was a county delega-

tion meeting called for that night which I did not attend, but I notified the secretary as to what my proposition was. Now, you are all aware that this Portland bridge bill originally and the amendment offered previous to Amendment "B" was not a bill of my initiative, and I find that the parties offering the bill and the Portland delegation and a large percentage of the county Delegation have agreed on House Amendment "B." House Amendment "A" was a very drastic proposition. It was that the county commissioners should proceed practically forthwith to reconstruct and rebuild the bridge. I was not in favor of that proposition. It carried another provision stating that the county shall pay one-half and the railroad interests should pay one-half. I objected to that. I suggested in case the parties could not agree that the county commissioners could still go ahead and build and the proportional expense should be divided by some justice of the court sitting in equity after a hearing. The present amendment which the gentleman from Portland desires to have adopted is, in affect this, that whenever in the judgment of the county commissioners public safety and business demand the reconstruction of the bridge then it shall be reconstructed along certain lines. There is the only limitation or restriction in the bill. It does not carry with it a single intent to shorten the life of the present bridge. In relation to the property interests the present bridge is so low, so near the surface of the water, that the draw has to be opened at least four times unnecessarily for once that it is necessary. This amendment is nothing more or less than an enabling act. It carries with it the authority to issue bonds to the amount of half a million dollars and reconstruct the bridge along permanent lines, and only when in the judgment of the county commissioners safety and business demand it. My people recognize the fact that Cumberland county is building a court house, that Portland is building a city hall. My people are not rich, my city is not rich. We are not in any hurry for the reconstruction of Portland

bridge, but conditions there are dangerous, and it is a matter vital to the protection of our families and vital to the interests of our property, and when this bridge is built it should be built permanently and along permanent lines. We fear nothing more or less than a half-way proposition which ought not to be attempted. We ask you to pass this enabling act to give the county commissioners authority to build this bridge. We simply ask that when it is reconstructed it shall be reconstructed permanently and right.

Mr. TRUE of Portland: Mr. Speaker: As a member of the Portland delegation, I hope the House will see fit to support the amendment.

Mr. JORDAN of Cape Elizabeth: Mr. Speaker, I live out beyond this Portland bridge in the town of Cape Elizabeth that has a valuation of about a million dollars. If there is one thing which retards our growth it is this Portland bridge; and I am interested that when that bridge is reconstructed it shall be reconstructed along proper lines, and for that reason I favor the amendment.

Mr. WHITNEY of Gorham: Mr. Speaker, as one of the delegation from Cumberland county I do not see why we should not leave this measure to some future Legislature to decide. I hope the amendment will not prevail.

Mr. Bisbee of Rumford, moved the previous question.

The motion was agreed to.

The question being, shall the main question be now put?

It was agreed to.

The question being on the adoption of House amendment "A."

The amendment was adopted.

The question being on the adoption of House amendment "B" to House amendment "A."—

A division was had, and 60 voted in the affirmative and 32 in the negative.

So the amendment was adopted.

The bill then received its two readings, and on motion by Mr. Rounds of Portland, the rules were suspended, the bill received its third reading and was passed to be engrossed as amended.

Unfinished business: An Act to make uniform the standard relating to the