

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**  
OF THE  
**Sixty-Ninth Legislature**  
OF THE  
**STATE OF MAINE.**  
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**1899.**

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**HOUSE.**

Friday, March 3, 1899.

Prayer by Rev. Mr. Ladd of Augusta.

Papers from the Senate disposed of in concurrence.

Resolve in favor of the committee on State Reform school came from the Senate, passed to be engrossed under suspension of the rules.

The House suspended the rules, the resolve was read twice and was passed to be engrossed in concurrence.

An act to incorporate the Bluehill and Bucksport Railroad Company.

On motion by Mr. Macomber the bill and report were recommitted to the committee pending the acceptance of the report.

An act to extend the provisions of the general statutes to street railway charters relating to the location of tracks.

On motion by Mr. Macomber the bill and report were recommitted to the committee pending the acceptance of the report.

Resolve to repair The Forks bridge in The Forks Plantation, Somerset county.

The following bills, petitions, etc., were presented and referred, matters of a private nature being introduced under suspension of rules limiting the same to February 1:

**JUDICIARY.**

By Mr. Hyde of Bath—Bill an act in relating to political caucuses in towns.

By Mr. Maxcy of Gardiner—Bill an act to amend an act to incorporate the city of Gardiner.

**LEGAL AFFAIRS.**

By Mr. Fogg of Freeport—Bill an act to incorporate the Freeport Village Corporation.

By Mr. Leavitt of Eastport—Bill an act authorizing the Central Congregational Society of Eastport to hire money.

**MILITARY AFFAIRS.**

By Mr. Brown of Falmouth—Resolve in relation to re-equipping the National Guard.

**SHORE FISHERIES.**

Bill an act to amend Chapter 279 of the Public Laws of 1897, relating to the packing of sardines.

Was tabled and ordered printed pending reference to committee on motion of Mr. Wood of Camden.

Mr. GARDNER of Patten: I have a bill to introduce and I ask the indulgence of the House for a few explanatory remarks in regard to it. The title of the bill is "An act to amend Section 42 of Chapter 6 of the Revised Statutes, as amended by Chapter 166 of the Public Laws of 1893, relating to the taxation of railroads." This bill is introduced, first, because it is absolutely necessary that the State increase her revenue. We must either face the proposition of increasing the tax rate and go back to our constituents on record as appropriating sums sufficient to call for an increasing of the tax rates or we must look for new sources of revenue.

The second reason is because it is a fact which no man can gainsay or dispute, that the railroad property of this State does not pay a just proportion of the taxes, in accordance with the rates on other property. It is also because there is good reason to believe that no official of any railroad corporation will move in this matter. There is also a suspicion that in framing the present law much skill was used to see, not how large a revenue, but how little, the State might derive. Now the present method of taxing railroad property is not in conformity with that used on other property, but is a special rule and well calculated to mystify the average man in attempting to decipher what that method is. Outside of small amounts paid on buildings and grounds in municipal taxes, railroad corporations pay on no fixed values, but they pay on their earnings alone. Now the result under this system is that the railroad property of this State pays about one-fourth of the rate that does other property in the State. To cite you to a concrete example of method and result I refer you to the railroad commissioners' report, to the State treasurer's report, and to the State assessor's report, regarding the Maine Central Railroad. To any member of this body interested for his constituents, and seeking to do right by the people of this State and justice to all her interests, these reports will afford food for reflection.

To speak in a general way and deal in round numbers we find that the Maine Central Railroad property's actual value is about \$36,000,000. A full two-thirds, or \$27,000,000 is within this State. This pays an excise tax, a rail-

road commissioners' tax, and a certain amount of municipal taxes. Now from the commissioners' report the total amount of taxes paid by the Maine Central Railroad for the past year, has been \$114,000. While I have not had time to figure this exactly it is my impression that that includes the excise tax and the municipal tax in New Hampshire as well as in Maine. But even taking the whole amount as paid in Maine we find that this is about one-half of one per cent. on a very low estimate of values—in other words, as figured in the assessors' office, this morning, about four and three-fourths mills. So much as to the present condition.

As to this bill I introduce, it will put the tax on the railroad property at about one per cent, if you see fit to make it a law, a very modest increase and much less than is paid by the people whom you represent. I ask you to study the merits of this bill carefully, remembering that you are here to look after the interests of the whole people of this State. Mr. Speaker, I move that this bill be referred to the committee on taxation, and further move that it be tabled for printing pending its reference.

The motion was agreed to and the bill was laid on the table for printing pending reference to the committee on taxation.

On motion by Mr. Fogg of Freeport,

Ordered, That Harlan P. Prince of Yarmouth, be granted leave of absence for 10 days on account of severe sickness.

On motion by Mr. Smith of Presque Isle,

Ordered, That on and after March 3, 1899, William C. Farrell of Van Buren, be excused from further attendance upon the sessions of the Legislature and that his pay be made up to the end of the session.

#### REPORTS OF COMMITTEES.

Mr. Farnsworth from the committee on agriculture, reported ought not to pass on bill an act to repeal chapter 334, of the Public Laws of 1897, relating to Concentrated Commercial Feeding Stuff.

Pending acceptance the report was tabled and Wednesday next, assigned for its consideration on motion of Mr. Buck of Orland.

Mr. Smith from the committee on the judiciary, reported ought to pass on

bill an act to amend section 14, of chapter 63, of the Revised Statutes, relating to registers of probate.

Same gentleman from same committee, reported same on bill an act to amend section 2, of chapter 80, of the Revised Statutes, relating to sheriffs and their deputies.

Mr. Merrill from same committee, reported same on bill an act to authorize the town of Skowhegan to perfect its title to the school property in said town.

Mr. Virgin from same committee, reported same on bill an act giving mortgagees a lien for costs of foreclosure under section 5, of chapter 90, of the Revised Statutes.

Mr. Harris from same committee, on bill an act to amend and extend the charter of the Lisbon Water Company, also on act to extend the charter of the Lisbon Water Company for an additional two years, reported ought to pass in new draft, bill an act to incorporate the Lisbon and Topsham Water Company.

Same gentleman from same committee, reported ought to pass in new draft under same title, bill an act to establish a municipal court in the town of East Livermore.

Mr. Guernsey from the committee on legal affairs, reported ought to pass on bill an act to amend section 18, of chapter 63, of the Revised Statutes, relating to the appointment of register of probate.

Mr. Gentleman from same committee, on petition, reported bill an act to incorporate the Monmouth Center Village Corporation.

Mr. Chase from same committee, reported ought to pass in new draft under same title, bill an act to amend an act entitled "An act to annex Franklin Plantation in the county of Oxford to the towns of Rumford and Peru, approved by the Governor, February 21, A. D., 1899."

Same gentleman from same committee, on bill an act to incorporate the Lubec Water Company, reported ought to pass in new draft bill an act to incorporate the Lubec Water and Electric Light Company.

Mr. Sanborn from same committee, reported same on bill an act creating the Dixfield Village Corporation.

Mr. Manley from the committee on financial affairs, reported ought to pass

in new draft under same title, resolve in favor of the city of Augusta.

Mr. Beal from some committee, reported ought to pass in new draft under same title, resolve providing for an epidemic or emergency fund.

Mr. Hix from same committee, reported ought to pass in new draft under same title, resolve apportioning the appropriation for the deaf, dumb and blind for the year 1899.

Mr. Burns from the committee on education, reported ought to pass on resolve in favor of building for the Maine Industrial School for Girls.

Same gentleman from same committee, reported ought to pass in new draft under same title, resolve in favor of the Maine Industrial School for Girls.

Same gentleman from same committee, on order reported, bill an act to provide for insurance on the Gorham Normal school buildings, Farmington Normal school building, Castine Normal school building and Madawaska Training school buildings.

Mr. Smith from same committee, reported same on bill an act to permit and authorize the use of voting machines at all elections.

Same gentleman from same committee, reported same on bill an act to amend paragraph 6, of section 55, of chapter 86, of the Revised Statutes, relating to trustee process.

Mr. Perkins from same committee, reported same on bill an act for better preservation of early records.

Same gentleman from same committee, reported same on bill an act entitled "an act authorizing a guardian to carry out the powers of his ward in certain cases."

Mr. Virgin from same committee, reported same on bill an act to regulate the fire department of the city of Portland.

Mr. Harris from same committee, reported same on bill an act to incorporate the Topsham Water Company.

Mr. Manley from same committee, reported legislation inexpedient on order to inquire into the expediency of so amending the constitution that a citizen of the United States, not less than 30 years of age, who has been five years a resident of the State, may be eligible to the office of Governor, though he be not a natural born citizen of the United States.

Mr. Manley from same committee, reported same on order to inquire into

the expediency of revising the Public Laws of the State of Maine.

Mr. Hopkins from the committee on legal affairs, on order that the committee on legal affairs, consider the expediency of the adoption of the Torrens System of Land Transfer, reported that same be referred to the next Legislature.

Same gentleman from same committee, reported ought not to pass on bill an act to provide for the rebuilding and maintenance of the old warehouse wharf in Portland lower harbor.

Mr. Gurnsey from same committee, reported same on bill an act relating to practice in probate courts of Maine.

Mr. Powers from the committee on financial affairs, on resolve in favor of the town of Somerville, reported that same be referred to the next Legislature.

Mr. Field from the committee on federal relations, reported ought not to pass on memorial to the House or Representatives of the 56th Congress of the United States, in relation to the admission to a seat in the House of Representatives of a representative from the State of Utah.

Same gentleman from same committee, reported same on resolve in relation to Brigham H. Roberts, member-elect to the National House of Representatives from the State of Utah, holding a seat in that body.

Mr. Ryerson from the committee on education, on bill an act to amend section 108, of chapter 11, of the Revised Statutes, in relation to the qualifications necessary for admittance to Normal schools.

Mr. Walker from same committee, reported same on resolve in favor of the establishment of a Normal school at Machias, to be known as Washington County Normal school.

Mr. Burns from same committee, reported leave to withdraw on petition of A. R. Stantial and others for an amendment to the law in regard to Free High schools.

Mr. Maxwell from the committee on railroads, telegraphs and expresses, reported ought not to pass on bill an act to incorporate the Cumberland and Oxford Railroad Company.

Mr. Leavitt from same committee, reported same on bill an act to amend the charter of the Ossipee Valley Telegraph and Telephone Company.

Mr. Deering from the committee on banks and banking, reported ought not to pass on bill an act to amend section 147, of the Revised Statutes, as amended by chapter 161, of the Public Laws of 1895, relating to Savings banks.

The reports were accepted and sent to the Senate.

Mr. Maxwell from the committee on railroads, telegraphs and expresses, reported ought to pass on bill an act relating to the Wiscasset & Moosehead Lake Telegraph and Telephone Company.

Same gentleman from same committee, reported ought to pass in new draft under same title, bill an act to incorporate the Winthrop Telegraph and Telephone Company.

Mr. Leavitt from same committee, reported ought to pass on bill an act to extend the charter of the Lewiston, Augusta & Camden Railroad Company.

Mr. Deering from the committee on banks and banking, reported ought to pass on bill an act to incorporate the Houlton Trust Company.

Mr. Buck from the committee on shore fisheries, on petition reported bill an act to prevent the taking of smelts by drag seine in the waters of Buck's Harbor, Orcutt's Harbor and Lawrence bay in the town of Brookville.

Mr. Wood from same committee, reported ought to pass in new draft under same title, bill an act to amend and additional to chapter 235, Public Laws of 1897, relating to sea and shore fisheries.

Same gentleman from same committee, reported ought to pass in new draft under same title, bill an act to amend section 1 of chapter 119 of the Private and Special Laws of 1891, entitled "an act to prohibit the taking of spawm herring within certain limits in Milbridge or Naraguagus bay."

Mr. Parkhurst from the committee on insane hospital, on order reported bill an act amendatory of and additional to chapter 143 of the Revised Statutes, relating to the insane hospital.

Mr. PARKHURST of Bangor: In view of the fact that legislation accompanying this report is sent to the House from the committee upon authority of an order of the House, I have been asked by my associates on the committee, when reporting it, to explain to the House the needs of the institution, and how they propose to satisfy those needs. It is probable that the institution in Bangor will be com-

pleted and ready for the reception of patients by the latter end of the summer of next year. The present statute provision relates solely to the hospital at Augusta; so that some provision was needed to enable the hospital at Bangor to be organized and receive patients. Provided it was decided by the Legislature, as the committee recommend, to give to the same board of trustees the care of both institutions, it was thought best to increase the board by the addition of one trustee. This has been proposed to this Legislature. Section 2 of the act gives authority to the board of trustees to appoint a superintendent and such other officials as may be necessary to organize the hospital and carry on the work, all of which is to be done under the advice and direction of the Governor and Council. Section 3 provides that the existing State law shall be made applicable to the government of the institution at Bangor as far as possible. It is the belief of the committee that the passage of this act will enable the trustees and the Governor and Council to receive and care for patients in the hospital at Bangor, provided it is completed, as we hope it will be, previous to the assembling of the next Legislature.

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

#### READ AND ASSIGNED.

Bill an act to amend section 11, chapter 78 of the Revised Statutes, relating to the duties of county commissioners.

Was read once and tabled on motion of Mr. Manley of Augusta.

Resolve in favor of Ricker Classical Institute.

Bill an act providing for the appointment and compensation of recorder of the municipal court of the city of Saco.

Read the third time and passed to be engrossed under suspension of rules, on motion by Mr. Philbrook of Waterville.

Bill an act to authorize the Manufacturers' Trust Company to establish a branch at Old Orchard.

Read the third time and passed to be engrossed under suspension of rules, on motion by Mr. Philbrook of Waterville.

Bill an act to amend the title of chapter 295 of the Public Laws of 1897.

Read the third time and passed to be engrossed under suspension of rules, on motion by Mr. Philbrook of Waterville.

Bill an act to amend section 6 of chapter 562 of the Private and Special Laws

of 1868, said chapter being entitled "an act to incorporate the Buxton and Hollis Savings Bank."

Read the third time and passed to be engrossed under suspension of rules, on motion by Mr. Philbrook of Waterville.

Bill an act relating to steam riding galleries.

Bill an act to amend chapter 295 of the Public Laws of 1897, relating to discontinuing schools and conveying school children.

Bill an act to increase the salary of the register of probate of the county of Knox.

Bill an act to amend chapter 450 of the Private and Special Laws of 1893, incorporating the city of Eastport.

Read the third time and passed to be engrossed under suspension of rules, on motion by Mr. Chase of Portland.

Bill an act entitled "an act to apportion the city and county taxes for the years 1899 and 1900 on the township formerly known as Franklin Plantation in the county of Oxford."

Read the third time and passed to be engrossed under suspension of the rules, on motion by Mr. Philbrook of Waterville.

Bill an act to extend the time for the construction of the Boothbay railroad.

Read the third time and passed to be engrossed under suspension of rules, on motion by Mr. Philbrook of Waterville.

**PASSED TO BE ENGROSSED.**

Bill an act to consolidate, simplify, revise, and amend the laws pertaining to inland fisheries and game, as contained in chapters 30 and 40, of the Revised Statutes, and in amendments and additions thereto, and to repeal old and obsolete, private and special laws pertaining to fishing in the public waters of the State.

Mr. GUERNSEY of Dover: I wish to offer amendment "A," by adding in the third line of section 21, page 17, after the word "one," the word "buck," so it shall read, "one buck deer."

Mr. VIRGIN of Portland: I would like to ask the gentleman to explain his amendment.

Mr. GUERNSEY: The provision of the act allow the killing of one deer in September for certain purposes. At that time the young, as every member knows, are very small. Possibly the bucks are fit for food, but it hardly seems to me that the does, which are very small indeed at that time, should be destroyed; and if deer are to be destroyed for food purposes I think it

should be confined wholly to the bucks. That is the only object I have in offering the amendment. I will state that two years ago that was all that was asked, that the bucks be killed, but that it should not extend to the young generally.

Mr. CHASE of Portland: I understand that the committee, which reported this bill, very carefully considered this matter, and in conference with the commissioners on inland fisheries and game, and that the commissioners and the committee were unanimous in the opinion that the section should read as it appears in the printed bill; that it is impracticable to attempt to make a distinction at that time of the year between the two. It seems to me that the commission and the committee, who have carefully considered this matter and weighed it in all its bearings, are much better able to judge of this matter properly than we can here. I hope that the amendment will not prevail.

The question being on the adoption of the amendment, a division was had, and the amendment was lost by a vote of 16 for, to 33 against.

Mr. VIRGIN of Portland: On examining section 5, on the first page of the bill I am able to determine when it would be lawful to fish in any waters of the State; and I called the matter to the attention of one of the commissioners, Mr. Oak, and he was unable to tell me after a careful reading of that section. He stated that the commissioners endeavored to make the matter plain so there would be no uncertainty. The section reads:

"Sec. 5. There shall be an annual close time for landlocked salmon, trout, togue, and white perch, as follows: for land-locked salmon, trout, and togue, from the first day of October until the ice is out of the ponds and lakes the following spring of each year, except on the St. Croix river and its tributaries."

Now I asked the commissioner if that meant that it would be impossible to fish in any of the waters of any lakes in the State until the ice was out of all the lakes, or if it applied simply to the lake that you wanted to fish in. He said he was unable to say. And I do not believe this House wants to pass a bill of this importance, considering the great interests that are at stake

and the great amount of money that is brought into the State, until we know what that means; and I move that the bill be laid on the table until we can consider it further.

The motion was agreed to.

Resolve authorizing a change in the location of the right of way to State lands in Augusta.

Resolve in favor of improving the sanitary condition of the State campground.

An act to amend section 2, of chapter 115, of the Revised Statutes, as amended by chapter 264, of the Public Laws of 1893, relating to the salary of the county attorney of Cumberland county.

An act in relation to corporations issuing contracts for annuities commencing in the future.

An act to amend section 1, of chapter to poll taxes by adding to said section the words, "which said poll tax shall not exceed \$3 and shall not be less than \$1."

#### PASSED TO BE ENACTED.

An act in reference to Boston Auction Company.

An act to incorporate the Ogunquit Sewerage Company.

An act relating to sealers of weights and measures.

An act to establish the salary of the judge of probate for the county of Hancock.

An act to incorporate the Andover Village Corporation.

An act to incorporate the Van Buren Water Company.

An act relating to chapter 472, of the Private and Special Laws of 1897, entitled "an act to incorporate the Livermore Falls Light and Power Company."

An act to legalize the calling and holding of the annual town meeting of the town of Jefferson, in the year of our Lord 1897.

An act amendatory and additional to chapter 47, of Revised Statutes, relating to Savings banks.

An act to incorporate the Dixfield Fire Engine Company.

An act to amend section 44, of chapter 2, of the Revised Statutes, relating to the distribution of printed copies of the Public Laws.

An act to set off a part of the town of Trescott and annex the same to the town of Edmunds.

An act to amend section 19, of chapter 242, of the Private and Special Laws of 1895, relating to the charter of the city of South Portland.

An act to extend the charter of the Orono Water Company.

#### FINALLY PASSED.

Resolve in favor of blasting a ledge in the town of Frenchville in the county of Aroostook.

Resolve in favor of the Hospital of the Society of the Sisters of Charity of Lewiston, Maine.

Resolve in favor of the Central Maine General hospital.

Resolve in favor of Lee Normal Academy.

Resolve in favor of Wilton Academy.

Resolve in favor of the city of Biddeford.

#### ORDERS OF THE DAY.

Special assignment:

Motion to reconsider vote accepting reports of committee on military affairs, reporting leave to withdraw on petition of Rose White and others for better observance of Memorial day and reporting ought not to pass on bill relating to same.

Mr. PARKHURST of Bangor: At the request of several gentlemen who wish to consider the matter that is specially assigned for today, and as some of them are absent, I move that it lie on the table and be re-assigned to Wednesday of next week.

The motion was agreed to.

Br. BENNETT of Hollis: Yesterday forenoon we passed an order, and I move its reconsideration. The order reads as follows:

Ordered, The Senate concurring, that a special committee consisting of seven members of the House of Representatives and three from the Senate, be appointed to ascertain how many reports of the several departments are printed each year and the cost of same, and recommend to the Legislature how many it is advisable to have printed, and to further take into consideration the necessity and advisability of continuing the office of secretary of the board of agriculture.

Now the first part of the order smells like economy, it tastes like economy, in fact I don't believe but what it is economy to do it; but the latter part of it which relates to the necessity and advisability of continuing the office of secretary of the board of agriculture,



I should like to have reconsidered and stricken out. I don't understand why that order was brought before the House. Evidently there are matters that I don't see through. If it is an attack upon the secretary of the board of agriculture it is out of order entirely, because he has a right to be notified and summoned here and heard on the matter. If it is not an attack on him it is an attack on the board of agriculture. Now I don't believe that this House is ready to do anything to hamper the usefulness of that board of agriculture. It is one of the oldest boards that has been established in this State, and it is about the only thing that the farmers of the State have got left to show that they have any rights or protection in any way in this House. We had an agricultural college. They stove that to pieces and made a law school of it. The Legislature has been tampering with all the law that relates to towns that farmers have anything to do with. They have ripped the road law all to pieces, and the school laws are all smashed up. They haven't benefitted them. In a great many instances I don't consider that there has been any improvement whatever. Now the proposition is made here to have an investigation into the advisability of continuing the office of secretary of the board of agriculture. I do not impute to the gentleman who presented that order any motive of a personal nature. It is an attack on the office of secretary of the board of agriculture. Now if the farmers in the State of Maine have any rights, and I believe they have, we have an opportunity, this morning, to assert those rights. I am willing that there should be investigations made into the printing business, but I do say that it is unfair to attack one of the most important boards we have in the State and to take away from the farmers the privileges that they now have. These institutes that they have in different parts of the State are an important thing, and it is the only education on the part of the government that teaches the farmers of this State. Nobody denies that the agricultural interests of the State surpass all others combined; and when you touch those rights you are tearing up the very foundation of the prosperity of this State, and I say that the order should be reconsidered and stamped upon in

such a manner that such a motion will not come before this House again at this session. If you are going to investigate anything, take some of these minor concerns. See the money we appropriate here to protect fish and deer and foxes and rabbits and everything else under the sun. There are other departments that demand close scrutiny. I hope that every man who has an interest in the farmers, every man who has a garden, who has a flower-pot in his house, a chicken in a coop anywhere, will vote to have this motion reconsidered. (Applause.)

Mr. BEAL of Bangor: I am very much surprised at the gentleman from Hollis (Mr. Bennett), he is so afraid to trust in the hands of a committee appointed by the Speaker of this House, any matter however important or unimportant it may be, to consider it fairly and impartially. The gentleman is looking through the wrong window. Nothing has been aimed at the farmers of Maine, not an identical thing. There is nothing in the order that calls for that. It simply calls for the consideration of the advisability of continuing the office of secretary of the board of agriculture; and it is for the committee to hear the secretary of the board of agriculture, if he pleases, and ascertain whether there is reason for it. And if there is no reason, if the committee so decide, then it must come before the House to be decided, and the gentleman from Hollis will have an opportunity to discuss the report. And I sincerely hope he will have a chance to discuss it, and that every member of the House will look at it and see how much of that money is being appropriated for institute work and for the benefit of the farmers. And I hope that the motion to reconsider any part of that order will not be entertained for one moment.

The question being on the motion to reconsider the vote by which the order received a passage,

The motion was lost.

On motion by Mr. Beal of Bangor the report of the Maine State cattle commissioners was taken from the table and referred to the committee on agriculture.

On motion by the same gentleman the report of the secretary of the board of agriculture was taken from the table

and referred to the committee on financial affairs.

On motion of Mr. Chase of Portland, An act to amend Section 60 of Chapter 27 of the Revised Statutes as amended by Chapter 317 of the Public Laws of 1897, relating to intoxicating liquors, was taken from the table.

Mr. CHASE of Portland: I move that this bill be referred to the committee on the judiciary.

Mr. HOPKINS of Deering: This bill was introduced by me into the House and tabled on motion by the gentleman from Portland (Mr. Chase). It is a bill which relates exclusively to Cumberland county. The bill provides for a different method of paying the deputies of the sheriffs of that county who enforce the liquor law than that which has previously been the case. Previously the deputies have been paid by a per diem and also a system of fees. Now this bill proposes that for Cumberland county, and for that county alone, that system be changed. As it is a matter which concerns the entire county, as the bills are paid by the county, as it interests no one outside of the county, I make the motion that the bill be referred to the Cumberland county delegation. I can see no reason why it should go to the committee on the judiciary. It is not a matter of general legislation, it is not a matter that concerns the people of the State generally, it is not a matter which contains any very profound legal question. But I may say, if it did contain profound legal questions to be adjusted in the committee, that the Cumberland county delegation contains some lawyers. If this bill goes to the Cumberland county delegation it will avail itself of the profound legal learning of my brother from Portland (Mr. Chase). There are six lawyers in the Cumberland county delegation, and if those six lawyers cannot grapple with any legal question involved in this bill, we had better sell out and move somewhere else.

Mr. CHASE: My object in referring this bill to the judiciary committee, was simply this: The act proposes an amendment to the general law of the State with reference to the matter relating to intoxicating liquors, an amendment to chapter 27, of the Revised Statutes. The object of the bill, as stated by my brother, is substantially this, to amend the general law of the

State relating to the fees and the pay, and also the appointment of special liquor deputies, by making an exception of Cumberland county. In other words, it proposes class or local legislation as to the general laws of the State. It seems to me a matter properly to be passed upon by the judiciary. That was my object in making this motion. I know I speak the sentiments of a large part of the Cumberland county delegation when I say that I think it should be referred to the judiciary committee. I do not believe that the Cumberland county delegation wishes this referred to it; and simply for this reason I move this reference.

Mr. HOPKINS: I should like to know why these other questions which are local and which have been referred to the delegations from the various counties are not precisely of the nature which has been stated by the gentleman from Portland? It is because they are variations from the general law and exceptions from the general law, that they are reported to the delegation, because it is assumed that the delegation from any one county know more about what the people of that county want than any general committee can, drawn from the various sections of the State. I hope that the motion to refer to the Cumberland county delegation will prevail. I have not heard any special reason why the bill should go to the judiciary committee. Indeed, it is a matter of wonder to me that the gentleman from Portland (Mr. Chase), himself a member of the legal affairs committee, did not move to refer this bill to his own committee instead of to the other legal committee of this House. I hope the bill will go where it belongs, to the Cumberland county delegation.

Mr. LEAVITT of Eastport: This question takes too broad a range, I think, to be referred to the county delegation. This morning's mail brought me a letter from one of my constituents asking me to offer an amendment to have Washington county added to this as well as Cumberland. The enforcement of the liquor law is a question that has puzzled us all, from the humblest citizen to the supreme court, and the enforcement of the law is so partial and unreasonable at present in many localities, that each county in this State, if this bill has a passage, will come and ask to have this law for

its own benefit. This hits our case exactly. If the Legislature is prepared to take this step, and let each county delegation for itself settle the manner of fixing the fees of the sheriffs who enforce or don't enforce, at their pleasure, the prohibitory law, we want to be considered. I should like to have the bill tabled until such time when we can take it up and give it full consideration. It is too general in its bearings to be referred to a county delegation. If you refer this to the Cumberland county delegation, it won't be next Tuesday before other counties will come in and ask to be considered in the same way. A good many tax payers are inquiring what becomes of the money that is appropriated for the enforcement of the liquor law, and there are a great many people dissatisfied with the manner in which the law is enforced. I think the bill should go to the judiciary committee.

Mr. WEBB of Portland: As a member of the Cumberland county delegation I should say it would be our wish that this matter should go to the legal committee. This bill does not propose an amendment of any private and special law applying only to Cumberland county. It proposes to amend the Revised Statutes prohibiting the liquor traffic. Whatever the practice may be, the theory at any rate is that the prohibitory law is a general law applying to the entire State; and it seems to me that it is the sort of a measure that should properly go to a legal committee. I hope the motion to refer it to the judiciary will prevail.

Mr. MELCHER of Portland: I am not one of the legal lights that belong to the Cumberland county delegation, and I do not feel competent to tackle such a question, so broad in its scope and so important in its results. Therefore, as a member of that delegation, I want to say that I hope it will go to a committee that has a broader jurisdiction than has the Cumberland county delegation. I hope it will be referred to the judiciary committee.

Mr. BURNS of Westbrook: I heartily concur with the sentiments expressed by the last gentleman who spoke, and I hope the bill will be referred to the judiciary committee.

Mr. Hopkins: Inasmuch as the Cumberland county delegation seems to be afraid of tackling this momentous question, I will amend my former mo-

tion and move that the bill be referred to the committee on temperance. It seems to me that that is where this bill ought to go, if it should go to a general committee.

Mr. LEAVITT: This is not a matter for the temperance committee at all. On the other hand, this is a thing that they want to avoid. This applies directly to the enforcement of the liquor law. I don't understand that it is any part of the duty of the committee on temperance to take into consideration any such a measure as that! The temperance committee, as it has been made up in the past, has had very little to do with legislation on this matter; and as the gentleman from Portland (Mr. Melcher) says, this is too far-reaching and too serious in its results to be trifled with. I don't think the gentleman from Deering (Mr. Hopkins) can be serious in his motion to refer this thing to any other than the committee on the judiciary.

Mr. WALKER of Starks: I trust the motion to refer this to the judiciary committee will prevail. It is a question involving principles of law, and the legal ability of the temperance committee cannot possibly be compared with the ability of the judiciary committee.

Mr. MERRILL of Skowhegan: This bill provides for a law to be enacted to have effect in all of the counties of this State alike with the exception of the county of Cumberland. And there is a peculiar provision in this bill, providing that "The sheriff of Cumberland county shall appoint and designate two suitable persons to serve during his official term as special liquor deputies, and with the advice and consent of the county commissioners, as many additional to act under this section as in his judgment may be required for the enforcement of the prohibitory law in Cumberland county."

Now here come a very peculiar provision, "Said deputies shall receive a salary of \$900 and in addition thereto, legal fees in cases where a conviction is secured, as full compensation for services rendered, but in no case shall fees be allowed on warrants or libels, when there is no conviction of the person or persons therein named."

Now Mr. Speaker and gentlemen, in the prosecution of the liquor law of this State we all know that a great deal of complaint, and rightfully too, has

been made by the temperance people of this State. The execution of the law has not been satisfactory even to the people who are not in favor of the spirit of the law. And what does this provide for? It provides for salaried officers, and further provides for officers who, if they can effect a conviction, shall receive pay for it. If there is no conviction, then they are to receive nothing. I want to call the attention of the House to this idea, whether you expect a more honest enforcement of the liquor law when a man's pay depends on whether or not he will convict a man? Gentlemen, that is very dangerous legislation. I hope you will consider it well, and refer it to the judiciary committee.

The question being on the amendment that the bill be referred to the committee on temperance,

The amendment was lost.

Mr. HOPKINS: I move that this bill be referred to the committee on legal affairs.

Mr. LEAVITT: I object to that motion for the reason that the committee on legal affairs have had this question before them in a different form, as to the enforcement of the liquor law, and have already reported to this House adversely upon it; and while no prejudice may exist in their minds I think that this is a matter that involves so great a question that it ought to go to a committee that at least have not already passed upon it at this session. For that reason I hope the amendment will not prevail.

Mr. WALKER: The gentleman from Deering don't seem to know where he wants this to go. He has moved to refer it to the Cumberland county delegation, then he wanted it to go to the committee on temperance, then to the committee on legal affairs, and I don't know what next.

Mr. HOPKINS: I withdraw the amendment.

The question being to refer the bill to the committee on the judiciary,

The motion was agreed to.

Mr. Virgin of Portland, moved to take from the table an act to consolidate, simplify, revise, and amend the laws pertaining to inland fisheries and game, as contained in Chapters 30 and 40 of the Revised Statutes, and in amendments and additions thereto, and to repeal old and obsolete private

and specials laws pertaining to fishing in the public waters of the State.

The motion was agreed to.

Mr. Virgin offered House amendment C which was adopted. The bill was read the third time and passed to be engrossed as amended by House amendments A and C.

On motion of Mr. Hopkins of Deering, bill an act to create a lien upon hay for the cutting and pressing thereof was taken from the table.

By unanimous consent House amendment A, offered March 2, by Mr. Philbrook of Waterville, was withdrawn by the gentleman presenting it.

On motion of Mr. Hopkins of Deering, rules were suspended, bill read the third time and passed to be engrossed.

The Speaker appointed on the part of the House, as a committee, as directed by order of the House in regard to ascertaining how many reports of the several departments are printed and cost of same and in regard to the necessity and advisability of continuing the office of the secretary of the board of agriculture, the following: Messrs. Beal of Bangor, Manley of Augusta, Brown of Falmouth, Wilson of Cherryfield, Chick of Clifton, Hill of Belfast, and Rankin of Wells.

The following Senate order was received:

Ordered, The House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, March 7, at 10.30 o'clock A. M.

Was read and passed in concurrence. On motion of Mr. Dunning of Winslow,

Adjourned.