

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Sixth Legislature

OF THE

STATE OF MAINE

1913

**SENATE.**

Tuesday, January 21, 1913.

Senate called to order by the President.

Prayer by Rev. Father Nelligan of Augusta.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

An Act to create the Strong water district, came from the House in that Branch referred to the committee on judiciary.

On motion of Mr. Wing of Franklin, the bill was tabled for printing pending reference to a committee.

An Act to extend the charter of the Jonesport central railroad company, came from the House by that Branch referred to the committee on judiciary.

On motion by Mr. Stearns of Oxford, the Senate non-concurred with the action of the House, and upon further motion by the same senator the bill was referred to the committee on railroads and expresses, and sent down for concurrence.

An Act to amend Section 15 of Chapter 154 of the Private and Special laws of 1911, relating to the Houlton municipal court, came from the House by that Branch referred to the Aroostook county delegation.

On motion by Mr. Hersey of Aroostook, the bill was tabled pending reference to a committee.

Ordered, The Senate concurring, that the joint standing committee on library be directed to receive proposals from the publishers of the Maine Official and Classified Business Directory for furnishing the State the necessary number of copies for 1913 and 1914, and report by bill or otherwise.

This order was given a passage in the House; on motion by Mr. Stearns of Oxford, tabled.

The following bills, petitions, etc., were presented and referred:

**Judiciary.**

By Mr. Clark of York: An Act to amend Section 48 of Chapter 47 of the Revised Statutes, relating to corporations owning property or conducting

business in foreign countries. (On motion by Mr. Hersey of Aroostook, tabled for printing pending reference.)

**Appropriations and Financial Affairs.**

By Mr. Boynton of Lincoln: Resolve appropriating money for the expenses of the Electoral College.

**Railroads and Expresses.**

By Mr. Burleigh of Aroostook: An Act to amend Section 1 of Chapter 163 of the Private and Special Laws of 1911, and to extend the provisions of said chapter authorizing the Aroostook Valley Railroad Company to extend its lines from Washburn to the west line of the State. (On motion by Mr. Stearns of Oxford, tabled for printing pending reference.)

By Mr. Burleigh of Aroostook: An Act to incorporate the Quebec Extension Railway. (On motion by Mr. Stearns of Oxford, tabled for printing pending reference.)

By Mr. Burleigh of Aroostook: An Act to extend the charter of the Eastern Maine Railroad, and to amend the same. (On motion by Mr. Stearns of Oxford, tabled for printing pending reference.)

**Agriculture.**

By Mr. Clark of York: An Act to provide for the conducting of investigations in animal husbandry in the Maine Experiment Station. (On motion by Mr. Allen of Kennebec, in the absence of Senator Clark of York, a statement of facts was added to this bill, and it was tabled for printing.)

By Mr. Cole of York: An Act to amend Section 1 of Chapter 195 of the Public Laws of 1911, relating to the appointment of a livestock sanitary commissioner.

**State Land and Forest Preservation.**

By Mr. Dutton of Kennebec: Resolve authorizing the State Land Agent to release the interests of the State in any islands in Long Lake or Long Pond in Kennebec county. (On motion by Mr. Dutton of Kennebec, tabled for printing pending reference.)

**Public Health.**

By Mr. Moulton of Cumberland: An Act to establish public abattoirs in the cities and towns of the State. (On motion by Mr. Moulton of Cumberland,

tabled for printing pending reference.)

#### Reports of Committees.

Mr. Burleigh, from the Committee on Ways and Bridges, on Resolve in favor of repairing highway in the town of Greenbush, reported legislation on same inexpedient.

The report was accepted.

The same senator from the same committee. On An Act providing for the ownership of the Stillwater bridge in the town of Orono, reported legislation on same inexpedient.

The report was accepted.

#### Orders of the Day.

Mr. Hersey of Aroostook presented the following order, and moved that the rules be suspended and the order given a passage:

"In Senate, January 21, 1913.

WHEREAS, there is pending in this State a serious strike between the Bangor and Aroostook Railroad Company and its engineers and firemen, that threatens the public welfare of the people of this State and

WHEREAS, His Excellency, the Governor, has requested the State Board of Arbitration and Conciliation to investigate said strike and report at once in accordance with the laws of the State and

WHEREAS, the parties to this controversy have it in their power to refuse to arbitrate and may prolong this struggle to useless end that will result inevitably to the great injury of each other and irretrievable loss to the people of this State,

WE THEREFORE, the Court of the people of Maine in Legislature assembled call upon this Railroad Company and its said employees to immediately submit through their regular officials this controversy to arbitration and to abide by the result, recognizing as we do that the present hour demands for all civilized peoples to submit all issues between capital and labor to the Court of Arbitration and any refusal of either party to such controversy to so submit must be understood to be a defiance of public opinion and must in the end result in the defeat of the party that attempts to prolong such struggle against the wishes of the people, be it therefore

ORDERED, That the House concurring, a copy of this order signed by the President of the Senate and the Speaker of the House, be sent by the secretary of the Senate to the president of said railroad company and to the official representative of the labor union of said striking employees.

Mr. HERSEY: Mr. President, I wish to state for the information of the Senate the reason for putting in this order at this time.

A very serious condition has arisen in the northern part of this State. A great railroad that extends hundreds of miles through that northern country, employs thousands of hands, is at the present time unable to do its work on account of the strike of its engineers and firemen. The Bangor & Aroostook Railroad was built through that country with its several branches, forming a net work over the country. It is a great freight railroad, has the usual passenger traffic, but its large business is freight, moving the lumber and pulp and farming products, to market. During this present time of the year it is almost impossible under the most favorable circumstances to get rolling stock sufficient to move the immense freights from that country. At this time of the year, at the present moment, shippers of potatoes from the county of Aroostook are confronted with their contracts to ship to southern cities seed potatoes. They are under contract, and hundreds of carloads of potatoes are waiting to be shipped to meet their contracts. It is a very serious condition.

Not only that, but all the great lumber mills of the county must stop their business unless they can ship and fill their orders. The Great Northern Paper Company at Millinocket must cease to work unless it can meet its orders. The great business of the northern country must cease at the present time, to the great loss of the people, unless this railroad can do its work.

Now for many years the Bangor and Aroostook Railroad Company has been conducting its work along these lines. The late President Cram had been for many years getting an efficient body of men on the road, engineers, firemen

and employees, and knowing the men as I do, they have had up to the present time a very efficient force of men. Their engineers have been among the best in the county. Their firemen, and their other employeess, have worked for them for years and have become very efficient. They have established all along the road homes for themselves and families, and they have grown up with the railroad, so to speak, and have become a part of the railroad, and for the railroad to lose these men at the present time, hundreds of those men, all their best men, would be a serious loss not only to the road but to the people of my county and this State.

The men think they have a grievance. They say that their labor is harder, more rigorous, longer hours, than that of any other employees in the State on any other railroad,—or any other State. And their wages are not so much, and they say they should be made equal. This is their grievance.

The railroad says "We cannot raise your wages; we cannot afford to do it." I understand, if it is reported rightly in the newspapers, that the striking employeess say they will submit the question as to whether their wages should be raised or not, to arbitration. And I understand, through the Press and otherwise, that the railroad company refuses to arbitrate.

Unless arbitration takes place, Senators, there must be just one result of this fight. It will result in the defeat of both parties. If the railroad company can by any way replace these men, they must replace them by those who are inefficient, by this wandering labor hoard, that loses its regular employment in the country, and wandering over the face of the earth, known as scabs, waiting to take the place of men who have families and regular employment. And those men, inefficient, with nothing at stake, with no responsibility upon them, are now to take the place, if possible, of those striking men who are efficient, and it must result, if that is done, by getting in my county, in that part of the State, a lot of employeess upon the railroad, on passenger and freight trains, that must be

inefficient, and it must finally result in poor service or in no service.

On the other hand, if these hundreds and hundreds of men with families, men that have grown gray on the road, men who know their work, men sober and industrious and citizens of the places in which they live and who are connected with their institutions and love them, are thrown out of employment, and must seek it elsewhere, and cannot find a place for their occupation—and they know no other. Thus it must result in great disaster to that class of people who must leave that section of the county and seek employment for themselves and families elsewhere.

Now it seems to me and must seem to you that we are living in the twentieth century, and that all labor troubles, today, should be submitted to the court of arbitration. Each one is zealous for their cause, both labor and capital. Each one is striving to get public opinion in its favor; each one prolonging the struggle to finally succeed. If labor succeeds, there is still the bitter feeling between capital and labor. If capital succeeds, the laborer is an Anarchist. It seems to me that public opinion, which settles everything, which beats down all opposition—public opinion against which corporations and individuals, against which labor and capital cannot contend, should assert itself at this time and say that the Bangor & Aroostook Railroad and its striking employeess should submit to arbitration and abide by its result. And this Legislature, from which comes the charter of the Bangor & Aroostook Railroad Co., this Legislature from whose doors come the laws that protect labor, these men are, today, asking for assistance, and this Legislature has a right to say to these contending, these struggling, these fighting factions, "submit your issues to the Court of Arbitration and settle this controversy now for the benefit of this State."

While this order carries with it something of sternness and a veiled threat, I think we want it, so that these people may understand that the court of the people of Maine has a right to see

that these labor struggles shall be settled by arbitration and not by war.

Mr. BAILEY of Penobscot: Mr. President, this seems to be a matter of considerable importance, and I for one do not know sufficiently about the merits of the matter to intelligently vote upon it at this time. I do not think it is proper procedure to force an order of this importance through at this time, and I therefore move that it lie on the table.

The motion was agreed to and the order was tabled.

On motion by Mr. Richardson of Penobscot, unanimous consent was granted and he presented the following order:

Ordered, That the secretary of State be authorized to exchange \$33.03 in cash and Underwood typewriter No. 358238 for Underwood typewriter No. 547146.

The order was given a passage and referred to the committee on appropriations and financial affairs.

On motion by Mr. Bailey of Penobscot, Senate Document 26, An Act to authorize Kingman Lumber Company to build and maintain piers and booms in the Mattawamkeag and Molunkus rivers, was taken from the table, and on further motion by the same senator, the bill was referred to the committee on interior waters.

On motion by Mr. Dutton of Kennebec, Senate Document 43, An Act relating to the municipal court of the city of Hallowell, was taken from the table, and upon further motion by the same senator, the bill was referred to the committee on judiciary.

On motion by Mr. Wing of Franklin, Senate Document 38, An Act to amend Chapter 140 of the Public Laws of 1911 was taken from the table, and upon further motion by the same senator, was referred to the committee on taxation in concurrence.

On motion by Mr. Allen of Kennebec, Senate Document 41, Resolve in favor of preserving the life of the fish in the several fish hatcheries and for

the temporary operation of the hatcheries and feeding stations for fish in this State and for the protection of fish, game and birds, was taken from the table, and upon further motion by the same senator, was referred to the committee on inland fisheries and game.

On motion by Mr. Colby of Somerset, House Document 5, An Act to establish a State Highway Commission and to provide for an issue of State highway bonds, was taken from the table, and upon further motion by the same senator, was referred to the committee on ways and bridges.

On motion by Mr. Bailey of Penobscot, Senate Document 31, An Act to amend Section 20 of Chapter 67 of the Revised Statutes as amended by Chapter 134 of the Public Laws of 1911, relating to the distribution of personal estate, was taken from the table, and upon further motion by the same senator, was referred to the committee on legal affairs, in concurrence.

On motion by Mr. Conant of Waldo, Senate Document 25, An Act to punish the making or use of false statements to obtain property or credit, was taken from the table, and upon further motion by the same senator, was referred to the committee on judiciary.

On motion by Mr. Hersey of Aroostook, Senate Document 32, Resolve proposing an amendment to the Constitution of Maine conferring the right of suffrage on women, was taken from the table, and upon further motion by the senator, was referred to the committee on judiciary.

On motion by Mr. Emery of York, Senate Document 40, An Act to divide the town of Sanford and incorporate the town of Springvale, was taken from the table, and upon further motion by the same senator, was referred to the committee on towns, in concurrence.

On motion by Mr. Boynton of Lincoln, Senate Document 29, An Act to divide the town of Boothbay and establish the town of Waverly, was taken from the table, and upon further

motion by the same senator, was referred to the committee on towns, in concurrence.

On motion by Mr. Bailey of Penobscot, Senate Document 33, An Act to change the burden of proof in certain negligence cases in which contributory negligence is a defense, was taken

from the table, and upon motion by the same senator, was referred to the committee on judiciary, in concurrence.

On motion by Mr. Chase of Piscataquis, adjourned until tomorrow morning, at 10 o'clock.