

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Sixth Legislature

OF THE

STATE OF MAINE

1913

SENATE.

Friday, January 24, 1913.

Senate called to order by the President.

Prayer by Rev. Melville C. Miner of Gardiner.

Journal of previous session read and approved.

Mr. Stearns of Oxford presented the following order out of order, by unanimous consent:

Ordered, the House concurring, that when the Senate and House adjourn, it be to meet Monday afternoon, January 27th, at 4.30 o'clock.

Passed and sent down for concurrence.

Subsequently the order was returned from the House concurred in by that Branch.

Papers from the House disposed of in concurrence.

An Act to amend Section 5 of Chapter 21 of the Revised Statutes of Maine.

An Act to amend Section 13 of Chapter 29 of the Revised Statutes of Maine.

An Act to amend Section 5 of Chapter 492 of the Private and Special Laws of 1907.

These several bills came from the House by that Branch referred to the committee on judiciary, and upon motion by Mr. Stearns of Oxford, were tabled for printing pending reference in concurrence.

An Act to permit election of town officers by secret ballot.

An Act to extend the charter of the Monson Water Company.

An Act to authorize re-levying of assessments for sewer or other public improvement.

These several bills came from the House by that Branch referred to the committee on judiciary, and upon motion by Mr. Hersey of Aroostook, were tabled for printing pending reference in concurrence.

Resolve to reimburse Cumberland county for expenses of law court held in Portland in 1910, came from the

House by that Branch referred to the committee on claims.

On motion by Mr. Murphy of Cumberland, tabled for printing pending reference in concurrence.

An Act limiting and defining the liabilities of inn-keepers, came from the House by that Branch referred to the committee on public health.

On motion by Mr. Bailey of Penobscot, tabled for printing pending reference in concurrence.

The PRESIDENT: The Chair desires to announce at this time, out of order, the appointment of the following senators on the committee on salaries and fees: Messrs. Wing of Franklin, Conant of Waldo, and Mansfield of Washington. And the House joins: Messrs. Mitchell of Newport, Rousseau of Brunswick, Gallagher of Bangor, Reynolds of Lewiston, Bowler of Bethel, Stevens of Kennebunk and Mooers of Ashland.

Mr. HERSEY of Aroostook: Mr. President, I wish to present an order out of order for the purpose of having it reach the House before it adjourns. The order is as follows:

Ordered, the House concurring, that all bills and resolves coming into this Legislature shall be tabled for printing pending reference to any committee.

The order was passed and sent down for concurrence.

Mr. ALLEN of Kennebec: Mr. President, I would like to introduce an order out of order, and move its passage. Ordered, the House concurring, that Paragraph 11 of the joint rules be amended by striking out the words "five hundred" in lines three and four and substituting therefor the words "seven hundred and fifty" so that said Paragraph 11 when amended shall read as follows:

Mr. HERSEY of Aroostook: Mr. President, did not a similar order come from the House, yesterday?

The PRESIDENT: The Chair will state that the House, yesterday, passed a House order covering the same subject and making the same change with reference to House docu-

ments. This is a joint order amending the joint rules.

Mr. ALLEN: I will say, Mr. President, that I am informed by the secretary that many of these documents are being called for and the supply is exhausted, and it puts them in an embarrassing position. The demand is greater than usual and this number seems to be as small a number as would fill the demand. I hope the order will have a passage.

Mr. MOREY of Androscoggin: Mr. President, I have just heard a discussion in relation to this order. As I understand it, it is an increase of 250 for every bill introduced. Is that correct?

The PRESIDENT: That is correct if the Chair understands it.

Mr. MOREY: Mr. President, that increases by considerable the printing bill. There are many matters that come in here, of course, where the supply of 500 copies is not adequate, but I would like to be informed if it is necessary that all bills should receive the amount of 250 additional. Is the demand in all matters such as to call for 250 extra copies more than we have ever had before? If it is not, it seems to me it would be unwise, except when occasion would require it, with a bill coming up of more than passing interest. But unless there is a general demand for all bills in excess of the number printed, of which I have not been informed, it seems to be it would be unwise to increase the general amount at this time.

Mr. ALLEN: Mr. President, I would say for the benefit of the senator that I am unable to give the information as to just what number would be called for above the supply at the present time, but it occurs to me that printing the extra number of bills, as ordered in several cases, would pretty nearly off set the printing of the whole list. Adding 250 to the first order, as I understand the usual custom, would be but a small expense, while if we order the secretary to secure extra copies, it would no doubt equal the printing of all the bills every day.

And another thing, when we have calls for bills and the officials notify us that we must wait for some to be printed, we cannot supply our constituency very quickly. I hope the gentleman will not oppose the passage of the order.

Mr. MOREY: Mr. President, I would like to ask, unless there is some immediate hurry for this, that when we next meet, Monday afternoon, that the secretary of the Senate furnish us with the information which it seems to be proper to ask for, whether or not there is a necessity for this increase along the whole line, and whether the extra copies that may be printed now and then would equal this increase. I would ask that the order lie on the table unless this information can be given now.

Mr. ALLEN: Mr. President, I can give the senator a little information. There are less than twenty-six documents left for public distribution after the committees and departments are taken care of under the joint rules.

I would say to the gentleman from Androscoggin that this is no pet measure of my own. I introduced it by request of the secretary of the Senate, who is pretty well informed.

Mr. COLE of York: Mr. President, that order, taken in connection with the order introduced by Senator Hersey, would necessitate the printing of all private and special bills that may come in. Would it not be better, perhaps, to have the order amended in some way and take effect only as to bills under the general law that there is need of printing and not to a little private bill that is only of local interest. Provided this order should receive a passage, in the House, it seems to me there is an added expense that might be saved besides the added space required to file the documents, and if they are not to be distributed except in the localities especially interested, there is no need of going to the expense of printing all the private bills.

On motion by Mr. Morey the order was tabled and especially assigned for

next Monday, at 4.30 o'clock, in the afternoon.

An Act to amend Section 21 of Chapter 166 of the Private and Special Laws of 1911, relating to the salary of the judge of the Piscataquis Municipal Court, came from the House, by that Branch referred to the committee on salaries.

On motion by Mr. Chase of Piscataquis, tabled for printing pending reference in concurrence.

An Act relating to the compensation of the clerk, deputy and assistant clerks of Cumberland county, came from the House by that Branch referred to the Cumberland County Delegation.

On motion by Mr. Murphy of Cumberland, the Senate voted to non-concur with the action of the House in referring this bill to the Cumberland County Delegation, and upon further motion by the same senator, the bill was referred to the committee on salaries and fees and sent down for concurrence.

House Bills in First Reading.

Resolve in favor of the Town of Oxford.

The PRESIDENT: The Chair will state that in response to the joint order of this Legislature, addressed to the Bangor & Aroostook Railroad Co. and the engineers and firemen of that road, communications have been received from the railroad and from the engineers and firemen which will be read at this time by the secretary and placed on file.

The secretary read the several communications, as follows:

January 23, 1913.

To the Honorable Senate and House of Representatives,

In Legislature Assembled,

Augusta, Maine.

Gentlemen:

I beg to acknowledge receipt from the secretary of the Senate and the clerk of the House of the resolution introduced in the latter body by the Hon. George Irving of Caribou, and concurred in by both Houses on the 22nd inst.

I enclose printed statement outlining the reasons why the Board of Directors of this company unanimously decided that it was impossible, to submit the matter in dispute between the locomotive engineers and firemen formerly employed by the Bangor & Aroostook Railroad, and the company, to arbitration.

I think the enclosure clearly sets forth the company's position in this matter.

I would like to add, however, for the information of both Houses, the following information:

The combined demands of the engineers and firemen for "standard wages," if granted, would increase the payrolls of the company for that class alone, annually, by \$34,000.

Pending demands from other classes of labor, added to the above would bring the grand total considerably in excess, annually, of \$100,000.

The net earnings, after paying fixed charges for the year ending, June 30, 1912, were only \$63,000.

For the six months ending December 31, 1912, there were no net earnings at all after paying fixed charges.

At the last conference with the engineers' and firemen's committees and the Labor Union leaders from New York City and Buffalo, held on Thursday, the 16th instant, Chairman Chase of our engineers' committee asked permission of the labor leaders to say something to the officials of the railroad, which permission was given.

Mr. Chase then stated, that while the management had shown the committees the sworn statements to the United States government containing the figures above quoted, that engineers were not expert accountants and did not feel competent to check those accounts and know that the figures were accurate and therefore he would make a proposition that if the company would submit these accounts to Judge Martin A. Knapp of the Interstate Commerce court and Mr. Charles P. Neill, commissioner of labor for the United States government (who are mediators under the Federal Erdman Act) and those two gentlemen would

certify that the figures were correct, that the enginemen would withdraw all demands for any increase in pay.

This statement was made to former President Holland, myself and General Manager Stewart.

In order that there might be no misunderstanding, the officials had Mr. Chase repeat his statement three times and then went into the next room and dictated a telegram addressed to Messrs. Knapp and Neill and brought it in for Mr. Chase and the chairman of the firemen's committee to sign; Mr. Chase refused to sign it, insisting that that was not what he had stated.

Following is a copy of the telegram in question:

"Bangor, Me., Jan. 16, 1912.

"Hon. Martin A. Knapp,

"Hon. Chas. P. Neill,

"Manhattan Hotel,

"New York City, N. Y.

"Referring to our request for mediation, we have, today, agreed with management, Bangor & Aroostook Railroad Co., that if within a week you will advise us that the statements as to the earnings of the Bangor & Aroostook Co. quoted by the officials of that company to us, and which figures they will submit to you after showing to us, are correct, we will withdraw any request for mediation or increased compensation."

We infer, but do not know it, that during the absence of the officials from the room, his proposition was objected to by the Labor Union leaders.

Since the strike Mr. Chase has, at Augusta, repeated his proposition to two gentlemen, who had no previous knowledge of it, in the exact words in which he originally presented it to the officials of the company but said nothing about declining to sign the telegram.

One of those gentlemen telephoned for me, last night, making inquiry on this point, on account of Mr. Chase's statement to him regarding it.

In conclusion let me say that we have, today, telegraphed to employ no more new firemen as we have more than we need. We have every pas-

senger train running substantially on time except the East Millinocket branch, nine miles, where the passenger travel is always nominal and we have over and above our requirements for passenger service, a number of experienced, competent engineers, who are learning the road and as soon as qualified on that point they will commence to haul freight trains and it is expected that by next week we will be moving freight quite freely.

All of which is respectfully submitted for your information.

Yours truly,

PERRY R. TODD,
President."

The printed statement referred to in the preceding letter follows:

Why Bangor & Aroostook Objects to Arbitration.

Upon inquiry at the office of the president of the Bangor & Aroostook Railroad Company, Wednesday, for a more detailed statement of the reasons why the company objected to submitting the differences between it and the enginemen and firemen to arbitration, President Todd stated that he thought that that matter had been fully covered in previous statements, but if more detail was desired he would endeavor, though extremely busy, to furnish it.

He then instructed the treasurer of the company to examine the receipted payrolls for the months of November and December, 1912, and to make statements of the actual amounts of money paid to between 25 and 30 enginemen and a corresponding number of firemen as per receipts for their pay held by the treasurer the names to be taken at random.

The statements of the earnings of these men, as furnished and signed by the treasurer of the company, are given below:

WAGES OF ENGINEERS.

	Nov.	Dec.
	—1912—	
Lancaster, L. J.	\$123.11	\$101.82
Lund, N.	144.40	140.40
Gage, W. F.	119.40	17.90
Dudley, E. W.	127.72	108.07
Day, G. S.	110.55	121.39
Cleary, George	121.88	121.87
Crane, J.	103.89	149.82
Bulmer, E.	108.15	107.77
Crandelmirre, J. P.	115.01	129.03
Phillips, C. W.	136.50	138.33

Webster, L. H.	104.41	118.77
O'Leary, J.	126.00	136.50
Bartlett, H. E.	115.31	149.01
Jordan, J. P.	135.42	143.01
Crossman, Edward ..	92.77	141.38
Purdy, A. H.	94.90	147.02
Gray, C. S.	139.42	153.45
Young, J. N.	151.38	147.00
Eastman, C. A.	108.07	141.38
Carlson, J.	130.64	130.65
Coleman, A. L.	150.16	147.23
Howard, F. B.	79.86*	136.71
Crandelmire, R. L. ..	145.87	140.40
Cameron, J. J.	165.74	80.40
Hurd, E. L.	150.32	116.64
Chase, A. L.	127.80	95.85
Orr, W. J.	138.45	117.15
Corbett, J. E.	76.82	62.03
Dougherty, A.	97.50	97.61

A. L. Chase worked 12 days in Nov., 1912, and 9 days in Dec., 1912.

W. J. Orr worked 13 days in Nov., 1912, and 11 days in Dec. 1912.

W. A. DANFORTH, Treasurer.

WAGES OF FIREMEN.

	Nov.	Dec.
	—1912—	
Chase, W. W.	\$ 81.82	\$ 78.62
Dennis, H.	70.86	63.81
Dwyer, Fred	59.29	58.43
Hoyt, E. C.	88.41	51.33
King, T. R.	85.03	87.65
McCracken, B. V.	87.39	87.33
Mayhew, L. W.	81.75	79.58
Perkins, A. A.	68.96	81.68
Mockler, C. W.	73.86	63.78
Michaud, H. A.	58.67	77.98
Olson, J.	91.47	102.01
Russell, J. F.	64.62	75.13
Snow, W. I. (Eng.) ..	121.29	76.84
Sharp, A. F.	59.06	70.31
Saunders, e	71.89	61.89
Thayer, H. A.	69.60	68.65
Crossman, C. W.	64.62	67.97
Dow, George	66.49	68.85
Flinton, C. P.	75.40	64.84
Glew, J. W.	83.02	73.90
Lyons, W. F.	71.94	84.05
Larsson, E. H.	99.44	95.09
Lovett, A. S.	66.22	64.17
Severance, H. L.	76.28	68.23
Weymouth, L. E.	63.31	82.21
Wallace, J. E.	80.68	84.83
Swasey, S. W.	76.49	77.35
Cameron, J. G.	72.31	72.81
Cookson, F. R.	78.04	79.50
Maddocks, A. W.	*58.50	*58.52

*—Off duty part time.

W. A. DANFORTH, Treasurer.

The apparent variation in the earnings of different individuals is due to the fact that some of the younger men are known as spare men and do not have regular runs, and also because the men, of their own volition, frequently absent themselves from duty.

As a concrete illustration of the demand, the enginemen and firemen running on the Patten Branch, seven miles long, of the Bangor & Aroostook

Railroad, actually run only 42 miles each day, but under the old agreement every engineman who runs at all receives payment based on a minimum of 100 miles, and the firemen likewise, consequently the enginemen on that branch receive for an actual run of 42 miles pay for 100 miles, or \$3.75, and the firemen \$2.25, or for 26 working days the enginemen receives \$97.50 and the firemen \$58.50, the total hours in service on this branch from the commencing to the ending of the day's work being about nine hours, out of which they have three hours' layoff in the middle of the day. And yet the same wages are demanded as would be paid for 100 miles on one of the large and wealthy railroad systems.

The President of the company claims that the above figures are convincing proof that these men have not only been earning a "living wage" but that they have earned far more than they could have earned in any other occupation.

In addition to this, it has been made plain by the sworn monthly statements of the company to the United States government that the railroad is not in a position to increase wages to these men at this time, these statements having been submitted by the management to the committees of the enginemen and firemen and having been exhaustively examined by them, though the management does not know whether the committees have reported to the men they represent, the contents of those statements.

President Todd added that, as he had plainly said in his original statement to the press, the committees, prior to the arrival of labor leaders from other states, had strongly approved of the action of the Bangor & Aroostook management in not joining the general arbitration as to the wages of enginemen and firemen, to which such roads as the Pennsylvania and New York Central had agreed, and furthermore, that the committees had stated it was not fair for the men to expect the so-called standard wages from the Bangor & Aroostook though they, the committees, would like some increase. But the union labor leaders have insisted upon the same scale of

wages as paid by the New York, New Haven & Hartford, Baltimore & Ohio, Pennsylvania, New York Central and other large and prosperous systems.

Reverting to the present scale of wages and the amounts earned as quoted above, contrasted with the demands made by the men, the railroad company feels that there is nothing to arbitrate, and in addition to this takes the position that, as proved by the number of competent men already hired in a few days, there is no necessity for arbitration. The newly hired men are perfectly satisfied with the scale of wages rejected by the strikers.

"Penobscot Exchange, Bangor, Me.,
January 23, 1913.

W. E. Lawry, Sec. of the Senate;

William R. Roix, Clerk of the House,
State House, Augusta, Maine.

Gentlemen:

We beg to acknowledge receipt of yours of January 22, 1913, and enclosure of copy of resolution passed in the House of Representatives, January 22, 1913.

The engineers and firemen formerly employed upon the Bangor & Aroostook Railroad, and now out on strike, and their representatives, had requested President Todd to join with them in submitting the controversy to arbitration under the Erdman Act before the strike was called. They now stand ready to have this controversy settled in the same manner.

You will see by the foregoing that the firemen and engineers and their representatives had done everything to avert the present strike.

Yours respectfully,

P. J. McNAMARA,

V. P. Brotherhood Locomotive Firemen and Enginemen."

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Yours respectfully,

L. G. GRIFFIN,

Asst. Grand Chief, Brotherhood of Locomotive Engineers."

The several communications with accompanying papers were placed on file.

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

Judiciary.

By Mr. Boynton of Lincoln: An Act to enlarge the powers of the Sheepscot Valley Power Co. (On motion by Mr. Boynton of Lincoln, tabled for printing pending reference).

By Mr. Colby of Somerset: An Act to enlarge the powers and jurisdiction of the Western Somerset municipal court.

By Mr. Dutton of Kennebec: An Act to incorporate the Augusta Foot Bridge Co.

Appropriations and Financial Affairs.

By Mr. Boynton of Lincoln: Resolve in favor of the officers of the Senate at the organization of the Legislature.

Education.

By Mr. Bailey of Penobscot: Petition of George H. Larrabee and 22 others in favor of the Teachers' Pension bill.

By Mr. Hasting of Androscoggin: Petition of Arthur H. Cooper and 287 others of Auburn in favor of Teachers' Pension laws.

Sea and Shore Fisheries.

By Mr. Patten of Hancock: Petition of Leslie R. Bunker and others for

a close time on lobsters within the waters of Hancock county.

Mr. HERSEY of Aroostook: Mr. President, before we pass to the reception of bills and petitions, I wish to present out of order, a Resolve in favor of DeForest Keyes.

I will state, Mr. President and senators, that on the first day of the Legislature in the Record on Page 7, it states, "The following bills, petitions and resolves were taken from the files and referred to committees and sent down for concurrence." Under judiciary is a long list of bills and among them is a resolve in favor of DeForest Keyes. It was assumed by our committee that it properly came over from the last Legislature. Yesterday, when a hearing was advertised and to be held, an examination of the bills and record showed that the resolve had been indefinitely postponed by the Senate and concurred in by the House of the last Legislature. The parties being present for hearing, the matter was not properly before the committee, and I present this resolve and ask it go at once to our committee that the hearing may not be deferred, and not have it go through in the usual way because of an error in not having a proper bill before the committee.

I ask unanimous consent to present the resolve at this time, and move that it be referred to the committee on judiciary.

Unanimous consent was granted, the motion was agreed to and the resolve was so referred.

First Reading of a Printed Bill.

Resolve in favor of aid in repairing road from The Forks to Lake Moxie Station.

Reports of Committees.

Mr. Stearns from the committee on Judiciary, on bill, An Act relating to negotiable instruments, reported that same "ought not to pass."

The report was accepted and sent down for concurrence.

Mr. Boynton from the committee on military affairs, on Resolve in favor of Rosa Prentiss of Lewiston, reported

that same be referred to the committee on pensions.

The report was accepted and the resolve referred to the committee on pensions.

Passed to Be Engrossed.

Resolve to provide steel cases for regimental rolls.

Resolve in favor of Fort William Henry in the town of Bristol.

An Act to incorporate the Van Burden Bridge Co.

Orders of the Day.

On motion by Mr. Morey of Androscoggin, S. D. 67, An Order in relation to codifying the fish and game laws of the State, was taken from the table.

Mr. DUTTON of Kennebec: Mr. President, I move that this order lie on the table pending its passage.

Mr. ALLEN of Kennebec: Mr. President, I would like to ask the senator from Kennebec when he will take the order from the table.

Mr. DUTTON: Mr. President, if I could possibly make myself understood by members of the Senate here, this morning, I would assign the present moment to take the order from the table, but inasmuch as I cannot, I will assign next Tuesday morning.

The motion was agreed to and the order was assigned for consideration, next Tuesday.

On motion by Mr. Hastings of Androscoggin, S. D. 68, An Act to provide for a close time on bull moose, was taken from the table.

On further motion by the same senator, the bill was referred to the committee on inland fisheries and game.

On motion by Mr. Walker of Somerset, the order directing the committee on salaries and fees to inquire into the expediency of increasing the salary of the members of the Legislature was taken from the table.

Mr. WALKER: Mr. President, I think this order is somewhat misleading. When conferring with the gentleman who introduced the order in the House, he informed me that his intention was in relation to telephone service, and he wanted to make some

arrangement similar to the arrangement in regard to express, and did not have any intention whatever of increasing the present salary of the members of the Legislature. I, therefore, move that this order be referred to the committee on salaries.

Mr. ALLEN of Kennebec: Mr. President, if it be in order, I move we amend this order by striking out the second section.

The PRESIDENT: Will the senator reduce his amendment to writing?

Mr. ALLEN: Mr. President, I will say that I am not able to get that second section.

Mr. WALKER: Mr. President, I really hope the gentleman will withdraw that amendment. It seems to me that the committee on salaries is able to deal with this matter. I hope the order will be allowed to go along.

Mr. ALLEN: Mr. President, I simply refer to the part of this order relating to telephones. As I understand the intention of the gentleman introducing this order, it is to practically do away with the service we now have for telephones. In other words, allowing each member a certain amount to pay for telephone charges, during the session. Now that on the face of it may seem fair, to me it looks very unfair. I realize that many members of the committees have to use the telephone a good deal in connection with their work, while possibly the gentleman introducing this order has not had to use a telephone, and to allow every member of this body and the other body a certain number of dollars to pay telephone charges would, it seems to me, work a hardship. And if it is the intention of the gentleman to do this, feeling that there is a certain, possibly, we might term it, an unconscious influence connected with the free use of the telephone, I hope the gentleman will rid himself of any such idea. It must be some impression he has received in the lower House that would make him feel that any member of either body is subject to such influences. I do not believe we have a member of this body that on account of using a free telephone, when we want to talk on business matters—I do not believe that should and will influence us on our vote on anything

that can come up here. It is too small a matter; I do not believe there is any member so weak-kneed or weak-minded as to have a matter so insignificant as that affect our deliberations in any way.

I would be pleased to submit to the senator from Somerset if he has any particular reason why this part of the order should go to this committee, but it seems to me it would be the minds of this body that we continue as we have. I do not think we can call this free use of telephones. The State of Maine has granted the New England Telephone Co. many franchises, and while they are very courteous to us and doing a great work for the State, yet I think they gladly do this courteous act of giving us this free use.

If we continue on these lines the next order to come up here will be an order restricting Mr. Ricker from furnishing Poland Spring water, and following that will be one that the senator from Waldo cannot pay my carfare if I do not have a nickel with me. Where shall we stop. The next to come up will be an order directing every member of these two Houses to go to a particular hotel and pay from \$25 to \$28 a week, when there only two days. Where shall we end? I believe, as said before, with all due respect to the senator from Somerset, that this part in regard to telephones should be taken from this order.

Mr. HERSEY of Aroostook: Mr. President, as this order has been referred to the committee on salaries and fees, I raise the point of order that the amendment is not now in order and the order is not before us.

The PRESIDENT: The pending question is upon the passage of the order in concurrence. The amendment will be in order as soon as it is reduced to writing.

Mr. DUTTON of Kennebec: Mr. President, I desire to say just a word upon the pending motion on this order.

The PRESIDENT: The Chair will state that the pending question is upon the amendment to the order.

Mr. MURPHY of Cumberland: Mr. President, I would like to inquire if there is a question before the Senate.

The PRESIDENT: The Chair will state for the information of the senator, that the senator from Kennebec has the floor when the amendment is ready.

The PRESIDENT: The senator from Kennebec, Mr. Allen, offers an amendment to the following order: Ordered, that the committee on salaries and fees be directed to inquire into the expediency of increasing the pay of members of the Legislature and placing them, as regards free telephone service, on an equality with other State officials and to report by bill or otherwise to this Legislature.

The amendment is as follows: Strike out the words "and placing them, as regards free telephone service, on an equality with other State officials," so that the order as amended shall read as follows: "Ordered, that the committee on salaries and fees be directed to inquire into the expediency of increasing the pay of members of the Legislature and to report by bill or otherwise to this Legislature."

Mr. DUTTON: The senator from York desires to make a motion and I will yield to him if he will table the order.

Mr. COLE of York: Mr. President, I move that the order and the amendment lie upon the table and be assigned for consideration, Tuesday.

The motion was agreed to.

Mr. MURPHY: Mr. President, would it not be better that the order be printed? I move that the vote whereby the order was tabled and assigned for Tuesday be reconsidered.

The motion was agreed to, and upon further motion by the same senator, the order and the amendment were tabled for printing and assigned, for next Tuesday.

Mr. Hersey of Aroostook presented the following order out of order by unanimous consent:

Ordered, that 500 extra copies of the following documents be printed for the use of the Legislature: Senate Document Nos. 1, 3, 6, 9, 13, 16, 18 and House Document No. 4.

Mr. HERSEY: Mr. President, I have been informed by the clerk of the

House that the supply of these documents is exhausted, and that there is a great demand for them. And it seems to be for the benefit of the Legislature that extra copies should be printed.

I move the order be given a passage.

The motion was agreed to.

On motion by Mr. Stearns of Oxford, An Act relating to the salary of the judge of the superior court of the county of Cumberland, was taken from the table.

On further motions by the same senator the Senate non-concurred with the action of the House in referring this bill to the committee on judiciary, and the bill was referred to the committee on salaries and fees and sent down for concurrence.

On motion by the same senator, An Act regulating the salary of the register of probate for the county of Piscataquis was taken from the table.

On further motions by the same senator, the Senate non-concurred with the action of the House in referring this bill to the committee on judiciary, and the bill was then referred to the committee on salaries and fees and sent down for concurrence.

On motion by Mr. Packard of Knox, S. D. 56, Resolve in relation to the early York deeds, was taken from the table.

On further motion by the same senator, the Senate non-concurred with the action of the House in referring this bill to the committee on library.

On motion by Mr. Stearns of Oxford, the resolve was tabled and assigned, for next Monday afternoon.

On motion by Mr. Hersey of Aroostook, An Act relating to the Houlton municipal court, was taken from the table.

On further motion by the same senator, the Senate non-concurred with the action of the House in referring this bill to the Aroostook County Delegation, and the bill was then referred to the committee on salaries and fees and sent down for concurrence.

On motion by Mr. Dutton of Kennebec, An Act relating to clerk hire for the register of probate of Kennebec county, was taken from the table.

On further motions by the same senator, the Senate non-concurred with the action of the House in referring this bill to the Kennebec County Delegation, and the bill was then referred to the committee on salaries and fees.

On motion by Mr. Hersey of Aroostook, S. D. 53. an Act to appropriate money to defray the expenses of the Governor and his staff in attending the ceremonies of the inauguration of the President of the United States, was taken from the table.

On further motion by the same senator, the bill was re-tabled and especially assigned for next Tuesday.

Mr. EMERY of York: Mr. President, I move we take from the table resolve authorizing the county of York to procure a loan. For the benefit of those not familiar with this resolve I will say this was presented here two years ago. At that time we were remodeling the court house in the county, and the county commissioners came down here and asked the Legislature to authorize the treasurer of the county to procure a loan of \$25,000, in addition to the loans already allowed by law, and to issue bonds. They came down here and the bill was presented, and was referred to this Legislature. Since that time they have gone ahead and remodeled the court house and paid the bills. As a result the condition as then no longer exists. I move that the resolve be indefinitely postponed.

The motion was agreed to and the resolve was indefinitely postponed.

On motion by Mr. Colby of Somerset, the order directing the committee on roads and bridges to consider the advisability of equalizing by State aid the burden of taxation for construction and maintenance of town and county highways in the towns throughout the State, on the basis of tax rate for those specific purposes, and report by bill or otherwise, was taken from the table.

On further motion by the same sena-

tor the order was given a passage in concurrence.

On motion by Mr. Allen of Kennebec, an Act to regulate ice fishing in Lake Cobbosseecontee and Lake Maranacook in Kennebec county, with accompanying petitions, was taken from the table.

Mr. ALLEN: Mr. President, while there is some feeling that this bill should go to the County delegation, yet being on both committees, I cannot feel that way about it. I feel that I would do my duty, if it is referred to the committee on inland fisheries and game.

If there is any particular reason why it should not go there, I would like to hear from any gentleman present.

The PRESIDENT: The Chair will state that this bill and accompanying petitions were referred by the last Legislature to this Legislature, and came up on January 1 for reference to the proper committee and were tabled by the senator from Kennebec, Mr. Allen.

Mr. DUTTON of Kennebec: Mr. President, it is not my purpose at this time to oppose the motion of the senator from Kennebec, but this matter has been in various forms before several Legislatures, and it has been the feeling of the people in this county that they have not received just such legislation as they wanted in reference to ice fishing in these particular waters. Now I have all confidence in the committee on inland fisheries and game, but I want, in connection with this reference, to express my position and the position of my constituents, and my brother's constituents, that if this Legislature in the enactment of fish and game laws is to recognize various localities, a policy which I do not for a moment believe in—personally I believe in a law in relation to fishing that shall apply to all parts of the State. The majority party does not believe, and does not profess to believe, in a local option law, and why, pray, should they and should the Legislatures for decades past, believe in and enact local option laws in regard to every frog pond there may be in the coun-

ty of Aroostook or the county of Oxford, or the county of Kennebec.

Personally, again let me say, that I believe this Legislature should enact a law in reference to salmon, black bass and white perch that should apply to every body of water within every organized township of this State. They should apply the same law in reference to ice fishing.

Now, as representing my constituents, if this Legislature is to pass a law in reference to ice fishing which shall treat everybody alike throughout the State, I am in favor of it and in favor of referring it to this committee, but if we are to divide up these privileges, if every man who happens to be on a pond is coming to the Legislature or to the fish and game commissioners, under the authority given to them to enact laws—a very doubtful authority—is coming to them to get a pond closed, because he happens to want it closed, why then, standing here representing the county of Kennebec, I ask the special privilege of ice fishing in these ponds, and in regard to reference, there is no better committee to which this bill should be referred than the Kennebec county delegation.

I for one am in favor of general law, and if the chairman of the committee on inland fisheries and game will dig out and report to this Legislature a bill which shall treat every man alike in this State, and every pond and every body of water alike, I am in favor of it, but I am not in favor of a law that treats one locality one way and another one another way, and if that is to be the policy of this Legislature, representing my constituents, why, we want to get our part of the privileges.

THE PRESIDENT: The pending question is on the motion of the senator from Kennebec, Mr. Allen.

MR. ALLEN: Mr. President, there is not much I can say on this point because the senator from Kennebec has said it all. He has taken just the ground that I would have taken. He comes up here and wants laws enacted that will be equal all round. I would like to ask the gentleman, in case we put this before the honorable Kennebec county delegation, and something else comes up and we put it before the Aroostook county delegation,

etc., how can we get laws to apply all around? I am a small part of Kennebec county, but I do not propose to treat Kennebec county any better than any other. I do not propose to offer Kennebec county any special favors because I am a resident of the county. What are we trying to do with the fish and game committee—back up the fish and game commissioners? We are trying to get a code of general laws to simplify them. You could fill your whole pocket with them now, and that is why we do not want special laws on these lakes. We have turned down some, and we propose to turn down more. We will use Kennebec county just as well as other counties and no better. If that is not satisfactory to my constituents, let them keep me at home.

MR. STEARNS of Oxford: Mr. President, I do not rise to make a speech, but simply to suggest, perhaps, that the remarks of Senator Dutton would certainly be very appropriate before the committee on inland fisheries and game. As it presents itself to me, I think perhaps we ought to have a copy of that speech sent down to them so that it would be before the committee when they act upon such matters. I wish to make it plain that it would be my belief that to take such matters as this, which are clearly before a particular committee, it would be to my mind, a very dangerous precedent to establish thus early in this session. I hope that the motion of Senator Allen will prevail, and I second the motion.

MR. DUTTON: Mr. President, I do not wish to be understood at all as opposed to the motion of the senator. I simply wished to express my views on the subject and it happened to give me an opportunity and I did so.

MR. ALLEN: Mr. President, I will say to the senator from Augusta that if this comes before our committee, we will take due care that all the inhabitants of the county have plenty of notice, and if the committee room is not large enough, we will get another, and as far as I have any influence, they shall be treated fairly.

MR. WING of Franklin: Mr. President, this is a matter that I am somewhat interested in, as the committee on inland fisheries and game

has presented an order which the senator from Kennebec, Mr. Dutton, has tabled and assigned for next week. The committee at their first meeting discussed the matter of general revision of the fish and game laws. We found that there had been no revision since the statutes were revised in 1903, and that since that time there had been from 100 to 150 bills presented to this committee, and a large number of them enacted into law. The fish and game commissioners were authorized under the law to make regulations, and practically 50 petitions have come to them each year for special rules and regulations regarding ponds and streams. These have had the effect of making a mass of law that it is difficult to interpret and understand, and the committee voted unanimously to pass this order for a revision. We believe that one half of the game law can be cut out and the matter simplified, and all matters passed upon by the committee be included in the revision so that at the end of this session we shall have one chapter covering the entire fish and game laws of the State. This measure has been recommended by the Maine Fish and Game Association, and also is recommended by the commissioners of inland fish and game, and unanimously reported "ought to pass" by the committee on taxation. In case the order is passed, I would suggest to the senator from Kennebec that it would be better to have this matter come before the inland fish and game committee, so that we would get uniform laws. It is the purpose of the committee to cut

out a great many of these special and private laws, and make general laws for a county or the State, and I think when the matter is understood by the Senate, they will be pleased to pass the order. I hope that this matter will be referred to the committee on inland fisheries and game.

The question being on the motion of the senator from Kennebec, Mr. Allen, that the order be referred to the committee on inland fisheries and game, a viva voce vote was taken, and the motion was agreed to.

On motion by Mr. Bailey of Penobscot, the order in relation to the strike on the Bangor & Aroostook Railroad, tabled by him, was taken from the table.

Mr. HERSEY of Aroostook: Mr. President, as the subject matter of this order has been acted upon by a similar order, passed through both Houses, yesterday, I move the indefinite postponement of this order.

The motion was agreed to and the order was indefinitely postponed.

On motion by Mr. Hersey of Aroostook, Senate Document 69, An Act to set off part of the town of Dyer Brook and annex the same to the town of Island Falls, was taken from the table.

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

On motion by Mr. Chase of Piscataquis, adjourned until Monday afternoon, at 4.30 o'clock.