

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Sixth Legislature

OF THE

STATE OF MAINE

1913

SENATE.

Wednesday, January 29, 1913.

Senate called to order by the President.

Prayer by Rev. John Evans of Gardiner.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

An Act conferring jurisdiction upon the superior judicial court to hear and determine property matters between wife and husband or husband and wife.

An Act to amend Section 55 of Chapter 49 of the Revised Statutes, relating to enforcements of a mortgagee's lien for insurance.

An Act to amend Section 5 and 17 of chapter 23 of the Special Laws of 1889, as amended by Chapter 488 of the Special Laws of 1901, relating to the municipal court in the town of Newport.

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

Resolve in favor of the Aroostook Central Institute, accompanied by statement of facts, came from the House by that Branch referred to the committee on education.

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

The following Senate order came from the House, indefinitely postponed by that Branch in non-concurrence:

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

Mr. HERSEY of Aroostook: Mr. President, I think I am the author of that order. When I presented it, I thought it would appeal to the justice of the Senate and of the House. Upon its face, perhaps, it might seem as

though there was an unnecessary expense, and not sufficient compensation, but we who understand fully the progress of legislation through both Houses understand how necessary it is that such an order should be passed. In all other Legislative bodies, practically, that I have read about, the Legislature of Massachusetts, and of Congress, no bill can go to a committee until printed. And for this reason, when a bill or a resolve is printed here when offered for reference to a committee, each member in the House and Senate has a file and no legislation goes to a committee until it is before the members of both Houses. They can see what it is that is going into the committee. The titles of bills and resolves are very often misleading, and a great deal of legislation is asked for that would not get through a committee, or would be heard and sent to a committee, and there would probably be opposition to them if known fully about beforehand. We who serve on certain committees are besieged every day by our constituents for copies of matters not printed, saying, "What is that about? I can't understand it. Send me a copy." If not printed, we have a copy made and sent to our constituents.

Furthermore, Mr. President, when you get into the committee and have no bills printed, there is but one copy for the chairman. The bill has to be read and the members of the committee have nothing before them. Whereas, if they were printed, each member could have one before him through the hearing and follow it. If on report of the committee there has been no change in the resolve, or in the bill, of course, there would be no further printing; only when there is a change by a new draft. So that the added expense would amount to nothing except on matters that either are killed in the committee, or are reported in a new draft.

Now it seems to me, of course, that on the whole, the benefits afforded legislators who wish to follow legislation is more than the added expense. I am not ready to make any issue with the House of Representatives in

regard to the printing of bills. I simply make this statement at this time, Mr. President, and move the Senate recede and concur with the House in the indefinite postponement of the order.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate out of order a communication from the Executive Department, transmitting the report of the State Board of Arbitration and Conciliation on the controversy existing between the engineers and firemen of the Bangor & Aroostook Railroad Co. and said Railroad Co.

The papers were read by the secretary of the Senate, as follows:

Augusta, Maine, Executive Chamber,
January 29, 1913.

To the Senate and House of Representatives.

Gentlemen:—

On Monday, January 20, and for several days prior thereto, my attention had been called, through the public press and otherwise, to a controversy existing between the employees of the B. & A. R. R. and said railroad involving a strike of the engineers and firemen of said road. My attention upon that date was for the first time called to chapter 229 of the public laws of 1909, entitled an act creating a State board of arbitration and conciliation. The first section of said act creating said board provides that its duties "shall be to endeavor to settle disputes, strikes and lockouts between employers and employees." Also, by section 10 of said act, endeavor to persuade such employers and employees to submit the matter in controversy to a local board of conciliation and arbitration, or to the State board," and "endeavor by mediation to obtain an amicable settlement." It also provides that "the State board shall upon the request of the Governor investigate and report upon any controversy, if in his opinion it threatens to affect the public welfare."

After a careful study of this statute, I concluded that it was my duty as the chief executive of the State, in compliance therewith, to call upon the State board of arbitration and conciliation to investigate the controversy existing between the employees of the B. & A. R. R. and said railroad, and report thereon, believing that the public welfare was involved in said controversy. I therefore issued an order to said board, a copy of which is attached to the report of said board.

The said board has now reported as having made said investigation and I herewith submit their report, which is as follows:

To His Excellency, Hon. William T. Haines, Governor of Maine,

Augusta, Maine.

Sir:

Pursuant to your request under date of Jan. 20, 1913, addressed to each of them, the members of the State board of arbitration have conducted an investigation into the controversy existing between the engineers and firemen of the Bangor & Aroostook railroad and said railroad, promptly, as provided for by statute, and according to the terms of your said letter which is of the following tenor, to wit:

STATE OF MAINE.

Executive Chamber,
Augusta, Jan. 20, 1913.

To the Hon. Frederick Bogue, East Machias; Hon. Samuel R. Hains, Pittsfield, and Hon. Alden M. Flagg, Auburn.

State board of Arbitration and Conciliation.

Gentlemen:

I am credibly informed that a controversy exists between the engineers and firemen of the Bangor & Aroostook railroad and said railroad, and that said engineers and firemen of said railroad, are now on a strike, which threatens to affect the public welfare, particularly in Aroostook county, and in compliance with Chapter 229 of the Public Laws of 1909, I request that you

investigate said controversy and report thereon, and that said investigation be made at once, as provided for in said statute.

Very respectfully,

WILLIAM T. HAINES,
Governor of Maine.

and beg leave to report as follows:

On Thursday, the 23d inst., a majority of the board proceeded to Bangor where counsel, Charles H. Reid, Jr., Esq., was obtained to assist them in the proposed investigation, and arrangements were made for the calling of witnesses to appear before the board immediately and give in their testimony bearing upon the matter in controversy.

At 9.30 o'clock, on the morning of Friday the 24th inst., the board met in session for the purposes above mentioned, at the Penobscot Exchange hotel in Bangor, all members being present, the chairman, Frederick Bogue, Esq., presiding. The following witnesses were sworn and examined that day: Percy R. Todd, president of the Bangor & Aroostook Railroad Co.; F. A. Gilbert, spruce wood manager of the Great Northern Paper Co.; Alden L. Chase, chairman of the joint board of engineers and firemen; L. C. Griffling, assistant grand chief of the Brotherhood of Locomotive Engineers; P. J. McNamara, assistant grand chief of the Brotherhood of Locomotive Firemen and Enginemen.

After having been in session until 6.15 P. M., the board adjourned until 8.30 A. M., Saturday the 25th inst., when the following witnesses were examined: Herbert E. Bartlett, one of the freight engineers of the Brotherhood; E. L. Cleveland of Houlton, president of the Aroostook County Potato Shippers' association; Morris Weslosky, of New York city, representing the firm of J. & P. Lippman, large potato brokers of New York city, doing business in Aroostook county and C. A. Powers of Fort Fairfield, member of the shipping association; Walter A. Danforth, treasurer of the Bangor & Aroostook Railroad Co.; James L. Murdock, vice president of the Brotherhood of Railway Trainmen; S. N. Berry, vice president of the Order of

Railroad Conductors; and William K. Hallett, superintendent of the southern division of the Bangor & Aroostook Railroad Co.

The board completed the hearing at 6.15 o'clock P. M. and it thereupon adjourned until 9.30 o'clock A. M. Monday, the 27th inst., for the purpose of preparing a report to be forewith tendered to your excellency.

After as complete and comprehensive an investigation as the board found itself capable of performing in view of the short time it found at its disposal to give to the examination of the controversy, which investigation has resulted in the taking of a very large mass of oral and documentary evidence in stenographic form, which the board believes cannot be transmitted to Your Excellency in completed shape much before the latter part of the next week, the board offers the following as its report of the investigation:

The position of the Bangor & Aroostook Railroad Co., as set forth by its president and as may be supplemented by its other officers who have appeared before the board, appears in the first instance to admit of no arbitration or mediation of the subject matter now in controversy. It bases its position as much upon the principle that its employes are receiving an adequate compensation for the risk, extent and character of the services rendered, as it does upon the proposition, which it asserts to be a fact, that in view of its financial status now and for a long time existing, it finds itself, as it states, absolutely unable to meet any demands from any sources of its various classes of employes for a possible increase in wages; and upon this point it has submitted for inspection copies of the sworn monthly statements of its proper officials to the Department of Commerce and Labor of the United States, as required by law, tending to show its exact financial condition for a period covering the time ensuing since the last annual report of the company for the fiscal year ending June 30, 1912, together with the report of the company for the fiscal year above mentioned, and by the testimony of its president and treas-

urer given personally before the board.

Much evidence has been introduced by both parties to the controversy bearing upon the cost of operating the railroad, its revenue, their sources, its earnings, or losses, as the case may be, and upon its ability or its inability to meet either as a moral or a business proposition, the demands of the striking protherhood, and upon the relative conditions attending the work of the engineers and firemen with those obtaining in 52 of the 55 railroads in the eastern territory so-called which contains New England. As the result of concerted action on the part of the engineers, at least, of the 55 railroads above mentioned, a basis of a standard minimum scale of wages was reached by arbitration pursuant to the terms of federal legislation known as the Erdman act, a copy of which will be submitted to your excellency with the complete stenographic report of the board's sessions, which standard was accepted by all of the companies included in this territory, saving and excepting the Rutland, whose employees did not present a demand for the standard scale, and the Central Vermont and Bangor & Aroostook railroads, which said corporations did not enter into this standard arrangement.

A quantity of evidence bearing upon phases of the matter in controversy, and with particular relation to the prior attitude of the parties and their attempt to amicably adjust their differences, has been introduced into the record of the board's sessions, but is regarded by the board as collateral to the subject matter under investigation, and it therefore confines this summary of its investigation to a statement of the parties' grievances as they exist at the present moment. The same has already been set forth in the public press and will need no consideration by us at this time.

The position of the Brotherhood of Locomotive Engineers and the Brotherhood of Locomotive Firemen and Enginemen may be summarized in a claim for compensation according to

the standard minimum wage scale entered into by the 52 railroad companies above mentioned, without particular regard to the financial status of the company as it may exist at this time. The brotherhoods contend that in view of the character of service rendered by them and the working conditions under which the same is performed, as based upon comparative conditions obtaining upon lines of similar character as the Bangor & Aroostook railroad, that they should receive at least an equal compensation. Much evidence has been introduced upon this point in support of this proposition. The brotherhoods believe that the true basis of adjustment of compensation should be an equitable return for services rendered at the market price obtaining for those services, without the special consideration for the capacity of the purchaser to pay. And upon this point it is in testimony that Bangor & Aroostook passenger engineers are paid at the rate of \$3.75 per 100 miles, while Maine Central passenger engineers are paid at the rate of \$4.25 per 100 miles; Bangor & Aroostook through freight engineers are paid at the rate of \$4 per 100 miles, while Maine Central through freight engineers are paid at the rate of \$4.75 per 100 miles; Bangor & Aroostook way freight engineers, \$4.30 per 100 miles, Maine Central way freight engineers, \$5 per 100 miles; Bangor & Aroostook switch and yard engineers, \$3.60 per 100 miles, Maine Central switch and yard engineers, \$4.10 per 100 miles; all other Bangor & Aroostook engineers, \$3.60, all other Maine Central engineers, \$4.75. Firemen get 60 per cent. of the above wages. All of which is based on a rate per 100 miles per ten hour service per day, with overtime extra. These comparisons are based upon what is known as the standard minimum as fixed by the arbitration hitherto referred to on Nov. 27, 1912, and which is maintained by the Maine Central railroad.

In making particular reference to the position of the engineers, the board does not lose sight of the fact

that the contentions of the firemen are based along the same lines.

The brotherhoods further contend that regardless of the first proposition as outlined above, and they have offered evidence upon these points, that the Bangor & Aroostook Railroad Co. can afford to, and should, meet their demands, with regard to its financial ability.

The brotherhoods further contend that the working conditions which attend engineers and firemen on the Bangor & Aroostook lines are unfavorable and hazardous as compared with those lines operating under the standard agreement.

The board is satisfied that both parties to the controversy will not seek its assistance as arbitrators at the present time, as the attitude of the railroad company opposes either arbitration or mediation, and the authorized representatives of the brotherhoods will consider arbitration only under the terms of the Erdman act heretofore referred to, or under federal regulations, and both parties refuse to accept the State board of arbitration as arbitrators of their difficulties; and the brotherhoods further state that they have been and stand ready to enter into arbitration under the federal law.

The board feels that the situation now existing between the Bangor & Aroostook Railroad Co. and the striking brotherhoods threatens the public welfare. In compliance with the provisions of section 4, chapter 229 of the public laws of 1909, and the spirit of your excellency's letter to the board above referred to, the board has made what it considers a fair and comparatively complete investigation into the effect of the strike, and particularly in Aroostook county. To this effect the board has examined representative and prominent business men either of that county or doing business there.

In the strongest terms Mr. E. L. Cleveland of Houlton, president of the Aroostook County Potato Shippers' association, who has resided and done business in that county for 35 years,

and who is an extensive shipper of potatoes to all parts of the county, states that the effect of the strike up to the present time has been of most serious importance to the potato dealers of Aroostook county, to the lumber interests, paper industry, and general business; that idle cars and the inability of merchants and dealers to move their goods over the Bangor & Aroostook lines, so necessary to that movement, has already occasioned them large losses of money and prospective business; that in some instances considerable orders for goods from out of the county have been cancelled, and that a prolongation of the strike will be attended with serious and even disastrous financial results upon the citizens of that county, including the enormous potato growing industry itself. He states that there are yet to be shipped 15,000 car loads of potatoes from Aroostook county, representing about one half of its annual output. A paralysis, even temporary, of the freight service of the Bangor & Aroostook Railroad Co. must mean, in his opinion, a loss difficult to calculate in figures at this time.

Along this line, and as emphatically, Mr. Cleveland is borne out by the testimony and opinion of other prominent and reputable business men of Aroostook county who are conversant with its affairs and its needs. These gentlemen state that a present loss not only obtains, but that the future loss of business must necessarily be great, as buyers, if they are unable to have their existing contracts fulfilled within good season, will naturally turn to other markets in the future for their supply.

Mr. Fred A. Gilbert, a life long resident of Penobscot county, and peculiarly familiar with its lumber and pulp industry and that of Aroostook county, regards the strike situation as particularly serious and that a prolongation of it must be attended by large losses of money and great inconvenience to the business industries of the two counties. In the opinion of these gentlemen last above named the effect upon those who depend upon their supplies through carriage over the

Bangor & Aroostook railroad into northern Penobscot and Aroostook counties, will be of most serious consequence, attended with financial losses and a much limited ability to transact their business as under normal conditions.

The effect of the conditions existing upon the manufacturing interests of yet another county, Piscataquis, may be shown by a letter addressed to the chairman of this board under date of the 25th instant, signed in behalf of the American Thread Co. by Edwin M. Hamilton, its manager, and of the following tenor:

The American Thread Co.,
Milo Spool Mills,
Milo, Me., Jan. 25, 1913.

Mr. Frederick Bogue, Chairman
State Board of Arbitration and Conciliation,
Penobscot Exchange, Bangor,
Me.

Dear Sir:

In compliance with your request we herewith confirm substantially the statements made to you over the telephone this afternoon.

We have at various points along the line of the Bangor & Aroostook railroad upwards of 1,000 car loads of timber which should move to our Milo mill within the next 50 or 60 days while sledding lasts. More than half this stock consists of white birch which, if left over a season, is a total loss; a few weeks of hot weather moulding and dozing it so that it is unfit for the manufacture of spools. We have two steam log haulers and upwards of 100 horses engaged in hauling this timber to the several sidings. Since the freight embargo was placed on the 17th instant we have been unloading onto the ground. This will entail heavy expense rehandling, and even at that cannot be long continued as the available yard room is limited. We have in our several camps and boarding houses along the line of the Bangor & Aroostook railroad more than 400 men and we are dependent upon railroad transportation for getting supplies to these men as well as to the horses above mentioned.

At Milo we have a single bar mill operating day and night. Unless we can get birch over the railroad from Patten or Orson siding within the next three or four days, it will be necessary to shut down the mill for lack of stock, in which case he would have to cut cord wood to keep fire under our boilers, the waste from the mill being our source of fuel supply.

The spools and shooks made at our Maine mills are for use in our own thread mills. We do not sell them in the open market. Under present conditions we can make shipment of this finished product only by teaming it a distance of eight miles to the Canadian Pacific railroad.

Enos Sawyer, Jr., Sebois, Me., is under contract to ship us 500,000 feet of green spool bars. He notified us today that the Canadian Pacific Railway Co. had refused to accept freight destined to points on the line of the Bangor & Aroostook Railroad. We are similarly affected by contract with the Merrill Mill Co., Patten, Me., who are to ship us 750,000 feet of the same kind of stock this season. In both instances the refusal of the transportation company to accept the goods necessitates piling and re-handling the stock or shutting the mills down until the freight embargo is lifted. Within a few weeks we have paid the Bangor & Aroostook Railroad Co. between \$800 and \$900 for a side track on their Medford cut-off so called, where we were to load about 2,000,000 feet of box logs. There is no other practicable outlet for this timber and no storage place at the siding for it, therefore, there seems to be no alternative but to await settlement of the railroad strike with the grave possibility of having to leave all or a part of the timber in the woods for a season, with a damage, direct and indirect, aggregating several thousands of dollars in addition to the forest fire risk.

In some instances we have been greatly inconvenienced by non-delivery of mill supplies, shipped from Bangor or points west of Bangor just before the embargo was placed. Each item would be of small importance in comparison to the larger matters which we have mentioned

although in the aggregate they involve a great deal of expense.

Respectfully submitted,

THE AMERICAN THREAD CO.

EDWIN M. HAMLIN, Mgr.

Evidence has also been adduced tending to impeach the character, ability and skill of men procured by the railroad company to fill the vacancies caused by the striking engineers and firemen, when, on the other hand, the company maintains that the new men are subjected to rigorous examination and must be and are fully qualified to fulfill the duties required of them with regard to the public welfare.

The occasion which prompts the board in submitting to Your Excellency at this time what may be regarded as a rather incomplete summary of its investigation is due to the fact that it feels that it complies best with the spirit of your Excellency's letter above mentioned and the exigencies of the situation in so far as it affects the public welfare, in rendering you such information as it may be capable of doing at the earliest possible instant.

A large quantity of correspondence passing between the parties in controversy has been introduced into the record of the board's sessions and will be transmitted as soon as the complete stenographic report of the investigation is ready, which stenographic report is made a part of this report and is expressly as if more fully extended and contained herein.

Respectfully submitted,

FREDERICK BOGUE,
S. R. HAINES,
ALDEN M. FLAGG,

State Board of Arbitration and Conciliation, Bangor, Maine, Jan. 27, 1913.

You will notice by this statute that practically no authority is given to said board of arbitration and conciliation, unless agreed to by the parties to the controversy, to do anything except to investigate and report. They can, in the language of the statute, I suppose, "endeavor to settle disputes, etc.," but just what these endeavors

consist of I cannot quite understand, unless the parties to said controversy submit their differences to arbitration, either before the State board or before some other board, upon which they may agree, as provided for in said statute.

It is very evident that the State board of arbitration and conciliation have performed their full duty as required by law. At least there is nothing more that they can do unless the parties to the controversy desire to submit their differences to the said board for arbitration.

That this strike is very materially affecting the public welfare, especially in Aroostook county, cannot be doubted, and the longer it continues, the more serious it will become.

While I have been awaiting the report of the board of arbitration and conciliation, I have taken occasion to look at the last railroad commissioner's report, for my own information, in regard to the relative situation of the B. & A. R. R. Their report is very full and complete about their business and property.

It seems that they are operating 650 miles of road and most of it is in Aroostook county. Their gross earnings for their last business year were \$3,345,240. They have a capital stock outstanding of \$3,198,600, upon which they pay 4 per cent. dividend. The total cash received for that capital stock by that company was \$1,840,500, which at 4 per cent. on its par value gives a net rate of about seven per cent. on what the company received for it.

Their property seems to have cost them \$43,747 per mile and they have a large bonded indebtedness about \$24,500,000, and I find that nearly all the savings banks of Maine are holders of large amounts of these securities, which shows that the people of Maine have contributed very generously toward the building of this road. That the road is operating in a growing and prosperous country, no one can doubt. That it receives what is considered by shippers and the traveling public a

large price for its transportation of freight and passengers, is generally believed.

The Maine Central Railroad Co., which operates 1005 miles of railroad in our State, and earns \$10,643,510, annually, and practically does all the railroad business of the State, except that which is done by the B. & A., and the little by the Canadian Pacific and the Grand Trunk, which cross our State on the north and west.

As every one knows, the Maine Central Railroad is a consolidation of a great number of other railroads, which were originally built as individual and local enterprises, as has been the Bangor & Aroostook railroad. The main line of the Maine Central railroad may be said to run from Portland to Bangor, with many lines situated like that of the B. & A., running northerly and easterly into the sparsely settled sections of the State, where the traffic is similar to that which the B. & A. has, and which it turns over in a great measure to the Maine Central railroad at the Northern Maine Jct.

Now, the object of a railroad is to give the best service for the transportation of freight and passengers at the lowest possible price. The cost of this service depends largely upon the operating expenses. The Maine Central railroad, as I understand it, pays its help what is called and known as standard wages on all the lines it operates. The B. & A. R. R. does not. From this fact alone, undoubtedly, the controversy which now exists between the B. & A. R. R. and its engineers and firemen gets its start.

The report above referred to shows that the engineers on the B. & A. receive an average of \$3.93 a day for the year, while those on the Maine Central receive \$4.49 a day; that the firemen on the B. & A. receive \$2.42 a day, while those on the Maine Central receive \$2.80 a day for the year. Many of these men meet daily at Northern Maine Jct., some of them live undoubtedly side by side in Bangor, and are subject to the same expenses for necessities and comforts of life.

The same report shows that the

general officers of the B. & A. receive an average for the year of \$34.34 a day, while those of the Maine Central receive only \$19.19 a day; that other officers of the B. & A. receive \$6.11 a day, whereas the same officers of the Maine Central receives only \$5.39 a day; that the clerks in the offices of the Bangor & Aroostook receive \$2.54, whereas those of the Maine Central receive only \$2.02. These are all published facts by these railroads.

I also find that the salaries paid to the general officers, other officers and clerks of the Bangor & Aroostook amounting to \$196,892.14 whereas the amount paid their engineers, firemen and conductors for the same year, according to said report, amounted to but \$218,737.63. In other words, the general expense for operating the Bangor & Aroostook railroad, according to their own report, in comparison with that of the Maine Central railroad, according to its report for the same period, shows a very heavy burden placed upon the former company from its general operating expenses, considering the volume of business done by it. And it seems a pity that the people of Maine, particularly those of Aroostook county, should have to continue to pay the very high rates which they are now paying for the transportation of freight and passengers, and that the help which does the work should receive wages so much smaller than those paid to the employes who are doing a like kind of work on the Maine Central railroad.

For this condition of affairs, there arises the inevitable suggestion that there is greater economy, and I think as a rule more satisfaction, in a great volume of business done under one management, made efficient and strong, and consequently by reason of great value more economical.

It seems a complete justification of the consolidations which have been made from year to year, resulting in the present Maine Central system, and of which the public has always been so suspicious and the press so critical.

I asked in my inaugural address that the Legislature provide a public ser-

vice commission or court to regulate the affairs of the public service companies, including the railroads. If the Legislature will only give us such an act, full and complete, one that will govern all conditions of controversy and trouble, between the public to be served and the company serving the public, the people may then become complete masters of the railroad situation through a complete and perfect consolidation of the strong with the weak, which in itself is a most natural equalizer of business. The money which the people have contributed for the building of these properties, entitles them to reasonable rates for transportation of both freight and passengers, and a fair return for the capital invested, and a just wage to all who work in such employment. With the laws we have at present I cannot see how anything more can be done, unless the employer and employes can agree to submit their matter in dispute to arbitration. It is evident to me that this should be done at once in this case, in the interest of the public welfare, and I do not hesitate to so declare.

My reason for so declaring is in the interest of public welfare. This is a very serious matter to the public, and instead of growing less so, is growing more so. Neither the wage earner nor the managing officers, in my judgment, have a right to refuse to submit their matters in controversy to arbitration in the case of a public service corporation. The public is too largely interested in the investment in such property, and in its use, for its managing officers who probably have not a dollar invested in the property, and who like the striking employes, are only personally interested in their salaries or wages, to be held up in the ordinary and reasonable use of the same by a strike when the matters in controversy can be arbitrated. There is no question but that an honest court of some kind can be found to settle their disputes and neither party should be afraid to submit their contentions to an honest court. If their contentions cannot stand before such a court, they ought to fail.

Mr. A. L. Chase on the part of the engineers, as reported through the columns of the public press, states that "we (the engineers) will have Judge Knapp and Mr. Neill come here, you let them go through your books, and then if they will tell us you are not in a financial condition to grant us an increase, we will withdraw our request." President Todd, as I understand, claims that this proposition was made in a different way, but however it was made, it seems to me that it was an honest effort on the part of somebody to bring about arbitration, which the engineers and firemen are contending for. It is true both sides objected to submitting their contentions to the State board. This being the case, they should find some other board or tribunal. Mr. Cleveland's testimony referred to in the report, and Mr. Hamlin's letter, both show the seriousness of the situation to the communities served by this railroad.

I don't know of anything further that the State can do through official action as now authorized by law in the premises. We have certainly exhausted our statute remedy in such a case. Having done this, I submit the whole matter to your future consideration.

WILLIAM T. HAINES.

The communication with accompanying report was placed on file. Sent down for concurrence.

House Bills in the First Reading.

Resolve in favor of the town of Solon.

Resolve in favor of the town of Albion.

Resolve in favor of the city of Biddeford.

Resolve in favor of the clerk, assistant clerk, messenger, assistant messenger, mail carrier, first folder, assistant folder, doorkeeper and pages of the 75th Legislature for attendance at the organization of the 76th Legislature.

Resolve in favor of aid in building highway bridge across Moose river in Jackman plantation, county of Somerset.

An Act to incorporate the Maine Security Co.

An Act to extend the charter of Ithiel C. Blackman for maintenance of ferry across the Penobscot river between Lincoln and Chester, in the county of Penobscot.

An Act to incorporate the Sweetsir Orphan Asylum.

An Act to regulate the taking of smelts in the waters of Egypt bay, Franklin bay and Taunton bay and river, in the towns of Hancock, Franklin and Sullivan in Hancock county.

An Act to extend the charter of the South Paris Light, Heat & Power Co.

An Act to amend Chapter 175 of the Private and Special Laws for the year 1912, relative to the Wiscasset Electric Light & Power Co. enlarging its charter.

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

Judiciary.

By Mr. Patten of Hancock: An Act to amend Section 19 of Chapter 55 of the Revised Statutes as to moving buildings. (On motion by Mr. Hersey of Aroostook, tabled for printing pending reference.)

By the same Senator: An Act relative to telephone, telegraph, electric light and power companies placing their wires under ground. (On motion by Mr. Walker of Somerset, tabled for printing pending reference.)

By Mr. Maxwell of Sagadahoc: An Act to amend Section 51 of Chapter 79 of the Revised Statutes, relating to terms of the supreme judicial court in the county of Sagadahoc.

By the same Senator: Petition of William T. Hall and 13 others of Sagadahoc county, relating to terms of the supreme judicial court in the county of Sagadahoc.

By Mr. Colby of Somerset: An Act to amend Chapter 13 of the Private and Special Laws of 1911, entitled "An Act to create the Bingham Water District."

Legal Affairs.

By Mr. Richardson of Penobscot: An Act to regulate the sale of stocks, bonds and other securities.

Education.

By Mr. Moulton of Cumberland: Petition of Willard Wilson and 26 others of Cumberland county in favor of Teachers' pension bill.

By Mr. Colby of Somerset: Petition of Belle M. Spaulding and 7 others for Teachers' pension bill; also, petition of Beatrice M. Smith and 66 others for same.

Interior Waters.

By Mr. Colby of Somerset: An Act to incorporate Sandy River Log Driving Co.

Ways and Bridges.

By Mr. Allen of Kenebec: Petition of H. S. Russ and 66 others in favor of repealing Chapter 340 of the Private and Special Laws of 1907, relating to highway in Readfield closed to automobiles.

By Mr. Richardson of Penobscot: Resolve in favor of T. M. Chapman's Son's Co.

Inland Fisheries and Game.

By Mr. Wing of Franklin: An Act to repeal the bounty on bears.

By the same Senator: Resolve providing for the screening of Shiloh Pond in Franklin county.

Sea and Shore Fisheries.

By Mr. Maxwell of Sagadahoc: An Act to amend Section 5 of Chapter 251 of the Private and Special Laws of 1907, as amended by Chapter 23 of the Private and Special Laws of 1909, relating to the protection of alewives, shad and sturgeon in various rivers in Maine.

By the same Senator: Petition of Carlton E. Trott and 32 others relating to the protection of alewives, shad and sturgeon in various rivers in Maine.

By Mr. Cole of York: An Act to repeal Chapter 574 of the Special Laws of 1874, entitled, "An Act to prevent the destruction of smelts in the Piscataqua River and tributaries.

Pensions.

By Mr. Morey of Androscoggin: Resolve in favor of Bridgit Kelley of Auburn.

Mr. RICHARDSON of Penobscot:

Mr. President, I wish to inquire in relation to the number of copies now printed of the different bills.

The PRESIDENT: The Chair will state that the House originally passed a House order providing for the printing of 750 copies. The Senate, yesterday, passed a joint order amending the joint rules which would authorize the printing of 750 copies. It is assumed that the House will concur in the adoption of the amendment or continue in the position indicated by the House order. Therefore, 750 copies are being printed.

Mr. MOREY of Androscoggin: Mr. President, not knowing whether the extra copies can be had in time I think I shall ask that 250 extra copies of the bill introduced by the senator from Penobscot be printed, as it is a matter of wide interest. I therefore move that the bill, An Act to regulate the sale of stock, bonds and other securities, be tabled for printing pending reference and 250 extra copies ordered printed.

The motion was agreed to.

Senate Bills in First Reading.

An Act relating to the relief of poor debtors.

An Act to incorporate the Pine Stream Dam and Improvement Company.

Committee Reports.

Mr. Hagerthy from the committee on pensions, on resolve in favor of Betsy Storer, reported that same "ought to pass."

Mr. Hagerthy from the committee on pensions, on resolve in favor of Maella L. Gordon, reported that same "ought to pass."

The reports were accepted and the resolves tabled for printing under the joint rules.

Passed to be Engrossed.

Resolve in favor of Letter E. Plantation and Sandy River Plantation, Franklin county, for the repair and permanent improvement of highways.

Resolve in favor of the counties of Somerset and Kennebec.

Resolve in favor of the town of Paris.

Resolve in favor of the town of St. Agatha.

Resolve in favor of the town of Peru.

Resolve in favor of the town of Island Falls.

Resolve in favor of the town of Phillips.

Resolve in favor of the town of Woodstock.

Resolve in favor of Fred A. Thurlough.

Resolve in favor of the town of Moscow.

Resolve in favor of Jerusalem and Crocker Townships, in Franklin county, for the repair and permanent improvement of highways.

Resolve in favor of Washington Plantation and Perkins Plantation in Franklin county, for the repair and permanent improvement of highways.

Resolve in favor of the town of Island Falls.

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

Orders of the Day.

On motion by Mr. Murphy of Cumberland, unanimous consent was given and he presented out of order the report of the joint special committee of the 75th Legislature, on the investigation of present and proposed methods of distribution of school funds, and upon further motion by the same senator, the report was tabled for printing and 1250 extra copies ordered printed for the use of the Legislature.

On motion by Mr. Boynton of Lincoln, Senate Document 102, An Act to amend Section 9 of Chapter 17 of the Revised Statutes, as amended by Chapter 239 of the Public Laws of 1909; also to amend Sections 11, 12, 14, 15, 16 and 17 of said Chapter 17 of the Revised Statutes, as amended by Chapter 31 of the Public Laws of 1911; also to amend Sections 10 and 13 of said Chapter 17 of the Revised Statutes, relating to registration of physicians and surgeons, was taken

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

On motion by Mr. Walker of Somerset, Senate Document 109, An Act to amend Section 88 of Chapter 15 of the Revised Statutes, as amended, relating to school holidays, was taken from the table, and upon further motion by the same senator, was referred to the committee on education.

On motion by Mr. Hersey of Aroostook, Senate Document 104, An Act to authorize employment of county prisoners on highways was taken from the table, and upon further motion by the same senator, was referred to the committee on ways and bridges in concurrence.

On motion by Mr. Patten of Hancock, Senate Document 105, An Act to authorize the inhabitants of the town of Eden to erect and maintain a wharf in tide waters, 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. Packard of Knox, Senate Document 106, An Act for the better protection of blueberry lands, 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. Stearns of Oxford, Senate Document 99, An Act to amend Sections 5 and 6 of Chapter 15 of the Public Laws of 1907, as amended by Chapter 34 of the Public Laws of 1909 and Chapters 84 and 176 of the Public Laws of 1911, relating to the protection of trees and shrubs from dangerous insects and diseases, was taken from the table, and upon further motion by the same senator, was referred to the committee on agriculture in concurrence.

On motion by the same senator, Senate Document 100, Petition of Godfrey S. Dupre and others for the repeal of Chapter 151 of the Private and Special Laws for the year 1887, entitled "An Act to create the Roman Catholic Bishop of Portland and his

successors, a Corporation Sole" and to substitute in its stead an act providing for the incorporation of Roman Catholic parishes, was taken from the table, and upon further motion by the same senator, was referred to the committee on Judiciary in concurrence.

On motion by the same senator, An Act in relation to the Sanford municipal court was taken from the table, and upon further motion by the same senator, was referred to the committee on salaries and fees.

On motion by the same senator, An Act in relation to the jurisdiction of the superior court for the county of Kennebec and fixing the salary of the judge thereof, was taken from the table, and upon further motion by the same senator, was tabled for printing, pending reference.

On motion by Mr. Hastings of Androscoggin, Senate Document 97, An Act amending and correcting the limits of the Maine Forestry District, was taken from the table, and upon further motion by the same senator, was referred to the committee on State lands and forest preservation, in concurrence.

On motion by the same senator, Senate Document 98, Resolve authorizing the State land agent to convey to Charles L. Babson of Sargentville, the State's interest in Two Bush island and Black Ledges in East Penobscot bay, was taken from the table, and upon further motion by the same senator, was referred to the committee on State lands and forest preservation in concurrence.

On motion by Mr. Burleigh of Aroostook, unanimous consent was given, and that senator introduced the following order out of order and moved its passage:

Ordered, That there be printed 250 extra copies of Senate Document 115, An Act for the abolishment of grade crossings.

The order was given a passage.

On motion by Mr. Richardson of Penobscot, Senate Document 108, Resolve making appropriations for the Passamaquoddy tribe of Indians, was taken from the table, and upon further motion by the

same senator, was referred to the committee on Indian affairs.

On motion by Mr. Cole of York, Senate Document 94, An Act to amend Section 17 of Chapter 65 of the Revised Statutes, relating to administering oaths, was taken from the table, and upon further motion by the same senator, was referred to the committee on legal affairs.

On motion by the same senator, Senate Document 95, An Act to amend Section 19 of Chapter 65 of the Revised Statutes, relating to duties of registrars of probate, was taken from the table, and upon further motion by the same senator, was referred to the committee on legal affairs.

On motion by Mr. Stearns of Oxford, Senate Document 96, An Act to amend Chapter 117 of the Public Laws of 1905, relating to the compensation of county commissioners, was taken from the table, and upon further motion by the same senator, was referred to the committee on salaries and fees.

On motion by Mr. Murphy of Cumberland, Senate Document 103, An Act to exempt certain school property from taxation, was taken from the table, and upon further motion by the same senator, was referred to the committee on education.

On motion by the same senator, Senate Document 107, Resolve in aid of a building at Van Buren College, was taken from the table, and upon further motion by the same senator, was referred to the committee on education in concurrence.

On motion by Mr. Bailey of Penobscot, Senate Document 101, An Act to provide for the intermediate sentence as a punishment for crime upon the conviction thereof, and for the detention and release of persons in prison or detained on such sentence and for the expense attending the same, was taken from the table, and

upon further motion by the same senator, was referred to the committee on legal affairs.

Mr. ALLEN of Kennebec: Mr. President, I introduced an order which had a passage yesterday or the day before, authorizing extra copies of Senate Document No. 16. Shortly after the order was passed, we discovered there had been a sufficient number printed, but they were not to be seen at that time. Therefore I move that the vote whereby the Senate adopted the order ordering 250 extra copies of that document be reconsidered.

The motion was adopted, and upon further motion by the same senator, the order was indefinitely postponed.

On motion by Mr. Stearns of Oxford, an Act to amend Section 5 of Chapter 402 of the Private and Special Laws of 1907, was taken from the table, and upon further motion by the same senator, the title having been corrected, was referred to the committee on judiciary.

On motion by Mr. Morey of Androscoggin, a communication from the secretary of State, transmitting Assembly Joint Resolution No. 19, relating to a proposed amendment to the Constitution of the United States so that the laws governing marriage and divorce shall be established by federal statute, tabled January 15th, was taken from the table, and upon further motion by the same senator, was placed on file.

On motion by Mr. Murphy of Cumberland, Petition of trustees of Van Buren College for appropriation in aid of a building at said college, was taken from the table, and upon further motion by the same senator, was referred to the committee on education in concurrence.

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