

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Seventh Legislature

OF THE

STATE OF MAINE

1915

SENATE.

Friday, Feb. 26, 1915.

Senate called to order by the President.

Prayer by Rev. Thomas Burgess of Augusta.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

House Bills in First Reading.

House 295. Resolve in favor of Frank Francis, representative of the Passamaquoddy tribe of Indians.

House 296. Resolve in favor of Edgar S. Fossett, secretary of the committee on State prisons.

House 297. Resolve in favor of the clerk, assistant clerk, messenger, assistant messenger, mail carrier, first folder, assistant folder, doorkeeper and pages of the 76th Legislature for attendance at the organization of the 77th Legislature.

House 299. Resolve in favor of Leonard A. Pierce, chairman of the House committee on elections.

House 270. An Act to amend Section 9 of Chapter 32 of the Revised Statutes as amended by Chapter 206 of the Public Laws of 1913, relating to the taking of suckers, eels, hornpouts and yellow perch with eel pots, traps, spears or nets.

The following bills, petitions, etc., were presented and, on recommendation of the committee on reference of bills, were referred on the following committees:

Banks and Banking.

By Mr. Dunton of Penobscot: An Act to amend Section 89 of Chapter 48 of the Revised Statutes of 1903 relating to foreign investment corporations. (Ordered printed and referred.)

Mercantile Affairs and Insurance.

By Mr. Bartlett of Kennebec: An Act authorizing the insurance commissioner to review rates fixed by fire insurance companies or the representatives of fire insurance companies. (Ordered printed and referred.)

Military Affairs.

By Mr. Butler of Knox: Petition of John K. Hooper and 17 others in favor of a Knox Memorial.

Mr. BOYNTON of Lincoln: Mr. President, I desire to offer the following order and move its passage:

"In Senate, February 26, 1915.

Ordered, that a message be sent to the Governor requesting His Excellency to return to the Senate for further reconsideration Resolve appropriating money to complete the replanking of the Wiscasset bridge. This was finally passed by the Senate in concurrence with the House Thursday, February 25."

The PRESIDENT: Is it the pleasure of the Senate that the order should have a passage?

Mr. COLE of York: Mr. President, may I ask through the Chair what is the purpose of this order.

Mr. BOYNTON: Mr. President, this resolve was finally passed here yesterday, and is now in the hands of the Governor. It is not the intention of the Governor to sign that resolve, and it is thought desirable, if possible, to get it back here into the Senate and have it lie on the table for the present.

Mr. COLE: In this matter I hardly know what to say. It seems to me that the Constitution fixes the method by which matters go through the Legislature. The Governor has the right either to sign the bill or return it unsigned or allow it to become a law within five days without his signature. The business of the Legislature is to take care of this business as it passes along; the business of the Governor is to attend to the matter when it reaches him.

I know of no precedent whereby this Legislature should allow matters to lie upon the table until they accumulate to such a large amount that when it comes to send them along they may not be properly discussed and understood by each individual member. Matters which lie upon the table until the closing weeks of the Legislature, we all know, are then

sent through with a rush, no member has an opportunity to offer an amendment and get the time for intelligent discussion which the bill or resolve may call for.

It seems to me that these matters going through here are going in the ordinary course of business. No member of this Legislature desires in any way to stand in the Governor's way for a good, effective administration. We all desire to work harmoniously with him. We all desire to work for the best interests of the State of Maine. There is no politics in these road bills; they are introduced by Democrats and Republicans alike. They affect Democratic and Republican communities alike. They are for the benefit of all the people of the State, regardless of locality and regardless of the amounts that are recommended by the committee.

I believe that that committee on ways and bridges is a committee of ten intelligent, honest men, appointed by the Speaker of the House and the President of this Senate because they had confidence in them to exercise the judgment which is required to be exercised in matters of this kind. Believing that, I don't understand how any member of either body here can ask that their recommendations be held up so that one man, when the time finally comes, may pass his judgment on the ten, and collectively, on all of the measures that may slip through here in these closing days.

I move that the order do not receive a passage. It seems to me that the committee on ways and bridges should be allowed to state their position on this matter, because I can see no other way, when the matter comes up to the people of the State, but what it is a reflection upon their integrity and honesty.

Mr. BOYNTON: I simply rise to ask that when this vote is taken it be taken by yeas and nays.

Mr. CONANT of Waldo: Mr. President and Fellow Senators: As chairman of the ways and bridge committee, I wish to state that every resolve that has come before this com-

mittee has been well advertised and a well represented hearing has been given.

I have instructed the committee from time to time that only bills of the highest merit should be reported ought to pass, and I can say that all matters have been treated honestly and squarely and without prejudice. These resolves referred to were given due consideration, and your committee voted unanimously in favor of them, as well as all other bills reported.

In 1913 there was appropriated from the committee on ways and bridges \$187,468.90, and I see no reason why it should not be as much this year if cases of merit are found to warrant it, although I have expected to keep it under that amount.

The state is in as good financial condition today as it was two years ago. I understand and well know that there has been a large amount asked for this year for ways and bridges; one bridge \$150,000, and another \$100,000. And there are other large amounts which we all must know could not be appropriated at this session. At this time there has been reported from the committee \$68,400 which has been shaved from resolves calling for \$116,690. There has been reported "ought not to pass" \$128,700. There is now pending \$442,331.59. This amount includes the two bridges before mentioned. Now take from the amount pending, \$442,331.59, the resolve of \$100,000 and the resolve of \$150,000 and it leaves \$192,331.59 to be acted upon, and it seems feasible to me that the amount can be kept nearly within the bounds of the Governor's wishes, \$125,000.

It has been reported that an agreement had been made in the committee that the amount should be kept up to \$200,000. I will say that no such thing has ever been mentioned by the committee, and no agreement has ever been made between me and the Governor to any amount. He advised me the first of the session that he would like to keep it within \$150,000 or \$160,000. A few days later he came to me and proposed the amount be kept down to \$125,000. I advised the committee in

relation to it and have continually kept it before them.

Mr. COLBY of Somerset: Mr. President: Perhaps as a member of that committee I would like to say a little something further in regard to Senator Conant's remarks. I wish to bear out everything that he has said in regard to committee work.

At the start we had a heart-to-heart talk, and we all agreed that there would be no politics in the committee. We agreed that if possible we would always have a unanimous report. We have cut and shaved these appropriations, no matter from what section they came, nor by what member of the House or Senate they may have been put in.

Yesterday, in the House, my fellow-townsmen, Mr. Dutton, in the discussion in regard to the veto on the three measures of my section, made the remark that perhaps might lead someone to think that the committee had thought of \$200,000 as a committee. I wish to corroborate the remarks of the Senator from Waldo that the committee never made any agreement with anyone, nor among themselves. I will say, though, that I had said to some fellow-members in the State House, and perhaps elsewhere in this city, that I personally thought the state was in a condition that we might appropriate around \$200,000. That remark I am not afraid to stand by, but I do not say that there was any agreement of that kind in the committee.

In regard to the three road resolves in my section yesterday morning, I had a conference with Representative Dutton when we heard what was going to happen to them. Mr. Dutton didn't know just what to do, he thought it was best to let the veto go, and as I say, we consulted, and I agreed with him, in fact I advised him to let the Governor veto it.

I didn't do that, nor did I advise Mr. Dutton to do it, as any slap at the Governor. He had a right to his opinion, as I have to mine. I didn't say it to advise him, and Mr. Dutton didn't do it in any way, to play party politics. We simply agreed we didn't like that method of doing. The resolves came to our committee in the regular course. We

reported on them unanimously. We cut them in two, as we have many others, Mr. Dutton's and many others, and I thought at the time, and I still think, that we took the right course. If we didn't, I am ready to take my blame with Representative Dutton, whether it is right or wrong. I still think we did right.

Mr. FLAHERTY of Cumberland: I really don't think the order is very unreasonable, to recall this bill and have it laid on the table. After listening to the remarks of the Senator from Waldo, where he said there are resolves for \$265,000 pending, and the merits of those have not been discussed—and surely this committee cannot advise on them without hearings on them—why not have those come back and be laid on the table let them all be considered as they should be considered, and not have any committee come in and say they are going to eliminate \$150,000 from one bridge, and \$100,000 from another.

I for one do not think the Governor is very unreasonable, and if we wish to be fair with the Governor, I think this Senate in all fairness should give this order a passage.

Mr. COLBY: If the Senator from Cumberland will just allow me, those large bridge appropriations that are now pending before the committee, if you carry out the ideas of the Governor, could not possibly pass, because two of them call for \$250,000, as Senator Conant has explained.

Mr. COLE of York: Mr. President, This matter apparently is coming before this legislature with a certain force and stress, and it will come before the people for explanation.

I feel it is but fair that we who do not belong to the party of the Governor, should absolutely state our position in this matter, that there is no politics in it and that we are all willing to cooperate with the administration that the people have put here to the extent of working harmoniously for a low rate of taxation; for the best interests of the state, and for the upbuilding of all the institutions of the state. But I do not believe the people of the state want the Governor to be the legislature and the Governor. The people elected the

Governor, and the people elected us, and under the Constitution we are coordinate; each must do his work, separately, according to the principles laid down in the constitution and in doing that work it is only right and proper that this legislature should allow the Governor to do his work as he sees fit in his wisdom. If the legislature allows the Governor to do his work as he sees fit in his wisdom, it is only right and just that he should allow this legislature to do its work as it in its wisdom sees fit.

These bills came before these ten men and we are entirely dependent upon the judgment of those ten men, as we are all dependent upon the judgment of one and another in the various committees. No member of this legislature would dare stand on his feet and be a critic of all matters that pass through here, and put his judgment against the judgment of the different committees that pass on the acts and resolves that come before them.

We are dependent upon the good faith of the committees, and when a committee has held a hearing upon an act or a resolve, I ask you how any member of this legislature, or the Governor, when the matter comes before them is going to exercise any judgment in regard to cutting a resolve from \$1500 down to \$1000, and get something worth thirty cents if, in the judgment of the committee that heard all the matters connected with it \$1500 was needed to rebuild a bridge or repair a highway and make it passable. I ask you how the Governor in his superior wisdom can say that a thousand dollars is enough to do the job, and if \$1500 would do it, spending it judiciously, and you get \$1500 worth of benefit from it, I ask you if it would not be the height of foolishness to throw away a thousand dollars which will not half do the job and would be ultimately wasted?

Now what is the Governor's intention on these appropriations that are held up here when they finally appear? Does he intend to slice them down and take off a certain percentage on each bill and make every one absolutely worthless and useless so that the expenditure cannot complete anything, or does he intend to take out those which suit his discretion and

wisdom, and veto the others and leave this legislature stranded? There must be one method or the other. If he says he is going to cut them down pro rata he puts his judgment above that of the legislature. He must either veto them, one and all, or pass them as they come to him.

What benefit will it be to hold these up until the closing days of the legislature and send them all to him at once? How can he judge what he should veto or pare down and if he does how can he get at it? How is he going to do it? What power has he to change any appropriation on a resolve that goes through the legislature? It may be that he says that a resolve is not a resolve, as he came in and told us in his wisdom here the other day. If a resolve is not a resolve, what is it? Perhaps he has found out by this time that a resolve is something that has the force and effect of law. He told us in his wisdom he did not know what a resolve was. He may have found out by this time for he has paid some attention to it.

If there are no politics in this matter I want someone here to interpret the remarks of the gentlemen from Houlton, Mr. Pierce, yesterday in the House. If it is all fair, clear blue sky, and if absolute fairness is the only thing the Governor wants, and if he is willing to do anything for peace and harmony, and if he wants to treat everybody fairly and does not want any partisanship in these questions, and is not playing politics at all, and if he is attending to his duties as other Governors have attended to their duties, and as the Constitution defines his duty, I would like to have some one explain what the member from Houlton meant when he said this:

"The Governor of this State in law, in fact and in the eyes of the people is charged with the responsibility for its financial affairs for the next two years; he cannot escape it and he cannot dodge it, and he cannot shoulder the responsibility upon the Legislature; the responsibility in regard to the financial condition of this State for the next two years is upon the Governor, and is largely because the people of this State thought he was the proper man for that that he was chosen Governor, and the Governors before him have been chosen Governors.

In all campaigns the speakers of all parties have advocated the election of their candidate, because they said that their candidate, in the case of Governor Cobb, Governor Fernald and Governor Haines, and these different men were good men and competent to look after the general financial affairs of the State. The Governor's idea is that none of these matters should be passed until they were all in and the House and Senate knew what amounts were asked for and reported out of the committee on ways and bridges. Then the House and Senate can pass upon them intelligently, and the Governor and the men in charge of the financial affairs of the State could have some assurance that the expenditures of the State would not exceed its revenue for the next two years."

Mr. President, these two statements put together simply show that it is a matter of politics, looking to the next two years' campaign, and not for the next two years' benefit to the State of Maine. Analyzing that still further I want to ask you who the men in charge of the financial affairs of the state are who need the assurance that the expenditures of the State will not exceed its revenues? Because, if I understand the making up of the appropriation bill, after we have made all of our appropriations here, and the proposed taxation bill is prepared, all these matters are added together and an estimate, as honest as can be made of the amounts to be received from indirect taxation, the income of the state, etc., and then whatever is needed more to carry out the appropriations of the legislature is then taxed directly to the people. Consequently there must be money enough, if the appropriations are not exceeded by the departments of state,—brought into the state by direct and indirect taxation, to carry on the state; and plenty of revenue is supplied by the legislature.

But that is not the point at all, Mr. President, it is a matter of low party politics, starting in at the beginning of this legislature, so that the Governor and his party may go out and tell the people that he has saved them half a mill or a quarter of a mill in their tax rate. It is a matter of cutting down taxation, a great political bugaboo of the future, that he has a half mill less than his

predecessor. It is not for the benefit of the state at large that he is looking at, not the interests of the people, but the interests of the Governor in a second campaign coming up two years hence.

The gentleman from Houlton, Mr. Pierce stated that the Governor is judged by his financial administration. That is true, but every honest Governor is willing to stand by his financial record when the legislature has passed the amount up to him. It is not how much he has raised by taxation, but it is how the money has been expended, and the Governor need not think that the people will criticize him for the amount of money raised, but they will criticize him for the manner in which the money is spent.

The people in the State of Maine are not penurious and they do not want to go over roads that are impassable or over bridges which are unsafe; they do not want to travel over roads that cannot be traveled with safety and with reasonable speed, and that is why the legislature, since the policy of the State has changed in regard to these matters has been liberal with appropriations for roads and bridges and has helped the little country towns to get better roads and bridges than they could otherwise have had.

It is the policy of the State to meet these changed conditions under which we now live. But the Governor is attempting to lead back to the old times, and he looks at the subject matter from the view point of politics alone. I believe we should leave this matter where it is and put the whole responsibility upon him, and if he says he will override the votes of this legislature, it is our duty to vote on still, believing that we have a committee on ways and bridges made up of honest men. There is not an attempt on the part of any man to play politics or get an appropriation in this section or that section, but they are all attempting to do justice to all sections alike, hear every bill and give each one appropriate consideration.

They ask for amounts that may be appropriated and recommended by this legislature. It is the policy of the legislature to take the recommendations of its honest committees, as a rule, and pass them, and it has been in the past the policy of the governors to take the

recommendations of the legislature as they came to them, and if they are according to the Constitution of the State of Maine, either sign these measures when they come to them or return them unsigned, or allow them to become law without their signature.

I believe we should still stand by the Constitution of Maine and do business according to the precedents of the past, and allow the Governor either to follow the Constitution or his own will.

Mr. MURPHY of Cumberland: This seems to be a very serious matter, the roads of the State of Maine, whether it is politics or business, in the estimate of the committee that reported ought to pass on this bill, and if we are really honest in what we say on this proposition, we ought to do everything we can to have it brought back.

There is a difference in some of the reports that have come before this committee; there is a difference in some of them that are still pending. Some are deserving, and some are not so deserving. I believe we should aid the deserving and poorer class of towns in the building of roads and bridges. This is a long bridge and if it needs repairs it should be repaired; if it is up to the State to do any repairing it ought to be done, if it is a deserving cause. We ought to do everything we can to see that State aid is granted to that particular bridge.

Mr. BUTLER of Knox: I am sure the Senator from York would not intentionally interject into this discussion any mere party politics, but at the same time I think if he can remember what he said this morning two years from now, and give the same speech in York county, it would be an excellent party speech. It isn't my purpose to go into party politics. I don't believe there is a senator in this body but what believes that the chairman of the committee on ways and bridges, and the whole committee, have acted thus far with the greatest fidelity to duty. I don't believe there is a joint legislative committee here at this session that has done its work more faithfully. I don't believe a single senator here has criticized a single resolve that has passed their judgment. I don't believe that the Governor himself has or will criticize a

single resolve that has thus far passed this committee and been reported here and been accepted and been unally passed.

Unfortunately there is a difference of opinion as to the aggregate amount of appropriation for the committee on ways and bridges between the Governor and that committee. The Governor has stated again and again that he is satisfied with the resolves that have been passed, some of which he has vetoed. This order has been presented this morning for the sole purpose of calling it back and saving it so that the people of that community may not lose that appropriation. It is to be held up for a short time, not indefinitely, not for weeks and months, but for a few days, in hope that this whole matter may be adjusted and the business of the Legislature proceed regularly.

Mr. DURGIN of Piscataquis: I do not arise for the purpose of multiplying words upon this subject, but as I have listened to the remarks here by the different members I have wondered what our Legislature is for, anyway. We assembled here and in the beginning committees were appointed, among others the committee on ways and bridges, composed of three members from this Senate and seven from the House. Matters which properly come before that committee are presented to them, facts and figures, arguments are adduced, in order that they may arrive at a correct conclusion as to the needs of a town or a section.

Now I believe when this committee has passed upon these matters, and a resolve has taken its natural course through both Houses, and there has been no objection to it, I think then, when it is put up to His Excellency, that he should either veto it for reasons, or it should become a law.

We have heard the explanation from the committee on ways and bridges, and I don't believe that there is any politics in their action. I know that, as a rule, matters have come before them from every section of the State. They have passed upon them, I believe, honestly, carefully and fairly, and without the least regard as to whether a resolve was presented by a member of one party

or the other; and if I didn't believe that, then I should have very little confidence in the committee. They are not here for the purpose of playing politics; they are here to pass upon matters that come before them, and to do business for the State of Maine.

It has been remarked that on account of the extra expense in printing—you will remember that notice was taken of that; I merely speak of it in passing, and call your attention to the fact that two years ago the Legislature was obliged to pass upon something like two hundred measures that came over from the previous legislature, and perhaps that might account for the fact that the printing in that session cost a good deal more than it did in the previous legislature, because our friends passed over to us so many measures that had to be advertised and passed upon that it made an extra expense in the advertising and the printing.

Now I don't want to play politics here, and I won't if I can help it, but I do believe that my people have sent me here as a humble member of this Senate to try and do business for the State, do it carefully, do it as well as I know how, and then the matter ends as far as I am concerned.

There are other committees appointed here. The committee on salaries and fees have passed upon a great many matters carrying appropriations, and I don't know why, when these matters are passed up to His Excellency, he shouldn't have the right to say that they should be held up until he can determine whether the little increases in salary are right or wrong.

It seems to me that the Governor should veto these measures passed up to him, upon their merits for reason, or else they should become a law, and the business of the State go along in its natural and regular order.

Mr. SCAMMON of Hancock: Mr. President, the office of the chief executive of this State is the highest gift of the people of this country. In the Chair have been many people of national reputation. Whatever the character of the present incumbent may be I submit that it is an office

to which due respect should be paid, and it is with a feeling of the greatest regret that I approach the discussion of this matter. We have come to a crisis when a movement of this kind is necessary.

The Governor perhaps in his wisdom has seen fit to put aside precedent. The business of this Legislature has been carried on since the inception of the State government, in a way which has met with the approval of the people of the State, and in accordance with legislation the world over. I do not know what these methods are, for I never played politics but I assume that I know when a people or a party is getting a square deal, and that is when these matters are being carried out in accordance with right and justice.

This committee on ways and bridges, in my judgment, has been one of the hardest worked committees in the Legislature. They have worked long and they have worked harmoniously. It cannot be said that there has been very much politics in their decisions as a committee, the committee having been chosen from both political parties. I understand from conversation with members of the committee that there has never anything of this sort entered into it.

Some of the best men, not only in this Legislature but in the State of Maine, are members of this committee, men whom the whole State honors and have the utmost confidence in their judgment. I say to you that as members of the Legislature, having from among the members chosen your best men and left these affairs in their hands, and they having looked at them from every point of view, and having acted in an honest manner, and by their actions in submitting these questions unanimously to the Legislature, they have done their duty, and having done their duty, and having done it fearlessly and having done it well, that this attempt of the Governor to coerce this Legislature should be stepped on.

Mr. WALKER of Somerset: I do not care to cut off debate, but it seems to me that this question has

been freely argued on both sides, and I move the previous question.

The PRESIDENT: The previous question is not ordered usually in the Senate. The question is upon the passage of the Senate order, offered by the Senator from Lincoln, Senator Boynton, requesting His Excellency to return to the Senate for further consideration Resolve appropriating money to build and re-plank the Wisconsin Bridge. This resolve was finally passed in the Senate in concurrence with the House, Thursday, Feb. 25. On this question the yeas and nays have been demanded.

(A sufficient number arising the yeas and nays were ordered.)

The PRESIDENT: Those in favor of the passage of this order whose names are called will answer yes, and those opposed will answer no.

The Secretary called the roll. Those voting yes were Messrs. Boynton, Butler, Dunton, Flaherty, Garcelon, Herrick, Jillson, Leary, Murphy, Price, Thurston, Weld—12. Those voting nay were Messrs. Allen, Ames, Bartlett, Burleigh, Chatto, Clark, Colby, Cole, Conant, Durgin, Emery, Fulton, Hersey, Peacock, Scammon, Swift, Walker—17. Absentees: Messrs. Hastings, Moulton—2.

Twelve having voted yes and seventeen having voted no the order did not receive a passage.

On motion by Mr. Butler of Knox it was

Ordered: That a message be sent to the Governor requesting His Excellency to return to the Senate for further consideration the Resolve appropriating money to aid in widening the turnpike road in Camden and Lincolnville and providing for the future maintenance thereof.

(This resolve was finally passed in the Senate in concurrence with the House, Thursday, Feb. 25.)

On motion by Mr. Cole of York the yeas and nays were ordered.

The Secretary called the roll. Those voting yes (in favor of the passage of the order) were Messrs. Boynton, Butler, Dunton, Flaherty, Garcelon,

Herrick, Jillson, Leary, Murphy, Price, Thurston, Weld—12. Those voting no were Messrs. Allen, Ames, Bartlett, Burleigh, Chatto, Clark, Colby, Cole, Conant, Durgin, Emery, Fulton, Hersey, Peacock, Scammon, Swift, Walker—17. Absentees: Messrs. Hastings, Moulton—2.

Twelve having voted yes and seventeen having voted no the order did not receive a passage.

Bills in First Reading

Senate 175: Resolve in Favor of State Pension Clerk.

Senate 176: Resolve in favor of the Maine Industrial School for Girls at Hallowell, to Provide for the Payment of interest on trust funds deposited in the State Treasury.

Senate 177: An Act to incorporate the Salisbury Cove Water Company.

Senate 178: An Act to amend an Act entitled an act to provide for nomination of candidates of Political Parties by primary Election.

Senate 179: An Act to extend the Charter of the Mount Vernon Water and Electric Company.

Senate 180: An Act to amend Chapter 47 of the Public Laws of 1913, relating to the enforcement of a mortgagee's lien for insurance.

Senate 181: An Act relating to the liquidation of domestic insurance companies.

Senate 182: An Act to extend the charter of the World's Standard Insurance Company.

Senate 183: An Act to incorporate the Maine Fire Insurance Company.

Senate 184: An Act relating to cancellation of Fire Policies without tender of return premium.

Senate 185: An Act to amend section 71 of Chapter 4 of the Revised Statutes relating to the authority of towns to raise money.

Senate 186: An Act to provide for the reduction in the penal sum of probate bonds.

Senate 187: An Act to amend Section 7 of Chapter 221 of the Public Laws of 1913, relating to the nomination of United States Senators.

Senate 188. An Act to amend Section 52 of Chapter 6 of the Revised Statutes to provide for filling vacancies in

the representation of the State in the United States Senate.

Reports of Committees

Mr. Colby from the committee on inland fisheries and game, to which was referred an Act to amend Section Two of Chapter 32 of the Revised Statutes as amended by Chapter 206 of the Public Laws of 1913, relating to fishing through the ice in Martin Pond, sometimes called Long Pond, in The Forks plantation in Somerset county, with petition of W. J. Holway and 24 others for same, reported same in a new draft under same title, and that it ought to pass.

The same Senator from the same committee to which was referred on petition of C. E. Marston and 47 others asking for additional restrictions upon fishing in certain waters in the vicinity of Holeb, Somerset county, submitting bill, an Act additional to Chapter 32 of the Revised Statutes as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in certain waters in township No. 6, Range 2, N. B. K. P., or Forsyth Township, so called, and in Township No. 6, Range 1, N. B. K. P., or Holeb Township, so called, in the county of Somerset.

The same Senator from the same committee to which was referred resolve in favor of the Maine State Museum, reported same ought to pass.

The same Senator from the same committee to which was referred an Act additional to Chapter 32 of the Revised Statutes as amended by Chapter 206 of the Public Laws of 1913, relating to the protection of fish, game and birds, on the southerly point of Swan Island, in the town of Perkins, in the county of Sagadahoc, reported same ought to pass.

The same Senator from the same committee to which was referred an Act to prohibit hunting in Kineo, Piscataquis county, Maine, amending Section 48 of Chapter 206 of the Public Laws of 1913, reported the same in a new draft under title of bill "An Act to amend Section 48 of Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to hunting on Kineo Point, in

Kineo, in the county of Piscataquis," and that it ought to pass.

The same Senator from the same committee to which was referred resolve for the purpose of operating the fish hatcheries and feeding stations for fish and for the protection of fish, game and birds, and for printing the report of the commissioners of inland fisheries and game, reported same ought to pass.

Mr. Garcelon from the committee on Legal Affairs to which was referred an Act to amend Chapter 489 of the Private and Special Laws of 1901, entitled "An Act to supply the town of Lubec with pure water," reported same ought to pass.

Mr. Walker from the same committee to which was referred an Act to incorporate the trustees of St. Joseph's Academy and College for Women, reported same ought to pass.

Mr. Chatto from the committee on sea and shore fisheries to which was referred an act to amend Section one of Chapter Two of the Public Laws of 1911, declaring a close time on scallops, (Senate 38) reported same ought to pass.

Mr. Walker from the committee on Education to which was referred an Act to amend Section 110 of Chapter 15 of the Revised Statutes relating to the course of study in the State Normal schools (Senate 78), reported same ought to pass.

The same Senator from the same committee to which was referred an Act to amend Section 6 of Chapter 188 of the Public Laws of 1911, relating to Industrial courses in evening schools, (Senate 64), reported same ought to pass.

The same Senator from the same committee to which was referred an Act to amend Section 3 of Chapter 58 of the Public Laws of 1913, relating to the State certification of Teachers of Public Schools (Senate 65), reported same ought to pass.

The same Senator from the same committee to which was referred an Act to amend Section 8 of Chapter 188 of the Public Laws of 1911 as amended by Chapter 37 of the Public Laws of 1913, relating to the appropriation for the encouragement of industrial educa-

tion (Senate 65), reported same ought to pass.

The same Senator from the same committee to which was referred An Act to amend Section 17 of Chapter 15 of the Revised Statutes as amended by Chapter 29 of the Public Laws of 1909, relating to the number of weeks that schools shall be maintained annually (Senate 69), reported same ought to pass.

The same Senator from the same committee to which was referred An Act to amend Section ninety-seven of Chapter fifteen of the Revised Statutes as amended by Chapter forty-five of the Public Laws of nineteen hundred five, as amended by Chapter eighty-seven of the Public Laws of nineteen hundred nine, as amended by Chapter twenty-nine of the Public Laws of nineteen hundred eleven, as amended by Chapter one hundred sixty-two of the Public Laws of nineteen hundred thirteen, relating to the appropriation for the schooling of children in unorganized townships (Senate 67), reported same ought to pass.

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

Mr. Herrick from the committee on temperance to which was referred An Act to amend Sections thirty-six, thirty-seven and forty of Chapter twenty-nine of the Revised Statutes, relating to the manufacture and sale of intoxicating liquors, and particularly the manufacture and sale of cider, (Senate 40,) reported same ought not to pass.

The report was accepted and sent down for concurrence.

Majority report of the committee on State School for Boys and Industrial school for Girls to which was referred Resolve to provide for the construction and equipment of a Central school building at the Maine Industrial school for Girls at Hallowell, that same ought to pass.

(Signed)

ALLEN
CLARK
SMITH
MEADER
TUTTLE
PEABBLES
MURPHY
MORRISON

Minority report of the same committee

on the same resolve, that same ought to pass.

(Signed)

GREELY
BERNIER

On motion by Mr. Allen of Kennebec, the majority report of the committee "ought to pass" was accepted, and the resolve was tabled for printing, under the joint rules.

Mr. Colby from the committee on Inland Fisheries and Game to which was referred An Act for the protection of wild animals and birds on the southerly point of Swan Island in the town of Perkins reported same be placed on file as the subject matter is covered by another bill reported by the committee.

Mr. Hastings from the committee on taxation to which was referred An Act to regulate the amount and the abatement of poll taxes. (Senate No. 9) reported that the same ought not to pass.

The reports were accepted and sent down for concurrence.

On motion by Mr. Allen of Kennebec, that Senator presented under suspension of the rules, out of order, the report of the committee on state school for boys and industrial school for girls, "ought to pass" on An Act to establish a reformatory for women.

The report was accepted and the bill tabled for printing under the joint rules.

Passed to Be Engrossed.

House 219. An Act to amend Section 49 of Chapter 23 of the Revised Statutes relating to liability for damage done by loghauers.

House 194. An Act relating to Trespass upon Grounds of Agricultural Societies.

House 213. An Act additional to Chap. 32 of the Revised Statutes as amended by Chapter 206 of the Public Laws of 1913, relating to Fishing in Ward's Brook and in Ward's Pond in the town of Fryeburg.

House 214. An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to the protection of muskrats in the town of Fryeburg, in the County of Oxford, and in the town of Bridgton, in the county of Cumberland.

House 215. An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to Fishing in North Branch

Brook and its Tributaries, in the county of Cumberland.

House 216. Resolve for an Appropriation for Traveling Libraries suitable for High schools in towns having no Public Libraries.

House 217. Resolve in favor of the purchase of one hundred and twenty-five copies of the History of Buckfield.

House 218. Resolve in favor of the purchase of the Maine State Year Book for the years 1915 and 1916.

House 221. Resolve to maintain the State Forest Nursery and to encourage reforestation of the waste lands of Maine.

House 223. Resolve for further public instruction in forestry.

House 266. Resolve in favor of the Farmington State Normal School for the purchase of land.

House 267. An Act to amend Section 2 of Chapter 32 of the Revised Statutes as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in Burnt Land Brook, a tributary to Presque Isle Stream, and in the East Branch of said Presque Isle Stream, in the county of Aroostook.

House 268. Resolve making appropriation for the Passamaquoddy Tribe of Indians for the year 1915 and 1915.

House 269. Resolve in favor of the Penobscot Tribe of Indians, for general care, maintenance, relief and education thereof.

House 276. An Act to amend Section 15 of Chapter 393 of the Private and Special Laws of 1909, as amended by Chapter 220 of the Private and Special Laws of 1913, relative to salary of the judge of the Millinocket municipal court.

House 274. An Act to fix the salary of the judge of the Belfast municipal court.

House 272. An Act to amend Section 1 of Chapter 144 of the Private and Special Laws of 1907 relating to clerk hire for the municipal court of the city of Lewiston.

House 277. An Act to amend Section 17 of Chapter 352 of the Private and Special Laws of 1905 relating to the salary of the judge of Caribou municipal court.

Senate 146. An Act to equalize the salaries of county commissioners.

Senator Murphy of Cumberland offered Senate Amendment A to Senate Document 146, and moved its passage.

Senate Amendment A. "Amend line seven of Section one by striking out said line and insert in place thereof the following, 'Cumberland, \$1100.'"

Mr. MURPHY: Mr. President: We feel that we have plenty candidates for this office of county commissioner. I am asking for a reduction of salary, not an advance. We feel as representatives of Cumberland county, that our county commissioners are sufficiently well paid for the amount of work they are doing.

Mr. BOYNTON: The last Legislature that met here voted for a committee on salaries and fees. It has been the duty of that committee to listen to applications for an increase on salaries in every county in this State, from one to a half-dozen different office-holders. The Legislature of last year—the 76th Legislature—thought best to create a committee on salaries and fees to sit through the recess of the Legislature, to equalize and adjust the salaries, among others, of all the county officers.

That committee had as its members Senator Wing, who sat here last year, as its chairman, Senator Conant, upon the other side of this chamber, and two more honorable, high-minded men never sat in this chamber, and they were added to by four members from the House, who proved to be faithful, honest, painstaking members.

They visited every county in the State. They listened to all that was to be said in favor of increasing or reducing and equalizing salaries. When that committee had finished its duties, they came to this Legislature with their report, and a new committee on salaries and fees was created to put bills into execution that would cover their recommendations.

That committee has been a very fair committee, and on every occasion, with one exception—the clerk of courts of Hancock county, the vote of

the committee in every instance has been unanimous.

I will say that when we were in our session, we suggested to all in an informal way, that the delegations of the several counties, being as we believed nearer the people, representing the taxpayers better than any other element we could get to come before us, should make recommendations, and in many instances these delegations made unanimous reports and presented them to the committee; the committee considered them, and in many instances they met their demands fully, or their requests fully, and in some instances they met them part way.

Now the Cumberland County Delegation, neither at Portland nor here, have seen fit to intimate, either as a body or as individuals, that there was anything wrong with the committee report; but it seems at this late day that there is some trouble with the report as to county commissioners.

The old committee on salaries and fees made a basis upon which to fix the salaries of all the county commissioners in the State, starting with a basis of \$400, that no county commissioner should receive a less sum, and figured from that, based on 20,000 population and \$20,000,000 valuation; \$100 additional for each 5000 population and in many instances these delegations and \$2,000,000 valuation up to 30,000 population and \$30,000,000 valuation, then add \$50 for each 10,000 population and \$10,000,000 valuation.

That was the fairest way we could seem to arrive at it. Then when we finished that, we took the counties like Aroostook, Somerset, Piscataquis, Washington, Franklin and Oxford, where there are more or less State roads through unincorporated plantations which are cared for by the county commissioners, and it seemed fair to us in those cases where they had many more miles to travel that they should have additional salary, and hence our report.

Now we will go back to Cumberland county. They were \$1050. The committee's recommendations raised them

to \$1350. Now when we went to Cumberland county and considered this matter of county commissioners, what did we find? That the county commissioners of Cumberland sit in session all the time. Their office is never closed in business hours, and a quorum of the county commissioners is always either to be found there or within reach.

The county commissioners of Cumberland county at this time are superintending the construction of a bridge for which the State and county have appropriated \$1,000,000, and for which perhaps \$650,000 has already been contracted for.

A county building costing \$85,000 has been erected. The cost of buildings properly under the care of the county commissioners is between two and three millions.

Now I appeal to this Senate: has the county of Cumberland got any business to seek men to carry on its business, amounting as it does to millions, who are not worth \$1350 a year? It is true you can find candidates; perhaps you can, but they would be of doubtful caliber, to my mind, to attempt that work to do it honestly and faithfully.

It was said to us many times in Portland, both in the committee room and out, that there was one man who had served years on the board of county commissioners in Cumberland county, who was worth, and had been, to that county, more than \$10,000 a year.

I trust, gentlemen, that you will see your way clear to adopt the report of this committee.

Mr MURPHY: In relation to my friend Boynton and Cumberland county, it is my luck, or pleasure, or fate, to be situated across the street from said Cumberland County court house.

In the first place, my friend, Senator Boynton isn't as well acquainted with conditions in Cumberland county as the gentleman from Cumberland. For instance, he quotes the Cumberland court house as costing \$85,000. As a matter of fact it cost \$300,000 and \$5000 besides. But they haven't anything to do now with building that

court house. That is built; and I had something to do with it; and some of the very men who are occupying that court house were against it, and the gentleman before you favored it.

Again, speaking about this bridge, the State hasn't in any way aided the building of that bridge. The County of Cumberland is building that bridge, none of the interested parties appearing on the scene when that was adopted.

Then as to this \$10,000 gentleman referred to. For 15 years I have served the city of Portland in one capacity or another, and I am interested in the welfare of the city of Portland, regardless of politics. There are no politics in it now. Three Democrats hold the office. But I am not here to serve the three Democrats. I am here to serve the city of Portland and the county of Cumberland, first, last and all the time. What do I find when I appear here? Men continually hounding to advance their salaries. Who appears here to prevent an advance of their salaries. One man that came in appeared at City Hall because it was too far from his place of business. I don't know of any other excuse, except that he didn't appear when they had under consideration the building of a bridge where \$1,000,000 was involved. What were we here for, except to find out whether we needed a bridge? Who were we to get information from, outsiders and bystanders, or the County Commissioners? The gentleman referred to was not present in the hall. If he was interested in the city of Portland and the County of Cumberland, why wasn't he there? We had to take advice from our selves, and I want to tell you, gentlemen, that we formulated the best bill that ever was thought of in relation to building bridges in Portland or Cumberland County.

Up to that time we had been building bridges, and had been trimmed time after time by the railroad companies who refused to pay their just portion, and had never applied for any aid from said County Commissioners, but we inserted this clause: "That the Portland Terminal Company shall pay 40 per cent and the Portland Railroad

Company 10 per cent of the cost of building the bridge. They aided us in no way.

It takes considerable courage to come up and talk against the men who will perhaps criticize me and perhaps work against me at the next election. But we can get all the officials we want and just as good officials.

Again the gentleman referred to has other business. My friend Boynton said he is within call of the courthouse. Of course he is. So am I within call of the City Hall. The mere fact of paying a larger sum for officials in Portland doesn't make any difference. As a member of the school board I receive no compensation whatever, but I will leave it to any man in the Legislature if we are not as good and efficient servants of the city of Portland. The simple paying of a large salary doesn't get any different class of men. It gets the same men, and they make a bigger hustle to get the job, because the net margin is bigger. With all due respect to Senator Boynton, I do wish to call his attention to the fact that the people who came before him asking for an advance in salaries are the interested parties. The people themselves do not have any chance. Who is going to come and appear in opposition? Who is going to pay their expense for coming up here? No one. Who pays the County Commissioners for theirs? It is a guess.

Gentlemen, I am talking for Cumberland County. I don't care how the gentlemen look at it. It certainly ought to be up to us to judge of affairs in Cumberland County.

Mr. BOYNTON: I thank the Senator for calling my attention to the error of \$850,000, which I called \$85,000.

When this vote is taken, Mr. President, I will ask that it be taken by yeas and nays.

The question being upon the adoption of the Amendment offered by Senator Murphy, Senate Amendment A to Senate Document 146, the yeas and nays were ordered and the Secretary called the roll.

These voted yea were Messrs. Allen, Ames, Bartlett, Burleigh, Butler,

Chatto, Colby, Cole, Flaherty, Fulton, Garcelon, Jillson, Murphy, Peacock, Price, Scammon, Swift, Thurston, Walker, Weld—20. Those voting nay were, Messrs. Roynton, Conant, Durgin, Emery, Hersey—5. Absentees, Messrs. Clark, Dunton, Hastings, Herrick, Leary, Moulton—6.

Twenty having voted yes and five having voted no the amendment was adopted.

Senator Allen of Kennebec offered Senate Amendment B to Senate Document 146 and moved its adoption.

Senate Amendment B to Senate Document 146: "Amend by striking out the words '\$600' in the ninth line and inserting in the place thereof '\$750.' Also by striking out '\$900' in line ten and inserting in place thereof '\$1000.'"

Mr. BOYNTON: It is very evident that these amendments are all to be adopted, and all I will do is to simply give the Senators something to think of, and perhaps they can explain to the satisfaction of their constituents their action.

Kennebec county, in this matter of adjustment, when we got through we left the salaries of the county commissioners at \$750; they had been \$1000. The united delegation recommended \$1000, we advanced it \$150, more than half way, with the hope that that might be satisfactory, but it was not. The population of Kennebec county, in round numbers, is 62,000; its valuation \$34,000,000. In Androscoggin county the population is 59,000; valuation \$34,000,000; and we recommended \$750, which is satisfactory to the delegation from Androscoggin county. We go down to York county where there is 68,000 population and \$34,000,000 valuation, and the people there are entirely satisfied with the amount of \$750.

Just why the county commissioners of Kennebec county are worth more to their people; just why the taxpayers from that county will be satisfied to pay \$300 more in their county than in another county with practically the same valuation and population, I don't know.

And just a moment on Hancock county, the county of magnificent salaries in the past. My remembrance is that their salaries are \$750. This tabulation cut it down to \$600. In Hancock county the

population is 35,000, valuation \$21,000,000. In Oxford county the population is 36,000; valuation \$20,000. The delegation of Oxford county appeared before this committee and asked that the salary of their county commissioners be reduced to \$600 from \$800, where it is left.

Mr. SCAMMON: In regard to this amendment in the salaries of the county commissioners of Hancock county, there are some peculiar conditions which do not appear in the explanation of the chairman of the committee on salaries and fees.

Hancock county has perhaps with one exception, in proportion to its size, the worst communications of any county in this State. There is only one railroad, and that is in the extreme eastern part of it; and the roads in the remainder of it are as a rule in bad condition. It is a very rough, mountainous, broken county, and the county commissioners' efforts to get around over the roads are met with a great deal of difficulty. Their expenses are large. There is another factor which enters into it that is ahead of anything that has been mentioned. Hancock county, so far as I know, is the banner county in this State in regard to summer people. Now those summer people are a peculiar crop, always having something they want done, the location of some road, or a change in a road after it is made, and there is no county in proportion to its size and population where the county commissioners are called on so many times as in Hancock county.

It appears, as described today, that the people of Hancock county have never complained at the price paid for the official duties of their county officials. They are financially able and willing to do it. There has never been any complaint down there, and I submit that with the peculiar conditions existing down there, and the unanimous report of the delegation, that this sum isn't an injustice to anyone.

Mr. BOYNTON: The delegation of Hancock county was invited to present to this committee their recommendations. The delegation never did so, as I remember. On the contrary it was made very plain to it that the delegation couldn't agree, and it didn't agree, and that the minority believed that the sal-

aries as they were recommended by the committee were enough.

Mr. ALLEN of Kennebec: I didn't take the time of your committee to discuss this matter, but I will say in a few words, in regard to the salaries of the county commissioners of Kennebec county that we are asking in these amendments for the same salary as they have been having for quite a number of years. The recommendation of this committee was for a reduction. We find that the salary we have been paying has brought to this position some of our leading business men, men of ability, men with whom we have felt safe to entrust the duties of county commissioners in this county.

Our county delegation got together and considered this matter, and it was the unanimous report that we recommend and stand for the same salaries that we have been paying our county commissioners. We didn't consider this a proper time in our county to reduce these salaries. We have a new county work-shop, which has not been built but a short time, and it is a large county, there is a good deal to do; in fact, the work is increasing. You are also—as you get down to one of the other bills that is to be considered later—you are adding more to the duties of the county commissioners, if this bill passes which has been recommended by this committee, and I feel it would be very unjust to our county commissioners, and it would work detriment to the best interests of Kennebec county if we should allow this reduction.

Therefore I hope that this Senate will sustain us in demanding simply the same salaries we have been paying.

Mr. CHATTO of Hancock: The Hancock county delegation reviewed the salaries of the officers of Hancock county, and I think with one or two exceptions we signed a report recommending that the salaries remain as they have been the last eight or ten years, and while I didn't have charge of that report I supposed it was presented to the committee on salaries and fees.

In speaking of the salaries of the county commissioners in Hancock county, as Brother Scammon has said, our county is a rough county. We have only one railroad through the eastern part of it,

and over every other section of the county they have got to go by team and automobile. It is an expensive way to travel.

Mr. Allen, chairman of that board, told me that his expenses had been from \$150 to \$200, and the expenses of the county commissioners are paid by the county commissioners. Now if we reduce that salary from \$750 to \$600, and the county commissioners have to pay their own expenses, from \$150 to \$200, that leaves from \$400 to \$450 over their salary. Now I don't believe that is enough. I did advocate, supposing that the expenses were paid, that we cut the salaries from \$750 to \$600. After I found out that the expenses weren't paid by the State, I advocated that they remain as they have been.

Now there is another point in this matter. The county of Hancock don't find any fault with the salaries paid to their county officers, and we pay an inheritance-tax which is the third largest in the State of Maine. We pay into the State treasury almost \$30,000 in inheritance taxes. In fact, we are paying enough to pay all our expenses and some four or five thousand dollars besides. Taking those into consideration, I shall vote for the amendment.

The question being on the amendment offered by Senator Allen, Senate Amendment B to Senate Document 146, a rising vote was taken and seventeen voting in favor of the passage of the amendment and three voting against its passage Senate Amendment B was adopted.

Senate 146, An Act to equalize the salaries of county commissioners as amended, was then passed to be engrossed.

Senate 148. An Act to equalize the salaries of sheriffs.

Mr. Murphy of Cumberland, offered Senate Amendment A to Senate Document 148 and moved its adoption.

Senate Amendment A to Senate 148. "Amend line seven of Section one by striking out said line and substituting therefor the following 'Cumberland, \$400.'"

The question being on adoption of Senate Amendment A a rising vote was had and eight voting in favor of the adoption of the amendment and ten voting

against its adoption, the amendment was rejected.

Mr. Swift of Kennebec offered Senate Amendment B to Senate Document 148 and moved its adoption.

Senate Amendment B. "Amend by striking out the word 'fourteen hundred' in the ninth line and by inserting in its place thereof the words 'sixteen hundred' so that said line as amended shall read 'Hancock, sixteen hundred dollars'; also by striking out in the tenth line the words 'twenty-five hundred dollars,' and by inserting in place thereof the words 'twenty-eight hundred dollars,' so that said line as amended shall read 'Kennebec, twenty-eight hundred dollars'; also by striking out in the twentieth line the word 'twenty-four hundred dollars,' and by inserting in the place thereof the words 'twenty-five hundred dollars,' so that said section as amended shall read 'York, twenty-five hundred dollars.'"

The question being on adoption of Senate Amendment B offered by Senator Swift, a rising vote was had, and sixteen voting in favor and seven against the adoption of the amendment Senate Amendment B was adopted.

The bill as amended was then passed to be engrossed.

Senate 149: An Act to equalize the salaries of registers of deeds.

Mr. Ames of Washington offered Senate Amendment A to Senate 149 and moved its adoption.

Senate Amendment A to Senate 149: "Amend by adding to the first Section the following 'fees charged by them for abstracts shall be retained by them and not paid to the county.'"

Mr. BUTLER of Knox: Mr. President this seems to be a state wide matter and not especially any county matter. The only objection I would have to that amendment is this: I would like to have it made clear that all official copies, the fees for same should be turned over to the several county treasurers, as all other officials, I think, clerks of courts, registers of probate keep to themselves fees for unofficial copies, while they turn over to the treasurer the fees for all official copies certified to by them. I should be very

glad to support the amendment were it made clear.

Mr. BOYNTON: Mr. President, this matter was all taken care of by the committee on salaries and fees, practically the same as has been offered by the Senator from Washington, Senator Ames, which is found in Senate Document 153. That is the important document of them all and should be adopted before these other amendments are adopted. Now perhaps it would be well enough to lay this bill and the amendment upon the table until Senators can make themselves familiar with both, and see if this Senate bill 153 does not cover the matter, as the Senator from Washington does in his amendment.

Mr. BUTLER: Mr. President, with all due deference to the Senator from Washington, I would at this time move that the whole matter lie upon the table until we can consider it further, perhaps until Tuesday of next week, if that is satisfactory.

The motion was agreed to and the bill and amendment was tabled.

Senate 150: An Act to equalize the salaries of the registers of probate.

Mr. BOYNTON: Mr. President, I have to move that this bill be tabled, for it would be no use to pass it if the amendment prevailed; it should not pass until we know what we are talking about. I move it be tabled pending passage to be engrossed and assigned for consideration next Tuesday.

The motion was agreed to and the bill was tabled and specially assigned for next Tuesday.

Senate 151: An Act to equalize the salaries of the judges of probate.

Mr. Chatto of Hancock offered Senate Amendment A to Senate 151, and moved its adoption.

Senate Amendment A to Senate 151: "Amend by striking out the words 'one thousand dollars' in the ninth line of Section one and by inserting in place thereof the words 'eleven hundred dollars', so that said line as amended shall read: 'Hancock, eleven hundred dollars.'"

Mr. Flaherty of Cumberland offered Senate Amendment B to Senate 151 and moved its adoption.

Senate Amendment B to Senate 151: "Amend by striking out the words 'twenty-five hundred dollars, in the seventh line of Section one and inserting in place thereof the words 'three thousand dollars,' so that said line as amended shall read: 'Cumberland, three thousand dollars.'"

Mr. Burleigh of Aroostook offered Senate Amendment C to Senate 151 and moved its adoption.

Senate Amendment C to Senate 151: "Amend by striking out the words 'one thousand dollars' in the sixth line and by inserting in place thereof the words 'twelve hundred,' so that said line as amended shall read 'Aroostook, twelve hundred dollars.'"

The question being upon the adoption of Senate Amendment A, that amendment was adopted, sixteen voting in favor and five against the adoption of the amendment.

The question being upon the adoption of Senate Amendment B, offered by Senator Flaherty:

Mr. FLAHERTY: Mr. President, I wish to state that the valuation that comes under the jurisdiction of this officer is \$108,391,529 out of a total valuation of the state of \$498,487,000, or a little less than one fourth the valuation of the state. He is in session continually during the whole year and I think has only three or four weeks vacation, and it is a very important office.

A rising vote was had and 17 voting in favor of the amendment and five opposed, Amendment B was adopted.

Mr. BURLEIGH: Mr. President, I want to say in explanation of Amendment C that under the revision of the statutes, a law passed at this session the rules of our court as established by the revision will be changed and this office will be required to do certain work in vacation which has never been required before, and they will need to be in constant session for certain work, under the law passed by this legislature.

The question being on the adoption of Senate Amendment C, 20 voted in favor of the amendment and none against and the amendment was adopted.

The bill as amended was then passed to be engrossed.

Senate 152: An Act to equalize salaries of county attorneys. (Passed to be engrossed.)

Senate 153: An Act to provide for the classification and compensation of clerical employees in state and county offices.

On motion by Mr. Cole of York, tabled pending its passage to be engrossed, and specially assigned for consideration Wednesday, March 3.

Senate 154. An Act to equalize the salaries of county treasurers.

Pending passage to be engrossed Mr. Murphy of Cumberland offered Senate Amendment A to Senate 154.

Senate Amendment A to Senate 154. "Amend line seven of section one by striking out said line and substituting therefor the following: 'Cumberland, sixteen hundred dollars.'"

Mr. MURPHY: Mr. President, this is also a reduction from the recommendation of the committee. We have no trouble in getting a county treasurer to serve on every occasion. I believe again I am echoing the sentiment of the people of Cumberland County, and I work for economy in the administration of the county. I hope and I move that this amendment will prevail.

The question being on the adoption of the amendment the same was adopted, twenty voting for and three against its adoption.

The bill as amended was then passed to be engrossed.

Senate 159. Resolve appropriating money for the payment of State Pensions.

Senate 160. An Act to equalize the salaries of the clerks of the judicial courts.

Mr. Price of Sagadahoc offered Senate Amendment A to Senate 160, and moved its adoption.

Senate Amendment A to Senate 160. "Amend by striking out the words 'sixteen hundred' in the ninth line and inserting in place thereof 'twenty-one hundred,' so that said line as amended shall, read 'Hancock, twenty-one hundred dollars'; also be striking out in the sixteenth line the words 'fifteen hundred

dollars,' and inserting in place thereof the words 'seventeen hundred dollars,' so that said section shall read as amended 'Sagadahoc seventeen hundred dollars.'"

Mr. PRICE of Sagadahoc: Mr. President, and Gentlemen: I will be very brief as it is getting along towards dinner time.

I will simply state in offering this amendment that I do so after a united unanimous request of the Sagadahoc delegation, which is a mixed delegation. I want to state that no taxpayer of Sagadahoc County has requested us not to move this amendment, nor were there any taxpayers of Sagadahoc County before this special committee requesting a reduction, but there were twenty-eight responsible, heavy taxpayers and influential citizens of our county there in behalf of an increase. We come with the united support of the Sagadahoc delegation, and I trust the amendment will have a passage.

Mr. SCAMMON: Mr. President, in regard to the amendment in regard to the Clerk of Courts of Hancock County, I would say that at the present time its incumbent is one of the most efficient men in the state. He has been connected with the court ever since he was a voter, and is regarded as one of the most efficient county officials we have ever had.

We are only asking for the salary that has been paid in the past, and submit that the taxpayers of the county are perfectly in accord with the amount that has been paid.

Mr. BOYNTON: Now, Mr. President, just where does your adjustment and equalization come in.

The PRESIDENT: If you are asking a question of the Chair, it is not a parliamentary question.

Mr. BOYNTON: I was suggesting to my brother Senators. Now comes Sagadahoc county, with a population of 18,000, and a valuation of \$12,000,000, asking that the salary of the Clerk of Courts be made \$1700, thirty per cent higher than any other county of like population and valuation. It may be, and I have no doubt the Senator from Sagadahoc is perfectly accurate in his statement but the Board of Trade in Bath, not long since assembled and sent a vigorous pro-

test to this committee against increasing the salaries of the county officials—I have forgotten to mention that.

Now as to Hancock County, just a word. Twelve hundred dollars for the salary of the Clerk of Courts of Hancock County, when all the other counties in its class are getting along with from \$1200 to \$1400! What is it about this Imperial Hancock that requires these fancy prices?

Now the Senator says that no voice has been raised against it. I want to say that when the Committee on Salaries and Fees were in session in Ellsworth, one of the most prominent citizens, if not the most prominent, of Hancock County, said to this Committee that the salaries of those county officials were too high, and had been for years, that they should be reduced. The name of that man may be obtained if it is thought necessary.

I want to call the attention of this Senate to one little incident that took place in our examination, the Salaries and Fees hearing that we had in Ellsworth.

It was on discussing the matter of the sheriff, this same question was asked, and it was asked others all over the state: Do you consider that you get a salary that is ample for the duties you perform? His reply was this: "When you take into consideration the fact that I have to let go of five hundred dollars every two years for political expenses. I consider that it is not any too much." Maybe that may be necessary, why the officers in Hancock County should receive fancy salaries.

Mr. SCAMMON: Mr. President, I was wondering whether the prominence of that man in Imperial Hancock had anything to do with his concord with the ideas of the Committee on Salaries and Fees. I thought it possible.

The same argument holds goods with relation to the Clerk of Courts in Hancock County that applies to the other officials. When this vacation committee refers to counties in its class, there are things other than population to be considered. I think I have stated the reason to you here, and I will not take up your time. All that I have said applies to the situation, and we are willing to pay that money down there, and statements of any

so-considered prominent citizen to the contrary

Mr. PRICE: Regarding the action taken by the Board of Trade, or City government, or whatever august body held that meeting and sent that communication to this Committee, I want to say that the Committee have taken that body very much more seriously than do the citizens of Bath.

That was introduced there in a spirit of levity, and was laughed at on the streets two minutes afterwards. There wasn't any thought that it would go any further than that meeting.

I may say that I have never been asked by any citizen to favor a reduction, but I have been asked by at least a hundred citizens, prominent citizens of Sagadahoc county, that it be placed at \$1700.

Mr. DURGIN: I dislike to prolong this discussion. I remember very well when we visited Hancock county, and I remember, and want to state here, that the remarks of the Senator from Lincoln are absolutely correct.

We found in Hancock county, I think, that the salaries there were placed at a very large amount, more relatively than they were in the other counties in the State.

I don't know how this happened, perhaps it is on account of the sedulous care that the politicians down there have taken of their officials in times past; they have come up here and been very zealous in getting their salaries at a higher rate than any other county.

I know very well that gentleman did appear before us and made the statement to members of the committee that the salaries down there were all out of proportion to the salaries in the other counties of the State; they were too high.

Now I can't see that this committee has been of very much benefit, if, when their report comes here, after having spent two years in going over the State, and examining conditions carefully, population and financial conditions, and have tried to be honest and give each county what it

should have—and then come in here and have the delegations from the different counties come up here, and it seems that they get together and it is "I will support you, and you support my contention, and between us we will manage to tip this thing all over, and we will get what we want in our county, and you will get what you want in your county, and we will place this thing back without regard to the work of this committee."

I don't think this system has been right. Cumberland wants a great slice on one office, and the genial Senator from that county asks for it, and then in another case he wants it reduced. There seems to be a combination, that the salaries and fees committee are up against, and it is useless to contend against it, but we are going to vote for what we believe to be right and in accordance with our work along these lines and the investigation that we have made. I wish now that I had demanded the yeas and nays in every case, so that the people might know how they voted.

Mr. COLE of York: Mr. President: I would like to ask if in Hancock county there is not some combination on the clerk of court's fees whereby the clerk has some four or five hundred dollars. It seems to me as I remember there was a division in the fees whereby it was contended that the work to be done by the clerk would be increased by four or five hundred dollars.

Mr. BOYNTON: I will say that Hancock seemed to be pretty safe in coming forward. I will state that by virtue of his office as clerk of courts—he is also clerk of the municipal court in Ellsworth, which brings him in a salary of four or five hundred dollars.

I believe that the citizens of Sagadahoc county, or the taxpayers in the county, and the taxpayers of Hancock county, would be glad to see the record of this vote, and I move that when the vote be taken it be taken by the yeas and nays.

The PRESIDENT: The Chair wishes to state to the Senators that they

may be deceived in regard to the amendments covering Sagadahoc and Hancock counties, as they are not divisible. You may be in favor of one and against the other.

Mr. CHATTO: Mr. President, there is just one thing I want to say in reference to the salary of the clerk of courts of Hancock county. I think he has a clerk in his office that he has to pay \$300. Mr. Mahoney, the present clerk of courts, told me that sage of Senate Document 160 to be engrossed, on motion by Mr. Ames of Washington the bill was tabled.

On motion by Mr. Ames of Washington the vote whereby Senate 148, An Act to equalize the salaries of sheriffs, was passed to be engrossed was reconsidered.

Mr. MURPHY of Cumberland: Mr. President, it seems to me there was a mistake in that vote. We did not quite understand it, and without further remarks I wish to state that no other county in the State has such an amount of work.

Mr. BURLEIGH of Aroostook: Mr. President: I move that we reconsider the vote whereby we rejected Senate Amendment A to An Act to equalize the salaries of sheriffs.

The motion was agreed to.

Mr. COLBY of Somerset: Mr. President: If I am in order this action of the Senate for the last hour leads me to think what is pretty sure to happen when the road and bridge bills get into the Senate and House in a bunch.

On motion by Mr. Murphy of Cumberland, Senate 148, An Act to equalize the salaries of sheriffs was tabled pending passage to be engrossed.

Mr. BOYNTON: Mr. President: Would I be in order to reply to the question of Senator Colby?

The PRESIDENT: You are not in order, and the Senator from Somerset, Senator Colby, was not in order in making the suggestion.

On motion by Mr. Butler of Knox,
Adjourned.