

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fourth Legislature

OF THE

STATE OF MAINE

1909

ERRATA:

**The following errata are
inserted because one or more pages
in this session day have errors
noticed and corrected here.**

ERRATA.

- Page 39, for Long Monson Pond read Long Mousam Pond.
94, after the words "Probation Officers" omit the words "relating to State Detectives."
105, 302, 316 and 333, for State Prison read State pension.
118, 146, 165 and 170, for supplementary associations read supplementary assessments.
168, for Coolidge River read Cambridge River.
174, for \$50 read \$50,000.
182, for Oakland read Oakfield.
185, for Rines road read Kineo road.
219, for Mineral Spring Co. read Merrill Springer Co.
226, for investigation of vital statistics read registration of vital statistics.
243, for town of South Portland read town of Southport.
309, for town of Wales read town of Wells.
325, for foreigners read coroners.
343, for Bed Cambridge River read Dead Cambridge River.
360, for boys read buoys.
377, for Corners Knob read Conary's Nub.
377, 462, 496, for Prescott read Trescott.
379, for Pittsburg read Phippsburg.
462, 496, for Chronological read Pomological.
494, for Township E read Township 2.
510, 538, for Central Railroad Co. read Jonesport Central Railroad Co.
520, for Penobscot Electric Co. read Penobscot Bay Electric Co.
525, for Colcord read Concord.
544, 556, for town of Brewer read town of Bremen.
551, 587, for Monmouth Ridge Sanitary Association read Monmouth Ridge Cemetery Association.
646, for Androscoggin Valley Company read Androscoggin Valley Railroad Company.
648, for Central Fire Insurance Co. read Central Maine Fire Insurance Co.
654, 670, for Jimmy pond read Jimmy brook.
655, 671, for Straw's Island read Swan's Island.
667, for transmitted in Maine read transacted in Maine.
677, 698, for municipal court in town of Portland read municipal court in town of Farmington.
687, for Trusett read trustee.
700, for pension members of Building Commission read pension members of Fire Department.
788, for Howard read Howland.
835, for Chapter 138 of the Public Laws of 1905 read Chapter 138 of the Public Laws of 1895.
844, for bridges of municipal officers read duties of municipal officers.
928, for identifying animals read identifying criminals.
974, for Herbert A. Bradford read Herbert A. Lombard.
1022, for Stonington Trust Company read Stonington Water Company.
1064, for Biddeford read Portland.
1244, for Daniel's Pond read Donnell's Pond.
1275, for Acatus Lake read Nicaulous Lake.
1313, for establish read abolish.

HOUSE.

Thursday, April 1, 1909.

Prayer by Rev. Mr. Turner of Hallowell.

Journal of yesterday read and approved.

Papers from the Senate disposed of in concurrence.

This is an act to amend Chapter 126 of the Resolve of 1905, as amended by Chapter 70 of the Resolve of 1907, relating to the Central Maine Fair Association, came from the Senate passed to be engrossed as amended by Senate Amendment A.

On motion by Mr. Additon of Leeds, the vote was reconsidered whereby this bill was passed to be engrossed, Senate Amendment A was adopted in concurrence, and the bill was then passed to be engrossed as amended in concurrence.

An Act to amend Section 47 of Chapter 41 of the Revised Statutes, came from the Senate with House Amendment A adopted in concurrence and passed to be engrossed as amended by Senate Amendment A.

On motion by Mr. Campbell of Cherryfield the vote was reconsidered whereby this bill was passed to be engrossed, Senate Amendment A was adopted in concurrence and the bill was then passed to be engrossed as amended in concurrence.

An Act to regulate the use of joint poles in the public streets by electrical companies.

In the House this bill was passed to be engrossed as amended by House Amendments A and C; in the Senate House Amendment A was amended by Senate Amendment A, House Amendment C was adopted in concurrence and the bill was passed to be engrossed as amended, and amended by Senate Amendment B.

On motion by Mr. Rounds of Portland the vote was reconsidered whereby this bill was passed to be engrossed; the vote was reconsidered whereby House Amendment A was adopted; Senate Amendment A to House Amendment A was adopted in concurrence; House Amendment A as amended by Senate Amendment A was

adopted; Senate Amendment B was adopted on concurrence and the bill was then passed to be engrossed in concurrence.

Resolve in favor of Lowell E. Bailey, came from the Senate that body joining in the committee of conference and appointing as conferees Senators Irving of Aroostook, Hastings of Oxford and Lower of Androscoggin.

An Act to amend Section 22 of Chapter 32 of the Revised Statutes, as amended by section 5 of Chapter 133 of the Public Laws of 1905, relating to payment of damage done to growing crops by deer, came from the Senate that body joining in the committee of conference Senators Wyman of Washington, Reynolds of Kennebec and Boynton of Lincoln.

An Act to repeal Chapter 92 of the Public Laws of 1905 entitled "An Act to provide for the better enforcement of the laws against the sale and manufacture of intoxicating liquors, came from the Senate that body accepting the majority report of the committee "ought not to pass." The House insisted on its action and called for a committee of conference; the Senate adheres to its former action.

On motion by Mr. Allen of Jonesboro, the House voted to adhere.

Majority and minority reports of the committee on agriculture to which was referred bill, An Act to amend Chapter 194 of Resolves of 1893, as amended by Chapter 155 of the Resolves of 1905, relating to industrial exhibits of the Maine State Agricultural Society, came from the Senate the minority report substituted for the majority and the report accepted, the minority resolve passed to be engrossed.

Mr. Burleigh of Augusta moved to substitute the report of the minority for the majority on concurrence.

Mr. COUSINS of Standish: Mr. Speaker, before this matter is considered I would like to say a few words in regard to why the agricultural committee decided and made the report which they did. They came before the committee and submitted the report of their treasurer and all the terms in regard to their resources and liabilities. They have been accustomed for some

years to have \$2500 a year as a stipend from the State. They came this year and asked for \$3000. The committee looked over their report very carefully and felt that while the State was contributing this money to promote the interest in agriculture, it looked by their report as though the State was promoting the interest of some of the officers more than it was the interest of agriculture. After looking over the list of officers' bills we felt that the money had not been properly used, that is, that it was not going into the channels which the State expected; and therefore they made the report which they did. I want to read over a few of the items which are contained in this report. I think they were honest and made a square and straightforward report, but this report says that some \$5200 was used by the officers in the different departments, and that there were a number of other fairs throughout the State that were paying out half or two-thirds as much and were doing a great and good work where their officers' fees were only about \$500 or \$600. The superintendent of grounds has \$500, and there are several different attractions where it is a question in my mind whether they would promote the interest of agriculture. Here is a show, \$400; stage attractions, \$150, and bicycle riders \$100; pay roll of the superintendent of ticket department \$274; pay roll of ticket seller \$78; pay roll of ushers to the grand stand \$49; pay roll of exhibition building \$331.95; pay roll of police \$244. One of the directors of this fair said that the city of Lewiston furnished the police free of charge. Pay roll of judges \$350, and the judges' salary \$325, salary of the president \$300, salary of the secretary \$550, clerk hire for the secretary \$100, making \$650; salary of the treasurer \$350; salaries of the trustees \$800.

Now, we felt that those were pretty exorbitant salaries. While I do not think there was a man on that committee but what had the interest of agriculture at heart and felt that they wanted to promote the interest of agriculture, it was a question in their minds whether this money was going where they meant it to go.

They came before us and said, "see what a hole you are putting us into." Perhaps it did. The committee felt that they were getting into that hole themselves, and that they never would get out unless the State did contribute more largely to them. The Senate yesterday adopted the minority report. There is also the Waterville fair, and we think that the two fairs should be treated alike. If you increase the stipend for this Lewiston fair, then you should do the same with the Waterville fair, and that would be right and proper. They have no legal claim against the State of Maine, and it is a question whether it is promoting the interest of agriculture or not. I simply want you to know why we reached the conclusion that we did. I think that every member of the committee felt that agriculture was the foundation of all our industries and they would like to promote it, but it is a question whether they would promote it by contributing so liberally to the pockets of these individuals.

Mr. WING of Auburn: Mr. Speaker, as I understand the proposition before this House, it is this: The action of the Senate yesterday in adopting the minority report was to give the Maine State fair exactly the same amount of money it has had for the past number of years, namely, \$2500, and it does not in anyway increase the stipend which they receive from the State. Now, the gentleman from Standish has told you many things. You have just this morning passed without a murmur a resolve in favor of the Waterville fair, and I am glad you did it because I believe that these various fairs in the State of Maine serve a good and useful purpose not only to the farmers but to the others who go there. The gentleman would have you believe that the trustees of the Maine State fair received \$800 apiece. Such, however, is not the case. It is \$800 paid to all the trustees, and he has spoken about the Maine State fair being in debt. I happen to live in the city of Auburn, which is a neighbor to the city in which the Maine State fair is held, and I know that two years ago the Maine State fair was held during a very rainy week,

a week during which it rained every day, of course they lost money and got in debt, and they could not help it. But let me tell you, gentlemen, that the Maine State fair runs a clean show; they have nothing but what any man can go and look at and be proud of. They don't sell their ground rents to cheap fakirs or gambling establishments or for the sale of intoxicating liquors; it is a clean, wholesome agricultural show for all the people of the State of Maine, and I trust the motion of the gentleman from Augusta will not prevail, and that you will treat this fair as you have treated its sister fair in the city of Waterville.

Mr. ADDITON of Leeds: Mr. Speaker, I would like to say just one word in regard to this matter. In regard to the stories of officers of the Maine State fair which is held at Lewiston, I think they are the same as they have been for quite a number of years, and that fair has been receiving the same stipend it is asking for now for many years. In regard to the special police which the gentleman from Standish (Mr. Cousins) spoke about, as I understand it, the city of Lewiston has furnished a certain amount of police for the fair, but there have been special police appointed for which the fair has had to pay, and any reduction in the size of this stipend will not reduce the salaries of the officers because those salaries are fixed; it will in fact, in my opinion reduce the small premiums that are received by the farmers throughout the State of Maine, and I believe if you should reduce this the effect would be that it would injure the fair and that the farmers would not exhibit as much as they do now. I believe it is for the interest of the fair and for the interest of the people of the State of Maine who are interested in helping those fairs that they should receive the \$2500 which they have been in the habit of having.

Mr. COUSINS: Mr. Speaker, there is one item of importance which I omitted in my previous remarks, and that is in regard to advertising. It is stated in the report that \$1527 were paid for advertising. One of the members of the fair told me that they could

cut down their expenses, and they thought they were too much themselves; I say, why haven't they done so? If they could have done so, why didn't they do it? This seems to me like a very exorbitant bill, \$1527 for advertising for that fair, and they have admitted it themselves, and why do they continue doing that same thing from year to year?

Mr. PATTANGALL of Waterville: Mr. Speaker, I think there can be no valid excuse given for changing the regular appropriation for the Lewiston or Waterville fairs, excepting it should be that of extreme economy; and it would seem to me as though it would be a little ridiculous in the last days of this House, after having voted away six or seven million dollars to almost anybody who wanted it, to start in economizing by cutting \$500 apiece off of the two State fairs. I cannot conceive of any good motive in cutting these appropriations. These are not local fairs; they are the fairs of the people of the whole State of Maine, and we are running one at Waterville with considerable expense to ourselves, and I understand it is the same with regard to the people of Lewiston. In Waterville there is an attempt being made to raise \$18,000, and if that amount cannot be raised the Central Maine fair will cease to exist. Now cutting off the \$500 may not be very important, but it might be the last straw that deterred them from running one of the best fairs in this State, and one which I think everybody likes to attend. I hope the motion of the gentleman from Augusta will prevail.

The question being upon the motion to substitute the minority report for the majority in concurrence,—

The motion was agreed to.

So the report of the minority was substituted for the majority.

The report was accepted.

On motion of Mr. Burleigh of Augusta the rules were suspended, the resolve received its two readings and was passed to be engrossed in concurrence.

An Act to regulate the employment of legislative lobby, counsel and agents and to provide for the returns of legislative

expenses, came from the Senate with the bill and report indefinitely postponed.

On motion by Mr. Davies of Yarmouth the House voted to adhere.

An Act to incorporate the Cherryfield and Beddington Telephone companies.

Mr. Campbell of Cherryfield moved that the bill be indefinitely postponed.

The motion was agreed to.

On motion by Mr. Campbell of Cherryfield, the rules were suspended and that gentleman introduced bill, An Act to incorporate the Cherryfield and Beddington Telephone Company, and on further motion by Mr. Campbell the rules were suspended, the bill received its three readings and was passed to be engrossed without reference to a committee.

Reports of Committees.

Mr. Bussell from the committee on appropriations and financial affairs, reported, "ought to pass" on Resolve in favor of the clerk and stenographer to the committee on insane hospitals and school for the feeble minded. (The report was accepted and the resolve received its two readings and was passed to be engrossed under a suspension of the rules on motion by Mr. Bussell of Gardiner).

Mr. Strickland from same committee, reported same on resolve in favor of the clerk to the committee on claims. (The report was accepted and the resolve received its two readings and was passed to be engrossed under a suspension of the rules on motion of Mr. Strickland of Bangor).

Passed To Be Enacted.

An Act to incorporate the Farmington Power Company.

An Act to divide the town of York and establish the town of Gorges.

An Act to consolidate and revise the military laws of the State of Maine.

An Act to incorporate the Calais Power Company.

An Act empowering the Governor to remove county attorneys.

An Act to incorporate the Brunswick Power Company.

An Act relating to the collection of State, county and district taxes.

An Act to incorporate the Scarborough and Cape Elizabeth Railway Company.

An Act to establish a municipal court in the town of Millinocket.

An Act to regulate the herring fisheries in the town of Roque Bluffs.

An Act to increase the authority of the Fort Halifax Power Company.

An Act to amend Chapter 144 of the Revised Statutes relating to Insane hospitals.

An Act prohibiting the building of smelt traps in the tributaries of Harrington river, Washington county.

An Act to authorize the city of Portland to acquire land for a police station, and central fire station.

An Act to amend Section 17 of Chapter 30 of the Revised Statutes, relating to the duties of commissioner of the bureau of industrial and labor statistics.

An Act to amend Chapter 166 of the Public Laws of 1907 entitled "An Act for the better collection of taxes."

An Act additional to and amendatory of Section 22 of Chapter 27 of the Revised Statutes, in regard to the support of minor children.

An Act establishing a close time on lobsters in the bays of the towns of Gouldsboro, Eden, Trenton, Lamoine, Hancock, Sullivan and Sorrento.

An Act in relation to life insurance companies doing industrial business giving special rates of premium to members of lodges or labor unions.

An Act to amend Section 1 of Chapter 347 of the Special Laws of 1907 entitled "An Act to establish a close time on lobsters in the bays of the towns of Harrington, Milbridge, Steuben and Gouldsboro.

Finally Passed.

Resolve in favor of John J. Dearborn.

Resolve in favor of the official reporter of the House.

Resolve in favor of the clerk and stenographer to the committee on State lands and State roads.

Resolve in favor of the clerk to the committee on interior waters.

Resolve in favor of the clerk, stenographer and messenger to the legal affairs committee.

Resolve in favor of L. A. Davis, clerk of the committee on public health and public buildings and grounds.

Resolve in favor of a screen at the outlet of Squa Pan Lake in Aroostook county.

Resolve in favor of the clerk and stenographer to the committee on railroads and expresses.

Resolve in favor of W. G. Fuller.

Resolve in favor of L. S. Lippincott.

Resolve in favor of screening China Lake in Kennebec county.

Resolve to provide means for the examination of claims for State pensions.

The following bill came up on its passage to be enacted:

An Act to amend Section 47 of Chapter 29 of the Revised Statutes in relation to the possession of liquors.

Mr. Kavanough of Portland moved that this bill be indefinitely postponed.

Mr. ALLEN of Jonesboro: Mr. Speaker: I am somewhat at a loss to know just what the reason would be for the motion made by the gentleman from Portland. I will state for the benefit of the House as briefly as I can the purposes for this bill was framed. When the committee on temperance acted on the so-called Hastings amendment which repealed that strang and mysterious law enacted by a Republican Legislature some years ago, it was determined that "and" meant "or" and that "in addition thereto" meant "or," or in other words, that black meant white. When this bill was introduced by the senator from Oxford the objection made at the hearing which was held in this room, was that the bill was simply another of the many dodges that had been presented to the people of Maine by the party which professes to stand for the enforcement of the temperance laws. I am giving this in substance as the sentiment expressed in opposition to that bill. I do not express it as my own views, but that was the objection made to the passage of the Hastings bill. When the committee on temperance went into executive session and considered those objections, and we found that they were considered by some or perhaps by all of the members of the committee to be real objections to the Hastings amendment, it was moved and unanimously carried that Senator Howes, a member of that committee, be instructed to prepare the bill, the results of which would be cal-

culated to remove those objections. The objection to the Hastings amendment was that there were two statutes, one governing illegal possession and the other governing the maintaining of liquor nuisances, that the Hastings amendment would not apply to, and on account of that difficulty it would be possible to still evade the law and the rumsellers get off scot free, although the people might suppose by the passing of the Hastings amendment that something had been done. As a matter of fact, nothing substantially would be accomplished. The committee realized that difficulty and gave the senator the instructions to which I have referred, and the present bill is the result of his efforts. He brought in a bill amending the statute as they at present stand, and providing that a jail sentence should be given for illegal possession. The bill simply changes the one word "or," substituting in its place the word "and."

Now, Mr. Speaker, if the Hastings amendment is to be passed without this supplementary amendment it is operative. If the members of this House decide that they do not wish to stand by the action of a day or two since, of course it is entirely in order to indefinitely postpone this bill; but if we intend to say to the temperance people of the State of Maine that we purpose to give them what they have asked for for so many years, a mandatory jail sentence for the liquor sellers, I want it clearly understood by the members of this House who are to vote upon this matter that there would be the same opportunity for unlawful sale as it now exists so that if you want a jail sentence it is necessary to accomplish what is designed by this bill; it is necessary that this and another bill which will probably come up later, and so Mr. Speaker, I move that when the vote is taken it be taken by the yeas and nays. The suggestion has been made by a representative near me that this matter be tabled and taken up in connection with the others, that is, with the Hastings amendment. I understand it is the purpose of the House to indefinitely postpone them all and perhaps it will save time to have

them all considered together, and so I would move that this bill be laid on the table pending its passage to be enacted.

The SPEAKER: The motion on table has precedence over the motion of the gentleman from Portland (Mr. Kavaneugh).

The motion was agreed to

Mr. Davies of Yarmouth presented the following order:

Ordered, That Allen P. White of Wayne, be excused from further attendance upon the 74th Legislature and that the treasurer of State be authorized to make up and pay to him his salary and mileage forthwith. (Referred to the committee on leave of absence)

Mr. Burleigh of Augusta in the Chair.
Unfinished business: Majority and minority reports of the committee on labor to which was referred bill, An Act relating to the hours of labor, majority reporting "ought to pass," minority reporting "ought not to pass." In Senate majority report accepted and bill passed to be engrossed.

The pending question being the acceptance of either report—

Mr. BEALS of Auburn: Mr. Speaker, as one of the signers of the minority report I want to say just a word in regard to the stand I have taken on the matter.

In our State we have large establishments for the packing or canning of sardines which are located in the coast towns where child labor is employed to a very great extent.

These factories start their regular season's work about April 15th and continue until December, embracing practically all of the summer months.

It was shown to this committee that children were employed in these factories from the age of seven years up and necessarily starting so early in the summer the children employed must be taken from school before the term ends in the spring and are kept out of school until long after school begins in the fall, not only losing three or four months schooling but during the long summer days when a child of tender years should be out of doors enjoying the pleasures of childhood they are shut up in a

place amid filth, gurry and entrails and a stench that is almost unbearable there to toil from early morning until late at night.

The Legislature of 1907 voted that these industries should be exempt from the provisions of the law governing not only the age at which these children can be employed, but also from the law governing the number of hours that they may be employed in one week.

That law stands today but yet these men who seem to think that the women and children of Washington county should be placed on the same level as the women and children of southern states where no restrictions in regard to these things exist are not satisfied.

They come here this session and ask that the exemption be extended to cover the factories where the cans or containers are manufactured. Thus placing tin cans in the list of perishable goods and in getting them included acquire the right to employ children in their manufacture without regard to the other mechanical and manufacturing establishments in the State.

This session of the Legislature has passed a 58-hour law for the women and children of our State without a dissenting vote, that law to apply to manufacturing and mechanical establishments endorsed by both political parties and heartily approved by our governor.

Are you now in the same session going to start nullifying the law?

Are you going to say that you did not mean it when you voted that the women and children of our State should enjoy a shorter week of labor, and that Washington county should be set off from the rest of the State in which illiteracy and immorality shall reign.

For I have been told by members of this House who come from that part of the State that women no where in Maine are morals as lose as they are in these coast towns where there large factories are located.

The argument will be used on the floor of this House that these cans have to be used as soon as made, that they cannot be made and piled up ahead as they deteriorate and that when an extra large catch of fish comes in the can

shops have to run night and day. I submit to you gentlemen that these shops are running today putting up cans against the coming season's business and that if they keep these cans from now until the season opens they can keep them during the fish season.

And then if they have to run these shops nights let them employ men to do the work and not keep these children from their beds to do it.

There have been a few cases in this House this winter where persons have come here asking for class of private legislation and they have been turned down good and hard. But gentlemen I do not think that there has been a piece of legislation asked for here this winter that has been so plain a case of class legislation as this one; it is for the benefit of the American Can Mfg. Co., and for them only.

Why should we as men sent here to represent and make laws for the people of our State say that children cannot be employed in a cotton factory under fourteen years of age, nor over 58 hours a week, and in almost the same breath say that they may be employed in a tin can factory as soon as they are large enough to stand on a box and reach the top of the bench.

The members of this House who are interested in the canning of corn or any other vegetables have been told that this was a great help to those industries and if this measure was defeated it would injure that business.

I want to say to you gentlemen that this law does not affect your business in any way, that these stories are circulated to get your votes.

Mr. Speaker, I move that the minority report be substituted for the majority report.

Mr. TRIMBLE of Calais: Mr. Speaker, as a representative from Washington county where these interests are very important to us, and as a member of the committee on labor and one of the signers of the majority report, I wish to say just a few words to the House. The canning interests of the State of Maine are of great consequence, they are very important. Last year the total output was in the vicinity of \$8,000,000. The sardine

business was about \$5,000,000. The conditions in the sardine business are different from what they were 10 years ago. At that time all the factories made their own cans, while today very few of the factories make their own cans. It is necessary when the corn or the blueberries or the fish come to the factory in large quantities that they should be taken care of at once. This is especially true of the fish. In order to take care of them at once it is necessary for the people in the sardine factories to work overtime, and it is also equally necessary that cans or containers be prepared for immediate use. They must have the right size cans on hand. The gentleman from Auburn says that the factories run from April to December but it is a fact that they never run full time. The only busy season in the sardine business averages in the vicinity of three months and in that time probably only three or four weeks would it be necessary to work crews over time. The amount of labor is limited. It is a fact that the operatives in these factories wish to have this law enacted. They wish to have the exemption. That is practically all the work they do throughout the year, and during that three or four months they have to earn enough money to live during the rest of the year. I would like to read the amendment for the benefit of the House:

"Section 1. Section 56 of Chapter 40 of the Revised Statutes as amended and renumbered Section 55 of said Chapter 40, by Chapter 46 of the Laws of 1907 is hereby amended, so as to read as follows:

"Section 55, nothing in the seven preceding sections shall apply to any manufacturing establishment or business, the materials and products of which are perishable and require immediate labor thereon, to prevent decay thereof or damage thereto, nor to any establishment the business of which is the manufacturer of cans or containers for such perishable natural products. Provided, however, the employment of children therein shall be under the supervision of said inspector who shall on complaint investigate the sani-

tary conditions, hours of labor and other conditions detrimental to children and if in his judgment he finds detrimental conditions to exist, he may, in conjunction with the municipal officers of the town or city in which the complaint is made, prohibit the employment of children therein until such conditions are removed."

At the hearing before the committee it was demonstrated that the percentage of attendance at school in the towns of Eastport and Lubec compared very favorably with any town and city in the State. The packers of fish claim that it is absolutely impossible to make up the number of cans and the particular sizes if cans in advance, so that you can readily see that in order to take care of the fish as they come in it is absolutely necessary that the can factories themselves be allowed to work over-time in the rush season, and I hope that the motion of the gentleman from Auburn will not prevail.

Mr. PIKE of Eastport: Mr. Speaker, I yield to no man upon the floor of this House in my desire to have enacted legislation to alleviate the conditions of the women and children, but I submit Mr. Speaker, that down on the coast of Washington county we have a peculiar condition. The State of Maine ranks first in but one industry, and that is well known, and that industry is in the preparation of sardines. It is as you all know, a perishable product. Sardines when they come to our canning establishments must be taken care of immediately. The open season is from the 15th of April until the first day of December, but it seldom happens that sardines come until July or August, and our season is practically about three or four months. During that time sardines come in in great quantities, and they must be taken care of forthwith. I do not believe that this House desires to legislate this great industry out of business. If they pass a law of this kind it certainly will. They work three months in the year down there in this business and during that time they must take care of this perishable product as fast as it comes in, and if we have to work over time it is not

our fault. I hope the motion of the gentleman from Auburn will not prevail.

Mr. PATTANGALL of Waterville: Mr. Speaker: I have lived for the larger part of my life in Washington county, where the canning of fish is the principal industry, the only profitable industry left, an industry of so much more magnitude than most people in Maine realize that the statistics on it are surprising to an outsider; and I would be loth to vote in such a way as to injure in any way that industry upon which 30,000 people depend for their livelihood. I realize the force of the argument of the gentleman from Calais, that the hours of labor in that industry must of necessity be uncertain, and it seems to me that there is valid excuse for not applying to it the strict rules of labor that are applied to factories where products are manufactured that are in no way perishable. So far as Senate Doc. No. 498 goes, down to Line 11, I think that no man familiar with the sardine business can complain, with the exception of the first part, the first section which should be so amended as not to include the general statute with retard to the child labor. The two propositions are entirely different, the matter of over-time and the matter of children working in factories. It is absurd to think that that industry will go out of existence or even be seriously injured by applying to it the same child labor laws that we apply to the cotton industry and the woolen industry. Two years ago some of us sought to have the general child labor law applied to the sardine industry, and gentlemen representing those industries came before the labor committee and said that they would be obliged to shut up their factories and go out of business, retire altogether, if the children were prevented from working for them. The Legislature believed them and did exempt from the child labor law the factories handling perishable products. Since that time an investigation of that matter has been made throughout the bureau of labor and industrial statistics. Miss Eva Shorey of Bridgton, made a trip through the sardine country, visited

all the factories and presented an elaborate report with which I presume many members of this House are familiar. I read that report with care and with interest. There were some points upon which I believe Miss Shorey to have been more or less misled, but this occurs in her report, "That not over 200 children under 14 years of age are employed in all the sardine factories in Washington county." Now, if that be true, and that was the evidence presented to her by the sardine men themselves when they took her through their factories and presented everything to her as well as they could so that her report would not shock the State, for that was written in answer to a magazine article by a Chicago writer who had investigated conditions somewhat down there—if that be true that only 200 children under 14 years of age are employed in the 50 odd sardine factories of Maine, then it is absurd to say that we should exempt these factories from the ordinary child labor law. I supposed there were more, but I am willing to take the figures from the official report made in the interests of the sardine men if it was made in the interest of anybody.

I know something about the conditions down there. I knew that in the courts of Washington for the last 15 years and that is as long as I have practiced law, so I cannot go back of that in my recollection, at every term of court we have had from one to half a dozen little boys coming up from the sardine shop accused of all kinds of crime and they have been sent out on probation and have come back again accused of crime until they have been sent either to the reform school or to the State prison. We have developed a criminal class down there among as good a set of people as God ever made simply because the practice has grown up in that industry of setting boys and girls to work as soon as they are old enough or big enough to handle a cutting knife, going into the factories on regular hours, day time and night time, because when the fish come in they have to be handled as soon as they can, and it has brought about a condition of

affairs down there that certainly is deplorable. No man realizes that and no man sympathizes with it more than the gentleman from Eastport who occupies a seat in this House. I have believed it to be largely because these children, instead of having their regular schooling in the schools of Eastport, were working to earn a few dollars in the sardine factories oftentimes to support worthless parents. Down there on the coast the conditions differ from anywhere else in Maine. When the factories open in the spring the people from Machais and other inland towns go to the coast and live in camps near the sardine factories, so that they may work around there during the season, taking their wives and children and taking a little camp for a dollar a two a month near the factory and getting in their summer's work and then going back home when winter comes along. The camps are owned by the owners of the factory and it is a fact that a man who comes to rent one and has no children is told that there is no place for him to rent a camp in town. They want the children; they want the largest family they can get and they put them into the smallest camp they have because it is the cheapest kind of help. If they adopt this entire amendment and say to those people down there, "We will keep the little children from going into the factories and from losing their youth and from being deprived of the joys of boyhood and girlhood," it would be a right step. I hope that the House will either adopt the minority report or that it will lay the matter on the table long enough to have it slightly amended and then adopted.

Mr. BURSE of Pittsfield. Mr. Speaker, I see this law applies to a chapter which we have not looked up, but I presume it applies to all canning factories in the entire State.

Mr. PATTANGALL, It does.

Mr. PIKE of Eastport: Mr. Speaker, pending the acceptance of either report, I move that the matter be laid upon the table.

The motion was lost.

The SPEAKER: The question now recurs the motion of the gentleman

from Auburn, Mr. Beals, to substitute the minority report for the majority.

A division was had and 57 voted in the affirmative and 38 in the negative. So the motion prevailed.

Unfinished business: An Act to establish the Kingman municipal court.

The pending question is its passage to be enacted.

Mr. Campbell of Kingman moved that the bill be passed to be enacted.

Mr. Pattangail of Waterville moved that the bill be indefinitely postponed.

The question being, shall the bill be indefinitely postponed?

A division was had and 28 voted in the affirmative and 56 in the negative.

So the motion to indefinitely postpone was lost.

The bill was then passed to be enacted.

Unfinished business: An Act to incorporate the Maine Power and Light Co., came from the Senate indefinitely postponed.

On motion by Mr. Davies of Yarmouth, the House voted to concur with the Senate in the indefinite postponement of the bill.

Unfinished business: An Act to permit certain plantations to assume the maintenance of their roads and bridges, came from the Senate passed to be engrossed.

On motion by Mr. Wing of Kingfield, House Amendment A was adopted, the bill received its three readings and was passed to be engrossed as amended.

The Speaker at this point resumed the Chair.

On motion by Mr. Wing of Kingfield, the House took up out of order, bill, An Act to amend Chapter 40 of the Revised Statutes and Chapter 46 of the Public Laws of 1907 relating to the employment of minors in manufacturing or mechanical establishments in this State.

Mr. BIGELOW of Portland: Mr Speaker, this is the so-called child labor law, and I will just take a moment to explain what this law provides. It prohibits the employment of any child under the age of 14 years in any manufacturing establishment in the State of Maine. The law merely prohibits their employment in factories, but this

provides for an educational qualification, allowing the employment of children between the ages of 14 and 15, providing they bear an educational test; it further provides that no child between the ages of 15 and 16 shall be employed in any manufacturing establishment if they are not able to read and write. The committee on child labor, the national organization which is much interested in this matter, has through their representative, given me an amendment to this act which by agreement with those interested in the special matter they have prepared. I will say that the committee is not very strenuous about the adoption of the amendment and does not urge it but they are carrying out their agreement for this reason. The matter which has been considered by this House relating to the employment of child labor in packing establishments would meet with so much opposition in the upper House, and we would fear in this House that it might result in the defeat of the entire bill. This child labor committee is very solicitous that this become a law; and the committee has provided that the exemption clause shall be retained, but it differs from the exemption which has been introduced by the gentleman from Calais inasmuch as it does not include the employment of children in the manufactories of containers or cans, but merely relates to their employment in the factories where they are packing perishable goods and to House Doc. 422 I wish to offer House Amendment A.

Mr. PATTANGALL of Waterville: Mr. Speaker, there are some matters contained in the amendment offered by the gentleman from Portland, Mr. Bigelow, with which I think every member in the House would be in accord; there are some matters with which some of us are not in accord, and during the noon hour we would have an opportunity to consult in regard to them, and to offer another amendment; and therefore I move that the amendment offered by the gentleman from Portland, Mr. Bigelow, lie upon the table until after dinner.

The motion was agreed to.

On motion by Mr. Rounds of Portland the rules were suspended to take from the table bill, An Act to amend Sections 35, 37 and 41 of Chapter 8 of the Revised Statutes relating to the taxation of telephone and telegraph companies, and on further motion by Mr. Rounds the bill was passed to be enacted.

Unfinished business: An Act to amend Chapter 15 of the Revised Statutes in relation to education.

The bill received its third reading and was passed to be engrossed in concurrence.

Unfinished business: Resolve in favor of Eddie McCormick of South Bancroft, Me.

In the Senate this resolve was passed to be engrossed without being printed and without reference to a committee.

On motion by Mr. Hersey of Houlton, the rules were suspended, the resolve received its two several readings and was passed to be engrossed in concurrence.

Unfinished business: Resolve in favor of John Good of Benedicta.

In Senate this resolve was passed to be engrossed under suspension of the rules.

On motion by Mr. Hersey of Houlton, the rules were suspended and the resolve was given its two readings and passed to be engrossed in concurrence.

Unfinished business: Bill, to extend time within which the Madison municipal court may organize.

On motion by Mr. Peters of Ellsworth this bill was indefinitely postponed.

Unfinished business: An Act amendatory to Chapter 17 of the Revised Statutes, relating to the practice of medicine, surgery and dentistry.

On motion by Mr. Hersey of Houlton, the rules were suspended, the bill received its three readings and was passed to be engrossed without reference to a committee in concurrence.

Unfinished business: An Act to amend the charter of the city of Old Town to provide for a referendum of the legal voters of the city of Old Town.

Mr. Weld of Old Town moved that pending its passage to be enacted the bill be referred to the next Legislature.

The motion was agreed to.

Unfinished business: An Act to amend Chapter 8 of the Revised Statutes relating to the Board of State Assessors.

This bill was passed to be engrossed in the House as amended by House Amendment A; in the Senate House Amendment A was rejected.

On motion by Mr. Hersey of Houlton, the House voted to recede and concur with the Senate.

Unfinished business: Resolve for the appointment of delegates to the conference of the International Tax Association.

In the Senate this resolve was passed to be engrossed under a suspension of the rules.

On motion by Mr. Davies of Yarmouth, the rules were suspended, the resolve received its two readings and was passed to be engrossed in concurrence.

Unfinished business: An Act to establish a standard unit of measure and a standard size of can for the sale of milk and cream, and to regulate the sanitary conditions under which milk and cream shall be handled.

On motion of Mr. Rounds of Portland, the bill was passed to be engrossed.

Mr. Rounds subsequently moved to reconsider the vote whereby this bill was passed to be engrossed.

The motion was agreed to.

On motion by Mr. Rounds Senate Amendment A was adopted in concurrence, and the bill was then passed to be engrossed as amended in concurrence.

Unfinished business: An Act to amend Section 11 of Chapter 8 of the Revised Statutes, relating to the duties of State assessors, came from the Senate passed to be engrossed under a suspension of the rules.

On motion by Mr. Wing of Kingfield, the rules were suspended, the bill received its three several readings and was passed to be engrossed in concurrence.

Unfinished business: An Act relating to the assessment of taxes on lands in places not incorporated, came from the Senate passed to be engrossed under a suspension of the rules.

On motion of Mr. Wing of Kingfield, the rules were suspended, the bill received its three readings and was passed to be engrossed in concurrence.

Unfinished business: An Act relating to the choice of assessors in towns. Mr. Montgomery of Camden, moved to non-concur and adhere.

The SPEAKER: The pending question is the motion of the gentleman from Houlton, to reconsider the vote whereby this bill was indefinitely postponed in the House.

The motion was agreed to.

Mr. HERSEY: I understand there is an amendment in the Senate, and I thought that had better be considered first so that we can lay before the House the amendment adopted in the Senate. I move that the House concur with the Senate in the adoption of Senate Amendment A.

The SPEAKER: The Chair understands that this bill comes from the Senate for concurrent action on the amendment. The gentleman from Houlton, Mr. Hersey, moved that the House concur with the Senate in the adoption of this amendment. The gentleman from Camden, Mr. Montgomery, moves that the House adhere. The Chair is of the opinion that the motion of the gentleman from Houlton to concur has precedence over the motion of the gentleman from Camden to adhere, under the rules which say that "Questions of concurrence or otherwise with the Senate shall have precedence of each other in the following order: 1st. To recede; 2nd. To concur; 3rd. To insist, and 4th To adhere."

Mr. MONTGOMERY of Camden: Mr. Speaker, the bill enables towns to select their selectmen, towns of over 6500 inhabitants, now as it is amended, to elect their selectmen, assessors and overseers of the poor, and that a number of them shall continue and one be elected each year. It refers simply to those towns which only elect three each year. Our Statute enabled towns to elect three, five or seven, and under that Statute

this bill cannot be applied if more than three are elected at any one year, and therefore it will be ineffective; so I don't see why this bill should pass or this amendment be added to it.

Mr. HERSEY of Houlton: Mr. Speaker, the amendment simply allows towns of 6500 or more inhabitants to adopt this law if they wish to. It does not force them to do it, and I think it is true as the gentleman from Camden says, if they elect more than three municipal officers it would not apply. It does not force them to make it apply, but if they have three they can apply it. I don't know any reason why they shouldn't be allowed to do that if they want to.

Mr. WING of Kingfield: Mr. Speaker, this is a bill that was presented by Senator Wheeler and came to the committee on taxation, and I think there is some misapprehension as to the provisions of this bill. It applies only to assessors and has no reference to the selectmen of towns. Mr. Wheeler explained to the committee that in Brunswick they desire to elect the assessors for three years instead of annually, and they thought they would get better results in that town to elect for three years. They have there a board of assessors separate from the municipal officers, and in some of the larger towns, as he explains, the office of assessor was separate from either the office of selectmen or assessors of the poor; and this bill applies only to assessors and he was very anxious that it should be adopted. I see no reason why the bill should not pass.

The question being on the adoption of Senate Amendment A in concurrence,—

The amendment was adopted.

Mr. Montgomery of Camden moved that the bill be indefinitely postponed.

A division was had pending the announcement of the vote.

Mr. BURLEIGH of Augusta: Mr. Speaker, I wish to make a motion that the yeas and nays be ordered, and in explaining my reason for making such motion I will say that as I understand it this applies to only two towns in the State, Brunswick and Sanford, and this merely allows these two towns to elect their assessors in this way if they want to; it does not oblige them to, and it

seems to me there cannot be anything unreasonable about the bill. I voted just now for the indefinite postponement of the bill, and it seems to me that these two towns should have the right to elect their assessors in this way if they wish to.

The yeas and nays were ordered.

The SPEAKER: The pending question is on the indefinite postponement of the bill. Those in favor of the indefinite postponement, when their names are called, answer yes; those opposed will answer no. The clerk will call the roll.

YEA:—Allen of Jonesboro, Allen of Richmond, Bogue, Bourassa, Bragdon, Burse of Pittsfield, Chase of York, Connors, Cook, Duncan, Dunn, Farnham, Frost, Harriman, Harrington, Holt, Mace, Merrifield, Merrill of Durham, Montgomery, Orff, Packard, Patten, Pelletier, Quinn, Smith of Biddeford, Snow of Brunswick, Spear of Warren, Strickland, Weld, Wing of Auburn—31.

NAY:—Andrews, Bartlett of Eliot, Bartlett of Stoneham, Bearce of Eddington, Beyer, Bigelow, Bigney, Bisbee, Blake, Blanchard, Bradford, Burleigh, Bussell Buswell, Campbell of Cherryfield, Campbell of Kingman, Charles, Chase of Sebec, Clark, Colby, Cole, Coolidge, Cousins, Couture, Davies, Emery, Ferguson, Fortier, Gilbert, Grant, Hall, Hannaford, Harris, Havey, Hersey, Higgins, Hill, Hines, Hussey, Hyde, Jordan, Joy, Kavanough, Kelley, Lambert, Lane, Libby, Lord, Ludgate, McLain, Millett, Morse, Nelson, Nickerson, Pattansall, Patterson, Paul, Perry, Peters, Porter, Pressley, Putnam, Redlon, Richardson, Rounds, Sleeper, Smith of Andover, Stackpole, Stetson, Stover, Thompson, Thurlough, Tibbetts, Trafton, Trickey, Trimble, True, Varney, Whitehouse, Whitney, Wing of Kingfield—81.

ABSENT:—Additon, Beals, Bemis, Bowley, Cummings, Day, Doble, Donnell, Dorr, Drake, Dufour, Edwards, Hamlin, Hanson, Harmon, Hodgkins of Damariscotta, Hodgkins of Temple, Jones, Lombard, Marshall, Mercier, Merrill of Bluehill, Miller, Moore, Moulton, Pike, Pinkham, Robbins, Ross, Sanborn, Sawyer, Silsby, Smith of Berwick, Snow of Scarborough, Spear of South Portland, Stanley, White of Columbia, White of Wayne—38.

So the motion to indefinitely postpone the bill was lost.

The bill then received its third reading and was passed to be engrossed as amended in concurrence.

Mr. Bisbee of Rumford moved to reconsider the vote whereby the House voted to recede and concur with the Senate on bill relating to trustee process.

Pending action on the foregoing motion,

On motion by Mr. Hersey of Houlton the House took a recess until 2 o'clock.

Afternoon Session.

On motion by Mr. Varney of Lebanon, the rules were suspended and he presented out of order the following bills:

An Act to prohibit trout fishing in Kay brook, sometimes called Bog brook, and its tributaries in the town of Lebanon, York county; An Act to prohibit trout fishing in Goding brook, so called, and its tributaries in the towns of Lebanon and Acton, in York county. (The bills were read three times and passed to be engrossed under a suspension of the rules on motion by Mr. Varney of Lebanon.)

On motion by Mr. Kelley of Boothbay, the rules were suspended and he presented out of order the following bills:

An Act to amend Chapter 251 of the Public Laws of 1907 entitled "An Act for the better protection of alewives, shad and sturgeon in various rivers in Maine." (Read three times and passed to be engrossed under a suspension of the rules on motion of Mr. Kelley of Boothbay.)

An Act relating to hunting on Sundays, came from the Senate in response to a message from the House, the Senate having reconsidered the vote by which it concurred with the House in the indefinite postponement, and returning the bill to the House.

Mr. Cousins of Standish moved that the vote be reconsidered whereby this bill was indefinitely postponed.

Mr. Wing of Auburn called for a division.

Mr. Libby of Amity moved that the yeas and nays be ordered.

The motion was lost.

The question being on the motion to reconsider the vote whereby the bill was indefinitely postponed—

It was agreed to.

On motion by Mr. Libby of Amity, the vote was reconsidered whereby this bill was passed to be engrossed.

Mr. Libby offered House Amendment B, by striking out all after the word "property" in Line 10 of Section 1 as far as the word "under" in Line 15.

The amendment was adopted.

The bill was then passed to be engrossed as amended.

Resolve providing for an amendment to the constitution empowering the Governor to remove sheriffs, came from the Senate referred by that branch to the next Legislature.

On motion by Mr. McLain of Bremen, the House concurred with the Senate in its action.

An Act to revive Chapter 138 of the Public Laws of 1905, came from the Senate indefinitely postponed.

On motion by Mr. Davies of Yarmouth, the House concurred with the Senate in its action.

Passed To Be Enacted.

An Act to amend Chapter 40 of the Revised Statutes relating to inspectors of factories, workshops, mines and quarries.

An Act to amend an act authorizing the county commissioners of Cumberland county to erect a county building in Portland.

An Act to amend Section 1 of Chapter 128 of the Revised Statutes, in regard to malicious mischief.

An Act to amend Section 2 of Chapter 22 of the Revised Statutes of the year 1903, relating to jail sentence for maintaining liquor nuisance. (Tabled in motion of Mr. Beyer of Portland.)

An Act in amendment of Section 1 of Chapter 136 of the Revised Statutes, relating to sentence in criminal cases. (Tabled on motion of Mr. Rounds of Portland.)

An Act to establish the board of police for the city of Waterville.

An Act to create a State water storage commission.

An Act to amend Section 78 of Chapter 9 of the Revised Statutes in relation to appeal from the county commissioners.

Finally Passed.

Resolve in favor of Verdi Ludgate, chairman of the committee on education.

Resolve in favor of M. S. Hill, clerk to the committee on temperance.

Resolve in favor of H. R. Thompson for services as clerk and stenographer to the committee on library.

Resolve in favor of the Eastern Maine Insane hospital.

Memorial to Congress in relation to the requirement of wireless telegraphy

on passenger steamships and tug boats on ocean voyages.

Resolve in favor of the immediate expenses for the support and maintenance of the Maine School for Feeble Minded, containing an emergency clause, came up on its final passage.

On motion by Mr. Davies of Yarmouth the yeas and nays were ordered.

YEA:—Additon, Allen of Richmond, Andrews, Bartlett of Eliot, Bartlett of Stoneham, Beals, Bearce of Eddington, Bemis, Beyer, Bigney, Bisbee, Blake, Blanchard, Bogue, Bourassa, Bowley, Bradford, Bragdon, Burleigh, Burse of Pittsfield, Bussell, Buswell, Campbell of Cherryfield, Campbell of Kingman, Charles, Chase of Sebec, Clark, Colby, Cole, Conners, Cook, Coolidge, Cousins, Davies, Donnell, Dorr, Duncan, Emery, Ferguson, Fortier, Frost, Gilbert, Grant, Hall, Hannaford, Hanson, Harriman, Harrington, Harris, Havey, Hersey, Higgins, Hodgkins of Damariscotta, Hodgkins of Temple, Holt, Hussey, Jordan, Joy, Kavanough, Kelley, Lambert, Lane, Libby, Lord, Ludgate, Mace, Marshall, McLain, Merrifield, Millett, Montgomery, Morse, Nelson, Nickerson, Orff, Packard, Patten, Patterson, Paul, Pell tier, Perry, Peters, Pinkham, Porter, Pressley, Redlon, Richardson, Rounds, Sanborn, Sawyer, Sleeper, Smith of Andover, Smith of Berwick, Smith of Biddeford, Snow of Brunswick, Snow of Scarborough, Spear of South Portland, Spear of Warren, Stackpole, Stetson, Stover, Strickland, Thompson, Thurlough, Tibbetts, Trafton, Trimble, True, Varney, Weld, Whitehouse, Whitney, Wing of Kingfield—113.

NAY:—Chase of York, Doble, Dunn, Farnham, Hines, Moulton, Pattangall, Pike, Putnam, Wing of Auburn—10.

ABSENT:—Allen of Jonesboro, Bigelow, Couture, Cummings, Day, Drake, Dufour, Edwards, Hamlin, Harmon, Hill, Hyde, Jones, Lombard, Mercier, Merrill of Bluehill, Merrill of Durham, Miller, Moore, Quinn, Robbins, Ross, Silsby, Stanley, Trickey, White of Columbia, White of Wayne—27.

So the resolve was finally passed, it having received the affirmative vote of two-thirds of the members elected to this House.

Reports of Committees.

Mr. Bigelow from the committee on inland fish and game, reported leave to withdraw on petition for stocking Highland lake, Cumberland county, and screening same.

Mr. Bigelow from same committee, reported same on petition of Winthrop Board of Trade for an appropriation for screening Lake Maranacook, Kennebec county.

The reports were accepted.

Presentation of Watch to Speaker.

Mr. MONTGOMERY of Camden: Mr. Speaker, I have unanimous consent of this House to present to you this gold watch and chain, and to say to you that it is our united wish that you accept it as a gift from us, and that you always wear it, as a token of our appreciation of your faithfulness in the discharge of your duties as Speaker.

Faithful conduct is not always the easiest way of doing, but it is always the meritorious way, and it is a great reward of merit, which you will not fail to recognize, when, after this busy and arduous session we agree in this expressive manner, that you have been faithful to your duties.

The guiding mind of assemblies like this is with him who presides over its deliberations. For, from the districts of the State, so numerous and far removed from each other, come the members of this House. Few skilled in Statecraft, none perfect in the art to put into intelligent form the many desires of our people for laws to live by, and to strive for existence under. It is not necessary to enumerate those desires to understand their complexity. They are found, somewhat, in the multitudinous bills, resolves, amendments and petitions which you have so patiently announced to this House each morning, and which you have so tirelessly put through their readings each day. And, I may say, too, with some feeling of pride, which we have so extensively and at times, so exhaustively and exhaustingly discussed and considered.

These desires of the people for laws—often so diversified as to bear no sympathy with one another—are frequently the antagonisms that arouse individual resentment, sometimes so radical that they engender party strife, yet necessarily here as matters for consideration, so that there never seems a moment when deliberating upon them but that the tact and fairness of the presiding officer is required to direct all the elements of contention into harmonious and intelligent action.

Such have been your duties. And when closing our labors here we unitedly bring to you this expression of our appreciation of your part as

Speaker, and ask you to accept it, and wear it, we trust you may be able to find in it a satisfaction far beyond the pride of office, or any material emolument. For it will always speak to you of friendship—the product of faithful public conduct.

We do not know what's famous quite,

Nor care.

We only know that friendship's ties aright,

Are rare.

And if acquaintance careless sought

But grows

To lasting sympathy in thought,

There flows,

In ways we may not fully see

Nor yet divine,

A stronger, surer hope that there will be
A happier time.

Mr. DAVIES of Yarmouth: Mr. Speaker, we should be unobserving, which I know we are not, if we failed to appreciate the marked ability, dignity and absolute fairness which you have displayed in presiding over this House. No member of it is your peer as a presiding officer. Your spirit of patience and accommodation made manifest on every occasion have won our greatest admiration and pride. The timepiece which we present to you is only the slightest token of our regard and rare affection for you. Every time you look at its crystal face I hope your thoughts will beckon back to the members of the 74th Legislature; and each day may it renew to you a message of our affectionate esteem. Heartily do we wish you well, and may the future bring you only brimming measures of those things which go to make life sweet. (Applause).

Mr. BURLEIGH of Augusta: Mr. Speaker and gentlemen of the House, my distinguished friend from Camden has said in his happy way that he rose to a question of personal privilege; a personal privilege not only of the gentleman himself, not only of the minority party for whom he is spokesman, but a personal and delightful privilege of every member of this House. In that acceptance of the expression we of the majority party heartily concur; and if you should rule against us on that proposition, Mr. Speaker, I say to you in advance that your ruling would be unambiguously rejected on an appeal to the House.

We are performing no merely perfunct-

tory duty this afternoon; we are not merely paying a deserved tribute to a most courteous, tactful, patient and impartial presiding officer, and to a brilliant parliamentarian. We are doing all that, and we are doing something more, something which, Mr. Speaker, I trust will be of far greater significance to you when we ask you to accept this little gift as an expression, a sincere and heartfelt expression of the esteem and affection of every member of this House.

Our labors are nearly over. It is inevitable, in that healthy friction of mind against mind and interest against interest which is a necessary and indispensable feature of the deliberations of a representative body, that we should have our little skirmishes and battles, win our victories, suffer our defeats. But when all is said and done there is one bright fact shining through it all which this little testimonial is designed to emphasize and perpetuate, and that is this, that from the first day of this session to the last the Honorable George G. Weeks has been in the House of his friends. (Applause).

The SPEAKER: Gentlemen of the House of Representatives, for this beautiful and useful gift I thank you beyond the power of language to express. A great poet in the age just gone has said that words like nature oft reveal and oft conceal the soul within. If I could be assured that any utterances of mine would reveal even a small part of my feelings upon this occasion, I should be more than content. There are things in this life more precious than riches. Greater to me than any emoluments of honor or office is this token, this evidence of your regard and esteem. I trust I may never drift beyond the circle of your friendship. These surging seas of life cannot carry any of you beyond fond remembrance. Whether this gift shall mark the hours or the years of a lifetime, no man can tell; but when I gaze upon this it will strike a chord of memory and I shall hear again the music of your voices, and see the reflection of your earnest though kindly faces.

Gentlemen, I accept this gift in the spirit in which it is given, and again I thank you. (Applause).

On motion by Mr. Montgomery of Camden, the House voted to take a recess of fifteen minutes.

AFTER RECESS.

Reports of Committees.

Mr. Bigelow from the committee on inland fisheries and game, reported ought not to pass on resolve in favor of screening Acatus lake, situated wholly or partly in Hancock county.

Mr. Bigelow from the same committee, reported same on bill, An Act creating a close time on otter in the county of Waldo.

Mr. Bigelow from the same committee, reported same on resolve in favor of the Oquossoc fish hatchery at Rangley Lake.

Mr. Bigelow from same committee, reported same on resolve for screening Sabattus lake outlet.

Mr. Bigelow from same committee, reported same on resolve in favor of the Fish and Game Association of Union, Me.

Mr. Bigelow from same committee, reported same on resolve in favor of screening Wilson pond, Piscataquis county.

Mr. Bigelow from same committee, reported same on bill, An Act relating to the disposal of money received for non-resident hunters' licenses.

Mr. Bigelow from same committee, reported same on bill, An Act relating to fines for infractions of the fish and game laws.

The reports were accepted.

Mr. Kavanough from the committee on appropriations and financial affairs, on order of the Legislature, reported resolve in favor of L. S. Sanborn, and that it ought to pass. (The resolve was read twice and passed to be engrossed under a suspension of the rules on motion by Mr. Kavanough of Portland).

From the Senate: Resolve in favor of the clerk, stenographer and messenger to the committee on appropriations and financial affairs. (Read twice and passed to be engrossed in concurrence under suspension of the rules on motion by Mr. Hyde of Bath).

The committee of conference on the disagreeing action of the two branches of the Legislature on bill, An Act to provide for a bounty on bears in Washington county, reported that the same be given its passage.

The report was accepted.

An Act to establish the Kingman municipal court, which was passed to be enacted in the House, came from the Senate indefinitely postponed in that branch. Bill tabled on motion of Mr. Davies of Yarmouth.

Unfinished Business.

The motion of Mr. Bisbee of Rutherford, to reconsider the vote whereby the House voted to recede and concur with the Senate in the passage of bill, relating to trustee process.

Mr. Pike of Eastport moved that the yeas and nays be ordered.

The motion was agreed to.

The SPEAKER: The question is on the motion to reconsider the vote by which the House receded and concurred with the Senate in the passage of the bill. Those in favor of reconsidering the vote, when their names are called, will answer yes; those opposed will answer no. The clerk will call the roll.

YEA:—Bartlett of Eliot, Bartlett of Stoneham, Bemis, Bisbee, Blake, Blanchard, Burse of Pittsfield, Campbell of Kingman, Chase of Sebec, Chase of York, Clark, Conners, Cook, Cousins, Davies, Doble, Dorr, Duncan, Dunn, Emery, Farnham, Fortier, Gilbert, Hanson, Harris, Higgins, Hill, Hodgkins of Temple, Holt, Hussey, Hyde, Jordon, Kavanough, Lane, Lord, Ludgate, Millett, Moulton, Nelson, Packard, Paul, Perry, Redlon, Ross, Sawyer, Smith of Andover, Stetson, Stover, Strickland, Thompson, Tibbetts, Trafton, Trimble, Varney, Whitehouse, Whitney, Wing of Kingfield—58.

NAY:—Additon, Allen of Jonesboro, Allen of Richmond, Andrews, Beals, Beyer, Bigelow, Bigney, Bogue, Bourassa, Bowley, Bradford, Bragdon, Burleigh, Buswell, Charles, Cole, Coolidge, Donnell, Ferguson, Frost, Grant, Hall, Harriman, Harrington, Havey, Hersey, Hines, Hodgkins of Damariscotta, Joy, Kelley, Libby, Mace, McLain, Merrifield, Montgomery, Morse, Nickerson, Orff, Pattangall, Patten, Pelletier, Peters, Pinkham, Porter, Pressley, Quinn, Richardson, Rounds, Sanborn, Sleeper, Smith of Berwick, Smith of Biddeford, Snow of Brunswick, Spear of South Portland, Spear of Warren, Stackpole, Thurlough, True, Weld, Wing of Auburn—59.

ABSENT:—Bearce of Eddington, Bus-

sell, Campbell of Cherryfield, Colby, Couture, Cummings, Day, Drake, Dufour, Edwards, Hamlin, Hannaford, Harmon, Jones, Lambert, Lombard, Marshall, Mercier, Merrill of Bluehill, Merrill of Durham, Miller, Moore, Patterson, Pike, Putnam, Robbins, Silsby, Snow of Scarborough, Stanley, Trickey, White of Columbia, White of Wayne—33.

Mr. TIBBETTS of Orrington: Mr. Speaker, I desire to have the Speaker's name called.

The SPEAKER: The Chair would say that it is not in order to call the names of gentlemen of the House after the announcement has been made. However, if the Speaker's name should be called I think it would be very little satisfaction to the gentleman from Orrington. (Applause.)

So the motion was lost.

Bill relating to the appointment of auditors and referees in vacation.

Mr. Peters of Ellsworth offered House Amendment A, by striking out the whole of Section 2 of the act.

The amendment was adopted and the bill was then passed to be engrossed as amended.

An Act to amend the charter of the Augusta Water District. (Read three times and passed to be engrossed in concurrence under suspension of the rules on motion by Mr. Andrews of Augusta.)

Resolve for the preservation of the regimental rolls in the office of the adjutant-general. (Read a second time and passed to be engrossed.)

An Act to exempt growing white pine from taxation.

Mr. Clark of Hollis, offered House Amendment A, by adding after the word "growth" in the first line of Section 1 the following: "All white pine trees under 15 inches in diameter;" and by adding after the word "all" in the second line of Section 2 the words "white pine;" also by adding after the word "trees" in said Section 2 in the second line the words "as exempt under Section 1 of this act."

Mr. Smith of Biddeford moved the indefinite postponement of the bill.

The question being on the motion to amend, a division was had and 23 voted in the affirmative and 56 in the negative.

So the motion was lost.

The question being on the indefinite postponement of the bill—

The motion prevailed.

An Act to create an open time on gray and black squirrels in York, Kennebec and Washington county.

On motion by Mr. Trimble of Calais the House voted to recede and concur with the Senate.

Memorial to Congress relating to proposed reduction of the duty on lumber, pulp and paper.

Mr. Wing of Auburn moved that the memorial be indefinitely postponed.

Mr. WING of Auburn: Mr. Speaker, I desire to say in explanation of my motion that the city which I have the honor to represent is vitally interested in the manufacture of shoes, and in the manufacture of shoes they use hides of various kinds and descriptions. Now as this memorial is prepared it has the effect that the only thing the State of Maine is interested in as far as the present tariff bill pending in Congress is concerned is wood, pulp and paper. The Board of Trade of my city at a dinner not long since passed unanimously a resolution to the effect that they were in favor of free hides and the reduction of the duty on hides. Now I cannot sit here and see this memorial passed without raising my voice in protest that the State of Maine is going on record that there should be a duty only on wood, pulp and paper, and that the city of Auburn should be left out in the cold; and I hope that my motion will prevail for that purpose because I think it puts the State of Maine, as far as this tariff proposition is concerned, in a false light.

Mr. DAVIES of Yarmouth: Mr. Speaker, it is a well known fact that there has been in the last few months a great deal of agitation along the lines of tariff revision. It is also well known that the State of Maine has certain interests which are peculiar to herself. The committee on revision of the tariff appointed by the Congress recommend the duty of one dollar on unfinished lumber; at the present time the duty is two dollars. It recommended the rate of three dollars per ton on paper, while at the present time, exclusive of newspaper, it is something like six dollars. It seems to me that we ought not to go on record in this matter

too hastily. Of course we, as Republicans, realize that one of the great principles of the Republican party is protection. We realize further that it is the basis of our industrial system, and we realize further that it has made the wage earner the most prosperous wage earner in the world. Now the gentleman from Camden rather smiled at that remark; I don't know as there is any significance in it. Be that as it may, those seem to be the facts as they appeal to me, and we are going to have a tariff revision and the rates on these various articles are going to be lowered and not raised. Now does the State of Maine care to go on record in this matter at the present time while that matter is being agitated in Congress and all through the country? Do we care to go on record as endorsing the Dingley tariff? That is the question which is presented to us. For my part I do not care to do it. I think the tariff on certain raw materials is too high. I think it is too high on hides; I think it is too high on crude petroleum; I think it is too high on lumber; I think it is too high on flour; I think it is too high on paper; and I desire to be recorded along those lines. I merely make the suggestion as to whether it would be good policy, considering the condition of things at the present time, for the State of Maine with its peculiar interests to endorse the spirit and sentiment of this memorial.

Mr. PATTANGALL of Waterville: Mr. Speaker, I approve of the motion of the gentleman from Auburn (Mr. Wing). I do not think this House had better undertake to frame a tariff law for at least two reasons. One is, we have not time. The other is that I do not think we would know how if we did have time. (Laughter.) I do not believe it would profit us very much to go into a general discussion of the tariff at the present time. I notice that the hand of the clock keeps moving along and that the hour of final adjournment draws no nearer in spite of the passage of time. As I understand it, Maine is represented in Congress by four members of the House of Representatives and two Senators. If they cannot represent Maine properly there we ought at some future time to send some one there to do it for them. At present we have got to get along with that representation;

and my own idea is, while they are struggling to effect a tariff bill on the lines which they deem wise, the Maine Legislature had better keep its hands off the subject and let them do the best they can. (Applause.)

Mr. BEYER of Portland: Mr. Speaker, I had occasion some time ago in figuring up the matter of an annual cut tax, also to figure up the natural resources of the State of Maine, and I think it was \$37,000,000 annually, and I found that the lumber and pulp industry in this State represents 44 per cent. of the natural industries of this State. The shoe factories of Auburn seem to be of far greater importance to the welfare of the State than lumber is, in the mind of the gentleman from Auburn, but looking at the interests of the entire State it seems to me that 44 per cent of the natural industries of the State is something which we here in the Legislature should not trifle with. According to a newspaper interview with Senator Hale who is at present fighting for this State, fighting to protect 44 per cent of our natural industries, he says that it is absolutely murderous to the wood, pulp and paper industry of Maine, that this is the most important industry in our State and that he shall resist that change with the utmost possible vigor. Senator Hale is fighting for the largest single industry in this State. People from Washington are telegraphing to men in Augusta saying, "Why does the Legislature delay this memorial?" They are using it in Washington against Senator Hale. They are tying his hands. It looks bad when our Senator is trying to protect this State, to have us delay and say that we had better mind our own business and think of something besides protecting ourselves. What else should we think of besides assisting our own Congressmen and our own Senators in fighting our battles? If a memorial sent from this State will help them, give them any ground to stand on there in Washington, I think we have delayed altogether too long, we have left this matter on the table too long. We should take it up immediately and send it along.

Mr. TRIMBLE of Calais: Mr. Speaker, I see no reason and absolutely no inconsistency in this Legislature, representing as it does all the sections of this State,

passing this memorial to Congress in behalf of an industry which is the foundation of the wealth of the entire State. Should the duty on lumber, pulp, wood and paper be removed, this great industry would be seriously crippled. The gentleman from Auburn (Mr. Wing) speaks of the shoe business as an important industry. It is; but the duty on hides is 15 per cent. That, when figured down, is almost of no consequence in the price of a pair of shoes. I believe that should be removed, but whether or not it is removed will not affect the interests of this State. I trust that the motion to indefinitely postpone this memorial will not prevail.

Mr. BISBEE of Rumford: Mr. Speaker, I represent the town of Rumford which has the largest water power of any town in the State of Maine. We make all the postal cards used in the United States. Our town is strictly a paper town, and the management of the mills there are very much in favor of having this memorial passed. I surely hope the motion will not prevail.

Mr. DAVIES: Mr. Speaker, I would call attention to the fact that Senator Warren of Westbrook, who opposed this memorial in the Senate, is at the head of the largest paper manufacturing concern in the world at the present time so far as I know. Now is that fact significant in consideration of what has been said by the gentleman from Calais and by the gentleman from Rumford? We would not want to do anything in this Legislature which would lead to harrassing and embarrassing the administration in Washington, for the State of Maine has done that long enough. I say soberly and calmly that the State of Maine has been regarded for years as embarrassing the national administration, and we do not care here I think, unless I mistake the temper of the House, to do anything that will continue along that line; and I sincerely hope that the motion made by the gentleman from Auburn (Mr. Wing) will prevail.

Mr. PETERS of Ellsworth: Mr. Speaker, I want to say briefly that this does not seem to me to be a question of whether or not we want to revise the tariff, or whether the duty on hides is more or less than it ought to be. It seems to me to be a question as to whether we

want to stand behind our Senators and Representatives in their fight in Washington to protect the principal industry and resources of the State of Maine. If we look at this thing in a broad and large view from a general standpoint, when we get down to business we have got to rely upon our forests as the backbone of the State of Maine. Now regardless of our individual views, of our local connections, we are altogether and as a whole in the long run dependent on the lumber of the State of Maine. Now this revolution having been started and the conditions being as they are in Washington and our Representatives and Senators there having started an honest fight, if we should refuse now to pass this memorial or if we should give a very large vote against this resolution it would be practically turning them down, it would practically knock the foundation from under them, it would practically say to them, "We do not care whether we retain our duty on lumber or not." Does any man desire that to happen? When we study the thing over are not we all desirous of the preservation of this duty on lumber so far as it can be preserved? It may have to be cut, we are told it is likely that it may be obliged to be cut somewhat; but if we fail to pass this resolution are not we likely to have it cut off entirely? Where are we going to be then? We have a suggestion from the shoe industry, we have a suggestion from the Democratic party who would no doubt in a way like to mix this thing up; but we have got to look at this thing in the long run not as shoe manufacturers or Democrats or Republicans but as citizens of Maine, and if we do not stand behind our Representatives in Congress we are going to be sorry for it; and I certainly hope that this resolution will pass by a decided majority.

Mr. BURLEIGH of Augusta: Mr. Speaker, I wish to echo the sentiments of the gentlemen that it would be a serious thing indeed at this particular juncture of the struggle that is now going on in Washington to protect the chief industry of this State, to fail to give a generous endorsement of this memorial.

Mr. PATANGALL: Mr. Speaker, it occurs to me that there are three classes of men in this House who should support

the motion of the gentleman from Auburn. One is the class who deem it an impertinence to interfere with other people's business and think that the Legislature had better attend to its own duties and let Congress attend to its duties. Another class is composed of the men who belong to the same party that I belong to and who do not believe in high duties; and the third class, those few Republicans who read with respect the last message of President Roosevelt to Congress in which he declared for free forest products of all kinds. I do not think that even the gentleman from Ellsworth could question the orthodoxy of Theodore Roosevelt's Republicanism; and yet on this important subject—and I believe President Taft was elected for the purpose of carrying out the Roosevelt policies—he differed markedly from the views expressed here by some Republicans who have spoken. It seems to me with those three classes viewing the matter as they must that it would be impossible for that resolution to receive that unanimous and overwhelming vote which would show anybody in Washington that the whole State of Maine believed in what I conceive to be an enormous fallacy, that the duty on lumber ever assisted in raising wages a dollar or ever added a cent to the prosperity of anybody in Maine except the men who sell stumpage who absorb every penny.

Mr. BIGELOW of Portland: Mr. Speaker, it seems strange to me that any time should be occupied by this House in a discussion of a memorial of this kind. It seems strange to me that any Republican in this House should indulge in any criticism of a memorial of this kind. Our Representatives in Congress who are now engaged in fighting what they consider to be a battle for the welfare and prosperity of this State, should, it seems to me, have the support and the confidence of the Republicans of this House as I believe they have the support and the confidence of the people of the State of Maine. It does not seem to me that it is up to us to pass upon the merits or the demerits of this proposition. It is not for us to consider whether or not there should be a reduction in the duty on lumber, but it should be enough for us to know that in

Congress the Representatives of the little State of Maine, the colossal Hale and the grand old man Frye and our four Congressmen, are doing what they consider to be for the interests of the welfare and the prosperity of our people; and I hope when this vote is taken that every republican within the reach of my voice who has a vote here will cast his vote in support of our Congressional delegation and the policies which they are advocating in Washington. (Applause.)

Mr. HERSEY of Houlton: Mr. Speaker, I wish to put myself on record as a Republican who advocates the policy of protection to American industries, in the House of Representatives, in public and in private, who votes here as I talk at home. I want to put myself on record as being opposed to a policy that is going to injure the State of Maine. I am selfish enough for that. I have the usual amount of benevolence and human kindness and unselfishness with my other fellow mortals, but I am not so benevolent and unselfish at the present time as to throw open the doors and taken down the bars of protection and allow Canada to have the benefit of what protection has made the State of Maine, the grandest and most prosperous state in our Union. You may look where you please and protection of Maine and Canada is what has made it what it is today. Take the tariff off from lumber,—you are going to have it partly off anyway,—but take the tariff off, have free trade with Canada, and that great wilderness, which stands today almost an untouched and primeval forest as it came from the hand of the Creator, will flood the markets of the United States at the expense of every bit of lumber in the State of Maine. They are waiting for it, they are longing for it. If I were a Canadian I should want it. But I want the State of Maine to live, I want the State of Maine to prosper, and it never can prosper as a State with no market for its lumber. What has kept Canada back? It is the want of a market for lumber, hay, potatoes and farm products. What has kept her great water power from being developed? The want of a market. And what has hindered her from having a market? The tariff between her and the United States. And when you have free trade I want to tell

you that Canada will develop, Canada will grow, will become a great power on the face of this earth. If you want it to be done, take down the bars. If you want Maine to keep on prospering, keep the bars up all you can.

I think I know the feeling of the people on the farms and in the woods and of the men who own lumber in the State of Maine, who manufacture it and look for a market for it. I know how they feel about it. It is not a question of politics. Every man who owns a stick of timber in Maine, Democrat or Republican, is against taking the tariff off. We ought to remember where we are and we ought to remember to protect the State of Maine. We are not here to give some little life to some political party; we are not here to carry joy to the State of Massachusetts; we are not here to enthrone some free trader; we are not here to say to our Representatives in Congress, "You are not there to help the State of Maine but you are there to help some other State and ruin Maine." I say there should be a decisive vote on this resolution to ask our Congressmen to stand simply by the State of Maine. (Applause.)

Mr. COUSINS of Standish: Mr. Speaker, I heartily endorse everything which has been said in favor of the passage of this memorial and I am very much surprised that any man in this room, especially a Republican, should object to its passage. It seems to me one of the most absurd things I ever heard of that with our interests vitally affected as they are, we should refuse to recommend to our Representatives in Congress our wishes; and I move that when this vote is taken it be taken by the yeas and nays and taken as quickly as we can because somebody will have a referendum to it if we don't.

Mr. WING of Auburn: Mr. Speaker, I yield to no Republican in this room in my belief in the principles of that party. My objection to this memorial is that it puts this Legislature on record as stating that the only industries in the State of Maine are those of wood, pulp and paper, and with that proposition I disagree, for my town is a shoe town and they are interested in this tariff proposition and they have already addressed the Senators and Representatives in Congress in regard to

the tariff on hides; and if this proposition comes true their cry which they have sent up to them for their industry and our industry in Auburn goes for naught, and it is all wood, pulp and paper and no shoes and no cotton cloth or anything of that kind.

The question being, shall the yeas and nays be ordered?

It was agreed to.

Mr. Cousins of Standish moved that the yeas and nays be called.

The motion was agreed to.

The SPEAKER: The question is on the motion to indefinitely postpone the memorial. Those in favor of the indefinite postponement will, when their names are called, answer yes; those opposed will answer no. The clerk will call the roll.

Yea:—Allen of Jonesboro, Bearce of Edgington, Bogue, Bourassa, Chase of York, Cook, Davies, Doble, Duncan, Dunn, Farnham, Frost, Havey, Hodgkins of Damariscotta, Mace, Merrifield, Moulton, Orff, Packard, Pattangall, Patten, Pike, Putnam, Quinn, Ross, Sawyer, Sleeper, Smith of Biddeford, Spear of Warren, Stover, Thompson, Thurlough, Weld, Wing of Auburn—34.

NAY:—Additon, Allen of Richmond, Andrews, Bartlett of Eliot, Bartlett of Stoneham, Beals, Bemis, Beyer, Bigelow, Bigney, Bisbee, Blake, Blanchard, Bowley, Bradford, Burlleigh, Burse of Pittsfield, Bussell, Buswell, Campbell of Cheryfield, Campbell of Kingman, Charles, Chase of Sebec, Clark, Cole, Conners, Coolidge, Cousins, Donnell, Emery, Ferguson, Gilbert, Grant, Hall, Hanson, Hariman, Harris, Hersey, Higgins, Hill, Hodgkins of Temple, Holt, Hussey, Hyde, Jordan, Joy, Kavanough, Kelley, Lane, Libby, Lord, Ludgate, Marshall, Millett, Montgomery, Nelson, Nickerson, Paul, Perry, Peters, Porter, Pressley, Redlon, Richardson, Rounds, Sanborn, Smith of Andover, Smith of Berwick, Spear of South Portland, Stackpole, Stetson, Strickland, Tibbetts, Trafton, Trimble, True, Varney, Weeks, Whitehouse, Whitney, Wing of Kingfield—31.

ABSENT:—Bragdon, Colby, Couture, Cummings, Day, Dorr, Drake, Dufour, Edwards, Fortier, Hamlin, Hannaford, Harmon, Harrington, Hines, Jones, Lambert, Lombard, McLain, Mercier, Merrill of Bluehill, Merrill of Durham, Miller, Moore, Morse, Patterson, Pelletier, Pinkham, Robbins, Silsby, Snow of Brunswick, Snow of Scarboro, Stanley, Trickey, White of Columbia, White of Wayne—35.

So the motion was lost. (Applause.)

The memorial was then adopted in concurrence with the Senate.

Bill, relating to the management and operation of steam railroads.

Mr. HERSEY of Houlton: Mr. Speaker, I offer House Amendment A to the bill. In explanation I would say that this bill before the House is the bill offered by the committee on railroads to amend Chapter 52 of the Revised Statutes. When the House indefinitely postponed the bill that I offered for the regulation of fares of common carriers I presume it was thought that you had got rid of the matter. This Legislature has said that you would not give your railroad commissioners any authority to regulate the fares of common carriers and say what they should be. Now, I offer an amendment to the bill giving your commissioners power and authority on complaint filed to go to the county where those complaints are filed, meet the people, listen to their complaints, take them in writing, examine them and report, giving your commissioners the power to summon witnesses, to ask for their attendance, their papers and documents, oblige the common carriers to show what they are charging as fares and tolls. I am not asking that they have any power to say what the fares shall be. I am not asking that the railroad commissioners have any authority at all in saying, if they find that a fare is unjust, that a toll or tariff ought not to be that way, I am not asking for them to have any authority over it whatever. I am simply asking that they may have the right to investigate complaints and make it a matter of record, and hear evidence, and have the authority to investigate those complaints, and have the proper authority to do it.

On motion by Mr. Pattangall of Waterville, the amendment and accompanying bill were laid on the table for printing.

On motion by Mr. Montgomery of Camden, the House voted to take a recess until 8 o'clock in the evening.

Evening Session.

The following bills and resolves came from the Senate:

Resolve in favor of the town of Old Orchard. (Read twice and passed to be engrossed under suspension of the rules on motion of Mr. Beyer of Portland).

Resolve in favor of Fred W. Lee. (Read twice and passed to be engrossed under suspension of the rules on motion of Mr. Davies of Yarmouth).

An Act to amend a resolve for the preservation of the archives of the State of Maine, approved by the Governor March 19, 1909. (Read three times and passed to be engrossed under a suspension of the rules on motion of Mr. Wing of Kingfield).

Resolve in favor of E. E. Chase, Jr. (Read twice and passed to be engrossed under a suspension of the rules on motion of Mr. Hyde of Bath).

An Act to amend Section 31 of Chapter 29 of the Revised Statutes in relation to liquor agencies. (Indefinitely postponed in concurrence on motion of Mr. Davies of Yarmouth).

Resolve in favor of the town of Old Orchard. (Indefinitely postponed in concurrence on motion of Mr. Sleeper of South Berwick).

An Act to amend Section 38 of Chapter 29 of the Revised Statutes of the State of Maine. (Senate Amendment A adopted in concurrence and the bill read three times and passed to be engrossed under a suspension of the rules on motion of Mr. Allen of Jonesboro).

An Act to regulate the purchase and sale of intoxicating liquors by the State liquor commissioner and by town liquor agents. (Read three times and passed to be engrossed in concurrence under a suspension of the rules on motion of Mr. Allen of Jonesboro).

An Act to amend Chapter 164 of the Public Laws of 1907 relating to the better collection of taxes. (Tabled on motion of Mr. Hersey of Houlton).

The committee of conference on the disagreeing action of the two branches of the Legislature on resolve in favor of Lowell E. Bailey reported that the same be indefinitely postponed. (The report was accepted).

An Act to restore Portland bridge, came from the Senate with House Amendment A amended by Senate amendment A.

Mr. Davies moved that the bill lie on the table until tomorrow morning.

The motion was lost.

On motion of Mr. Rounds of Portland the vote was reconsidered whereby

the bill was passed to be engrossed, Senate Amendment A to House Amendment A was adopted in concurrence, and the bill was then passed to be engrossed in concurrence.

The following bills were passed to be enacted.

An Act in relation to the employment of labor.

An Act to incorporate the Milo Water District. (Indefinitely postponed on motion of Mr. Chase of Sebec).

An Act creating a State board of arbitration and conciliation.

An Act to regulate fishing in Royal's river and its tributaries in Cumberland county.

An Act to authorize the building of a dam at the outlet of Sebec Lake.

An Act for the licensing of dogs and the better protection of sheep.

An Act to amend Section 4 of Chapter 3 of the Revised Statutes relating to the taking of beaver.

An Act to amend Chapter 8 of the Revised Statutes relating to the board of State assessors.

An Act to regulate the use of nets and seines in the tide waters of Narawagus river and Narawagus Bay so-called.

An Act to regulate fishing in Chase brook and tributaries and in a portion of Fish river in the county of Aroostook.

An Act to amend Section 11 of Chapter 81 of the Revised Statutes in relation to records of proceedings in court.

An Act to authorize the construction of a bridge across the Ogunquit river in the town of Wells.

An Act to correct a certain clerical error in an act to amend an act entitled "An Act to create a lien on manufactured staves and lathes, approved March 18, 1909.

An Act to amend Section 15 of Chapter 54 of the Revised Statutes relating to the expenses of inspectors of boilers, engines and other appurtenances of setamboats upon inland waters.

An Act to prefer Main labor and Maine contractors upon all work performed by the State upon charitable or educational institutions or public works or any building or institution supported or aided by the State or municipality.

An Act to amend Section 1 of Chapter

350 of the Private and Special Laws of 1907 relating to the time of service of members of the fire departments of the city of Portland.

An Act to amend Section 44 of Chapter 9 of the Revised Statutes as amended by Chapter 174 of the Public Laws of 1907 relating to the assessment and collection of taxes on lands in places not incorporated.

The following resolves were finally passed:

Resolve in favor of Ray P. Eaton.

Resolve in favor of James A. Chase, mail carrier of the House.

Special assignment: An Act relating to the better enforcement of the laws against the manufacture and sale of intoxicating liquors. (Bill indefinitely postponed on motion of Mr. Peters of Ellsworth.)

(Mr. Marshall of Portland in the Chair.)

Special assignment: Majority and minority reports A and B of committee on judiciary, to which was referred bill to provide for nomination of candidates of political parties by primary elections, majority reporting "ought not to pass," minority A reporting the same in a new draft under same title and that it "ought to pass," minority B reporting same "ought to pass."

Mr. Montgomery of Camden moved that the majority report be accepted.

Mr. Beyer of Portland moved that the yeas and nays be ordered, stating that he desired to go on record as voting for this bill.

The motion was lost.

The question being on the adoption of the majority report "ought not to pass," a division was had and 67 voted in the affirmative and 23 in the negative.

So the majority report was accepted.

Special assignment: Bill to prohibit transmission of electric power beyond the State. (Read three times and passed to be engrossed under suspension of the rules on motion of Mr. Davies of Yarmouth.)

Tabled and unassigned: An Act in relation to collection of fees by State officials and payment of same to State treasurer.

On motion of Mr. Burleigh of August

ta the vote was reconsidered whereby this bill was passed to be engrossed.

Mr. Burleigh offered House Amendment A by adding Section 3, "Any fees received by the State Board of Health for the register of vital statistics and paid over to the State treasurer shall be added to and made a part of the appropriations for said departments.

The amendment was adopted and the bill was then passed to be engrossed as amended.

An Act in relation to the Limington Public Cemetery Corporation. (Passed to be enacted on motion of Mr. Coolidge of Lisbon.)

The pending question being the adoption of Senate Amendment A in concurrence, the amendment was tabled on motion of Mr. Pattangall.

An Act relating to the sale of milk. Mr. Frost of Lewiston moved that the bill be indefinitely postponed.

The question being on the adoption of Senate Amendment A in concurrence—The amendment was adopted.

The question being on the motion to indefinitely postpone the bill, the yeas and nays were ordered on motion of Mr. Cousins of Standish.

The SPEAKER pro tem: All those in favor of indefinitely postponement will, when their names are called, answer yes; those opposed will answer no. The clerk will call the roll.

YEA:—Allen of Jonesboro, Andrews, Bearce of Eddington, Burleigh, Campbell of Kingman, Gilbert, Hines, Hussey, Joy, Pattangall, Pike, Pinkham, Quinn, Rounds, Sleeper, Smith of Berwick, Spear of Warren, Thompson, Trimble—20.

NAY:—Additon, Allen of Richmond, Bartlett of Stoneham, Beals, Beyer, Bigney, Bisbee, Blake, Blanchard, Bogue, Bowley, Bradford, Burse of Pittsfield, Bussell, Campbell of Cherryfield, Chase of Sebec, Cole, Conners, Coolidge, Cousins, Davies, Doble, Duncan, Farnham, Hannaford, Hanson, Harriman, Harrington, Harris, Havey, Hersey, Higgins, Hill, Holt, Hyde, Jordan, Kavanough, Kelley, Lane, Libby, Ludgate, Mace, Marshall, Merrifield, Millett, Montgomery, Morse, Moulton, Nelson, Nickerson, Orff, Packard, Fatten, Paul, Pelletier, Perry, Peters, Porter, Pressley, Putnam, Redlon, Richardson, Sanborn, Sawyer, Smith of Andover, Snow of Brunswick, Spear of South Portland, Stackpole, Stetson, Stover, Strickland, Thurlough, Tibbetts, Trafton, True, Varney, Whitehouse, Whitney, Wing of Auburn—77.

ABSENT:—Bartlett of Eliot, Bemis, Bigelow, Bourassa, Bragdon, Buswell, Charles, Chase of York, Clark, Colby,

Cook, Couture, Cummings, Day, Donnell, Dorr, Drake, Dufour, Dunn, Edwards, Ferguson, Fortier, Frost, Grant, Hall, Hamlin, Harmon, Hodgkins of Damariscotta, Hodgkins of Temple, Jones, Lambert, Lombard, Lord, McLain, Mercier, Merrill of Bluehill, Merrill of Durham, Miller, Moore, Patterson, Robbins, Silsby, Smith of Biddeford, Snow of Scarborough, Stanley, Trickey, Weld, White of Columbia, White of Wayne, Wing of Kingfield.

PAIRED:—Emery, no; Ross, yes.

So the motion was lost.

The bill was then passed to be engrossed as amended.

(The Speaker in the chair.)

Majority and minority reports of the committee on legal affairs to which was referred bill to authorize the city of Lewiston to take ice from Androscoggin river, majority reporting "ought not to pass" and the minority reporting "ought to pass."

On motion of Mr. Coolidge of Lisbon the House voted to recede and concur with the Senate in accepting the majority report.

An Act to authorize cities and towns to permit the use of lunch wagons on public ways. (Passed to be enacted on motion of Mr. Pike of Eastport.)

Tabled and unassigned: Report of the committee on temperance, reporting "ought not to pass" on bill, An Act to amend Section 5 and repeal Section 9 of Chapter 92 of the Public Laws of 1905, providing for the better enforcement of the laws against the manufacture and sale of intoxicating liquors.

Mr. Allen of Jonesboro moved to accept the report of the committee.

Mr. HAVEY of Sullivan: Mr. Speaker, I move that the bill be substituted for the report, and in explanation of that motion I desire to make a few remarks. For the benefit of the members of the House who are not familiar with this bill I will say that it is House Document No. 215.

This bill presents two propositions; first, to amend Section 5 of Chapter 92 of the Public Laws of 1905. Section 5 of Chapter 92 of the Public Laws of 1905 relates to the duty and the compensation of the deputy enforcement commissioners. From reading this bill you will see that it provides that the compensation of the deputy enforcement commissioners shall be paid by the county where such powers are exercised, at the rate of \$3 per day and act-

ual expenses while on duty. The original bill provided that they were to be paid by the State. The second proposition is to repeal Section 9 of this same Chapter 92 of the Public Laws of 1905. That section relates to the disposition of the fines, and it provides that they shall be divided equally between the State and the county. Section 2 of the proposed bill provides for the repeal of this Section 9 of Chapter 92, and that throws the case back onto Section 1 of Chapter 137 of the Revised Statutes, which provides that fines, forfeitures and criminal costs shall be paid by the county where the offences are prosecuted.

Now, Gentlemen of the House, it is not my intention at this time to enter into any lengthy discussion of the merits of the proposition, because I think it is pretty generally understood that this measure presents but one question, viz.: Is it a fair and just proposition. There might be in the minds of some members of the House a feeling that there is a partisan side to this question, but I want to dispel any such idea as that at once. I want to state here to the members of this House that I was actuated by no ulterior motive. I believe from the circumstances and the prevailing and existing conditions that there was a possibility of two years more of the Sturgis law, so called, and I desire to see the obnoxious, disagreeable and unsatisfactory condition of affairs lessened and relieved as much as possible. So, gentlemen, I ask you not to look upon this measure as a partisan measure, but simply a plain, straightforward proposition for you to either accept or reject.

Now, I want to leave with you two questions which I believe will assist you in determining your position in regard to this bill. The first question is: "Is there anything unfair or unjust in obliging any county to pay for that assistance?" The enforcement commissioners is necessary to assist in the enforcement of the prohibitory law where the sheriff elected by the people is flagrantly violating the oath of his office—I ask you, is there anything unfair in obliging the citizens of that county where the presence of the deputy second question which I wish to leave with you is: "Is there anything fair or just in obliging any county where the people have elected a man who is living

up to the oath of his office, where the presence of the Sturgis deputies or deputy enforcement commissioners are not needed, but where the sheriff and the deputy sheriffs are doing all in their power to enforce the prohibitory law—I ask you, is there any thing fair or just in obliging that county to assist in defraying the expenses of the operation of those commissioners in some other county?” Upon your answers to those questions will depend the fate of this bill. I think it is an eminently fair proposition, and I am willing to leave it now to the good judgment of the members of this House.

Mr. LIBBY of Amity: Mr. Speaker: I want to say as a member of the temperance committee that the committee thought very favorably of the measure, and I think we voted by quite a majority that it ought to pass; and after some consideration it was thought by some that perhaps by having this amendment put on to the bill that it might have a tendency to defeat the Sturgis law altogether, and so I think it was voted in the committee “ought not to pass.” But I, for one, believe that there is a good deal of merit in this bill; I have always believed so from the very first. I believe if we retain the Sturgis law that this will have a tendency to make the sheriffs in the different counties do their duty, and it will be up to the people to see whether their sheriff does not do his duty, so that they won't have to pay the bills. They will make their sheriff do his duty. I think it would be a great thing to have this become a law.

Mr. HERSEY of Houlton: Mr. Speaker: I believe that the bill advocated by the gentleman from Sullivan ought to pass through this Legislature, whether you believe in enforcing the prohibitory law in the way and manner outlined by the previous Legislatures, called the Sturgis law, or not. We have got the Sturgis bill for two years; there is no question about that. I hoped that the Eaton resolve would be passed that I might vote with the rest of the House for the repeal of the Sturgis law. But it was decreed otherwise, that the Governor should

not have any authority given to him to remove a sheriff. Now, I am glad that the Sturgis bill remains in that case, for it does give the Governor some authority over the sheriffs. It sends in the Sturgis commissioners where he does not do his duty, and if anything, it seems to me, would induce him to do his duty it would be the presence of the Sturgis commissioners; and if that does not, then I think the bill offered by the gentleman from Sullivan will do it. We don't have the Sturgis commissioners in my county, and I hope we never will have them, but my people do object to being asked to pay the bills of the Sturgis commissioners in some other counties where they don't enforce the laws; and I can readily see that in some counties where the sheriff doesn't do his duty and doesn't enforce the law, and it is known that the Sturgis commissioners are sent in there by the Governor, and they are coming in there and going to work there at the expense of that county, there is going to be an almighty hustling on the part of the county commissioners; and they are going to call upon the sheriff and they are going to have a little private talk with the sheriff and ask him if he is going to put the county to all the expense of the Sturgis deputies or is he going to go on and do something. It seems to me that in that way you can make the Sturgis law work and do some good, and I think the only way you can do it is by adopting the bill which is offered by the gentleman from Sullivan, and I am heartily in favor of it.

Mr. PETERS of Ellsworth: Mr. Speaker: I want to say that the principle of this bill appeals to me to be right. If my county or any other county has to call in outside help to enforce the law, whether it is the liquor law or any other law, we are willing to pay for it. If other counties are obliged to do that and call in the Sturgis commissioners, we don't like to have to help pay for that; and I certainly agree with the gentleman from Amity (Mr. Libby) and the gentleman from Houlton (Mr. Hersey) that it will have a very wholesome and restraining influence upon the county officials, and

that is where I have always believed the law should be enforced, from headquarters. And I certainly believe if the county treasurer is to be put in danger that the county officials will get active. I believe there will be less danger of our being bothered with these commissioners of the Sturgis law if we should pass this measure than otherwise; and I also believe that the efficiency of the machinery, the local county machinery in the enforcement of the law will be greatly increased, and I certainly am in favor of the bill.

Mr. ALLEN of Jonesboro: Mr. Speaker, I just want to say as a member of the temperance committee that my understanding of the case corresponds with that of the gentleman from Amity. The committee at first voted upon this bill "ought to pass." Under the understanding which we had later on that the Sturgis law would probably be repealed, the committee reconsidered the vote "ought to pass" feeling that the amendment under those conditions would be unnecessary and voted that legislation thereon was inexpedient. And then we found in making out the blank that that was the wording required for an order, and so the report was made "ought not to pass;" and so far as I am concerned and so far as my opinion and the attitude of the committee was concerned was that if they were to vote upon it again the vote would undoubtedly be as it was in the beginning, "ought to pass." I think it is due to the gentleman who introduced the bill and due to the committee to say that my understanding of the case corresponds with that of the gentleman from Amity, that the bill ought to pass.

Mr. COOLIDGE of Lewiston: Mr. Speaker, it seems to me that this is a conspiracy against the county of Androscoggin. We have had these Sturgis deputies in that county, five or six and up to 15 of them running around through the city of Lewiston and in my village for the last two years. I do hope that this will have a good effect and will induce our sheriff to get up and get busy. I think it will help the county of Androscoggin, and I heartily endorse the bill.

Mr. SANBORN of Dover: Mr. Speaker, this has been my idea for sometime past. My idea is that if my county or any other county elects a sheriff who does not do his duty and the Sturgis commissioners are sent into that county that my county should pay the bills—the county into which they are sent, and I hope the bill will pass.

Mr. Bisbee of Rumford moved the previous question.

The previous question was ordered.

The pending question being, shall the main question be now put?

It was agreed to.

The SPEAKER: The question is on the motion of the gentleman from Sullivan, Mr. Havey, to substitute the bill for the report.

The SPEAKER: The motion to substitute the bill for the report is carried. (Applause.)

On motion by Mr. Havey of Sullivan, the rules were suspended, the bill received its several readings and was passed to be engrossed.

An Act in relation to the desecration of Memorial day, came from the Senate indefinitely postponed.

On motion of Mr. Davies of Yarmouth the House voted to recede and concur with the Senate.

An Act relating to possession under defective proceedings in eminent domain. (Further consideration postponed until tomorrow morning.)

The SPEAKER: On the table is an order offered by the gentleman from Caribou providing for the appointment of a vacation committee on salaries and fees.

Mr. STRICKLAND of Bangor: Mr. Speaker, I move the indefinite postponement of that order. I can see no reason for a junketing committee to travel around this State in the next two years the same as the one appointed four years ago and which covered the same subject matter. The commission four years ago cost some \$15,000 I am told, and I see no need of going over the same matter that was gone over by the Legislature of 1905.

The motion was agreed to.

On motion of Mr. Hersey of Houlton,

Adjourned.