

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Seventh Legislature

OF THE

STATE OF MAINE

1915

HOUSE

Thursday, March 11, 1915.

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Evans of Gardiner.

Journal of previous session read and approved.

(At this point Mr. Connellan of Portland assumed the Chair.)

Papers from the Senate disposed of in concurrence.

Senate Bills on First Reading.

Senate 279: Resolve in favor of the Raymond Fish Hatchery for repairs and additions thereto.

Senate 280: An Act to ratify, confirm and make valid the proceedings of the First Congregational Parish at Kittery, Maine.

Senate 281: Resolve in favor of an appropriation to complete the historical record of Maine men serving in the United States Navy during the war for the suppression of the rebellion.

Senate 282: An Act to abolish the office of city solicitor of city of Portland, and to determine its duties, tenure of office and salary.

Senate 283: An Act to repeal the provisions of Chapter 87 of the Private and Special Laws of 1903, relating to the taking of lobsters within three miles of the islands of Matinicus and Cribhaven.

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

Appropriations and Financial Affairs.

By Mr. Michaud of Van Buren: Resolve in favor of committee on public health for expenses to Bangor.

Inland Fisheries and Game.

By the same gentleman: Petition of W. H. Scott and eight others relating to closing of Violette Brook from Hammond's Mill up, to all kinds of fishing for two years.

Placed on File.

By Mr. Danforth of Foxcroft: Remonstrance against uniting the towns

of Dover and Foxcroft, headed by V. L. Warren and 36 others; also remonstrance against same, headed by E. B. Smith and 34 others; also remonstrance against same, headed by E. D. Collins and 117 others; also remonstrance against same, headed by F. L. Towne and 15 others; also remonstrance against same, headed by Caleb H. Cushing and 28 others; also remonstrance against same, headed by F. H. Palmer and 28 others; also remonstrance against same, headed by Ralph Bradley and 16 others; also remonstrance against same, headed by B. C. Dow and 14 others.

Reports of Committees

Mr. Morse from the committee on banks and banking, reported "ought to pass" on bill, An Act to amend Subdivision F of Section 23 of Chapter 48 of the Revised Statutes, with reference to the investment of deposits of savings banks and institutions for savings.

Mr. Ricker from the committee on education, reported "ought to pass" on bill, An Act to amend Section four of Chapter 71 of the Public Laws of 1909, relating to the improvement of free high schools.

Same gentleman from same committee, reported "ought to pass" on bill, An Act to amend Paragraph Seven of Section 100 of Chapter 15 of the Revised Statutes, relating to the course of study in common schools.

Same gentleman from same committee, reported "ought to pass" on bill An Act to establish a Board of Education for the city of Bath.

Same gentleman from same committee on Resolve in favor of Eastern Maine Institute at Springfield to defray expenses and obligations incurred in the conduct of the school for the school years ending July 1, 1913, and July 1, 1914, reported in a new draft under the same title and that it "ought to pass."

Same gentleman from same committee on bill, An Act to repeal Chapter 215 of the Private and Special Laws of 1887 and amendatory of Chapter 281 of the Private and Special Laws of 1901, relating to Eastern Maine Institute, reported in a new

draft under same title and that it "ought to pass."

Mr. Gerrish from the committee on inland fisheries and game, reported "ought to pass" on bill, An Act to amend Section 47 of Chapter 32 of the Revised Statutes, as amended by Chapter 203 of the Public Laws of 1913, relating to the use of motor boats in hunting sea birds, duck or water fowl.

Same gentleman from same committee on bill, An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to night hunting, reported in a new draft under same title and that it "ought to pass."

Same gentleman from same committee on petition of E. M. Grant and 15 others, residents of Oxford county, asking for additional restrictions upon fishing in Metalluc Brook, a tributary to Upper Richardson Lake, reported bill, An Act to amend Chapter 32 of the Revised Statutes, as amended by Chapter 203 of the Public Laws of 1913, relating to fishing in Metalluc Brook and in Mill Brook, in Franklin county.

Same gentleman from same committee on petition of E. M. Grant and 15 others, residents of Oxford county, asking for additional restrictions upon fishing in Metalluc Brook, a tributary to Upper Richardson Lake, reported bill, An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 203 of the Public Laws of 1913 relating to fishing in Mill Brook and in Metalluc Brook, tributaries to Upper Richardson Lake, and at the mouth of said Metalluc Brook, in the county of Oxford.

Same gentleman from same committee on petition of E. O. Welden of Greenville, and 15 other citizens of Piscataquis county, for additional closed season on fishing in Rum Pond, in Township 8, Range 10, Piscataquis county, reported bill, An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating

to fishing in Rum Pond, in Piscataquis county.

Mr. Davis from the committee on interior waters on bill, An Act to regulate anchorage in waters of Moosehead Lake bordering on Kineo reported same in a new draft under same title and that it "ought to pass."

Mr. Clifford from the committee on legal affairs, reported "ought to pass" on bill, An Act amending Chapter 241 of the Private and Special Laws of 1903, entitled "An Act to supply the town of Lisbon with pure water."

Mr. Holt from the committee on salaries and fees, reported "ought to pass" on bill, An Act to amend Section 2 of Chapter 211 of the Private and Special Laws of 1895, as amended by Chapter 101 of the Laws of 1909, relating to salaries of judge and recorder of Bangor municipal court.

Mr. Mulligan from the committee on sea and shore fisheries, reported "ought to pass" on bill, An Act additional to Chapter 41 of the Revised Statutes, amended, relating to the destruction of fish in tidal waters, by means of dynamite or poisonous or stupefying substances.

The reports were accepted and the several bills and resolves ordered printed under the joint rules.

Mr. Ricker from the committee on education, reported "ought not to pass" on bill, An Act to amend Chapter 195 of the Private Laws of 1887, as amended by Chapter 333 of the Private and Special Laws of 1901, relating to the manner of choosing the members of the Board of Education for the city of Waterville.

Same gentleman from same committee on bill, An Act relating to holidays, reported that legislation is inexpedient thereon.

Mr. Davis from the committee on interior waters, reported "ought not to pass" on bill, An Act to authorize Enos Sawyer, Jr., of Seboeis Plantation to maintain booms, stop and sort logs and lumber in Seboeis stream, Seboeis Plantation, Penobscot County.

Mr. Blake from same committee, on bill, An Act in regard to lamps up-

on motor boats, reported that legislation thereon is inexpedient.

Same gentleman from same committee, reported "ought not to pass" on bill, An Act to amend Section 15 of Chapter 54 of the Revised Statutes, in relation to exemption of fees for steamboat inspection and for licenses.

Mr. Greateon from the Somerset county delegation, reported "ought not to pass" on bill, An Act to abolish the Western Somerset Municipal court.

Mr. Fay from the committee on taxation on petition of Remi A. Daigle and nine others of Madawaska that the law exempting mortgages from taxation be amended so as to make same taxable, reported that the petitioners have leave to withdraw.

The reports were accepted.

Passed to Be Engrossed

Senate 81: Resolve increasing the retirement pay of Thomas Clark.

Senate 258: Resolve in favor of the commissioners of pharmacy for equipment and also for the liquidation of certain deficiencies. (Tabled pending the receipt of statement of facts on motion by Mr. Plummer of Lisbon.)

Senate 266: An Act authorizing the building and maintenance of a dyke in the town of Milbridge.

Senate 265: An Act to amend, revise and extend the charter of the Stratton Water Company.

Senate 264: An Act to authorize the Municipal Light & Power Company to decrease its capital stock.

Senate 267: Resolve appropriating money for the maintenance of lights along the Narrows connecting Upper and Lower Richardson lakes.

House 548: An Act to amend Section 69 of Chapter 83 of the Revised Statutes relating to the Duration of Attachments.

House 549: An Act Relating to fees received by clerk of courts in naturalization proceedings. (Tabled pending its third reading on motion by Mr. Plummer of Lisbon.)

House 550: An Act to amend Section 35 of Chapter 84 of the Revised Statutes relating to proceedings on demurrers.

House 551: An Act to amend Section 23 of Chapter 13 of the Revised Statutes as amended by Chapter 26 of the Public Laws of 1907 and Chapter 40 of the Public Laws of 1913, relating to the State Laboratory of Hygiene.

House 552: An Act to amend Section 7 of Chapter 211 of the Public Laws of 1913, regulating the sale of morphine and other hypnotic or narcotic drugs.

House 553: An Act to prevent milk-borne outbreaks of infectious diseases.

House 554: An Act to authorize the removal of bodies of deceased persons from the Guilford cemetery on the highway leading from Guilford village to Foxcroft, in the town of Guilford.

House 555: Resolve providing for an epidemic or emergency fund.

House 556: An Act to extend the charter of the Brewer Water Company, as amended by Chapter 170 of the Public Laws of 1913.

House 557: An Act to extend the charter of the Corinna Water Company

House 558: An Act to extend the time within which the Farmington-Oakland Railway shall actually commence business. (Tabled pending its third reading on motion by Mr. Plummer of Lisbon.)

House 559: An Act to extend the charter of the Bluehill Water Company.

House 560: An Act to amend the charter of the People's Ferry Company.

House 561: An Act to amend Section two of Chapter twenty of the Private and Special Laws of nineteen hundred and thirteen, entitled "An Act Authorizing the Town of Caribou to Accept a Certain Legacy."

House 562: An Act to authorize the town of Millinocket to own and maintain an Electric Lighting and Power Plant.

House 563: An Act additional to Chapter thirty-two of the Revised Statutes, as amended by Chapter two hundred and six of the Public Laws of nineteen hundred and thirteen, relating to fishing in Bent's pond, so called, in the town of New Sharon, in Franklin County, and in the town of Vienna, in Kennebec County.

House 564: An Act additional to

Chapter thirty-two of the Revised Statutes, as amended by Chapter two hundred and six of the Public Laws of nineteen hundred and thirteen, relating to the use of firearms upon Megunticook Lake and adjacent waters and tributaries thereof, in Knox and Waldo Counties, and upon the shores thereof.

House 565: Resolve, authorizing the State Treasurer to procure a Temporary Loan for the year nineteen hundred and fifteen.

House 566: Resolve Authorizing the State Treasurer to Procure a Temporary Loan for the year nineteen hundred and sixteen.

House 567: An Act to amend Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in the Davis ponds, in Guilford and Willimantic, in the county of Piscataquis.

House 568: Resolve in favor of the Maine School for the Deaf.

House 569: An Act additional to Chapter thirty-two of the Revised Statutes, as amended by Chapter two hundred and six of the Public Laws of nineteen hundred and thirteen, relating to fishing in certain waters in Oxford County.

House 570: Resolve in favor of the Bath Military and Naval Orphan Asylum of Bath, Maine.

House 571: An Act Relating to the Payment of Legacies.

House 572: An Act to punish criminals escaping from jail.

House 573: An Act to amend Section fourteen of Chapter eighty-nine of the Revised Statutes as amended by Section one of Chapter one hundred and eighty-six of the Public Laws of nineteen hundred and seven and by Chapter twenty-two of the Public Laws of nineteen hundred and thirteen, relating to the Presentation of Claims Against Estates.

House 574: An Act making it unlawful for persons to falsely represent themselves as deaf, dumb, blind, crippled or otherwise defective.

House 576: An Act to amend Section 10 of Chapter 116 of the Revised Statutes relating to Compensations of Fish Wardens.

House 577: An Act to amend Section 1 of Chapter 380 of the Private and

Special Laws of 1909, relating to the taking of lobsters and setting lobster traps in the waters of Gouldsboro and other towns.

House 578: An Act establishing a close time on Lobsters in certain Waters of Hancock County.

House 579: An Act to repeal Special Law 1895, Chapter 238, entitled "An Act relating to the use of Purse and Drag Seines in the Georges River.

House 580: An Act to amend section twenty-five of chapter forty-seven of the Revised Statutes relating to returns of lists of stockholders in banks to the secretary of state.

House 581: An Act to repeal chapter sixty-three of the Public Laws of nineteen hundred and seven, providing for filing lists of heirs in the registry of deeds.

House 582: An Act relating to crossings of rights of way of railroads organized under chapter fifty-three of the Revised Statutes.

House 584: An Act to amend Section one of Chapter nineteen of the Public Laws of nineteen hundred and thirteen relating to obstruction of the drainage of public ways.

Passed to Be Enacted.

An Act to amend Section 15 of Chapter 65 of the Revised Statutes, as amended by Chapter 38 of the Public Laws of 1907, relating to jurisdiction of the probate court.

An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to ice fishing in Tilton, David and Basin ponds, in the town of Fayette, in the county of Kennebec.

An Act to amend Paragraph 9 of Section 13 of Chapter 9 of the Revised Statutes, relating to the taxation of personal property held by religious societies.

An Act to amend Section 2 of Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to fishing through the ice in Brewer pond, in the counties of Penobscot and Hancock.

An Act to amend Section 2 of Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to ice fishing in Big Indian pond, in the town of St. Albans, in the county of Somerset.

An Act to amend Section 17 of Chapter 15 of the Revised Statutes, as amended by Chapter 29 of the Public Laws of 1909, relating to the number of weeks that schools shall be maintained annually.

An Act to amend Section 6 of Chapter 188 of the Public Laws of 1911, relating to industrial courses in evening schools.

An Act to amend Section 110 of Chapter 15 of the Revised Statutes, relating to the course of study in the State Normal schools.

An Act to amend Section 1 of Chapter 2 of the Public Laws of 1911, providing for a close time on scallops.

An Act to incorporate the trustees of St. Joseph's Academy and College for Women.

An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to the protection of fish, game and birds on the southerly point of Swan Island, in the town of Perkins, in the county of Sagadahoc.

An Act to amend Chapter 13 of the Private and Special Laws of 1911, as amended by Chapter 193 of the Private and Special Laws of 1913, entitled, "An Act to create the Bingham Water District."

An Act to regulate the construction of mausoleums or tombs to be used for permanent burial.

An Act to amend Chapter 201 of the Private and Special Laws of 1911, entitled, "An Act to incorporate the Guilford Water District."

An Act to amend sections 19 and 20 of Chapter 65 of the Revised Statutes, relating to the bond and records of the Registers of Probate.

An Act to amend Chapter 119 of the Public Laws of 1907, relating to the payment of deposits in the names of two persons by banks, institutions for savings, trust companies, and loan and building associations.

An Act for the relief of the needy blind residents of Maine.

An Act to amend Section six of Chapter 44 of the Revised Statutes, providing a penalty for neglect of duty by local sealers of weights and measures.

An Act to consolidate sections 14 and 38 of Chapter 49 of the Revised Statutes, relating to the penalty for unlawful use of containers marked with registered devices, and to amend section 39 of said chapter, relating to search warrants therefor.

An Act providing for pensions to employees of the city of Bangor.

An Act to amend the charters of the Thomaston Street Railway Company, the Rockland Street Railway Company, and the Camden and Rockport Railroad Company.

An Act to amend Chapter 64 of the Public Laws of 1913, relating to the qualifications of insurance agents and brokers.

An Act prohibiting the rebating of premiums on fire and liability insurance.

An Act requiring that adjusters of fire losses be licensed.

Finally Passed

Resolve providing a State pension for Mary Allen.

Resolve providing a State pension for Clarence M. Smith.

Resolve providing a State pension for Eliza E. Philbrook.

Resolve providing a State pension for Alonzo J. Nevers.

Orders of the Day

The SPEAKER pro tem: The Chair lays before the House House Document 410, bill "An Act to amend Section five of Chapter 12 of the Revised Statutes, relating to the office of county treasurer, tabled by the gentleman from Westbrook, Mr. Gilmour, pending its third reading, and specially assigned for today.

On motion by Mr. Gilmour, the bill was given its third reading, and passed to be engrossed.

The SPEAKER pro tem: The Chair lays before the House, Senate Document 152, bill "An Act to equalize sal-

aries of county attorneys, tabled by the gentleman from Houlton, Mr. Pierce, pending its third reading, and specially assigned for today.

On motion by Mr. Pierce, the bill was given its third reading, and passed to be engrossed.

The SPEAKER pro tem: The Chair lays before the House, Senate Document 154, bill "An Act to equalize salaries of county treasurers, tabled by the gentleman from Westbrook, Mr. Gilmour, pending its third reading, and specially assigned for today.

Mr. GILMOUR: Mr. Speaker, as to Cumberland County, I wish to say that there has been a misunderstanding by the mover of the amendment in the Senate in regard to the salary of the treasurer. That salary has not been changed for a long time, and, when our committee met at the office of the Treasurer of Cumberland County, I was greatly surprised at the small salary which he was getting, as well as at the increase of business. Last year he handled over \$350,000, and he is responsible for every dollar that he handles. This year he will handle much more, because we are building a large bridge there—over a million dollar bridge. The committee found that the salary was only \$1500, and had been so for a long while—for the last 20 years—and out of that salary he must pay his clerk and stenographer. It is very necessary that he should have one because he has to leave the office quite often, and the office has to be kept open. Now if he had to buy his bond, if he were responsible for his bond—although I believe the committee reported that Cumberland County should pay for his bond—if he had to pay for that bond, it would cost him \$375. Now deducting the clerk's salary and the \$375 for the bond from the \$1500, would leave him but a very small amount for handling that great amount of money. So, you see, they recommended a salary of \$2100, he to pay his clerk out of that. That is not a great amount. Other county clerks in the same building are generally paid by the county, and the mover of this amendment understood that the county paid for his clerk; but it does not. That is why the amendment was

made in the Senate; and, if they had understood it correctly, they never would have made that amendment. I will read the amendment:

"Amendment A to Senate Document 154.

Amend line 7, Section 1 of bill, "An Act to equalize the salaries of county treasurers" by striking out said line, and substituting therefor the following: 'Cumberland, sixteen hundred dollars.'

We all know that Cumberland County is the richest county in the State; the valuation is over \$140,000,000. The treasurer coming from my town, we all felt a great interest in the matter; and, when this amendment was proposed and went through the Senate, we were very much surprised, and some of us felt that it was rather a slight upon our city of Westbrook. I do not want to be miserly, and I do not ask you to be liberal even, because we have the county debt to reduce, and we have this large bridge costing over one million dollars, and the county treasurer has got to handle every cent of that money and be responsible for it; but I do ask you to be just. You know, and every gentleman here knows, that his salary ought to be raised to what the committee recommended, and that is small enough. Not only that, but there is an element of danger in handling that amount of money. He has got to go to and from the bank to the county building, carrying quite large sums of money. A few years ago we had a county treasurer whose office was burglarized. He was knocked in the head and the burglar went through his office. The safe happened to be left open and the burglar robbed the safe of something over \$2000. The window was open, and he flew out of the window, over a large wall, and flew away. They never have heard from him since and have never recovered any of the money. It requires a man for the position of county treasurer in whom we all have confidence. I will say that when the present incumbent consented to take the office, two of the heaviest tax payers in the County of Cumberland came forward and offered to go his bond. He is a man who has been mayor of Westbrook, also postmaster, a man we have unbounded confidence in. Such a man as

that has got to be paid for his services, and I just ask you to non-concur in this amendment, which, as I say, was made by reason of a misunderstanding.

Mr. Gilmour moved that Senate Amendment A be not adopted in concurrence with the Senate.

The motion was agreed to.

On further motion by Mr. Gilmour, the bill was given its third reading and passed to be engrossed.

The SPEAKER pro tem: The Chair lays before the House House Doc. 371. bill, An Act to fix the salary of the Governor, same being tabled by the gentleman from Houlton, Mr. Pierce, the pending question being the third reading of the bill.

Mr. Pierce offered House Amendment A, to amend by striking out the words: "He shall have his official residence at Augusta during his term of office and shall devote his entire time to his official duties."

The question being on the adoption of the amendment.

Mr. PIERCE: Mr. Speaker, I dislike very much to offer an amendment to a bill that has the unanimous support of the committee on salaries and fees. I do, however, feel that the first part of this section which I ask to have stricken out, is unnecessary. These words do not have any real legal meaning, as far as I can see. The question of a man's official residence may be in one place and it may be in another place; I don't know that it makes any particular difference to any one where his official residence is; the seat of government of course is at Augusta, and so far as the Governor is concerned, his official residence would be at Augusta, and what particular strength or validity there is in the use of these words, that he shall have his official residence at Augusta, I do not see any. I do not believe it is contemplated that a man who has been elected Governor of this State shall be obliged to move to Augusta and have his actual residence here; I do not believe that is the meaning of these words, because it does distinguish apparently between a man's actual residence and his official resi-

dence, and for that reason I object to it because I do not believe those words are proper.

In the first place, I would like to say that this act does not take effect until January first, 1917, so that it has no application to the present governor, and anything that I may have to say upon this matter is absolutely outside of the question of who is governor at the present time; it has nothing to do with him; it applies to the governor elected at the next election and to succeeding governors after that time. This provides that he shall give his entire time to his official duties. Now, what sort of a man are you going to get for governor under that sort of a law? Obviously you are going to get a man who can not afford to give up his business if he is going to live according to that amendment; you have got to get a man who is able to give up his private business and who will actually give it up. The sort of men who are going to be elected as governors of the State of Maine would in one way comply with the law and yet actually not comply with it. So that it must be that a man who is engaged in any business would be obliged to absolutely divorce himself from all care or oversight of that business and devote his entire time entirely to the government of the state for the period of two years. At the end of that time—and the state is close now so that there is no guarantee that the present governor will be re-elected, and even if he were re-elected, he would perhaps serve for four years, and at the end of that time that man has got to go back and pick up his business and start in again.

Now, gentlemen, I do not think under an arrangement of that kind the State of Maine is going to get the proper kind of business men to serve as governors which the State should have. Professional men perhaps take the position or an attorney or physician; it seems to me it would be either the professional office seekers who are after the position for the \$5000, or else it would be in one or the other of these classes of profes-

sional men because it does not seem to me that a business man of large business affairs and large business experience, that he can afford to retire and go on the shelf while he is in the height of his power and ability, and that business men of experience and responsibility are going to be able in deference to the rights of their associates with whom they are in business, and in deference to their own rights and those of their families, are going to be able to retire from active business and assume the duties of governor for a short period of time for this salary, and then go back again. I am not very particular about the matter of salary. If it is not right to pay the governor \$5000 and he not devote his whole time to the duties of the office, I would not raise any strenuous objection to that. It seems to me that \$5000 is none too large for the salary of a man who is capable of holding the office of governor of this State, and let him devote to that office the time which he should devote; it does not seem to me it is a fair assumption for the Legislature to make that any man whom any one of the great political parties are willing to put up and whom the State of Maine is willing to elect is going to assume the duties of that office and not attend to those duties properly.

There are lots of business men scattered all over the State who do not devote their entire time to any one business, and they do not want to retire absolutely from their business; and it does not seem to me fair to assume that a man who is elected governor of the State of Maine is not going to give to that office the same attention which the office requires and should receive; and for that reason I hope this amendment will be adopted.

The question being on the adoption of House Amendment A,

The amendment was adopted.

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

The SPEAKER pro tem: The Chair lays before the House House Doc. No. 405, bill, An Act relating to the re-

muneration of deputy sheriffs, tabled pending its third reading on motion by the gentleman from Corinth, Mr. Hill.

Mr. Hill moved that the bill be indefinitely postponed.

Mr. McCARTY of Lewiston Mr. Speaker, I was not aware that House Doc. No. 405 is the document that I now discover it to be and before the House takes any action on the indefinite postponement of this bill, I think it is very proper, inasmuch as I myself introduced the bill, that the House should receive some information as to my reasons for doing so. It is a bill which was drawn in connection with that Chapter of the Revised Statutes which provides for the enforcement of the prohibitory law. Under the law as it exists today the remuneration of deputy sheriffs engaged in the enforcement of the prohibitory law is fixed at the sum of two dollars a day. This amount of remuneration has been the law for a number of years prior to 1903, and has continued as the amount of remuneration down to the present time. At the time of the enactment of the law providing for the salary of deputy sheriffs engaged in this particular work it was fixed as being the same amount allowed to deputy sheriffs for attendance upon the Supreme Court where jury trials were being held. The legislature of 1907 saw fit to increase the pay of deputy sheriffs for their attendance upon the Supreme Court, increasing it from two dollars a day to three dollars a day.

Now, at the time when that increase was made there was no provision made for the pay of the special liquor deputies, so-called, so that they received, and continue to receive, the same remuneration as they had been receiving for years before. The statute provides that the pay of special liquor deputies shall be the same as that allowed for the attendance of deputies on the Supreme Judicial Court. In other words, at the time of the enactment of the statute, the legislature placed both classes of deputy sheriffs in the same class and considered that their duties were so similar that they were entitled to the same scale of wages. I do not know

whether the legislature of 1907 forgot or not to raise the wages of special liquor deputies, but it is a fact, nevertheless, that either they deliberately ignored it or unconsciously forgot about it.

The question that is before the House this morning is this, whether or not the pay of a special liquor deputy shall remain at the sum of two dollars a day as it is at the present time, or whether it shall be increased to three dollars, the same as the sum allowed for deputy sheriffs for their attendance upon the Supreme Judicial Court. We, who have some knowledge of the labors and duties of both classes of sheriffs, know this much, that their duties are entirely distinct, and that attendance upon the Supreme Judicial Court means nothing more or less than sitting in that court room for four or five or six hours a day, just so long as the court is in session. Their duties begin with the opening of the court in the morning, usually at half past nine o'clock, and end for the day at five or half past five in the afternoon, and for that the legislature of the State of Maine in 1907 declared that they should receive the sum of three dollars a day. Now, in the enforcement of the prohibitory law, those men who are engaged for that duty are today working for two dollars a day, and the time of commencing their work in the day no one knows, and their time for ceasing their work no one is in a position to state; they are not obliged or not required to work so many hours a day; they may be out all night tonight and they may be up before sunrise in the morning; their day's work is never done, so long as they perform it faithfully and conscientiously as they must when they take this office.

Is it a fair proposition, gentlemen, that these men who are working at all hours of the day should receive the same compensation that their brother deputies receive for working five or six hours a day? We had considerable difficulty in Androscoggin county during the term of enforcement which has just ceased and a new term of enforcement began in getting qualified men to take the position at

two dollars a day, while the very laborers upon the streets in the city of Lewiston were receiving two dollars a day for eight hours during the day. Down in Sagadahoc county Sheriff Oliver had his difficulties, and he carried his case to the Supreme Court hoping that the law of 1907 might be so construed that the liquor deputies who were performing the labor down in Sagadahoc county might receive the same as the men who were doing nothing except sitting in their chairs in the court room, and the law court turned him down. The sheriff in Penobscot county had the same difficulty in getting men that were desirable who would work for two dollars a day.

Gentlemen, it seems to me that if ever equity was demanded that it is certainly demanded in this case and that these men working and engaged in enforcing a law that we all believe should be enforced, that they should be at least encouraged to perform their work faithfully by giving them a decent day wage; and I trust that this motion to indefinitely postpone will not pass this House.

Mr. THOMBS of Lincoln, Mr. Speaker and gentlemen, I will say that the gentleman from Androscoggin county (Mr. McCarty) has correctly described the conditions and the situation in Penobscot county. Sheriff O'Connell did have trouble in getting competent men at the wages fixed by this statute; and I hope that the motion will not prevail.

Mr. HILL of Corinth: Mr. Speaker, I wish to say a few words upon this matter, and I will be very brief. I have the utmost respect for the committee that this matter was referred to, but I want to ask you to consider who came before that committee. Did any one appear there but the deputy sheriffs and their attorneys? Did they get any opinion from the people as to what they wanted or as to what they could stand? Did they have any interest in the tax payers of the several counties when they passed that bill or recommended it? The gentleman from Lincoln (Mr. Thombs) tells you about conditions in Penobscot county. In the first place, it seems to me that we have got law enough. The

enforcement of that law cost the county of Penobscot over \$6000 and free rum from start to finish. Those deputies draw a large amount of money for their pay, and I think there were eleven of them, and I know of some who wanted the job and could not get it. One man who was sheriff at Oldtown drew over \$1800 from Penobscot county for his fees. Among the others who drew money were the following: Fred T. Davis, \$973; Walter A. Trask, \$911; George S. Mann, \$932; James J. Long, \$857; Anson A. Powers, \$973.

Now, what are the conditions in our county, and I speak for our county alone? Last year we had some \$25,000 in our county treasury when the year commenced for the enforcement of this law, and we were obliged to sell \$15,000 worth of our sinking fund in order to tide over that year, and this enforcement was largely responsible for it. Where do we stand when we come in this year, with an empty treasury, and our borrowing capacity is asked at the hands of this legislature to be increased to \$25,000. There is nothing more in sight, and we have on hand less than we had last year. We have this year appointed 38 deputy sheriffs for this county of Penobscot. Is there any scarcity in getting deputy sheriffs when you can get 12 or 13 for one county? We have 11, and it cost us last year, in round numbers, \$6,333.

Gentlemen, when you talk about this item of two dollars a day, that is only the bone for the soup in this matter. On one occasion three men from Bangor went to Patten to search a certain place, or perhaps two places, to see what they could get. What did they do? One swore out the warrant and the other two go and aid; and then the next one swears out a warrant and the other two go and aid, and the next one swears out a warrant, and all they are getting their pay for is for acting as an assistant each time.

I expected opposition on the part of my friend from Lincoln (Mr. Thombs) but I did not expect any opposition from the gentleman from Lewiston (Mr. McCarty) and I supposed that this originated or emanated from the county of Penobscot. I think so now; I think it emanated

there and went into Lewiston as a disguise. I expected this opposition. You never knew a deputy sheriff who was prosecuted by a lawyer, for they always stood by them; that is the history of the cases where the deputy sheriffs have been involved.

It seems to me that we have laws enough upon our statute books that will allow the enforcement deputies in our county at the rate of two dollars a day to put our county in for \$6000, and have free rum at that. I don't think there is another county in the State that stands as our county does. In the first place, the legislature at its last session removed our sheriff, and Mr. O'Connell was appointed. What was the result, gentlemen? He went in there and in a very short time Governor Haines called for his resignation and what did he do? He put his finger up to his nose and he says "You can't move me." That is what he said. I think, gentlemen, that if I had been clothed with the power that Governor Haines was I would have called this legislature together and had him impeached even if I had to pay all the bills, and I would have been governor this next year and as long as I wanted it. Now, gentlemen, this is merely a matter of graft, and it is merely a matter of putting us in debt, and it is a case where others beside the deputy sheriffs are interested, and to such an extent that as you touch one of them, then the other one will squirm.

Mr. SMITH of Hampden: Mr. Speaker, I would like to ask the gentleman from Lincoln, Mr. Thombs, who comes from my delegation, how he supposes that the deputy sheriffs serving under Sheriff O'Connell came to possess automobiles at such a low figure of compensation, for they certainly all have them and were using them last fall? I have seen illusions made in the newspapers, and in one of them belonging to the late governor some comment was made on the fact that when the resignation of Sheriff O'Connell was asked for by Governor Haines, Mr. O'Connell said, "Yes, Governor, after you." It was a pretty good thing; he had some power in our county or else he had some power somewhere when this matter came up and the governor demanded his resignation. It ap-

pears to me as far as Penobscot county goes—I do not question the conditions that obtain in Androscoggin county, but so far as Penobscot county goes, in regard to the number of men who are willing to take the position of deputy sheriff and the salaries as shown by our county reports, it seems to me that no great need exists for an increase in their pay, and in that county among other things they get their drinks free.

Mr. SANBORN of South Portland: Mr. Speaker, as I was a member of the committee on salaries and fees before which this matter was heard, and as reference has been made to the committee and its hearings, I think it only proper that I should say just a word from that standpoint. These were some of the things that were made to appear to the committee: First, that originally the fee or daily pay of a liquor deputy was fixed by law the same as that received by a deputy sheriff for attendance on the supreme court. At that time, the figure was two dollars per day. A later legislature raised that figure for deputy sheriffs attending the supreme court to three dollars per day. The law court in passing on the matter, as it was told to us, held that when the price for a liquor deputy was fixed the same as paid to a deputy in attendance on the supreme court, that was only another way of saying two dollars per day; so that when the court deputy was raised to three dollars that did not automatically operate to raise the liquor deputy. It was made to appear to us that the liquor deputies over the State were serving, and are serving, as it is conceded to be true, for two dollars per day. The matter of the work imposed upon them has been very fairly and fully stated by the gentleman from Lewiston (Mr. McCarty). It seemed to us that the only question for us to consider was this: When a set of men are authorized by law, when positions are created by law, and we understand what the work is which is imposed upon the holders of those positions, the question is, is two dollars a day fair compensation for the work as compared with compensations which are given to other men in other kinds of work, whether public or private business? The committee thought that two dollars a day was in-

sufficient. We considered it, I believe, from no other standpoint.

As to those who were present before us, I will say that there were only a very few. There was no great uprising of sheriffs or deputy sheriffs. There were so few that, as a matter of fact, I am personally unable to recall who they were. I do remember distinctly that reference was made to the difficulty experienced by Sheriff Oliver at Bath in getting sufficient men, or men of the right grade and quality at the price to be paid. I remember that, but I do not remember other specific representations. So far as I was concerned, they were not needed.

Now as to the fact that the people did not appear asking for it, that is true. But it occurred to me, and I believe it will occur to you, that if a class of men are today required by law to work for inadequate compensation, the people of the State of Maine will be perfectly willing to leave it to this committee, or to you gentlemen, to say whether or not their pay shall be made adequate. I have never heard it intimated anywhere that the people of the State of Maine want to reap a profit from the fact that any of its public servants are underpaid. I have always understood it to be true that the State of Maine as a whole wants its public servants to be adequately and fairly paid. The only question is whether or not two dollars is a fair compensation for men who have to do this work. It will be patent to everybody that so long as the pay is two dollars a day, it will not be possible to get better than a two dollar man to fill these positions. I do not care to enter into any discussion at this time of whether or not we want this law enforced or administered at all; I do not think it proper to discuss it in this connection. However, I suppose we would all agree that so long as the statute is there, it should be fairly and properly enforced. Now would we not rather have it enforced by three dollars a day men than by two dollars a day men.

I will say only this further: I am

surprised that the discussion has developed into a criticism of officials in any particular county. I am sure that the committee had no thought of that, and I do not believe that this legislature would undertake for a moment to legislate in the interest of any particular counties. We should only legislate in the interests of fairness, equity and justice to these officials over the State; and if it is true, as it was made to appear to us, that it is difficult for the sheriffs to procure the services of competent men, the kind of men to whom they can entrust this work, at two dollars a day, why they should be given three dollars. I say, if this is true, is there any objection to making the wage for these men, with all their long hours, and all the dangers which they are forced to encounter, on the same footing that you have placed the deputy who sits in court in an upholstered chair for a few hours a day, and listens to the trial of cases. It seems to me this is all there is to the question.

Mr. McCARTY: Mr. Speaker, the gentleman from Corinth (Mr. Hill) has surprised me with some of the statements that he has made in connection with this matter. I have great respect for the age of the gentleman from Corinth and for the intelligence that is supposed to accompany the age; but I have very little respect for the truth-telling capacity of the same gentleman. I have just about as much respect for his truth-telling capacity as he had for the honor and the integrity of the Speaker of this House when he accused him on the floor yesterday of having packed the Committee on Education in order that they might give a certain report on the disposition of the school funds; and, when the gentleman comes in here and makes the statement before this House, that he believes this bill originated from Penobscot county, though ostensibly from Androscoggin county, he is mistaken in that. The gentleman from Penobscot county (Mr. Thombs) does not need the aid of the gentleman from Androscoggin county, any more than the gentleman from Androscoggin county needs the

aid of his esteemed friend from Penobscot county. I think that both are capable of doing their own work, and doing it in their own way, without the aid of each other. The gentleman from Corinth (Mr. Hill) has stated that Penobscot county today has some thirty-eight deputies appointed, with the intention of deceiving the members of this Legislature. I presume he intends to convey the impression that these thirty-eight deputies are all liquor deputies, and therefore entitled to this one dollar a day increase that this bill provides for. If that is the intention of the gentleman from Corinth, he is grossly mistaken, or else he is grossly misstating facts as they really exist. From all the information I am able to obtain, the number of liquor deputies in the county of Penobscot last year was from three to five. This bill is not going to increase the great debt of Penobscot county by raising the pay of three men one dollar a day. I think Penobscot county can stand that. If they cannot stand it, why they ought to stand it; and, if they have not got enough respect for the prohibitory law to give it a fair and impartial trial, and a fair and impartial enforcement at an increased expense of one dollar a day for from three to five men, then I have very little respect for the law-abiding sentiment that exists in that county.

The gentleman has spoken about three men, three deputies, going up to the town of Patten. I do not happen to know just where Patten is; but if they are violating the prohibitory law in the town of Patten, those three men ought to go up there and stop those violations of law. Whether those men came from Bangor, or some other part of Penobscot county, makes no difference. Their duty is not confined to Bangor. The employment of these special liquor deputies covers the entire country. Patten should not be relieved of the responsibility of standing by the prohibitory law, any more than the City of Bangor should be relieved from it. And, gentlemen, it is not a question this morning as to the good or the evil in that law; it is not a question as to whether that law should

be enforced or not enforced; it is not a question whether it has or has not been enforced; it is not a question before you this morning whether Governor Haines did right when he removed the sheriffs of different counties; it is not a question before you this morning whether Governor Haines demanded the resignation of Sheriff O'Connell and it was refused. The question is, are these liquor deputies to be paid the same as the civil deputies are paid? Is their work worth just as much? If not, do not give it to them. If it is, then in all conscience and fairness allow them what they are justly entitled to. It does not make much difference whether these men are represented by lawyers or not. We lawyers are a fairly good class of men. Evidently the gentleman from Corinth (Mr. Hill) does not think so, and he may have been unsuccessful and unfortunate enough to be on the wrong side of litigation at some time. Because a committee room is not crowded with people is no reason why they are not in favor of the passage of this act. Probably the only objection is the matter of increase of wages. This would mean in Bangor perhaps the increase of the wages of three men. In Androscoggin county it would mean the increase of a dollar a day in four men's wages. It is a question merely of whether or not these men shall be paid a decent wage. Mr. Speaker, when the roll is called I demand the yeas and nays.

Mr. THOMES: Mr. Speaker and Gentlemen of the House: I am sorry that the matter has gone to the length which it has. The gentleman from Androscoggin (Mr. McCarty) has very well stated Penobscot's case, and I thank him for it; but I should feel a little bit delinquent in my duty if I sat here idly and allowed other members of the delegation from Penobscot county to hold us up to your ridicule. The gentleman from Corinth (Mr. Hill) refers particularly to the fees which a deputy sheriff of Old Town has received in a year; but I want to remind you gentlemen that those fees are passed upon by the county commissioners of the county; so that if he impugns, or would have you understand, that there are illegal fees in any respect, he

is attacking that court of Penobscot County.

The gentleman from Hampden (Mr. Smith) wants to know where the deputy sheriffs get their automobiles. Now, gentlemen, I am not able to tell you where the deputy sheriffs get their automobiles; but I do want to stand up here and say that, if there is a deputy sheriff in Penobscot county who owns an automobile, I believe he got it honestly and in no other way. I want to resent any insinuation upon the fair name of Penobscot county. I say she is as good a county as any of the sixteen which makes up the grand old State of Maine. (Applause)

Mr. SMITH: Mr. Speaker and gentlemen, I did not come here as a representative from Penobscot county to say anything in a general way to the injury of that county if I knew it. I reside there and I consider it a good county to live in; but it is a fact I think without any question in the opinion of men who have traveled over our state to any extent that Bangor is about as wet a city as there is in this state; and from my own personal knowledge I shall still regard it as a question concerning where the deputy sheriffs who served under Sheriff O'Connell last year got their automobiles, and I shall regard it as still unanswered. However, they had them and they were used for campaign purposes. I could also mention several matters which would not reflect any credit upon my county. I am not particular about the salary of three or four men in that county, but it seems to me that the idea expressed here that it is not possible to get men for this sum at the present time should be taken in conjunction with the fees which they receive in addition to their salaries, and that is not hardly up to the point shown in our county at least by the number of men who are very willing to accept such positions.

Mr. Bonney of Bowdoinham moved for the previous question.

The SPEAKER, pro tem: The question is upon the motion of the gentleman from Corinth, Mr. Hill, that further action upon House Doc. 405, be indefinitely postponed. Upon that question the yeas and nays have been called.

Mr. HILL: Mr. Speaker, am I to be shut out from further debate upon this question?

The SPEAKER, pro tem: I think the gentleman from Corinth, Mr. Hill, is out of order.

Mr. HILL: I thought so.

Mr. GREENLEAF of Portland: Mr. Speaker, I rise to a question of inquiry. Has it yet been determined by this House whether the previous question shall be put now?

The SPEAKER, pro tem: The Chair will state that it has not.

Mr. GREENLEAF: I understood the gentleman from Bowdoinham, Mr. Bonney, called for the previous question, and now I raise the question of inquiry whether it shall not at this point be determined by this House whether the previous question shall be now put.

The SPEAKER, pro tem: The motion for the previous question having been made, all those in favor of the previous question being now ordered, will rise, it requiring the vote of one-third of the members of the House.

A division being had, 78 members voted in favor.

The SPEAKER, pro tem: It appearing that one-third or more of the members of the House have consented to the motion for the previous question. The previous question is now submitted as follows: Shall the main question be now put? All those in favor of this question will so manifest themselves.

A viva voce vote being taken,
The motion prevailed.

The SPEAKER, pro tem: The question now before the House is upon the motion of the gentleman from Corinth, Mr. Hill, that further action on House Doc. 405 be indefinitely postponed. Upon this question the yeas and nays have been called.

A sufficient number having arisen, the yeas and nays were ordered.

The SPEAKER, pro tem: All those in favor of the indefinite postponement of this bill, when their names are called, will say yes; all those opposed will say no. The clerk will call the roll.

YEA--Corliss, Currier, Davis, Edwards, Goodwin, Hanson of Sanford, Hill, Lewis, Libby, Meader, Perham, Pierce of Farmington, Plummer, Roberts, Russell of Al-

fred, Smith, Tate, Wasgatt, Wilkins, Wilson--20.

NAY--Albert, Allen, Ames, Averill, Ballard, Beal, Benn, Bernier, Besse, Blake of New Gloucester, Blake of Oakland, Bonney, Bourque, Bradbury, Bragdon, Brann, Brawn, Brown of Auburn, Brown of New Sharon, Bussey, Campbell, Carson, Chadbourne, Chamberlin, Clement, Clifford, Cobb, Coffin, Colcord, Connelan, Daigle, Danforth, Descoteaux, Dilling, Douglass, Drapeau, Drummond, Durgain, Dutton, Ellis, Erskine, Evans, Fay, Ford, Fossett, Gerrish, Gilmour, Goldthwait, Gooding, Gould, Grant, Groaton, Greeley, Greenlaw, Greenleaf, Hanson of Saco, Harper, Hart, Haskell, Higgins, Hobbs, Hodgkins, Holt of Gouldsboro, Holt of Skowhegan, Jameson, Jordan, Lawrence, Leader, Lombard, Lord, Mansir, McCarty, McCarrison, McCurdy, McIntire, McKinley, Michaud, Millett, Mitchell, Morse, Mulligan, Mullin, Neilon, Newell, Nicholas, Noyes, Peabbles, Perkins, Peterson, Picher, Pierce of Houlton, Pollard, Ranney, Ricker, Russell of Lewiston, Ryder, St. Clair of Calais, St. Clair of Rockland, Sanborn, Small, Snow, Tabbutt, Thibodeau, Thombs, Tobey, Towle, Trafton, Turner, Tuttle, Ward, Washburn, Watts, Webb, Welch, Westcott, Wheeler, Wise, Woodman, Wyman--119.

ABSENT--Chaplin, Connors, Gallagher, Haraden, Littlefield, Maxwell, McNally, Morrison, O'Connell, Robinson, Varney, Waterhouse--12.

The SPEAKER pro tem: Twenty having voted in the affirmative and 119 in the negative, the motion is lost.

On motion by Mr. Hill of Corinth, House Doc. No. 405, bill, An Act to amend Section 69 of Chapter 29 of the Revised Statutes, relating to the remuneration of deputy sheriffs, then received its third reading and was passed to be engrossed.

The SPEAKER pro tem: The Chair wishes to say that the point taken by the gentleman from Portland, Mr. Greenleaf, in regard to the procedure was a very important point and well taken, and the Chair, on account of his inexperience, had neglected that matter and wishes to thank the gentleman from Portland, Mr. Greenleaf, for calling attention to it.

The SPEAKER pro tem: The Chair lays before the House House Doc. 407, bill, An Act relating to county law libraries, tabled pending its third reading on motion by Mr. Hill of Corinth.

Mr. HILL: Mr. Speaker and gentlemen, I have probably stirred up in connection with this matter another hornet's nest, and this is something of partially the same kind as the previous matter, because it affects the legal fraternity of the State, and no doubt it will get them on their feet. For instance, taking the law library in Penobscot county to start with. The county of Penobscot is obliged, according to the law, to pay over to the law library \$500 each year for the support of that library. That pays for the expense of the librarian; and I don't know but what the county of Penobscot furnishes the room also. Now they come in here and ask us for this extra addition, and they ask us for all the fees received for the admission of attorneys, which amount in each case to the sum of \$20 I think, and they want that turned over to the law library. Now, gentlemen, what call is there for any such legislation as this? The county of Penobscot not only supports the library but it furnishes the building. Now, what is this for? I will say that I do not get into the court house in Penobscot any more often than I am obliged to, but when I go up the flight of stairs to go into the clerk's office what do I see? I see a card on the door of the library which says, "No one admitted except the members of the bar." We are excluded from the library, and apparently the library in our county of Penobscot is for the sole use of the attorneys. I don't know why this sum of money should be turned over to the law libraries. It seems to me it should go into the county treasury and help towards paying the expenses of the county, because, as I said before, we are on the rocks over there and there is no question about it, and any one can tell by looking at our county reports that we are on the rocks.

Now, I may be a little out of order here, but we have been talking about giving these deputy sheriffs two dollars a day. Have you seen anything of a bill before this legislature to increase the wages of the farmers of this State? Have you seen anything that has tendency to increase the pay which our farmers receive, the men who work from early in the morning until late at night for \$1.50 or \$1.75 and raise potatoes that

sell for fifty cents a barrel? Have you seen anything to protect them here? It seems to me it is a sort of epidemic here from all the towns and counties in the State to get into debt regardless of what they can pay, and sell their bonds or anything else to tide themselves over. Now these things are of very little interest to me, but I do want to go on record as standing for what I believe to be right in this matter. So far as the gentleman from Lewiston, (Mr. McCarty) is concerned, I have nothing to say in regard to his integrity or mine; we will stand both on our own bottoms where we live; that is where we will stand in regard to that. I hate awfully to be shut off in any debate or turned down. I have the greatest respect for the opinion of the lawyers in this body, but I was here six years ago, and at that time I saw around in the corridors of this House and I saw members talking, and you could not hear yourself whisper or talk on account of the noise, and yet here in this House we have seen an illustration where if a certain man should talk you would all turn around. That is on account of the power of my friend from Lewiston, a gentleman with a flowery tongue, who could come here and talk and do what they have a mind to; we don't know the influence they have over us, and they may get us.

Mr. THOMBS: Mr. Speaker, I rise to a point of order.

The SPEAKER pro tem: The gentlemen will state his point or order.

Mr. THOMBS: My point of order is that the gentleman from Corinth, Mr. Hill, is not speaking to the matter which is before the House.

The SPEAKER pro tem: The point of order is well taken. The gentleman from Corinth, Mr. Hill, will confine himself to the question.

Mr. HILL: Mr. Speaker, I will try and do so. Now, gentlemen, this is a small matter in one sense but it interests every tax payer in the county of Penobscot and in this State. Sometimes a small matter may lead to something larger. I don't know where the money goes to; and I for one want to go on record as being in favor of economy where it will be of some service.

Mr. PIERCE of Houlton: Mr. Speaker,

it seems to me that the members here, my friend from Lincoln, Mr. Thombs, and my friend from Lewiston, Mr. McCarty, have been taking the brunt of the other oration, and I am willing to be the goat this time. I would simply like to call the attention of the House to the absolutely innocent feature of this particular measure. A person desiring to be admitted to the bar can be admitted in this State in either one of two ways; they may appear before the Bar examination board for examination and on the payment of twenty dollars if they pass the examination they become members of the bar. The members of this examining board receive a fee of five dollars a day, and if there is any balance left over after the payment of their fees that balance goes to the county law libraries. That is all right theoretically, but practically speaking there is no balance; it takes all of that money, and at times the bar examiners have had to discount their fees and divide up what money there was. It does not cost the State of Maine or any county in the State anything to examine the men who are admitted to the bar. Nobody pays anything excepting those who are admitted. I do not believe that there are five men admitted in the State during a year in the other way, and that is this: If a member of a bar in another State comes into the State of Maine and wants to be admitted to practice he pays twenty dollars and is admitted and if he has been practicing for three years in the other state and has a certificate from a judge of the highest court in that state that he has been a practicing member in that state then he is admitted to the Maine bar and he pays twenty dollars. That does not come out of the tax payers of the county at all, and it does not cost anybody a cent to do that.

This bill provides that this twenty dollars shall go to the law library in the county into which this man comes. In other words when he comes in to that bar, practically speaking, he pays twenty dollars to be admitted because prior to that time he has not been a taxpayer in the State, and in this way he helps to support that law library. That is all there is to this bill, and I apologize for taking up your time upon this question.

Mr. HILL: How does that benefit the law libraries?

Mr. PIERCE: I tried to make that plain before. If there were no law libraries in this State excepting, for instance, the library in the city of Augusta, then in case any man had a lawsuit that required adequate preparation on the part of an attorney he would have to pay for the time it would take his attorney to come here to Augusta and look up whatever questions of law were necessary, and it would take not only the time of his coming here and the time he would devote in the preparation of the law but his return home again; that would be the only practical way in which it could be done. The client would have to pay his attorney's fees and expenses down here or else he would be put in the position of going into court without having made an adequate preparation of his case.

Mr. THOMBS: Mr. Speaker, while the question of the gentleman from Corinth, Mr. Hill, was not addressed to me, I do want to say to the gentlemen of this House in reply to the question of whether the law libraries will benefit, that I know that the law library in Penobscot county is and has been open to my friend from Corinth, Mr. Hill, since the opening of the session of the legislature because I have seen him in there industriously working. Whether it benefited him or not, I do not know; I hope it did.

Mr. HILL: Mr. Speaker, I acknowledge that I was in there, but I felt as though I was under arrest every time I went in. Now, gentlemen, this is a small matter, and if I am in error I will withdraw my objection that the bill take its third reading. (Applause.)

On motion by Mr. Hill, the bill then received its third reading and was passed to be engrossed.

The SPEAKER pro tem: The Chair lays before the House, Senate Document 149, bill, "An Act relating to salaries of Registers of Deeds," tabled by the gentleman from Portland, Mr. Connellan, pending its third reading.

On motion by Mr. Pierce of Houlton, the bill received its third reading and was passed to be engrossed.

The SPEAKER pro tem: The Chair

lays before the House Senate Document 160, bill "An Act relating to salaries of Clerk of Courts," tabled by the gentleman from Portland, Mr. Connellan, pending its second reading.

On motion by Mr. Pierce of Houlton, the bill received its second reading, and was assigned for its third reading tomorrow morning at nine o'clock.

Mr. PERKINS of Augusta: Mr. Speaker, I move that we take up out of order the report of the Committee on Labor, bill, "An Act relative to the employment of women and minors," House Document 328.

The motion was agreed to.

The SPEAKER pro tem: The Chair now lays before the House, House Document 328, report of the Committee on Labor on bill, "An Act relative to the employment of women and minors," and recognizes the gentleman from Augusta, Mr. Perkins.

Mr. PERKINS of Augusta: Mr. Speaker, in regard to this bill, I would like to say that all three parties in their platforms have agreed to a 54-hour bill. These amendments that have been attached to this bill are for a 56-hour bill. They are intended to defeat the 54-hour bill. They have come in here in the same way that they came in two years ago to defeat the 54-hour law. The telegraph and telephone companies have agreed to this bill. The mercantile establishments have agreed to satisfy in regard to keeping open Saturday nights and during the Christmas holidays. The only objection that we find anywhere is from the manufacturers. You will all admit that nine hours a day for minors, boys under sixteen years of age, and women, is long enough to work in the factories of this State where there is the rapidly revolving machinery, and where the sanitary conditions and other conditions are not too good at the best. If there is anything that we should do, it is to look after the health of our growing boys and the working women of this State. They have all agreed that this bill shall be passed, and now is the

time to pass it. I do hope that these amendments will be defeated and that the bill will receive a passage. Other states have adopted this bill like Colorado, nine hours for boys and eight hours for women; Colorado, District of Columbia, Florida, Illinois, Indiana, Kansas, Massachusetts, Michigan, Minnesota, Mississippi, Rhode Island, Utah, New York and Texas. Let Maine pass this bill in its original form.

Mr. McCARTY of Lewiston: Mr. Speaker, may I inquire just what the question is before the House at this time?

The SPEAKER pro tem: The question is on the adoption or rejection of Amendment A to House Document 328.

Mr. McCARTY: Has there been any discussion of Amendments B and C?

The SPEAKER pro tem: None whatever.

Mr. FAY of Dexter; Mr. Speaker, I understand the question is now on the adoption of Amendment A?

The SPEAKER pro tem: Yes, to House Document 328.

Mr. FAY: I request unanimous consent to withdraw House Amendment A to House Document 328.

Unanimous consent was given.

Mr. FAY: Mr. Speaker, I have another amendment which I wish to offer and move the adoption of. I will say in explanation that there is certainly a difference of opinion on these bills. I realize the fact that all parties are pledged to the adoption of a 54-hour law. There have been differences, and I am going to offer this amendment to reconcile those differences, and I sincerely hope that it will meet with the approval of the members of the House, and that all can consistently vote for it. I now move that it be tabled for printing, and specially assigned for next Wednesday.

Mr. DESCOTEUX of Biddeford: Mr. Speaker, I do not believe it is fair to table that until next Wednesday. The time is getting short and we want to get out of here this month. Now this bill was put in and referred

to the committee early in the session, I believe the 15th of January. The committee advertised it thoroughly, and the hearing was put ahead a week so as to give all parties a hearing. We then went into executive session and went over the bill deliberately section by section and we reported a bill in new draft. We waited another week before putting in the report in the event something should turn up. Now an amendment is put in; and, if we keep on in this way, the session will be over and the bill will not reach the Senate.

The SPEAKER pro tem: Will the gentleman from Biddeford (Mr. Descoteaux) allow me to interrupt him? The Chair is in error. The question before the House should be, and is, on the acceptance of the report. The House Report is as follows: The committee on labor, to which was referred bill, "An Act relative to the hours of employment of women and minors," have had the same under consideration, and ask leave to report the same in a new draft under same title, and that it "ought to pass." The question, therefore, at this time is upon the acceptance of the report. The amendment may be considered after that.

On motion by Mr. McCarty of Lewiston, the report was accepted.

Mr. Thombs of Lincoln moved that the bill be given its first reading.

The SPEAKER pro tem: The Chair will say to the gentleman from Lincoln that the bill should lie on the table under the joint rules for printing.

Mr. THOMBS: I accept the suggestion.

Mr. PLUMMER of Lisbon: Mr. Speaker, I understand that the report that has just been accepted by the House is on House Document 323, which I judge is a new draft of the original bill, and which seems to me to be the bill now before the House. Should it not be given its first and second reading now? Possibly I am in error.

The Speaker pro tem: I will state to the gentleman from Lisbon that the bill has been printed. The motion now before the House is that the

bill be given its first and second reading.

The motion was agreed to, and the bill received its first and second reading, and was assigned for its third reading tomorrow morning at 9 o'clock.

Mr. PIERCE of Houlton: I rise to a point of inquiry. As I understand it, the amendment could not properly be offered until the report had been accepted. Are these amendments properly offered, that is, the one offered by the gentleman from Dexter, Mr. Fay? Was it not offered prematurely?

The SPEAKER pro tem: The Chair would rule that all three amendments are offered out of order, and the gentleman from Houlton, Mr. Pierce, is correct in his point of procedure. The Chair rules that there is nothing before the House in the shape of amendments at the present time.

Mr. FAY of Dexter: Mr. Speaker, am I to understand that that applies to the amendments all together, and that it is not necessary to withdraw them?

The SPEAKER pro tem: The ruling of the Chair is that the amendments having been offered before the bill was in the House, and before the report was accepted, there are now no amendments to the bill. If amendments are to be offered, they must be offered now or after the acceptance of the report.

Mr. FAY: Mr. Speaker, I do not want to take much time; but I do ask in fairness that that amendment be allowed; that the bill be allowed to be tabled and printed so that everybody can see what it is. There is no desire to conceal anything about it. This amendment is offered after consultation with parties on both sides, and I think many of the gentlemen of the House will agree with me that they have seen it. It has been discussed and changes have been made in order to get a bill that will meet the views of parties on both sides.

Mr. WESCOTT of Bluehill: Mr. Speaker, I want to be perfectly fair about this matter; but I must object to having that bill tabled for another

week. We are at the end of the session, and I can see no good that can possibly come from this delay either to the gentleman from Dexter (Mr. Fay) or anybody else. I ask that the matter be considered in a shorter and more reasonable length of time. Of course we are glad to consider any amendment that may be necessary. I ask that the matter be tabled for a reasonable period of time and not be put over until next week.

Mr. ST. CLAIR of Calais: Mr. Speaker, I wish to call the attention of the House to the fact that section eight of this bill as printed is meaningless; it is a mere jumble of words that do not mean anything. You will find this by turning to your copies in your record. I move that before we proceed the matter be properly put before the House, so that we may know what that section is.

Mr. SANBORN of South Portland: Mr. Speaker, I will say that the attention of the House was called to that by me two or three days ago, and the bill has been reprinted.

The SPEAKER pro tem: I will say to the gentleman from Calais, Mr. St. Clair, that the bill has been reprinted under the number of 495.

Mr. FAY: Mr. Speaker, in answer to the gentleman from Bluehill, (Mr. Wescott), I will say that I have no desire, and I have so stated plainly, to postpone. I simply want everybody to have a chance to look over, talk over, and think over the amendment. If that amendment can be printed and brought in tomorrow morning, I have absolutely no objection to it. I thought that very likely there would be difficulty in getting it printed so early as that. If the gentleman wants to change the time to Tuesday next, I have no objection. I only ask for an assignment next Wednesday that there might be ample time to get it printed in a proper manner.

Mr. HOLT of Skowhegan: Mr. Speaker, I do not want to be put in the position of attempting to interfere in this matter; but yesterday morning the gentleman from Woodstock, Mr. Ferham, requested us to lay a bill on

the table until this morning, and the House did not see fit to extend him that courtesy. It seems to me that at that time we adopted that rule, and I can see no reason why the same rule should not apply in this case.

Mr. DESCOTEAUX of Biddeford: Mr. Speaker, is it not customary where an amendment is offered to have that amendment read?

The SPEAKER pro tem: The Chair will inform the gentleman from Biddeford that the motion of the gentleman from Dexter, Mr. Fay, as the Chair understood it, was that the amendment lie on the table for printing. If action is to be had on the amendment this morning, the Chair will read it; but if it is to lie on the table for printing, it will be on the desks of the members in amended form, and then there would be no necessity for reading it. The Chair will, however, read it if the House desires.

Mr. McCARTY of Lewiston: Mr. Speaker, I am well aware of the custom of the House in its prior procedure on matters of this kind in relation to amendments, and I think in many cases it has been a wise procedure to adopt, inasmuch as the amendments offered to the various bills were more or less complex. Now I do not know the tenor of the amendment offered by the gentleman from Dexter, Mr. Fay. It may be so simple in its provisions that it would not require any delay at all in order to consider whether the amendment was a good one or otherwise; and I would suggest to the Speaker that the amendment be read. Then, if it appears to the House that it requires a four or five days' stay, of course the reasonable members of this House will readily consent to the request of the gentleman from Dexter that it be deferred until next Wednesday. On the other hand, if it is simple in its provisions, such delay will not be necessary. It seems to me that the action of the House on the question of delay should be entirely governed by the provisions of the amendment; and in order that the House may intelligently vote upon the matter, I would ask that the Speaker read the proposed amendment.

The SPEAKER pro tem. The Chair will accept the suggestion of the gentleman from Lewiston, Mr. McCarty, and read the amendment.

"Amendment A to House Document 328.

Strike out all of said bill after the enacting clause, and insert the following:

Section 2. Nothing herein provided of age, and no female, shall be employed in any factory, manufacturing or mechanical establishment more than nine hours in any one day, except when by reason of repairs necessary to prevent interruption of the ordinary running of the machinery, longer hours may be necessary to complete any work, material or product to be completed or delivered at a certain time under contract, or when a different apportionment of the hours of labor is made for the purpose of making a shorter day's work or a full holiday for one day in the week; and in no case shall the hours of labor of any minor or female exceed fifty-four hours in a week, except any female eighteen years of age or over may lawfully contract for such labor for any number of hours in excess of nine hours per day, but not in excess of four hours in any one day or forty-eight hours in any one year, and not otherwise, except the same shall be approved by the Labor Commissioner of the State of Maine.

"Section 2. Nothing herein provided shall apply to any factory or manufacturing or mechanical establishment or business, the materials or products of which are perishable or require immediate or continuous labor thereon to prevent decay thereof or damage thereto.

Section 3. Section 43 of Chapter 40 of them Revised Statutes is hereby repealed.

Section 4. This act shall take effect January first, 1916."

The SPEAKER pro tem: The question before the House is upon the motion of the gentleman from Dexter, Mr. Fay, that amendment A to House Document 328 lie upon the table for printing.

Mr. PERKINS of Augusta: Mr. Speaker, I would amend that motion by stating that it lie on the table until tomorrow morning.

Mr. FAY: Mr. Speaker, may I inquire if we can get it printed by that

time? I want to get it before the members in printed form, so that they may intelligently consider it and understand what they are acting upon. We are not very far apart at the present time; but if the gentlemen desire to vote on it now without allowing us the privilege of having that amendment in print and studying it over—it is for them to say.

Mr. McCARTY of Lewiston, Mr. Speaker, I did not quite catch the remark of the gentleman from Dexter, (Mr. Fay) and I would ask the Chair the tenor of his proposition.

Mr. FAY: Mr. Speaker, The idea I intended to convey was that I believe in fairness we should be allowed to see this amendment in printed form. The amendment was drawn up this morning. I have read it but two or three times, and do not feel that I have had sufficient time to digest it. We are not very far apart on these matters now; I did say that, if it is the desire of this House to vote on it without giving us this privilege, well and good. I think it only courteous and fair that the members should have the privilege of knowing what they are acting on. I cannot believe the House is not willing to give time to have this amendment printed so that we can all have a copy of it and see what it is.

Mr. McCARTY: I would like to inquire of the Chair if it would be satisfactory to the gentleman from Dexter that the amendment lie on the table until tomorrow morning pending printing?

Mr. FAY: Mr. Speaker, I would be entirely willing provided we can have the printed bill at that time. I have assumed that it would be next to impossible to get it so early as that. It has been suggested to me, and I would be perfectly willing, to make it Tuesday next.

Mr. McCARTY: I would move to amend the motion by substituting the words "Friday next" for the word "Wednesday."

Mr. THOMBS: Mr. Speaker and gentlemen of the House: It seems to me—this is the first time I have heard the amendment read—that this is a very important matter, and I do not

see how the members can become fairly conversant with it in that limited time. It seems to me that Tuesday, perhaps, might give us ample time to familiarize ourselves with it, and I would offer the further amendment, and substitute the word "Tuesday" for the word "Friday."

Mr. PERKINS of Augusta: Mr. Speaker, as I understand that amendment, women over eighteen years of age have a right to work over time. That is the only difference. This matter has been before the House a long time, and I think we are as conversant with it as we are with any bills that come before us. If it is possible to have this amendment printed, and have the matter come before the House tomorrow morning, I do not see why it should not be done. We can then either pass this or not as we see fit, and thus get through with the 54-hour bill. I will second the motion of the gentleman from Lewiston, Mr. McCarty.

Mr. McCARTY: Mr. Speaker, it is very apparent from the oral reading of the amendment that some of us do not even understand it now. I listened to the Speaker read this amendment, and I understood that there were other changes than that providing for the labor of females over the age of eighteen years. One change that is very important is the reduction of the hours from 56 to 54. I want to be absolutely fair in this matter. I do not want to crowd the House nor the gentleman who is proposing this amendment (Mr. Fay) in any way, shape or manner; and, if there is any question about the printing of this bill and its being before the House tomorrow morning, then in my spirit of fairness I am willing to adopt the amendment proposed by the gentleman from Lincoln, and agree with him that we take this matter up for discussion and action next Tuesday.

The SPEAKER pro tem: The motion of the gentleman from Lewiston is that the bill lie on the table for printing, and be assigned for consideration for Tuesday of next week.

Mr. PLUMMER of Lisbon: Mr. Speaker, do I understand that the gentleman from Lewiston (Mr. McCarty) withdraws this amendment applying to tomorrow

morning? If so, I will offer that amendment. And it seems to me, as stated by the gentleman from Biddeford, Mr. Descoteaux, that this matter has been before us a reasonable length of time, and that those who desire to make changes in the bill have had a reasonable length of time to prepare those amendments.

I submit further, Mr. Speaker, that even in the absence of a printed copy of the amendment that if the amendment is any way simple that it could be explained to the members of this House by some proponent so that we can understand it and vote upon it intelligently; but the session is nearing its close, and it is even hoped by some of us, even if not expected, that perhaps two weeks from this week will wind up the business of this session, and this bill still has to go to the Senate, and it may be that there amendments will be offered to it, and that when these amendments have been printed and the matter has come up again that still other amendments will be offered. It may be that after that a conference committee on the part of each branch of the legislature will be necessary to be appointed in order that they may meet and talk the matter over. In the closing hours of the session we are apt to be tolerably busy, and for these reasons I trust that the bill will be kept upon its third reading tomorrow morning; and it seems to me that the clerk of the House possibly by taking extraordinary diligence in the matter might be able to get this amendment here in season so that it may be discussed. It is more important to save time upon this one matter than perhaps on any of the ordinary bills that go through here and to which no objection will be raised. I trust that the amendment making the date Friday of this week instead of Tuesday of next week will be adopted.

Mr. CLIFFORD of Lewiston: Mr. Speaker, I will say that as I have listened to the reading of that amendment it seems to me that it has embodied in its contents about everything that another bill contained that was brought before the committee on labor. The contents of that bill have been discussed about the State House and among the members of this legislature, and it seems to me that putting this amend-

ment over until next Tuesday for discussion is simply doing something that will cause an endless amount of delay; and I would urge the members of this House to support the amendment as offered by the gentleman from Lisbon, Mr. Plummer, because as he stated, when it comes up to the Senate undoubtedly there will be amendments offered there, and then it may go to a conference committee and back here with more amendments; and I believe that we can discuss the contents of this amendment proposed by the gentleman from Dexter, Mr. Fay; and for that reason I second the motion of the gentleman from Lisbon, Mr. Plummer.

Mr. DUTTON of Bingham: Mr. Speaker, I believe that no question of so vast importance has come before this legislature, and it is not a question of whether we are to pass or to kill a 54-hour law; it is the duty, as I understand it of every member of this legislature regardless of party affiliations to pass a 54-hour bill, and the only thing that is of importance and the only question that there is for us to discuss or to consider, is what is the best 54-hour law for all parties concerned to be passed here today; and as this amendment which has been offered is a new proposition and something which should be taken into consideration, I believe that it should be printed and that every member of this House should have ample time in which to familiarize himself with this new amendment. It perhaps may be virtually a new bill, and in order that the members may have an opportunity to compare the new bill and to decide honestly, fairly and justly which is the best bill for them to support, I think it should be printed as has been suggested.

Mr. PERKINS of Augusta: Mr. Speaker, it seems to me that the amendment which has been offered here is a bill in itself and not an amendment. Now, we have agreed to support a 54-hour bill, and this is the same sort of a bill as Massachusetts has adopted, the same as Rhode Island has adopted and a great many other states of the union have adopted. This bill has been talked about here in the State House for the last month, and there is no reason why this matter can not be acted upon to-

morrow. It is not a long bill, and it has been talked over and over; everybody understands the bill; and now we will keep on adding amendments, and it is time we got down to solid work, either to pass a 54-hour bill or to defeat it. I would like to ask for a ruling of the Chair as to whether the amendment is an amendment, or whether it is an original bill. It occurs to me from the fact that it strikes out everything after the enacting clause, that it is a new clause.

Mr. DUTTON: Mr. Speaker, I think the gentleman from Augusta, Mr. Perkins, misunderstands the situation. It is not the desire of anybody to kill the 54-hour law, but it is the desire to get at the best law that is for the interests of both laborers and employers; and we wish simply to have this printed in order that it may be intelligently considered. There is no member of this House who wants to see the 54-hour law killed. Any man who would stand up here and vote against the 54-hour law has got to be a traitor to himself and to his party and to his constituents, and it is a matter of great importance that we should decide what is the best law; and if we are going to take it into the very last days of this legislature to consider this matter I consider that out time will be well spent; and if we can not do our duty to ourselves and to our constituents any better than to spend it in considering what is the best 54-hour law to be passed,—and it is not asking for anything unreasonable that this amendment lay upon the table for printing and have its further consideration on Tuesday next, it is not a matter of any unreasonable delay—I do not believe in passing a 54-hour law in the House and sending it to the Senate to have it tinkered over there; it is just as well for us to consider here in this body what is the best bill, and then pass it honestly and fairly and consistently.

The SPEAKER pro tem: In reply to the gentleman from Augusta, Mr. Perkins, the Chair will rule that the proposed amendment is an amendment.

Mr. CLIFFORD: Mr. Speaker, the gentleman from Augusta, Mr. Perkins, has well stated that this bill offered by the gentleman from Dexter, Mr. Fay, is practically the same bill that was presented before the labor committee at

the time we had the hearing in the Senate Chamber. What is the object of putting in this amendment? It is simply to kill the measure. It is putting before this House that bill which the committee heard, and they are putting it in here in the form of an amendment.

Now, Mr. Speaker, it seems to me that the only and the sole object of that amendment is to kill this 54-hour bill and to put in if it is possible, a 56-hour bill or to put in such a bill that they can kill the 54-hour bill. I object to it and I believe the members of this House have listened and have talked over the contents of that amendment. I believe that we should take it up tomorrow. I do not dispute the gentleman from Bingham, Mr. Dutton, when he says that no man will stand up here and oppose a 54-hour bill, because, as we all know, that was in the platform of each party. But there are different ways of killing and opposing it. You can apparently be with it and at the same time by putting in such a bill, that in effect the 54-hour law would not be passed. I am against it, gentlemen. I was on that committee and we heard the able attorneys on both sides present their case, and after hearing all the evidence this committee brings in an unanimous report, and with the amendments that have been offered by the different mechanical establishments. Now they come in here with practically the same bill that was presented there before us at that time, and I hope the members of this House will not allow this thing to be done, and will not allow them to talk about putting it over until next Tuesday.

Mr. DUTTON: Mr. Speaker, I object to the gentleman from Lewiston, Mr. Clifford, implying that I am in favor of a movement to kill the 54-hour law and substitute in its place a 56-hour law. I do not believe there are in both branches of this legislature over a dozen men but what will vote for a 54-hour law. I, myself, will positively object, and I will positively not vote for anything but a 54-hour law; I am pledged to vote for the best 54-hour law that can be devised or placed before this body. I do not want to see a 56-hour law; I do want to see the best 54-hour law, and I am in favor of it, and I shall work in every way for its passage, and it is not my

intention and it is not the intention of the proponents of this amendment that anything but a 54-hour law shall be passed at this session of the legislature; and I object most strenuously, Mr. Speaker, to the gentleman from Lewiston, Mr. Clifford, implying that this is a movement upon my part or upon the part of any member of this House to kill the 54-hour law.

Mr. WESCOTT of Bluehill: Mr. Speaker, I want to say that I heartily acquiesce in the position taken by the gentleman from Lewiston, Mr. Clifford, because I believe he is right. I believe this matter has been talked over thoroughly and that everybody knows about the proposed 54-hour law. Amendments have been offered from time to time and have been thoroughly considered, and I hope that the matter will not be put over until it is finally postponed and killed.

Mr. WARD of Augusta: Mr. Speaker, when the vote is taken on the motion of the gentleman from Lewiston, Mr. McCarty, I move that it be taken by the yeas and nays.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Lewiston, Mr. McCarty, that this bill lay upon the table for printing and be specially assigned for consideration next Tuesday. An amendment has been made to that motion by the gentleman from Lisbon, Mr. Plummer, that the word "Friday" be substituted for "Tuesday." The question then is first upon the amendment, shall this bill lay upon the table and be specially assigned for next Friday? Upon this motion the yeas and nays have been called.

A sufficient number having arisen, the yeas and nays were ordered.

The SPEAKER pro tem: If the members of the House wish to assign this bill for debate tomorrow you will vote yes; if you do not, you will vote no. The clerk will call the roll.

YEA—Ames, Averill, Ballard, Benn, Bernier, Blake of New Gloucester, Bourque, Brawn, Brown of Auburn, Brown of New Sharon, Campbell, Chadbourne, Clifford, Colcord, Connellan, Corliss, Currier, Davis, Descoteaux, Dilling, Douglass, Drapeau, Durgain, Edwards, Evans, Fossett, Gallagher, Gerrish, Goldthwait, Gooding, Goodwin, Gould, Greeley, Greenlaw, Greenleaf, Haskell,

Hill, Hodgkins, Holt of Skowhegan, Jordan, Lawrence, Leader, Lewis, Libby, Lord, Mansir, McCarty, McCarrison, McCurdy, McIntire, Michaud, Millett, Morse, Mulligan, Mullin, Neilon, Newell, Noyes, O'Connell, Peabbles, Perham, Perkins, Picher, Pierce of Farmington, Pierce of Houlton, Plummer, Pollard, Robinson, Russell of Lewiston, Ryder, St. Clair of Calais, St. Clair of Rockland, Sanborn, Small, Smith, Tabbutt, Tate, Thibodeau of Fort Kent, Trafton, Turner, Ward, Waggatt, Watts, Webb, Welch, Wescott, Wilkins, Wilson, Woodman, Wyman—90.

NAY—Albert, Beal, Besse, Blake of Oakland, Bonney, Bradbury, Bragdon, Brann, Bussey, Carson, Chamberlin, Clement, Cobb, Coffin, Daigle, Danforth, Drummond, Dutton, Ellis, Erskine, Fay, Ford, Gilmour, Grant, Greaton, Hanson of Saco, Hanson of Sanford, Harper, Hart, Higgins, Hobbs, Holt of Gouldsboro, Jameson, Lombard, McKinley, Meader, Mitchell, Morrison, Nicholas, Peterson, Ranney, Ricker, Roberts, Russell of Alfred, Snow, Thombs, Tobey, Towle, Tuttle, Washburn, Wise—51.

ABSENT—Allen, Chaplin, Connors, Haraden, Littlefield, Maxwell, McNally, Varney, Waterhouse, Wheeler—10.

The SPEAKER pro tem: Ninety having voted in the affirmative and 51 in the negative, the amendment has been carried. The question before the House now is upon the motion of the gentleman from Lisbon, Mr. Plummer, that House Doc. No. 328, be laid upon the table tomorrow morning.

A viva voce vote being taken,

The motion was agreed to.

Mr. PLUMMER: Mr. Speaker, if it be in order, I move that the clerk be instructed to send a copy of this amendment directly to the printer as soon as this session is closed.

The motion was agreed to.

The SPEAKER pro tem: The Chair now lays before the House Senate Doc. No. 148, bill, An Act relating to the salaries of sheriffs, tabled by the gentleman from Portland, Mr. Connellan, and assigned for consideration today.

The pending question being on the adoption of Senate Amendment B in concurrence.

Mr. PIERCE of Houlton: Mr. Speaker, may I inquire of the gentleman from South Portland, Mr. Sanborn, just how this amendment stands with relation to the recommendation of the committee on salaries and fees?

Mr. SANBORN of South Portland: Mr. Speaker, I will say for the information

of the gentleman from Houlton, Mr. Pierce, that the original figures in the bill corresponded with the figures recommended by the committee. I haven't it in mind at the present time, but I recall the amendment as read with reference to Kennebec county changed the twenty-five hundred to twenty-eight hundred, but twenty-five hundred was the figure recommended by the committee. I haven't the figures in mind, but as I recollect that corresponded with the recommendation of the committee.

Mr. PIERCE: The amendments are increased above the recommendation of the committee?

Mr. SANBORN: In each instance, as I understand it.

Mr. PIERCE: Mr. Speaker, I move that the House non-concur with the Senate in the adoption of the amendment.

The motion was agreed to.

Mr. Brown of Auburn moved that the House now take a recess until 4.30 o'clock this afternoon.

The motion was agreed to.

Afternoon Session

(Mr. Connellan of Portland in the Chair.)

The SPEAKER pro tem: Through an inadvertence this morning Senate Doc. No. 149, bill, An Act to equalize the salaries of registers of deeds received its third reading and was passed to be engrossed without the acceptance or rejection of Senate Amendments A and B.

On motion by Mr. Ricker of Castine, the vote was reconsidered whereby this bill was passed to be engrossed, and on further motion by the same gentleman the vote was reconsidered whereby this bill received its third reading.

The question being on the acceptance of Senate Amendment A, to amend by striking out the words "twelve hundred dollars" in the 10th line of Section 1 and inserting in place thereof the words "thirteen hundred dollars."

Mr. Ricker moved that the amendment be adopted in concurrence.

The motion was agreed to.

The question being on the adoption of Senate Amendment B in concurrence.

Mr. RICKER moved that the amendment be adopted in concurrence.

Mr. PLUMMER of Lisbon: Mr. Speaker, do I understand that this amendment provides that these fees may be kept by the registers of deeds and not turned over to the county?

Mr. PIERCE of Houlton: Mr. Speaker, if I may be allowed to inform the gentleman from Lisbon, Mr. Plummer, this amendment provides that the fees received for the examination of records go to the registers, but not the fees for recording instruments; they would still go to the county. That is the purpose of the amendment.

The SPEAKER pro tem: The Chair will inform the gentleman from Lisbon, Mr. Plummer, that this provides that they may keep the fees for making abstracts and copies of the records.

Mr. PLUMMER: Mr. Speaker, I have not thought particularly about this matter, but I notice according to the report of the joint special committee on salaries and fees from the 76th legislature, that all these fees should be turned over to the counties, and as I judge the bill in its present draft previous to the onering of this amendment covers that point. The bill also requires that they shall devote their entire time to the duties of the office. That is a part of the duties of their office, and I see no reason why it might not properly be so, as well as to help look up titles; and I see no reason why they might not turn these fees over to the county as well as the other. It strikes me, Mr. Speaker and gentlemen, that the tendency of the times is to hire men to do certain work and pay them a reasonable price for doing that work and that any fees that accrue to that particular office for work done in that office properly belongs to the persons, or to the county or State, or whatever corporation may hire them. I therefore trust, Mr. Speaker, that the amendment will not be adopted.

Mr. SANBORN of South Portland: Mr. Speaker, I think perhaps I may be able to enlighten the gentleman from Lisbon, Mr. Plummer, somewhat as to the real

scope of this amendment. This particular subject was one that gave the committee as much perplexity as we found in connection with any single matter which the committee considered at all. The fact of the case is this; the registers of deeds are not required nor are they obliged to do work for outside parties although it is a very great convenience to the public to have them do it. For instance, if I want to know about the history of a certain deed or a transaction in the registry of deeds, the office is open for me to go there and look it up myself; the register is bound to have the office open and ready for me. If I should happen to find that my friend, the gentleman from Lisbon, Mr. Plummer, were going up to Lewiston some day I might ask him if he would not slip in and look up that matter for me, and if he did it for me he would probably come back and report the information he obtained, and so there would be no charge for his services; but if he were not going up I should be obliged to call up the register of deeds and say to him that I wanted him to take the time to go and look up this matter for me. The register of deeds will very probably do it for me and will send me a copy of the deed which I asked him for, or will send me a history of all the transactions that have taken place in the conveyancing of a certain piece of property. If he does that for me I expect to pay him for it. Now, that is not one of his duties and he would not do it for me at the expense of leaving other work which he was obliged to do; nobody expects him to do it; he is required to give his entire time to the duties of the office, but, as we all know, there are many hours during the day when the register of deeds may not be specifically occupied but it is true that a great many of the registers of deeds do work of this sort evenings and out of office hours, and they do it for the purpose of picking up a dollar here and there, which is absolutely legitimate work and they can do it and they are well fitted to do it, and it is a great convenience, not only to attorneys but to private individuals; and when a man gets from the register of deeds a copy of a paper in connection with the history of a piece of real estate he feels that he is probably getting it fairly ac-

curate. Now, this kind of work which the registers do is a matter of convenience to the public; it is work which the duties of their office do not require them to do, and it is work which they have always charged for, and as far as I know they have always charged moderately; I never have heard a complaint that they have overcharged anybody. They usually charge fifty cents for a great deal of the work they do, and if the work should require a whole evening, they might possibly charge a dollar for it; and in case a party is some distance from a county seat the attorney would rather pay that money than to make the trip there himself. The fees of the office under this act will all go to the county, that is, for recording and for furnishing certified copies which shall be used in court, and fees for discharging mortgages and attachments and all that sort of thing will all go to the county as they have been because they are the fees required to be charged and are fixed by statute, but these little fees that the registers are able to pick up where the work does not interfere with their regular work is a matter of great convenience to the public and to the attorneys, and it is only fair that they should be paid for that. As a matter of act the committee left that matter in these words, "the fees for work performed by virtue of the office"; and we thought that was sufficiently explicit, but some in the Senate who were fearful that those words might not be construed to mean exactly what they say and in order to make it certain they put in this amendment in order to make it perfectly plain that there was a mutual understanding. So I trust with that explanation the gentleman from Lisbon, Mr. Plummer, will withdraw his objection to the amendment.

Mr. PLUMMER: Mr. Speaker, I will withdraw my objection, but I will state that I think that the gentleman from South Portland, Mr. Sanborn, is perhaps in error as to the recommendation of the committee. The committee said, "We recommend legislation requiring registers of deeds to give their personal attendance in their office at all times, and providing that all fees charged for any work performed in the office by the register or any clerk, whether it be searching titles,

making an abstract or furnishing copies, either attested or otherwise, be paid over to the county." However, I will withdraw my objection.

Mr. SANBORN: Mr. Speaker, I may make an explanation upon that point if it is desired, and in my observations about the committee I refer to the present legislative committee. It is true that the recess committee, of which I was a member, did make that recommendation, and when we came to apply it in drafting this bill we found it would not be practical. We found, as a matter of fact, there were registers in some of the counties where there was such a great demand—and the demand did not come from the registers of deeds, but from attorneys who said that they could not be cut off from this privilege which they had. So that I trust this will explain the matter.

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

Mr. Douglass of Webster moved that the amendment be adopted.

The motion was agreed to.

The bill was then assigned for tomorrow morning for its third reading.

The SPEAKER pro tem: The Chair lays before the House, House Doc. No. 148, bill, An Act to equalize the salaries of sheriffs.

Mr. PIERCE of Houlton: Mr. Speaker, what is the present status of the amendment?

The SPEAKER pro tem: The Chair will state that the amendment was accepted this morning and before we had an opportunity to give the bill its second reading a recess was taken.

Mr. PIERCE: Mr. Speaker, I think the amendment was rejected this morning.

The SPEAKER pro tem: The Chair will inform the House, after consultation with the clerk, that the gentleman from Houlton, Mr. Pierce, is right, and that the Senate amendments were rejected.

On motion by Mr. Ricker of Castine, the vote was reconsidered whereby the House voted this morning to non-

concur with the Senate in the adoption of the Senate Amendment B.

Mr. SANBORN of South Portland: Mr. Speaker, I would like to inquire if the motion applies to all three amendments which were rejected, or only to the amendment rejecting the provision in regard to Hancock county?

The SPEAKER pro tem: The Chair will inform the gentleman from South Portland, Mr. Sanborn, that there was one amendment; it affected several counties, but there was but one amendment.

Mr. RICKER of Castine: Mr. Speaker, the bill at the present time before the House then leaves the matter with reference to Hancock County at \$1400 or \$1600?

The SPEAKER pro tem: \$1400.

Mr. RICKER: Mr. Speaker, I understood that the bill as it came from the Senate read "\$1600."

The SPEAKER pro tem: The Chair will inform the gentleman from Castine, Mr. Ricker, that was the amendment.

Mr. RICKER: Mr. Speaker, I wish to concur with the Senate on the amendment giving \$1600 to the sheriff of Hancock County; and for that reason I move that the House do now concur with the Senate on the amendment.

The SPEAKER pro tem: The Chair will inform the gentleman from Castine, Mr. Ricker, that this morning the House voted to non-concur with the Senate; we have now reconsidered that action, and if I understand the gentleman now, his motion is that we concur with the Senate in the adoption of Senate Amendment B to Senate Doc. No. 148, so far as Hancock County is concerned.

Mr. PIERCE of Houlton: Mr. Speaker, I rise to a point of parliamentary inquiry. I do not see how we can concur with the Senate in the adoption of part of the amendment and not concur in the adoption of the whole amendment.

Mr. RICKER: Mr. Speaker, I will make my motion to apply to the whole

amendment. To be perfectly frank in the matter, it seems to me the matter is somewhat mixed up between two or three counties, and if it is necessary for me to move to concur on the whole amendment, I am willing to do so if that is satisfactory to the other counties.

Mr. LOMBARD of Old Orchard: Mr. Speaker, this amendment applies to York County, and while I am willing it should apply to any other county, as far as it refers to York County I object, I will therefore move that the House do concur as to York County.

The SPEAKER pro tem: The Chair will rule that the House should either concur or non-concur with the entire amendment, as suggested by the gentleman from Houlton, Mr. Pierce.

Mr. Lombard moved that the House concur in the adoption of the amendment.

Mr. PIERCE: Mr. Speaker, I do not have any particular interest in regard to what they pay their sheriffs in either Hancock, York or Kennebec counties. I am not a tax payer in either one of those counties, and for that reason I have no particular concern about it. I only made the motion this morning from the fact that I took it off of the table, and I would say that it does not seem reasonable that the House should over-ride the unanimous report of the committee on salaries and fees simply because some one county may feel that it is not satisfied. If the report of the committee on the amendment is not correct I should be very glad to hear arguments upon the subject from these different counties, but I cannot see why the House should do what we are asked to do, and proceed to turn down the report of the committee.

Mr. WESCOTT of Bluehill: Mr. Speaker, I have a great respect for the unanimous report of a committee upon anything; I have great respect for the committee on salaries and fees in particular, because I know that committee is composed of some of the finest men we have here, men of good judgment and integrity; but I think they will agree with me that it is impossible for them to get this matter abso-

lutely correct and satisfactory to all concerned. Now so far as the county of Hancock is concerned, we have in recent years had good, clean, efficient Democratic sheriffs down there, and we have had good, clean, efficient Republican sheriffs. They are elected only for two years; and the circumstances are such politically that their chances of being re-elected are very poor. They have to move to the county seat and put in their entire time and I feel that the \$1600 which has been given to them as their salary for many years without objection as far as I know from a taxpayer,—and I sincerely hope that this House will vote to concur with the Senate and give our sheriff the same salary which he now gets.

Mr. LOMBARD: Mr. Speaker, the same situation prevails in the county of York, but there is no call in the county of York for a reduction in the salary of the sheriff from \$2500 to \$2400. In fact it is a reduction of only \$100, and I think the people of our county prefer that it should remain as it is, and for that reason I insist upon my motion to concur.

Mr. SANBORN of South Portland: Mr. Speaker, I think that perhaps this time would be as opportune as any for me to say just a few words, which may be equally applicable to the other acts in regard to other salaries as to the case in hand. I appreciate the fact that this committee on salaries and fees—and I now refer to the vacation committee—has been the object of a great amount of attention and no little criticism. I do not believe that anyone has criticized either the committee, or any of its membership, unduly or unkindly. It was absolutely necessary in the nature of the case, considering the nature of the work thrust upon us, that we should invite criticism. It would be absolutely impossible for any man, or any set of men, not possessing infinite wisdom and sagacity to make a report covering the salaries of all the county and State officials without displeasing some people or some interests. I think it is true, as has been intimated, that the public generally credit the committee with having been honest, with having

been attentive to their work, and perhaps with having reached as good a set of results as any other similarly selected body of men could have done. I do not want in any sense to pose here as a martyr, although on occasions I think there have been some remarks passed in regard to some of us fellows which might not have been made on sober reflection; but I am sure that on our part we treasure up no unkindness. We recognize the fact distinctly that our work could not but help be disappointing to some.

Now what this committee undertook to do was just what we were asked to do in the order which authorized our appointment; and that was to report an equalization of salaries. To the best of our ability we did that, and I say in fairness that it ought to stand for something that that report was a unanimous report; although, of course, it cannot be said that as to every figure and every detail we were as one. However, we were so nearly so that every member could in good conscience sign the report as a whole. I am not going to undertake to defend the committee; I am not going to undertake to tell you how much work we did or how laborious our work was, nor how faithful we were. We did it as any other committee would do it, according to the best of our ability in the time we had at our disposal. We could have incurred much more expense for the State by employing attorneys, stenographers, and very many other expenses. We tried to do it faithfully, having due regard to the necessities of the case. In all the offices we simply undertook to compare the evidence which in our minds entered into a determination of the matter before us. For instance, in the case of county attorneys, different elements into the computation than would enter into the cases of registers of deeds and judges of probate. I will limit it now to the matter in hand, that of sheriffs. We considered the size of the county territorially, the population and the valuation; and I think it will be found, if I am not in error,—and I realize the fact that I am as liable to error as anyone; but if I am not in error I think it will be found

that, if you compare the entire list of figures turned in by the committee, and recommendations for salaries of sheriffs, you will find that in no instance is a figure given for any sheriff which is larger or smaller by comparison than would be warranted by the composite population and valuation of the county. An examination of them all, and a comparison of the population and valuation will reveal the fact that the scale of figures corresponds when applied to salaries with the scale of figures when applied to population and valuation. Such, at least, was the purpose.

Now as to two counties which are prominently figuring in this particular matter—Hancock and Kennebec: It was found to be true with reference to Hancock county, that not only the office of sheriff, but nearly every other county office, the salary was far larger than was warranted when the size, population and valuation of the county were considered; it was out of proportion to the other counties. The reason for that is perfectly easy to find. In the past the county officials have come to the legislature one at a time, and asked to have their salaries increased; and I submit, gentlemen—we found it to be true, and you will find it to be true here—that in any case, I care not what one it is, in any county, and with reference to any county officer, if that case is considered singly, the proponents can invariably present a colorable case to show why that salary ought to be increased. They can always do it. Down in Hancock county they have been looking after their welfare, as they had a perfect right to do; it is no reflection on the county, its people or officials. Apparently they have been going along and making out a perfectly good case to show why their officials should have an increase of salary, and they have got it. In other counties the officials have been more modest, and have not presented their claims. The result is that in that county they were high in proportion, but I am not going to say that any officer in Hancock county was or is receiving a higher salary than he

ought to receive. I am not undertaking to discuss that question at all. I say frankly that our condition as a State is such that we cannot materially increase the salaries of all our county and State officials. I like to see high salaries; I like to see officials receiving high salaries. It has been a matter of some shame to us when we have compared the salaries paid in Maine to State officials with salaries paid to corresponding officials in other New England states where we rank far below them by comparison; but we must cut our garment according to our cloth, and the only question is, do you think it fair, do you think it proper to say that the salaries of the sheriffs of the counties shall be proportionate? Or do you think it proper—and it is fair for you to consider the question—when gentlemen from Hancock county come here and ask for a bonus for their sheriff, to say to them, “why certainly; if you people down in Hancock county who pay the bills would like to be able to say that your sheriff is receiving a couple hundred dollars more than would be ratable the State over, if you prefer to pay him on that basis, and are able to, we as a legislature have no quarrel with you.” To Kennebec county we may well say, “having regard to your being the capital, and being a wealthy county, if you would like the privilege of assessing your taxpayers to pay your sheriff three hundred dollars more than would be proportionate the State over, we as a legislature are perfectly willing that you should do so.” I submit that is a fair view of it, and, if you adopt these amendments, that is the view you take of it. I want to be definitely understood that in this case, as in all others, if you change the recommendations made by the committee, either up or down, you are not giving the slightest offence to any member of the committee. We only purpose to give you a ratable result, leaving to you to determine in what cases you will, for good cause shown, vary from the ratable result; and you are perfectly at liberty to say to the sheriff of Ken-

nebec county that "you should get, because this is the capital city, and this is a large county, three hundred dollars more than would be ratable."

In our investigations over the State we were confronted always by the officials, and those who represented them, and in no instances were we confronted by the representatives of the taxpayers. They have no particular way of getting before us here in this body. We can listen to the arguments of gentlemen who say that the sheriff of Hancock county ought to receive two hundred dollars more, or the sheriff of Kennebec county ought to receive three hundred dollars more; and in my remarks I am leaving out York because the difference is so slight that it might perhaps well be regarded as immaterial. We can well listen to the arguments of these gentlemen, and I submit they will make out a good case. There are good reasons why the sheriff of Kennebec county should be paid \$2800; I agree to that. I have no doubt there are good reasons why the sheriff of Hancock county might well receive \$1600; but what opportunity did the taxpayers have of expressing their views to the committee. They had no opportunity. Why, you will say, "yes, they did; the hearings were advertised, and they might have come in." But you know how shallow that argument is. There was nobody whose special business it was to say that he was delegated to represent the voters of the county, and we did not hear them. We had no way of getting at their sentiments or their feelings; but we were confronted, and you will be confronted here, by gentlemen who will say to you that the officer will be glad to receive more pay, and that it will be proper to give him more pay. Now if you want to heed that request, as I said before, you will not offend any member of this Committee on Salaries and Fees. We did our duty, leaving it to you to add to and take from as you may see fit; but if you do this it should be because you feel that for some reason the taxpayers of that county ought to be glad to contribute

a little out of proportion to those of other counties.

I am aware that this is a large subject and one of infinite detail, and I am also aware that I have probably not touched on a tenth part of the elements which might properly enter into the discussion of it. I am aware that it would be possible for any one of you to ask questions which would lead us into other phases of it. I have no disposition to avoid or evade, but only, if I may, in a small way to be helpful to you in arriving at an intelligent and equitable result.

Mr. BLAKE of Oakland: Mr. Speaker, I do not wish to cast any reflections upon the Committee on Salaries and Fees; but I would like to say that the delegation from Kennebec county is unanimously agreed that the salary of the sheriff should remain at \$2800. We do not wish the salary increased, but only ask that it remain at \$2800. In 1905 the salary of the sheriff was fixed at \$2800. Now no one will say that the duties of the sheriff have decreased in that time—the last ten years; on the contrary they have increased. Within the sheriff's jurisdiction are four cities, and in addition to his other duties he is obliged to attend court many months of the year, not only in Augusta but also in Waterville. The delegation believe that this salary should remain at \$2800, and we do not wish to see his salary cut to \$2500, as proposed by the committee. Therefore we concur with the Senate in adopting the amendment.

Mr. WESCOTT of Bluehill: Mr. Speaker, no Hancock county officials have come to the legislature recently asking for any increase in salary, so far as I know; neither do they ask for any increase at this time. They simply ask to have the salaries remain just exactly where they have been for years, and where I believe they belong. Hancock county is only third from the last of the sixteen counties in the State in the amount which it pays in each year into the State treasury. From the inheritance tax in 1914 Hancock county paid into

the State treasury \$29,541.49, or a little more than the total running expenses of the county for that year. Now I ask in all fairness, not for an increase, but to let the salaries remain as they are.

Mr. PIERCE of Houlton: Mr. Speaker, I would like to call attention to Rule 32, Rules of the House, which reads as follows: "32. Propositions to amend by striking out and inserting dates, numbers and sums, are not divisible; but all propositions, otherwise divisible, shall be divided at the request of any ten members." We are now voting on the matters of sheriffs in three different counties. Obviously they are not the same questions, and have no connection one with the other. I would move that this question be divided, and that we vote separately on York, Kennebec and Hancock counties.

Mr. LOMBARD of Old Orchard: Mr. Speaker, I think the motion now should be to concur with the Senate in adopting the amendment, and that this would require no division.

Mr. PIERCE: Mr. Speaker, the question is whether we adopt this amendment. Now I ask if we adopt it all or one by one.

The SPEAKER pro tem: The amendment is divisible, and action may be taken on it one by one as the gentleman suggested.

Mr. BLAKE: Mr. Speaker, this matter was threshed out in the Senate, and I see no need of making a division. I see no reason why the House should not concur with the Senate.

Mr. PIERCE: Mr. Speaker, I cannot see why the House is obliged to do just as the Senate does, and I can see no earthly connection between the salary of the sheriff of one county and that of the sheriff of another county. However, if ten members request a division, I understand that is the rule.

Mr. PLUMMER of Lisbon: Mr. Speaker, some of the members who were here two years ago will recollect that there was a flood of bills

coming in here increasing the salaries of about every officer, county and State. The legislature at that time deeming itself perhaps incompetent with the light it had upon the subject to pass upon the matter decided to create a committee on salaries and fees which should sit during the recess and report to this legislature. That committee made its report. Now, as some of you may know, I have no great reverence for the report of a committee in itself. It seems to me the burden is strongly upon those who would upset that report. If we take up one part of this at a time and increase a little here according to the report of the committee—and I don't say that that would increase any salaries as they existed before, although it is not unlikely that before we get through we may do so—but if we increase these salaries as reported by this committee we are just exactly in the situation with regard to the salaries in the different counties of the State that we were before we started two years ago; and the situation in two years from now, as it seems to me will be this, that we are likely again to have a flood of bills here increasing the salaries of the different officers in the different counties and in the different sections of the State on the very plea that in spite of the report of this committee, those salaries are now out of proportion to the others which were not increased, and we shall be, as I say, right where we were two years ago, that is, right where we started. As the situation is now it is very likely true that whether this question is defeated or whether it is carried through all at once will make mighty little difference. I imagine these gentlemen from Hancock, Kennebec and York counties will regard themselves as somewhat in the situation of Benjamin Franklin of the Continental Congress at the time they signed the Declaration of Independence, when Mr. Franklin is said to have stated, "Now, gentlemen, we must all hang together or we shall surely hang separately."

Mr. WESCOTT of Bluehill: Mr. Speaker, I don't care anything about

Benjamin Franklin or the Continental Congress, but I would like to have the salary of our sheriff down in Hancock county remain right where it is; and I would like to have it put before the House in some way so that a decision may be reached to that effect, and that is all there is to it. (Applause.)

The SPEAKER pro tem: The Chair will rule that this amendment being an amendment to strike out and insert other sums is not divisible. The question is upon the motion of the gentleman from Castine, Mr. Ricker, on the adoption of Senate Amendment B to Senate Document No. 148, in concurrence.

Mr. PIERCE: Mr. Speaker, there is just one more thing I would like to call to the attention of the House. The salary of the sheriff in the county of Cumberland under the provisions of this report is \$3400. The Senate refused to adopt the amendment which would raise the salary of the sheriff of Cumberland county to \$4000. The proposition is to increase the salary of the sheriff in Kennebec county from \$2500 to \$2800. I would like to hear reasons given for that change. It does not seem to me that Cumberland county is too large and too important in comparison with the other counties to say that the sheriff's salary in those two different counties should be within \$300 of each other. In regard to the salary of the sheriff in York county, as the gentleman from South Portland, Mr. Sanborn, says, it is so small that I do not think it is worth while to mention. According to the statement made in the Senate the other day, which I presume is not contradicted, all the members of the delegations in this legislature do not believe that the report of the committee on salaries and fees is incorrect. It seems to me that the action of the Senate in the matter is absolutely illogical and inconsistent, to say that a smaller county should have the salary of its sheriff closely approximating the salary of the sheriff of Cumberland county.

Now, it seems to me this legislature is charged with the responsibility of

fixing these salaries throughout the State, and they ought to be on an even basis. These people from Hancock county say that they have a sheriff and they would like to pay him more. The fact that a man or an officer has received too much in the past does not seem to me like a very fair argument as to why he should receive too much in the future; it is logic which I cannot see the application of. This act makes no hardship upon any present incumbent of any office, as the salary provided by this act stays where it was at the time he was elected until his term has run out, so that no man is going to be put to the sacrifice of being obliged to serve a county for \$2500 when he was elected on a \$2800 basis; he gets his \$2800 as long as his term continues. As I say, I have no particular interest in the matter one way or another, only we have gone to the extent of having this committee on salaries and fees and they have gone over the State attending to the duties which were placed upon them; and it seems to me if we should differ with them it would be in a manner to raise the entire level of salaries, but to pick out one or two and keep them up above the level and not take all the rest of them up is not consistent or fair.

Mr. WESCOTT: Mr. Speaker, I think that the office of sheriff of the great county of Cumberland is one of the best offices within the gift of the people of the State of Maine, and it takes just exactly as good a man for the position of sheriff of Hancock county as it does for sheriff of Cumberland county. He has got to put his whole time into the matter just the same, and I cannot see the consistency when they ask us to cut the sheriff of one county down to \$1600 and put the other fellow up to \$4000—as I say, I cannot see the consistency of it. I would like to have the House vote upon the matter.

Mr. FLAKE of Oakland: Mr. Speaker, I don't know very much about the duties of the sheriff in Cumberland or York counties or in the county of Hancock. I have investigated somewhat the conditions in regard to the

sheriff of this county, and I think the delegations should have something to say as to the salary. I am perfectly willing to abide by the wishes of the delegations in each county; but there is one condition in Cumberland county which differs from the conditions prevailing in Kennebec county, if I am correctly informed, in that the sheriff of Cumberland county is not obliged to attend court, and that eliminates some of the duties connected with the office.

Mr. SNOW of Mars Hill: Mr. Speaker, in the Senate when this matter came up the salary of the sheriffs of these three counties was changed by an amendment covering all three counties. The gentleman from these counties in this House have all spoken in favor of this amendment. No one from these counties has said one word, either in the Senate or in the House, against that amendment. I think it is clear how we should vote.

The question being on the adoption of Senate Amendment B in concurrence.

A viva voce vote being taken,

The amendment was adopted.

On motion by Mr. Ricker of Castine the bill then received its second reading as amended and was assigned for tomorrow morning for its third reading.

The Chair lays before the House order requesting the Senate to return House Resolve 108, assigned for today.

On motion by Mr. Pierce of Houlton, the order was indefinitely postponed.

The Chair lays before the House order requesting the Senate to return House Resolve 110, table by Mr. St. Clair of Calais.

On motion by Mr. St. Clair, the order received its passage.

The Chair lays before the House Senate Report from the committee on salaries and fees on bill "An Act to equalize the salaries of county commissioners," tabled pending acceptance in concurrence.

On motion of Mr. Brann of Winthrop, the report of the committee was accepted, the bill received its second reading

and tomorrow morning was assigned for its third reading.

The Chair lays before the House Resolve appropriating money for the reconstruction of Lord bridge in Frankfort, tabled by the gentleman from Lisbon, Mr. Plummer, pending its final passage.

On motion by Mr. Plummer of Lisbon this resolve was again tabled, and specially assigned for consideration on March 18.

The Chair lays before the House Resolve appropriating money to aid in repairing highway in Otisfield, tabled by the gentleman from Lisbon, Mr. Plummer, pending its final passage.

On motion by Mr. Plummer of Lisbon, this resolve was again tabled and specially assigned for consideration on March 18.

The Chair lays before the House Resolve appropriating money to aid in construction of bridge across Sebec river in Milo, tabled by the gentleman from Lisbon, Mr. Plummer, pending its final passage.

On motion by Mr. Plummer of Lisbon, this resolve was again tabled and specially assigned for consideration on March 18.

The Chair lays before the House Resolve appropriating money to aid in reconstruction of bridge in Montville, tabled by the gentleman from Lisbon, Mr. Plummer, pending its final passage.

On motion by Mr. Plummer of Lisbon, this resolve was again tabled and specially assigned for consideration on March 18.

The Chair lays before the House Resolve appropriating money to aid in rebuilding a road through Lowell's Woods in the town of Penobscot, tabled by the gentleman from Houlton, Mr. Pierce, pending its final passage.

On motion by Mr. Pierce of Houlton this resolve was again tabled and specially assigned for consideration on March 18.

The Chair lays before the House Resolve appropriating money to aid in building a bridge across Mattagoodus stream in the plantation of Webster in Penobscot county, tabled by the gentleman from Houlton, Mr. Pierce, pending its final passage.

On motion by Mr. Pierce of Houlton

this resolve was again tabled and specially assigned for consideration on March 18.

The Chair lays before the House Resolve appropriating money to aid in repairing the New Kenduskeag road in the town of Glenburn, and providing for its future maintenance, tabled by the gentleman from Houlton, Mr. Pierce, pending its final passage.

On motion by Mr. Pierce of Houlton this resolve was again tabled and specially assigned for consideration on March 18.

The Chair lays before the House Resolve appropriating money to aid in building a bridge across Kenduskeag stream in the town of Corinth, tabled by the gentleman from Houlton, Mr. Pierce, pending its final passage.

On motion by Mr. Pierce of Houlton this resolve was again tabled and specially assigned for consideration on March 18.

The Chair lays before the House Resolve appropriating money to aid the town of Forest City in repairing and reconstructing a bridge, tabled by the gentleman from Houlton, Mr. Pierce, pending its final passage.

On motion by Mr. Pierce of Houlton this resolve was again tabled and specially assigned for consideration on March 18.

The Chair lays before the House Resolve appropriating money to aid in repairing the Machiasport and East Machias bridge, tabled by the gentleman from Houlton, Mr. Pierce, pending its final passage.

On motion by Mr. Pierce of Houlton this resolve was again tabled and specially assigned for consideration on March 18.

The Chair lays before the House Resolve appropriating money to aid in the repair and maintenance of the Gardiner and Randolph Bridge, tabled by the gentleman from Houlton, Mr. Pierce, pending its final passage.

On motion by Mr. Pierce of Houlton, this resolve was again tabled, and specially assigned for consideration on March 18.

The Chair lays before the House Report of the Committee on Towns reporting "ought to pass" on bill, An Act to divide the town of Bristol and to

incorporate the town of South Bristol, tabled by the gentleman from Nobleboro, Mr. Mulligan, pending its acceptance.

On motion by Mr. Mulligan of Nobleboro the report was accepted.

Mr. MULLIGAN of Nobleboro: I move that this bill have its first reading.

The SPEAKER pro tem: The Chair will inform the gentleman from Nobleboro that this matter will lie on the table under joint rules for printing. The Chair presumes by unanimous consent the matter could be taken up. The Chair will inform the gentleman from Nobleboro, Mr. Mulligan, that the Chair rules that this is a joint rule, and therefore the Chair believes it would have not authority to suspend a joint rule.

The Chair lays before the House An Act to equalize the salaries of the Judges of Probate, tabled by the gentleman from Lisbon, Mr. Plummer.

On motion by Mr. Plummer of Lisbon, this bill was again tabled, and specially assigned for tomorrow.

On motion of Mr. Pierce of Houlton, the rules were suspended and that gentleman was permitted to introduce out of order the following order:

Ordered, that the clerk of the House be directed to prepare a schedule of acts and resolves carrying an appropriation or involving the expenditure of money, including all such acts and resolves as have already received the signature of the Governor, such as have been reported to the House or Senate and such as are now pending before committees. Said schedule shall be printed and a copy thereof laid on the desk of each member on or before March 16th. The clerk is authorized to procure and pay for any assistance necessary in the preparation of such a schedule, and the secretary of each committee is hereby instructed forthwith to prepare a statement of such work of his committee as would be of use in prepar-

ing such a schedule and file the same with the clerk.

The order received a passage.

Mr. BONNEY of Bowdoinham: Mr. Speaker, I would ask that the rules be suspended and that I may be permitted to introduce a resolve. I will explain that the substance in part of this resolve has been incorporated in a resolve from the library committee and has been rejected, or rather it was reported upon adversely, that legislation thereon was inexpedient, which report has passed both branches.

It is the unanimous wish of the committee on library that this matter be again placed in their hands. I have conferred with the Speaker upon the subject and he assures me that this is the proper way to proceed, to reintroduce it; and I move that the same be received and that it be referred to the committee on library.

Unanimous consent was given and Mr. Bonney presented Resolve in favor of the Maine State library, which was then referred to the committee on library.

On motion by Mr. McCarty of Lewiston, Senate Doc. No. 150, bill, An Act to equalize the salaries of registers of probate, was taken from the table.

Mr. McCarty offered House Amendment A, to amend by striking out the word "twelve" in the fifth line thereof and inserting in lieu thereof the word "fifteen."

Pending the adoption of the amendment, on motion by Mr. McCarty the bill and amendment were tabled and specially assigned for consideration tomorrow.

On motion by Mr. Thombs of Lincoln, House Doc. No. 575, bill, An Act in favor of the union of the towns of Dover and Foxcroft as one municipality, was taken from the table.

On further motion by Mr. Thombs the bill received its second reading and was assigned for tomorrow morning for its third reading.

On motion by Mr. Pierce of Houlton, the Senate report of the committee on State School for Boys and Industrial School for Girls, reporting "ought to pass" on bill, An Act to establish a reformatory for women, was taken from the table.

On further motion by Mr. Pierce, the report of the committee was accepted.

On further motion by Mr. Pierce, the bill, Senate Doc. 215, received its first and second readings.

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

On further motion by Mr. Pierce, Senate Amendment A was adopted and the bill was then assigned for tomorrow morning for its third reading.

On motion by Mr. Plummer of Lisbon, Senate Doc. No. 218, Resolve in favor of Gorham P. Grant for refund of money paid in lieu of military service in the late War of the Rebellion, was taken from the table.

Mr. ST. CLAIR of Calais: Mr. Speaker, before that bill receives its passage I would like to inquire into the merits of it. It seems to go back a good ways.

Mr. PLUMMER: I would inform the gentleman from Calais, Mr. St. Clair, that there is a statement of facts in connection with the resolve which may give him some information.

The resolve then received its second reading, and on motion by Mr. St. Clair was indefinitely postponed.

On motion by Mr. Pollard of Solon, the rules were suspended and that gentleman was given unanimous consent to introduce out of order Resolve in favor of the State Highway Commission.

On further motion by Mr. Pollard the resolve was referred to the committee on ways and bridges.

On motion by Mr. Plummer of Lisbon, Senate Doc. No. 223, bill, An Act relating to the payment of salaries of judges of probate, was taken from the table.

On further motion by Mr. Plummer the bill received its third reading and was passed to be engrossed.

On motion by Mr. Goodwin of Mexico, unanimous consent was given and that gentleman presented out of order the following order.

Ordered: The Senate concurring, that the Commissioners of Inland Fisheries and Game cause to be compiled in convenient form the inland fish and game

laws, including all such laws passed by this legislature, and that not exceeding 20,000 copies be printed for general distribution; and the Governor is authorized to draw his warrant for the payment of same on the amount appropriated for the purposes of operating the fish hatcheries and feeding stations for fish and

for the protection of fish, game and birds, and for the printing of the report of the Comissioners of Inland Fisheries and Game.

The order received a passage.

On motion by Mr. Perkins of Augusta.

Adjourned until tomorrow morning at nine o'clock.