

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Seventh Legislature

OF THE

STATE OF MAINE

1915

HOUSE

Friday, March 12, 1915.

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

Prayer by the Rev. Mr. Mosher of Augusta.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

The SPEAKER: The Chair lays before the House bill, An Act to change the name of the Board of Trade of Portland. This bill was received in the Senate under a suspension of the rules, read twice and passed to be engrossed in that branch.

On motion by Mr. Connellan of Portland, the rules were suspended and the bill was received in the House at this time; on further motion by the same gentleman the rules were suspended and the bill received its first and second readings at this time; also on further motion by the same gentleman the rules were suspended and the bill received its third reading at the present time and was passed to be engrossed without reference to a committee.

Senate Bills on First Reading

Senate 129: Resolve in favor of the Madawaska Training School at Fort Kent for the construction of a suitable dormitory building and to provide furnishings for the same.

Senate 238: Resolve in favor of aid in building a bridge across Sourdabscok Stream in the town of Hampden.

Senate 287: Resolve in favor of rebuilding bridge in the town of Cutler.

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. Robinson of Bangor: An Act entitled "An Act to create a state

fund to be known as the State Contingent Fund.

By the same gentleman: An Act to establish in Bangor, Maine, a home for convalescents and incurables.

Legal Affairs

By Mr. Hill of Corinth: An Act to provide for the confirmation of the enforcement of deputy sheriffs.

By the same gentleman: An Act to provide for the disposition of contraband liquors. (Ordered printed and referred.)

By Mr. Turner of Hartford: An Act to amend Section 54 of Chapter 125 of the Revised Statutes, relating to the appointment of cruelty agents. (Ordered printed and referred.)

Placed on File

By Mr. Wyman of Kingfield: Petition of Melvin S. Hutchins, pastor of Federated Church, Phillips, Maine, for a state reformatory for women.

Public Buildings and Grounds

By Mr. Gooding of Yarmouth: Resolve providing for steel filing cases in the office of the State Treasurer.

Sea and Shore Fisheries

By Mr. Jameson of Friendship: An Act to provide for plugging lobsters.

Ways and Bridges

By Mr. Colcord of Portland: An Act for the temporary licensing of automobiles and motor vehicles. (Ordered printed and referred.)

Reports of Committees

Mr. Washburn from the committee on agriculture reported "ought to pass" on bill, An Act relating to the removal of nests of the brown-tail moth within the limits of highways.

Mr. Higgins from the committee on appropriations and financial affairs reported "ought to pass" on Resolve in favor of H. E. Nicholas, secretary, committee on appropriations and financial affairs.

Same gentleman from same committee on Resolve in favor of Fortunat O. Michaud reported the same in a new draft under same title and that it "ought to pass."

Mr. Ricker from the committee on education on Resolve in favor of Higgins Classical Institute, Charleston, Maine, re-

ported the same in a new draft under the same title and that it "ought to pass."

Same gentleman from same committee on Resolve in favor of Lee Academy for liquidation of its dormitory indebtedness reported the same in a new draft under same title and that it "ought to pass."

Same gentleman from same committee on Resolve in favor of Tucker Classical Institute reported the same in a new draft under the same title and that it "ought to pass."

Same gentleman from same committee on Resolve in favor of Westbrook Seminary for a central heating plant at said institution, reported the same in a new draft under title of "Resolve in favor of Westbrook Seminary for payment of debt and furnishings for Alumni hall," and that it "ought to pass."

Same gentleman from same committee on Resolve in favor of North Yarmouth Academy, reported same in a new draft under same title and that it "ought to pass."

Mr. Snow from same committee on Resolve in favor of Aroostook Central Institute at Mars Hill, reported same in a new draft under same title and that it "ought to pass."

Mr. Ricker from same committee on Resolve in favor of the town of Rumford for the payment of additional State school funds for the year 1913, reported the same in a new draft under title of "Resolve in favor of the town of Rumford for the payment of a claim for State common school fund for the year 1913," and that it "ought to pass."

Same gentleman from same committee on Resolve in favor of Limerick Academy, reported the same in a new draft under same title and that it "ought to pass."

Same gentleman from same committee reported "ought to pass" on Resolve in favor of Bridgewater Classical Academy.

Same gentleman from same committee reported "ought to pass" on Resolve in favor of Somerset Academy in the town of Athens.

Same gentleman from same committee, reported "ought to pass" on Resolve in favor of Lee Academy for maintenance.

Same gentleman from same committee, reported "ought to pass" on bill, An Act to amend Chapter 73 of the Public Laws of 1909, relating to the examination of pupils entering school after absence on account of sickness.

Same gentleman from same committee, reported "ought to pass" on bill, An Act to provide for professional supervision of schools of remotely situated plantations.

Mr. Gerish from the committee on inland fisheries and game, on bill, An Act additional to Chapter 32 or the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to fishing in Simpson pond, so-called, in the town of Roque Bluffs, in the county of Washington, reported the same in a new draft under same title and that it "ought to pass."

Same gentleman from same committee from same committee on petition of C. E. Wilson and 37 others, residents of Kennebec county, asking that Fifteen Mile stream and its tributaries be closed to trout fishing for four years, reported bill, An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relative to fishing in Fifteen Mile stream and its tributaries in the county of Kennebec and in the county of Waldo.

Mr. Pierce from the committee on judiciary, reported "ought to pass" on bill, An Act to authorize the Electric System Corporation of Edmunston, New Brunswick, to exercise certain powers in this State.

Mr. Thibodeau from the committee on library, reported "ought to pass" on Resolve relating to documentary history of Maine.

Mr. McIntire from the committee on salaries and fees, reported "ought to pass" on bill, An Act to provide for salary for the turnkey or jailer for the county of Oxford.

Mr. Welch from same committee on bill, An Act relative to the salaries of the subordinate officers of the House of Representatives, reported the same in a new draft under same title and that it "ought to pass."

Mr. Danforth from the committee on

school for feeble-minded, reported "ought to pass" on Resolve for the construction of a power and central heating plant at the Maine School for Feeble-Minded.

Same gentleman from same committee, reported "ought to pass" on Resolve in favor of improving roads through the property of the School for Feeble-Minded in the towns of Pownal, North Yarmouth, Gray and New Gloucester, with statement of facts.

Same gentleman from same committee reported "ought to pass" on Resolve providing for fencing around the new water supply at the Maine School for Feeble-Minded.

Same gentleman from same committee, reported "ought to pass" on Resolve providing for additional laundry equipment at the Maine School for Feeble-minded.

Same gentleman from same committee, on Resolve providing for permanent outside service extension to present and proposed new buildings at the Maine School for Feeble-Minded, reported the same in new draft under same title and that it "ought to pass".

Same gentleman from same committee, on Resolve for the full support of all State charges at the Maine School for Feeble-Minded, reported the same in a new draft under same title and that it "ought to pass".

Mr. McCurdy from the committee on Sea and Shore Fisheries reported "ought to pass" on bill, An Act regulating the taking of clams in the town of Lamoine.

Same gentleman from same committee, reported "ought to pass" on bill, An Act establishing a close time on lobsters in the waters of Jonesboro and Roque Bluffs, in Washington County.

Same gentleman from same committee, reported "ought to pass" on bill, An Act establishing a close time on lobsters in Machias Bay and adjacent waters in the county of Washington.

Mr. Wyman from the Committee on State Lands and Forest Preservation on bill, An Act for the protection of forests on the island of Mt. Desert, reported the same in a new draft under same title and that it "ought to pass".

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

Mr. Washburn from the Committee on Agriculture, reported "ought not to pass" on bill, An Act to amend Chapter 15 of the Public Laws of 1907, as amended by Chapter 34 of the Public Laws of 1909, relating to the protection of trees and shrubs from the introduction and ravages of dangerous insects and diseases.

Mr. Ricker from the Committee on Education, reported "ought not to pass" on bill, An Act to amend Section two of Chapter 15 of the Revised Statutes as amended by Chapter 90 of the Public Laws of 1907 and Chapter 148 of the Public Laws of 1913, relating to the conveyance of common school pupils.

Same gentleman from same committee, reported "ought not to pass" on Resolve in favor of Otto Nelson of Bangor.

Same gentleman from same committee, on bill, An Act to establish a normal school to be located at Dexter in the county of Penobscot, reported that the same be referred to the next legislature.

Mr. Waterhouse from the committee on judiciary reported "ought not to pass" on bill, An Act to regulate the fees of sheriffs and their deputies.

Mr. Danforth from the committee on school for feeble-minded reported "ought not to pass" on Resolve for the construction of a bridge across Collyer brook below the dam at the Maine School for Feeble-Minded.

Same gentleman from same committee reported "ought not to pass" on Resolve for the construction of concrete walks at the Maine School for Feeble-Minded.

Mr. Daigle from the committee on State lands and forest reservation, on Resolve authorizing the land agent to sell and convey whatever interest the State has in and to certain island in the South bay in Eastern Grand lake, in Washington county, reported "ought not to pass" as the subject matter is covered by another bill.

Same gentleman from same committee reported "ought not to pass" on bill, An Act for the prevention of forest fires.

The reports were accepted.

First Reading of Printed Bills and Resolves.

House 307: An Act to amend Section 11 of Chapter 211 of the Private and Special

Laws of 1895, as amended by Chapter -- of the Laws of 1909, relating to salaries of judge and recorder of the Bangor municipal court.

House 588: An Act to repeal Chapter 56 of the Private and Special Laws of 1907, entitled "An Act to regulate the use of certain roads in the town of Bluehill."

House 589: An Act to amend Section 38 of Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913 relating to closed season on wild hares or rabbits.

House 590: An Act to repeal certain private and special laws relating to the use of motor boats in hunting sea birds, duck and water fowl on the coast of Maine.

House 591: An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to the hunting of water fowl and other wild birds in Back bay, so called, in Portland.

House 592: An Act to repeal Chapter 281 of the Private and Special Laws of 1907, as amended by Chapter 120 of the Private and Special Laws of 1909, relating to the protection of the golden eye or whistler.

House 593: An Act to repeal Chapter 373 of the Private and Special Laws of 1907, relating to the protection of ducks in Lincoln County.

House 594: An Act to amend Section two of Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to ice fishing in Lake Kezar, in the towns of Lovell, Stoneham and Stow, in Oxford County.

House 595: 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 Tufts, Dutton and Grindstone Ponds, in the town of Kingfield, Franklin County.

House 596: 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 Overset Pond, in the town of Greenwood, Oxford County.

House 597: 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 the tribu-

taries to Upper and Lower Wilson Pond, in the County of Piscataquis.

House 598: 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 the tributaries to Lake Kezar and in the tributaries to Kezar river, in the county of Oxford.

House 599: An Act additional to Chapter 32 of the Revised Statutes, as amended by Chapter 206 of the Public Laws of 1913, relating to the taking of smelts in Bryant's pond and tributaries, in the towns of Woodstock and Greenwood, Oxford county.

House 601: An Act authorizing the towns of Mexico and Rumford, in the county of Oxford to purchase the toll bridge between said towns erected and owned by the Mexico Bridge Company.

House 602: Resolve to appropriate five hundred dollars for the construction of approaches to the State ferry at Eggemoggin Reach.

House 603: Resolve in favor of replanking and repainting bridge between East Millinocket and Medway.

House 604: Resolve in favor of aid in repairing the Lake road in Oxford county.

House 605: Resolve in favor of aid in building a highway bridge across the Sandy river in the town of New Sharon, Franklin county.

House 606: Resolve in favor of aid in construction of highway bridge over the St. John river between Fort Kent, Maine, and St. Francis, New Brunswick.

House 607: Resolve in favor of building a bridge across the Mattawamkeag river, in the town of Haynesville, in the county of Aroostook.

House 608: An Act to repeal Chapter 163 of the Private and Special Laws of 1909, relating to the hunting of water fowl and wild birds in Back bay Portland.

House 609: Resolve to promote and assist the interests of poultry culture.

House 610: An Act to amend Section 18 of Chapter 222 of the Public Laws of 1909, relating to dogs.

House 611: Resolve making appropriations for the construction of buildings at the University of Maine.

House 612: An Act to amend Chapter 49 of the Private and Special Laws of

1889, as relating to the policeman of the Penobscot tribe of Indians.

House 613: An Act to amend Section 9 of Chapter 83 of the Revised Statutes of 1903, relating to the place for bringing actions.

House 614: An Act authorizing Seboeis plantation to build and maintain its roads and bridges and to raise money therefor.

House 615: An Act to change the name of the Maine Baptist Missionary Convention and to unite with it the Maine Baptist Education Society and the Maine Baptist Charitable Society.

House 616: An Act authorizing Barnard plantation to build and maintain its roads and bridges and to raise money therefor.

House 617: An Act to amend Chapter 129 of the Public Laws of 1913 entitled "An Act to create a Public Utilities Commission, prescribe its duties and powers, and provide for the regulation and control of public utilities."

House 618: Resolve in favor of Hon. D. D. Stewart of St. Albans.

House 619: An Act to revive and extend the powers of the Kingman Developing Company.

House 620: An Act to incorporate the Libby Homestead Corporation.

House 621: An Act confirming the official acts of Frank D. Fenderson, acting as register of deeds for York county.

House 622: Resolve in favor of a History of Pemaquid, of Bristol.

House 623: An Act to provide for the care and treatment of tuberculosis persons.

• Passed to Be Engrossed

Senate 146: An Act to equalize the salaries of county commissioners, with Senate Amendments A and B.

On motion by Mr. Roberts of Portland, Senate Amendment A was adopted in concurrence.

On motion by Mr. Connellan of Portland, the bill was tabled pending its passage to be engrossed and specially assigned for consideration on Wednesday of next week.

Senate 148: An Act to equalize the salaries of sheriffs, with Senate Amendment B.

Mr. Connellan of Portland offered House Amendment A to this bill, to

amend by striking out in the seventh line thereof the words "thirty-five hundred," and inserting in lieu thereof the words "four thousand."

The question being on the adoption of House Amendment A,

On motion of Mr. Connellan of Portland, the bill was tabled and specially assigned for consideration on Wednesday of next week.

Senate 149: An Act to equalize the salaries of register of deeds, with Senate Amendments A and B.

Senate 160: An Act to equalize the salaries of the clerks of the judicial courts; with Senate Amendments A and B. (Tabled and specially assigned for consideration on Wednesday of next week on motion of Mr. St. Clair of Calais.)

Senate 215: An Act to establish a State reformatory for women, with Senate Amendment A, being House Document 585.

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 of Kittery.

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, 1861-1865.

Senate 282: An Act to abolish the office of city solicitor of the city of Portland and to create the office of corporation counsel for the city of Portland, and to determine his duties, tenure of office and salary.

House 575: An Act in favor of the union of the towns of Dover and Foxcroft as one municipality.

Passed to Be Enacted.

An Act to extend the charter of the Farmington and Augusta Railway Company.

An Act to amend Section 1 of Chapter 44 of the Revised Statutes, as amended by Section 3 of Chapter 116 of the Public Laws of 1913, relating to local scalers of weights and measures.

An Act amending Section 1 of Chapter 61 of the Private and Special Laws of

1891, relating to the Limerock Railroad Company, and conferring certain additional rights, powers and privileges upon said company.

An Act to amend Section 55 of Chapter 79 of the Revised Statutes, relating to the fixing of the time within which exceptions and motions for new trials may be filed in civil and criminal cases.

An Act to amend Section 20 of Chapter 67 of the Revised Statutes, relating to the distribution of personal estate.

An Act to amend Section 71 of Chapter 83 of the Revised Statutes, as amended by Chapter 24 of the Public Laws of 1913, relative to the release or discharge of attachments.

An Act to amend Sections 3 and 10 of the Private and Special Laws of 1895 relating to the Bangor municipal court.

An Act to amend Section 1 of Chapter 166 of the Private and Special Laws of 1887, entitled "An Act creating the Fort Fairfield Village Corporation," as amended by Chapter 303 of the Private and Special Laws of 1905, as amended by Chapters 116 and 210 of the Private and Special Laws of 1907, as amended by Chapter 242 of the Private and Special Laws of 1909, and as amended by Chapter 50 of the Private and Special Laws of 1913.

An Act to amend Section 11 of Chapter 116 of the Revised Statutes, as amended by Chapter 53 of the Public Laws of 1905, as further amended by Chapter 183 of the Public Laws of 1907, as further amended by Chapter 118 of the Public Laws of 1909, relating to compensation of members of the Legislature.

An Act to amend Section 2 of Chapter 51 of the Private and Special Laws of 1890, relating to the Franklin County Agricultural Society.

An Act to amend Section 6 of Chapter 44 of the Public Laws of 1907, relating to the discharge of inmates of the Maine School for Feeble Minded.

An Act to amend Section 5 of Chapter 44 of the Public Laws of 1901, as amended by Chapter 167 of the Public Laws of 1909, relating to commitments to the Maine School for Feeble Minded by judges of probate.

Resolves on Their Final Passage

Resolve appropriating money to aid in improving a highway in Caratunk

Plantation. (Tabled under special order of the House, and specially assigned for consideration on March 18, on motion by Mr. Pierce of Houlton.)

Resolve appropriating money to aid in repairing and altering the River Road in Pleasant Ridge Plantation, in the County of Somerset. (Tabled under special order of the House, and specially assigned for consideration on March 18, on motion by Mr. Pierce of Houlton.)

Resolve appropriating money to aid in the construction of a road in the town of Moscow. (Tabled under special order of the House, and specially assigned for consideration on March 18, on motion by Mr. Pierce of Houlton.)

Resolve appropriating money to repair the bridges across Northeast Brook and Canoe Brook in Township No. 29, Middle Division, in Washington County. (Tabled under special order of the House, and specially assigned for consideration on March 18, on motion by Mr. Pierce of Houlton.)

Resolve appropriating money to repair Mopang Bridge in Township No. 30, Middle Division, in Washington County. (Tabled under special order of the House, and specially assigned for consideration on March 18, on motion by Mr. Pierce of Houlton.)

Resolve appropriating money to aid in repairing a highway in the towns of Whitneyville and Marshfield and providing for the future maintenance thereof. (Tabled under special order of the House, and specially assigned for consideration on March 18, on motion by Mr. Pierce of Houlton.)

Resolve appropriating money to aid the town of Trescott in repairing its highways. (Tabled under special order of the House, and specially assigned for consideration on March 18, on motion by Mr. Pierce of Houlton.)

Resolve appropriating money to aid in building a bridge across the south branch of Dead River in the Plantation of Dallas. (Tabled under special order of the House, and specially assigned for consideration on March 18, on motion by Mr. Pierce of Houlton.)

Resolve appropriating money to repair a bridge in the town of Addison. (Tabled under special order of

the House, and specially assigned for consideration on March 18, on motion by Mr. Pierce of Houlton.)

Resolve appropriating money to aid in rebuilding Spruce Head Bridge in the town of South Thomaston. (Tabled under special order of the House, and specially assigned for consideration on March 18, on motion by Mr. Pierce of Houlton.)

Resolve providing a State pension for Lucy A. Owens. (Tabled under special order of the House, and specially assigned for consideration on March 18, on motion by Mr. Pierce of Houlton.)

Resolve appropriating money to partially reimburse the town of Deblois for money expended in building a bridge. (Tabled under special order of the House, and specially assigned for consideration on March 18, on motion by Mr. Pierce of Houlton.)

Resolve in favor of the Western State Normal School at Gorham for permanent improvements and repairs. (Tabled under special order of the House, and specially assigned for consideration on March 18, on motion by Mr. Pierce of Houlton.)

Orders of the Day

On motion by Mr. Hill of Corinth, the vote was reconsidered whereby House Doc. No. 307, bill, An Act relating to the salaries of the judge and recorder of the Bangor Municipal Court was assigned for its third reading tomorrow morning, and on further motion by the same gentleman the bill was tabled and specially assigned for consideration on Wednesday of next week.

On motion by Mr. St. Clair of Calais, the vote was reconsidered whereby the House yesterday voted to pass the order requesting the Senate to return to the House House Doc. No. 110.

Mr. St. Clair then moved that the order be indefinitely postponed.

The motion was agreed to.

The SPEAKER: The Chair lays before the House, the same having been specially assigned for consideration to-day, House Doc. No. 483, Resolve in favor of monuments in memory of Benedict Arnold's Expedition through

Maine to Quebec, same being tabled by the gentleman from Winslow, Mr. Drummond. The pending question is the second reading of the Resolve.

Mr. Drummond moved that the resolve be indefinitely postponed.

Mr. ST. CLAIR of Calais: Mr. Speaker, I hope that motion will not prevail. This expedition of Benedict Arnold, starting from the Kennebec river in this State and going to Canada to participate in the attack on Quebec, was one of the most heroic incidents of the American Revolution, and it should be suitably commemorated. We have out here on the banks of the Kennebec river a tablet showing the starting place of that heroic expedition in which several men lost their lives; and I hope the time has not yet arrived in the State of Maine when any effort that we put forth here to create and to keep alive the patriotic sentiments of the people of this State will be indefinitely postponed, and when the vote is taken on this matter I should like to have it taken by the yeas and nays.

Mr. DRUMMOND: Mr. Speaker, there exists at the present time in this state a little feeling between the Daughters of the American Revolution and the Sons of the American Revolution. The Daughters of the American Revolution have started this project and they have put up these monuments which have been described and they have also put tablets in several other places. They started in to complete this thing, and they have now one at Winslow, one at Waterville, and one at Fairfield, and all they ask is to be let alone and be permitted to complete their work. The Daughters of the American Revolution seem to think that the Sons of the American Revolution are stepping on their pet corns, and they want to be let alone and be permitted to complete this work for themselves. I do not see why there should be this amount of friction between these two societies, but it exists there just the same. As I say, the Daughters of the American Revolution want to do this work themselves, and if the State of Maine has any five hundred dollars to spend that they can

find a much better place to spend it than in this project.

Mr. HIGGINS of Brewer: Mr. Speaker, I would suggest to the gentleman from Calais, Mr. St. Clair, that rather than call for the yeas and nays he would substitute a division of the House, because it takes something like thirty-five minutes to have a roll call, and we need all the time there is for other matters.

Mr. ST. CLAIR: Mr. Speaker, I gather from the remarks of the gentleman from Winslow, from Mr. Drummond, that he thought there was some private enterprise behind this matter and that it was for the benefit of somebody that wanted a road up there through the woods. I don't know anything about that. I have been here in this House ever since this session of the legislature opened; I have attended every session, and I am proud to say that I have been present at every roll call, and nobody has said anything to me about there being any private enterprise behind this undertaking.

We had a hearing on this matter before the committee on military affairs, and at that hearing ample opportunity was given for all who wished to oppose this resolve, and not a soul appeared; there was one gentleman who appeared, however, and he came from the vicinity of the gentleman from Winslow, Mr. Drummond. Nothing was said there about there being any private enterprise behind this measure, but there was considerable patriotic talk about the duty of the state of Maine to do something for the memory of those heroic men, and it was stated that the road could be very readily found, and that part of it was a very good road now. I don't know as that is any reason why we should not honor these men now, the fact that the place can be identified by the present generation; that was the best reason I know why this place can be identified where these men landed and camped at their various landing places from the Kennebec river to the boundaries of this State, and that is the very best reason why these tablets should be erected, and if there is a road along there I hope it will be a boulevard, and that

the citizens of the State of Maine will go and see those monuments.

Mr. DRUMMOND: Mr. Speaker, I would like to ask a question of the gentleman from Calais, if he is not willing that the Daughters of the American Revolution should do this work now that they have begun it, rather than turn it over to the Sons of the American Revolution? They have done over two-thirds of it already, and they have built what is already there along the road, and they want it continued. The reason for the opposition to this measure is not because the Daughters of the American Revolution do not want these markers placed there. And I would like to ask the gentleman from Calais, Mr. St. Clair, why he is not willing that they should finish it?

Mr. ST. CLAIR: Mr. Speaker, I will say in reply to the gentleman from Winslow, Mr. Drummond, that I am willing to move that this resolve be re-committed to the committee on military affairs in order that we may have another hearing. This is a request that the State of Maine appropriate the small amount of eight hundred dollars, and the gentlemen that came before the committee assured us that they had arranged with the parties who now owned the land where the several camping and landing places were located along the river and through the woods, so that there will be no trouble in regard to the question of identification. I do not care who does this work, whether it is the Sons or the Daughters. I should hate to see this resolve indefinitely postponed; it sounds bad, and it would seem to me that there may be some merit in his contention, and taking a chance on that I will move that the bill be re-committed to the committee on military affairs for another hearing.

Mr. DUTTON of Bingham: Mr. Speaker, this question in regard to Arnold's trail through to Canada is a question which has before occupied the attention of this House at this session. This trail up through Somerset county is one of those characteristic trails which I have previously spoken about. It is not a trail that is easy for public passage; it has grown up to a considerable extent and while I would not

detract in any way from any patriotic sentiment or any patriotic movement on the part of this House, still, I feel that at any time when the State of Maine feels that it is necessary to economize for all practical purposes, if we have eight hundred dollars to expend upon monuments along that trail up through Somerset County, that the money might better be put to practical purposes upon the roads which are necessary for the practical use of the people of that section.

Mr. ST. CLAIR: Mr. Speaker, in as much as we have been assured that the Daughters of the American Revolution have this matter in charge and intend to carry it out, I believe that we should indefinitely postpone this matter and not recommit it. Let us leave it to them, if they have made a beginning on the work and let them have the glory of finishing it up.

The SPEAKER: The pending question is on the motion of the gentleman from Winslow, Mr. Drummond, that this matter be indefinitely postponed. Upon this question the yeas and nays have been called.

Mr. ST. CLAIR: Mr. Speaker, I will withdraw that motion and yield to the suggestion of the gentleman from Brewer, Mr. Higgins, and call for a division of the House.

A division being had, 99 voted in favor and 16 against.

So the House voted to indefinitely postpone this bill.

Mr. ST. CLAIR: Mr. Speaker, I wish to say that I might have known it was no use to make a fight between Sons and Daughters, this crowd would stand by the Daughters anyway. (Applause).

The SPEAKER: The Chair lays before the House House Doc. No. 328, bill, An Act relative to the employment of women and minors, specially assigned for consideration today. The pending question is the adoption of House Amendment A.

Mr. FAY of Dexter: Mr. Speaker, I regret very much that I am unable to present this matter in a forceful manner, but I want to state my position frankly, and I am unwilling to go on record to that effect. It is my sincere conviction

that it is against the interest of the people of this state if we should pass the legislation limiting and restricting the hours of labor at this time. Conditions are exceptional in that respect at the present time, and most of our employees are looking for work rather than looking for shortening of hours of labor. This body will within a short time act on the measure of granting equal suffrage to women. I hardly see how the two measures can be consistent; we can not believe in suffrage and at the same time take away their right to work as they see fit. As to the minors and children I am willing to go as far as any one towards restricting their employment against the greed on the part of their parents; but I think that is as far as we should go at this time. That, however, has gone by to a certain extent.

We are all pledged to vote for a 54-hour law, and I contend that this amendment is a 54-hour law, in every sense of the word. Furthermore, I disclaim the accusation that was made yesterday to the effect that the amendment was put in solely for the purpose of killing the bill, and I can assure you, gentlemen, it was not with that intention, but with the intention simply of getting a bill that was as fair and just as possible to both manufacturers and employees, and I believe this amendment to the bill covers the ground.

It was also said yesterday that this amendment was practically the same as the Colby Bill, so-called, in the Senate, Senate Doc. No. 31. I regret that I was not allowed time to bring this before the members as it should have been and as it would be if they had time to look over this amendment and compare the bill in all its features. Those of you who have Senate Doc. No. 31 before you, if you will give it a careful examination you will find nearly the entire body is stricken out, that is, the matter that the laboring people might contend should not be in there; that is in regard to rush orders, limiting or placing it on the basis where it should be to be controlled. Another matter I would like to call to the attention of the House, and that is that House Doc. No. 328 is somewhat conflicting. You will all agree I think that it is desirable to have these acts in

as concise terms as possible, in order that they may be easy of interpretation and with as few limitations, as long as the rights of the people are protected. This bill, House Doc. No. 323, consists of eight pages, and this amendment of two pages, practically. The statement was made yesterday that the people did not understand this measure and that this provided for 48 hours in a year for extra time, four hours a week extra time, and it is subject to the approval of the Labor Commissioner. This morning I have just got hold of House Doc. No. 9, which was presented in the legislature of 1913, and have looked it over somewhat. They were for a 54-hour bill, and this had the merit of being short, same as this amendment is, as I contend. This was returned from the committee on labor with a report "ought to pass" in a new draft providing for 56-hours. I am very sorry that all the members of the House can not at this time compare the two. Now I want to go on record as saying that I believe we are under obligation to pass a 54-hour law and that I believe that this amendment meets all those obligations absolutely, and I move that it be adopted.

Mr. PERKINS of Augusta: Mr. Speaker, I do not quite understand this amendment. This is amendment A to House Document 328, and House Document 495 is one of the amendments to House Document 328.

The SPEAKER: The Chair will state that the original bill in new draft was House Doc. No. 328. House Document 495 was the same bill with suggested amendments added to it, which amendments were yesterday ruled out of order so that it then recurred to the original bill, and the question is not upon the adoption of House Amendment A offered by the gentleman from Dexter, Mr. Fay.

Mr. PIERCE of Houlton: Mr. Speaker, I will state that in connection with House Doc. 328, there was an error in the printing and House Doc. No. 495 is the correct print of House Doc. No. 328 except that the amendments were annexed at the last and of course are not now before the House, having been ruled out by the House yesterday. House Doc. No. 328 is not the bill to be acted upon because it is not correct, and we should act upon House Doc. No. 495, not

including the amendments. The gentleman from Baileyville, Mr. Jordan, called the attention of the House some time ago to the error and we had it printed again in order to eliminate that error.

Mr. HIGGINS of Brewer: Mr. Speaker, I presume the gentleman from Dexter, Mr. Fay, simply intends that this amendment shall apply to House Doc. No. 495, which is a reprint of the new bill, and he simply made a mistake in his figures.

Mr. FAY: Mr. Speaker, being rather unfamiliar with parliamentary rules, I may have made a mistake. As I understand the matter now, House Doc. No. 495 which I have here is simply a reprint of House Doc. No. 328, with the amendments A, B and C added for the sake of getting them into the printed form; and I assume that that having been decided by the Chair to be an amendment, and having been considered out of order, that carried the matter back to House Doc. No. 328. However, it is immaterial to me, and the subject matter is just the same; and as I understand now we are acting on the amendments as printed under House Doc. 632.

Mr. PIERCE: Mr. Speaker, I understand that the gentleman from Dexter, Mr. Fay, wants to get it correct, and we mean to get at exactly the same thing. I think he is in error in saying that House Doc. No. 495 is an exact copy of House Doc. 328, because there is an error in the printing of Section eight of House Doc. No. 328. I simply wish to have the record right. As I understand it, the gentleman wishes to offer his amendment, which is House Doc. No. 632, to the correctly printed bill which is found in House Doc. No. 495.

Mr. FAY: Mr. Speaker, the situation seems clear to me now, and my error was only through ignorance.

Mr. CONNELLAN of Portland: Mr. Speaker, in order to get the matter before the House properly, I move that we amend House Document No. 632 so that the title line thereof shall read "House Document No. 495."

Mr. Higgins of Brewer seconded the motion.

The motion was agreed to.

Mr. PLUMMER of Lisbon: Mr. Speaker, I rise to a parliamentary inquiry.

In view of the fact that the House read House Document 328 twice yesterday, whether if I am correct that was the number that was correct, and it is in the record. I simply inquire whether this motion would effect the parliamentary status of the bill. Further, Mr. Speaker, if I may be permitted to suggest, there is a rule of the House which allows errors which are manifestly clerical to be corrected by their being called to the attention of the House. I merely wish to raise this point in order that if we substitute House Doc. No. 495 for House Doc. No. 328, that it shall not be necessary then for this document to again have its two readings and to be laid over until the next day for a third reading.

Mr. CONNELLAN: Mr. Speaker, in order to facilitate the business of the House I will withdraw my motion in favor of the motion of the gentleman from Lisbon, Mr. Plummer.

The SPEAKER: The Chair will state that the motion of the gentleman from Portland, Mr. Connellan, had already been put and carried by the House.

Mr. Connellan moved that the vote be reconsidered whereby the motion previously made by him was declared carried.

The motion was agreed to.

The SPEAKER: The Chair understands that the question before the House now is on the motion of the gentleman from Portland, Mr. Connellan, that the title to House Document 632 be changed by striking out the figures "328" and substituting therefor the figures "495". The House has just reconsidered the vote whereby it voted to adopt that amendment, and the original motion is now before the House.

Mr. FAY of Dexter: Mr. Speaker, I may be wrong here, but I have a copy of House Document 328 on my desk, and I know it is a misprint. I think the misprint was in Section eight, because in House Document 495 it has been corrected by the printer.

Mr. CONNELLAN: Mr. Speaker, I will withdraw my motion.

The SPEAKER: Without objection that may be done. The question now before the House is on the adoption of

House Amendment A to House Document 328.

Mr. JORDAN of Baileyville: Mr. Speaker, I will say for the benefit of the members of this House that by unanimous consent House Document No. 328 was corrected in Section eight, where it said in the first line "nothing in the six preceding sections shall apply" to read "nothing in the seven preceding sections shall apply."

Mr. PLUMMER: Mr. Speaker, I merely wish to inquire if it would be proper to move to install in place of House Doc. 328, House Doc. No. 495?

The SPEAKER: The Chair understands that House Doc. No. 328 as it is now before the House corrected and the first part of House Doc. No. 495 without the amendments are identical; and if they are identical the Chair sees no reason why we should not go ahead with House Doc. No. 328.

Mr. McCARTY of Lewiston: Mr. Speaker, I would ask if now is the proper time to discuss the adoption of that amendment?

The SPEAKER: That is the question before the House, unless the House desires to take some further action in regard to these titles and numbers.

Mr. PLUMMER: Mr. Speaker, in order to clarify the matter, and if it will make any difference in the parliamentary status of the bill I would move that House Doc. No. 495, the first part of it, without the amendments be substituted as House Doc. No. 328, and that the parliamentary status of it be the same as of that document.

The motion was agreed to.

The SPEAKER: The Chair will rule that we are now acting upon House Doc. No. 328, as amended, by the motion of the gentleman from Lisbon, Mr. Plummer.

Mr. McCARTY of Lewiston: Mr. Speaker, the amendment which has been offered by the gentleman from Dexter (Mr. Fay) is now, I understand, subject to discussion; and inasmuch as it has been suggested here, in the hearing yesterday, that all the members of this House are in favor of some legislation in regard to the 54-hour bill, it is not necessary for me to discuss the merits of a bill carry-

ing fifty-four hours of labor for women and children. So that all I need say this morning may be directed to this amendment and to this amendment alone. If it is the desire of this House to enact a law for the protection of women and minors, so far as their hours of labor are concerned, then, of course, it is its desire that that law should be a real law and not a joke. I did not question yesterday when I took some minor part in this debate the sincerity of the members of the opposition,—and when I speak of opposition I mean those who are presenting amendments to this original 54-hour bill as it comes from the committee. I assumed that they were sincere and honest in their motives, and that their request for delay in the consideration of this bill was impelled only by sincere and honest motives; but as I look at this amendment that has been placed on my desk this morning, I am almost inclined to question the sincerity of the gentlemen who are so prolific in their amendments. Amendment A, which we are discussing at the present time, provides for a 54-hour law only in title. It provides that, under certain conditions, the fifty-four hours may be wiped away, and that manufacturers who may be dishonest in the conduct of their business may, if they so desire, entirely ignore this law, and work women in their employ, and also minors in their employ, a greater period than fifty-four hours a week. The exception in this amendment is especially vicious, to my mind, and I will read it beginning with the words "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 time certain under the contract." Now, then, there is nothing in this bill, where an employer seeks to work the females in his employ and minors,—no prosecution for working them in excess of the fifty-four hours a week, and nothing to prevent them from going into court and invoking the defense that their machinery was out of repair, or that it was necessary to exceed the fifty-four hours in order to complete a product which is necessarily delivered under contract. Now the people of the State of Maine, and especially those who are af-

fected by this bill—and by that I mean the women and the children largely—want no such leeway opened up to their employers. If all the employers of labor in the State of Maine were honest, then it might well be said that this exception might not well be included; but we have a department of labor and industry, created by this legislature, which is continually going about the State and seeking violators of the law, and they find their time busily employed; so much so in fact that they have asked for extra appropriations in order to carry on that work of this Legislature. Now if we are going to enact a 54-hour bill, let us enact a real one, and not enact one that is a 54-hour bill in title only, and which may be a 56, a 58 or a 60 hour bill in reality.

This bill further provides, or the exception provides, that any female eighteen years of age, or over, may lawfully contract for a larger number of hours in excess of nine hours per day, but not in excess of four hours in any one week, or forty-eight hours in any one year. Those interested in the real 54-hour law want no such provision as that. That is going to employ the working females eighteen years old and over four hours extra for twelve weeks during the year. A female employee does not desire the opportunity of working four hours a week extra for twelve weeks during the year; she wants to work fifty-four hours a week and fifty-four hours only. Now the gentleman (Mr. Fay) has proposed this in the shape of an amendment when it is in reality a bill, because the entire bill known as House Document 495 is all stricken out by reason of this amendment, and the entire bill itself consists of sections one, two, three, the repealing act, and four, the section which provides the time when this shall go into effect.

Now, then, I suppose that the real teeth in any law is the provision for its observance by those who are interested in it. If a person commits any offence against the State of Maine, the State of Maine provides a punishment for that person. Here is a bill which enables employers to do certain things, and in this bill there is not the slightest word which would enable the State of Maine to prosecute the violators of this law. Now I do not know whether the gentleman who proposed this amendment left out the very

teeth of the law intentionally or not; I hope he did not. I hope that this wave of sincerity which is apparent here in this State House is really true sincerity, and I trust that the gentleman did not deliberately forget to include in his amendment, which is the bill here before the House this morning, some method for its enforcement. Under this amendment, which is a real bill, there is not a word which provides that any employer of labor who shall violate its conditions shall be punished in any way, shape or manner. Now if the members of this House are willing to accept this amendment, or if a majority of them are, then they show their insincerity in regard to this 54-hour bill; they show that they are not sincere in their relations with the women and the minors of this State engaged in manual labor in our manufacturing establishments and such other places as this amendment provides for.

I trust, gentlemen, that this amendment, which is so apparently in the first place something which is masquerading in the guise of a 54-hour law, and which is anything but a 54-hour law, this amendment which makes no provision for the punishment of those who violate this law, will be voted down and be voted down decisively. (Applause.)

Mr. WESCOTT of Bluehill: Mr. Speaker, I also would like briefly to protest against the adoption of this amendment, because I consider it among all the amendments that have been offered the biggest joke of them all. Let us see again what it says! "Strike out all of said bill after the enacting clause, and insert the following. 'Sect. 1. No male minor under 16 years of age, and no female, shall be employed in any factory, manufacturing or mechanical establishment,'" and so forth; but where is the "and so forth?" What about workshops, laundries, restaurants, telegraph and telephone offices, mercantile establishments, transportation companies? What about those? And as the gentleman (Mr. McCarty) has well said, even though the whole thing is flagrantly abused by employers of labor, there is not the least possible penalty provided in this bill if it is enacted as a law. Now I wish to say, and say it very briefly, that the Labor Com-

mittee, made up of men from all walks of life, fair, conservative, careful,—have taken this matter up, and in the bill which they present they feel that they have something that is fair and just to everybody; something that will impose no great hardship on anybody, and something that will be in the interests of the people of the State of Maine.

Mr. ST. CLAIR of Calais: Mr. Speaker, it is hardly necessary for me to say anything after the very able and eloquent remarks of the gentleman from Lewiston (Mr. McCarty). I only wish to say that when I read in the platform of my party that provision in regard to a 54-hour law, I believed that it meant something. I believe it now, and I believe that this House should unanimously, without regard to party lines, vote for this 54-hour law, with no joker in it—straight 54 hours. This is a bill that legislates for flesh and blood. All our legislation here this winter has not been of that kind; but this is legislation for flesh and blood, for humanity, for civilization, for mothers who bear children, for the children who are growing up to make men and women in this commonwealth; and 54 hours, Mr. Speaker, is long enough for minors and for women to stand in any factory or shop and work. I do not want to see any provision by which any employer can add to the number of hours. Make a 54 hour law that will not need a Philadelphia lawyer to tell the people what it means. It should mean just 54 hours for six days in the week.

Mr. PERKINS of Augusta: Mr. Speaker, I move that when the vote is taken on this amendment it be taken by the yeas and nays.

Mr. DESCOTEAUX of Biddeford: Mr. Speaker, I do not want to take the time of the House, but I wish to answer a few remarks of the gentleman from Dexter, Mr. Fay as to this bill.

This is my third term as a member of this House, and every time I have been elected by a larger majority, and my vote has come from the working people. Now we received petitions from the Pepperill Manufacturing Company of Biddeford, and a number of other mills, apparently against this bill—

petitions signed by employees; but I want you to bear in mind that those petitions were circulated by the overseers and the second hands of the mill. Now I am acquainted with those people there, and 82 per cent. voted to have a change. When I got back home the other week, over one hundred people came to me and told me that the man who went around with the petition told them how to vote, and as much as told them that if they did not vote right there would be something doing,—and perhaps even stronger talk than that.

I want to say that the people of this State want this law. Another remark that the gentleman (Mr. Fay) made in regard to the extra hours of labor, that the women shall not work over four hours a week. That is a mistake, because it says: "and not otherwise unless with the permission of the Commissioner."

The committee have worked hard on this bill, and I hope that this House will vote this amendment down.

Mr. FAY of Dexter: Mr. Speaker, I did not understand all that Mr. Descoteaux said; but his remarks call me back to the House bill which was presented in 1913. I think by the gentleman from Biddeford (Mr. Descoteaux) and may I be allowed to read section 1? "Section 48 of Chapter 40 of the Revised Statutes is hereby amended by striking out the word 'ten' where this word occurs, and inserting in place thereof the word 'nine,' and striking out the word 'fifty-eight' in the tenth line, and inserting in place thereof the word 'fifty-four', so that said section as amended shall read as follows," etc. "Fifty-six" was later substituted, I understand, for "fifty-four" in the new draft. The rest is practically the same as this amendment. Now that is what the labor people asked for at that time; it had their sanction. There was no question of a penalty in there, and I can assure the gentlemen that the penalty being left out of this was through no intent on my part. I supposed that when we passed the law it was capable of being enforced, and would be enforced as it should be enforced. I did not suppose it was necessary to specify a particu-

lar penalty. If I had, I should have been very glad to have done so. I am just informed that a subsequent section to Chapter 40, which is not stricken out, provides the penalty. That is in accordance with what I supposed to be the case. That 1913 bill provided for not more than six hours in any one week or sixty hours in any one year. This amendment calls for four hours in any one week and forty-eight hours in any one year.

Furthermore, that bill provided in regard to minors: "but during her minority, the consent of her parents, or one of them, or guardian, shall be first obtained." This is not in my amendment, and in my judgment it should not be permitted that minors should be overworked or worked extra time, even with the consent of their parents or guardian.

I believe that it is the prevailing sentiment of this House—or conviction I will say—that if we are to pass, as we undoubtedly shall, a 54-hour bill, it should not be so drawn as to affect manufacturers, or employees to too great an extent. I also wish to make one other statement, that it is certainly a fact that the manufacturers in this State of Maine, especially at the present time, cannot afford to pay their employees the same wages for 54-hours that they are now paying for 58. That being the case, if a petition was fairly circulated among these people, there is no question as to how they would vote.

Mr. McCARTY: Mr. Speaker, just a word in order to correct the impression of the gentleman from Dexter, Mr. Fay. His amendment provides that "Section 48 of Chapter 40 of the Revised Statutes is hereby repealed." Section 48 of the Revised Statutes is a general section providing for the employment of women and minors in manufacturing establishments sixty hours a week, males and females, etc. His bill, or his amendment, provides for the repeal of that Section 48. Section 50 of that same Chapter 40 provides the penalty for violations of Section 48. Now if Section 48 is repealed, Section 50 is providing a penalty for something that is not in existence. So that this amendment here is entirely without remedies, and any

violator of the law, any employer who sees fit to violate any of the provisions of this law, is entirely free from any prosecution under the terms of this amendment.

Mr. JORDAN of Baileyville: Mr. Speaker and gentlemen of the House: Being a member of the committee on labor, which made a unanimous report on House bill 328, it appears to me to be my duty, and an opportune time, to defend this bill against the ravages it seems to meet from those who are trying to introduce something which is not especially desirable, and not especially put forth before our committee. I would say that the committee was in session from 2 P. M. until 6.18 P. M. and we listened to various gentlemen who were proponents of the bill, and many more who were opposed to it. We heard them fully and listened to them with a great deal of interest. We remained in session until everybody was heard, and fully heard, on this matter. After hearing all of the various men who spoke for and against the bill, we took the matter into executive session, and all ten of the men on the committee, without one dissenting voice, absolutely agreed on the new draft of House bill 328 as presented. That being the case, I believe it fair to assume, gentlemen, that the committee on labor have some idea of the requirements, and some idea of what the proponents and those opposed to the bill desired; and, after weighing each and every one of the testimonies individually, separate and apart, and after going over the whole thing very carefully, and after re-weighing and summing up, we decided that House bill 328, or the report, the unanimous report of the committee, was what was desired. Therefore I beg of you gentlemen at this time to see to it that this amendment does not prevail.

The SPEAKER: The question before the House is on the adoption of House amendment A, (House Document 632,) to House Document 328. The yeas and nays have been called for. All those who desire the yeas and nays will rise and stand.

A sufficient number arising, the yeas and nays were ordered.

The SPEAKER: All those in favor of adopting House Amendment A,

when their names are called will answer yes; all those opposed to the amendment will answer no. The Clerk will call the roll.

YEA—Albert, Benn, Bonney, Brann, Cobb, Daigle, Danforth, Evans, Fay, Ford, Hanson of Saco, Hanson of Sanford, Higgins, Hill, Ranney, Sanborn, Snow, Thombs, Tobey, Washburn, Wise—21.

NAY—Allen, Ames, Averill, Ballard, Beal, Bernier, Blake of New Gloucester, Blake of Oakland, Bourque, Bradbury, Bragdon, Brawn, Brown of Auburn, Brown of New Sharon, Bussey Campbell, Carson, Chadbourne, Chamberlin, Clement, Clifford, Coffin, Colcord, Connellan, Corliss, Currier, Davis, Descoteaux, Dilling, Douglass, Drapeau, Drummond, Durgain, Dutton, Edwards, Ellis, Erskine, Fossett, Gallagher, Gerrish, Gilmour, Goldthwait, Gooding, Goodwin, Gould, Grant, Groaton, Greeley, Greenlaw, Greenleaf, Haraden, Harper, Hart, Haskell, Hobbs, Hodgkins, Holt of Skowhegan, Jameson, Jordan, Lawrence, Leader, Lewis, Libby, Lombard, Lord, Mansir, McCarty, McCarrison, McCurdy, McKinley, Meader, Michaud, Millett, Mitchell, Morrison, Morse, Mulligan, Mullin, Nelson, Newell, Nicholas, Noyes, O'Connell, Peabbles, Perham, Perkins, Peterson, Picher, Pierce of Farmington, Pierce of Houlton, Plummer, Pollard, Ricker, Russell of Alfred, Russell of Lewiston, St. Clair of Calais, St. Clair of Rockland, Small Smith, Tabbutt, Tate, Thibodeau of Port Kent, Towle, Trafton, Turner, Tuttle, Varney, Ward, Wasgatt, Watts, Webb, Welch, Wescott, Wilkins, Wilson, Woodman, Wyman—117.

ABSENT—Besse, Chaplin, Connors, Holt of Gouldsboro, Littlefield, Maxwell, McIntire, McNally, Roberts, Robinson, Ryder, Waterhouse, Wheeler—13.

The SPEAKER: Twenty-one having voted yes, 117 having voted no, the amendment is lost.

On motion by Mr. Fay of Dexter, House Document 495, bill, "An Act relative to employment of women and minors," had its third reading and was passed to be engrossed.

The SPEAKER: The Chair lays before the House Senate Document 150, "An Act to equalize the salaries of the judges of probate," tabled by Mr. McCarty of Lewiston pending the adoption of House Amendment A. to amend by striking out the word "twelve" in the fifth line thereof, and inserting in lieu thereof the word "fifteen."

On motion by Mr. Connellan of Portland the bill and amendment were retabled, and specially assigned for con-

sideration on Wednesday, March 17.

On motion by Mr. Greenleaf of Portland, the vote was re-considered whereby this bill was again tabled and specially assigned for consideration on Wednesday, March 17.

The SPEAKER: The Chair will state for the information of the House that the amendments to this Senate Document 150 have been lettered wrong. House Amendment A was read and adopted, March 5, presented by the gentleman from Belfast, Mr. Millett, relating to Waldo county. The amendment offered by the gentleman from Lewiston, Mr. McCarty, should be lettered House Amendment B.

Mr. Greenleaf of Portland then offered House Amendment C to amend by striking out in the seventh line thereof the words "seventeen hundred dollars," and inserting in lieu thereof the words "two thousand dollars."

On further motion by Mr. Greenleaf, the bill, pending the adoption of the amendments, was again tabled, and specially assigned for consideration on Wednesday, March 17.

On motion by Mr. Bonney of Bowdoinham, unanimous consent was given, and that gentleman presented out of order the following order:

"Ordered, That the House congratulates its clerk on his complete recovery from his recent illness, and itself, that this most competent official is again in the House assuming the duties of his position."

"The House wishes to express its appreciation of the work of the assistant clerk during the absence of his chief. The clean-cut and efficient manner in which he has performed the exacting duties of his office in forwarding the business of the House would reflect credit on any legislative body. The House congratulates itself on its assistant clerk."

The order received a passage.

The SPEAKER: The Chair lays before the House, Senate Doc. No. 151, bill, An Act to equalize the salaries of the judges of probate, tabled by the gentleman from Lisbon, Mr. Plummer,

pending its passage to be enacted and specially assigned for consideration to-day.

On motion by Mr. Plummer, the rules were suspended and the House reconsidered the vote whereby this bill was passed to be engrossed.

Mr. Morse of Rumford then offered House Amendment A, to amend Section 1 of said act by striking out all of line thirteen and inserting in place thereof "Oxford, one thousand dollars."

Mr. PLUMMER: Mr. Speaker, yesterday we had some discussion here with reference to increasing salaries above the amounts recommended by the committee on salaries and fees. While at that time and even now I think that it was inadvisable to depart from the recommendations of that committee, at the same time there were certain elements which enter into the consideration of this matter which did not enter into those which we considered yesterday. That is to say, in those matters which we considered yesterday it was a question largely of the tax payers of any given county, as to whether they desired to pay any of their officials a larger salary. Since this act has been on its passage here, however, there has been another act passed which was given its third reading yesterday afternoon and which provided that the salaries of judges of probate shall be paid from the county treasury. Now, with regard to officials who are paid from the county treasury, I regard it to a large extent as the business of the individual counties and to be settled within certain limits by the delegations from those counties as to what should be the salaries of those officers. But if the state is to pay those salaries, it then becomes at once the business of the citizens of the whole state as to how much shall be paid in any given county. Now, it is unnecessary for me to repeat the arguments that were made here yesterday in regard to the recommendations of the committee further than to reiterate that that committee examined into all these questions and recommended what seemed to it to be equitable salaries for the different officers in one county as compared with another. They made recommendations as to the salaries of the judges of probate.

During this legislature, I might say, a committee of this legislature has examined further into the matter and while its report is not altogether in agreement with the report of the recess committee of the legislature, yet it is substantially so.

Now, there have been three amendments previous to the one offered this morning affecting the salaries of judges of probate. One of them was for Cumberland county, and if I remember correctly it increased the salary of judge of probate in that county from \$2500 to \$3000. The other two I do not remember which counties they represented, but I think that it is fair to this House that the gentlemen from those counties who desire to have the salaries of the judges of probate in those counties increased above the recommendation of the committee, it is but fair that some of those gentlemen should report to this House why that increase is advisable, inasmuch as we and our constituents throughout the State of Maine must pay the salary, and pay a salary which on the face of it is out of proportion to that which we are willing to pay in other counties. In order to bring the matter to a head, Mr. Speaker, and as I understand it the pending question is on the adoption of this amendment.

THE SPEAKER: The pending question is on the adoption of House Amendment A offered by the gentleman from Rumford, Mr. Morse.

MR. PLUMMER: Mr. Speaker, I would like to have some member of the Oxford county delegation make some statement as to why this increase should be allowed; and after that I shall ask for similar action with regard to the other counties.

MR. MORSE of Rumford: Mr. Speaker, this increase in salary is asked on account of the increase of business in Oxford county, and on account of the number of terms of probate court, two in Fryeburg, four in Rumford and eleven in South Paris; also on account of the increased travel. The delegation from our county feels that this amendment should be allowed.

The question being on the adoption of House Amendment A,

The amendment was adopted.

MR. CONNELLAN of Portland: Mr. Speaker, I move that Senate Doc. No. 151, be passed to be engrossed, and in so doing I wish in a small way to answer the statement of the gentleman from Lisbon, Mr. Plummer.

I understand he has submitted as one of his arguments in claiming to be against this increase on the fact that a bill is pending here transferring the payment of the salaries of judges of probate from the counties to the State. That bill has not yet been passed to be enacted by this legislature; it may and it may not, I cannot tell; but I do know this, that so far as the increase in the salary of the judge of probate of the county of Cumberland goes, I would remind the gentleman (Mr. Plummer) first that Cumberland county is the largest county in the State; second, that the salary of \$2500 which was recommended by the committee on salaries and fees, if I am not mistaken, has been the amount of salary existing for that office for the past twenty years, I think. Now, if \$2500 was considered a fair salary for that office twenty years ago, with the increased valuation and the increased population, amounting to something like 15 per cent in that time, it seems to me that the addition of \$500 to that salary is nothing but a fair, reasonable and just increase. The population of Cumberland county is now 112,000, in round numbers; the valuation of that county is \$104,246,388. The judge of probate in Cumberland county holds eleven terms of court during the year. In other words, he holds a term every month in the year excepting during the month of August. The volume of business in the office is overwhelming. The position is one that needs a man skilled in the law; he deals with large matters of finance, and it seems to me that the dignity of the office of judge of probate of the largest county in the State is not—and I say it advisedly—is not commensurate with this small salary of \$2500; and for all these reasons it seems to me the increase asked for by this amendment is nothing but reasonable, just, fair and equitable.

Mr. PLUMMER: Mr. Speaker, I submit that the gentleman from Portland, Mr. Connellan, in stating or in asking us to admit that the salary for the past twenty years has been a certain amount, and that it was sufficient at that time but that the business has increased and it needs more now—I submit that in asking us to admit that, he evades the question. On the other hand, let us put it this way: if this salary for twenty years has been too much, is that any reason why we should increase it? Now, if the gentleman, or any of them, do propose to increase the salaries of the judges of probate in the different counties of our State on the ground that they were not receiving enough, there might be some reason to their contention; but in the face of the recommendation of the committee on salaries and fees, I submit that it is not sufficient.

Mr. CONNELLAN: Mr. Speaker, if I may be pardoned, I again would like to answer the gentleman from Lisbon, Dr. Plummer. In the first place, I had no idea of saying, and I do not believe I did say, that the salary of twenty-five hundred dollars a year some fifteen or twenty years ago was too large or too small. I said nothing of the sort. Neither did I say, if I remember what I said correctly, and I think I do, that I was here as a representative in this House looking out for the salaries of the judges in the various counties in this State. I think their representatives are competent to look out for the salaries of their various officials. I am here endeavoring to do the right and just thing by the State and for Cumberland county. I do not claim, and neither do I think my friend from Lisbon (Mr. Plummer) has any right to claim, that a salary of twenty-five hundred dollars for the Judge of Probate for Cumberland county some fifteen or twenty years ago was any too large. It must have been fair in the wisdom of the Legislature—and we always submit to the wisdom of the Legislature, for they have great wisdom; there is no question about that. As a matter of fact, no effort has been made to increase

this salary, so far as I am aware, until this present Legislature, and perhaps, although it was needed to have been done several years ago, the fact that a vacation Salaries and Fees Committee was appointed has stirred up the matter, and made us representatives from Cumberland county look into it, and we find that we have been negligent in the past few years, and that the salaries of the officials should have been increased. That we have been negligent is no reason why we should continue so to be, and for that reason I say there is every just and good cause that the salary of this official should be placed at three thousand dollars.

Mr. FOSSETT of Portland: Mr. Speaker, I did not intend to say anything on this matter; but when the representative from Lisbon states that the salary of the Judge of Probate for Cumberland county has been too large in the past twenty years, I must say that it has not. When a gentleman elected to that office and capable of filling that position, leaves his practice entirely, and he has to—he cannot practice at the bar; he has to put his whole time in that office. It is a responsible position, and a salary of three thousand dollars to my mind is none too much. We have in this State clerks of committees who receive fully as much as that, and this Legislature has regulated those salaries. I think and hope that this proposition of raising the salary of the Judge of Probate for Cumberland county will prevail.

Mr. ST. CLAIR of Calais: Mr. Speaker, I simply rise to ask the question, if these increases in salary are to take effect during their present term or the next term?

Mr. CONNELLAN: I will state, Mr. Speaker, if I understand it correctly, that all reductions take effect at the expiration of the term of office of the present incumbent; but I understand that all increases take effect ninety days from the adjournment of this Legislature, unless something else is done.

Mr. ST. CLAIR: It does not seem fair, Mr. Speaker, that a man, having

been elected to office at a salary to be paid, should have his salary raised during his term of office. So far as the salary of the Judge of Probate for Cumberland county is concerned, undoubtedly it is little enough; I think he should have three thousand dollars. He must have a great deal to do, and the position is very responsible; but I do think that an increase of that kind should not take effect until the beginning of the next term of office.

Mr. GREELEY of Portland: Mr. Speaker, I would like to state, in answer to the gentleman from Calais (Mr. St. Clair) that I doubt very much that if excessive duties were placed upon this Legislature they would refuse to take another one hundred dollars. Now, then, I am acquainted with the situation in Portland, and many of the gentlemen who have spoken are not. They must take into consideration that when this salary was placed, a matter of some twenty years ago, conditions were different than they are at the present time. The sheriff had little to do compared with the duties now imposed upon his office. The Judge of Probate had little to do at that time. He now often has in excess of what one man can do, and the salary is not equitable compared to that of others. The least that this Legislature can do is to favor the adoption of this bill.

On motion by Mr. Connellan of Portland, the bill was then passed to be engrossed as amended.

On motion by Mr. Plummer of Lisbon, unanimous consent was given and that gentleman presented out of order bill, An Act providing for the enumeration of cattle, sheep and swine.

Mr. PLUMMER: Mr. Speaker, I will say in explanation of this matter that the law now provides that assessors in making their enumeration shall take the number of cattle, yearlings, two year olds, etc., at least all those over six months of age, and also with regard to sheep and swine, and it provides that once in five years the poultry shall be enumerated and the value of the product therefrom. The Governor yesterday signed an act exempting neat stock thirty

months old and under from taxation, and all sheep and swine. Now, if that act goes into effect the State assessors will have no statistics as to the number of yearlings and two year olds, that is, the assessors would not be obliged to enumerate them in making up their annual count. This bill is drawn under the direction of the committee on taxation merely to cover that point, that these cattle, sheep and swine which have been enumerated and report thereof made to the State assessors; and I trust that unanimous consent will be given that it may be presented out of order, and referred to the proper committee.

Thereupon the bill was received, and on further motion by Mr. Plummer the bill was tabled for printing.

On motion by Mr. Jordan of Baileyville, the report of the committee on inland fisheries and game, on bill, An Act prohibiting the fishing for herring in the Sheepscot River and its tributaries by use of purse or drag seines within 2,000 feet of any trap or weir, was taken from the table.

Mr. JORDAN: Mr. Speaker, I believe this item on the calendar is an error, for the matter was not tabled by me. It possibly might have been tabled by the gentleman from Friendship, Mr. Jameson.

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

The SPEAKER: The Chair will state that this matter was in fact tabled by the gentleman from Friendship, Mr. Jameson, and the calendar is wrong. This bill was passed to be engrossed in the House on February 17th and sent to the Senate; in that branch it was read and passed to be engrossed as amended by Senate Amendment A, to amend by inserting after the word "river" in the fourth line of Section one, the words "and its tributaries."

On motion by Mr. Jameson of Friendship, the vote was reconsidered whereby this bill was passed to be engrossed, and on further motion by the same gentleman, Senate Amendment A was adopted in concurrence.

The bill was then passed to be engrossed, as amended.

The SPEAKER: The Chair wishes to call the attention of the members of the House to the order which was passed yesterday in regard to making up statements of the resolves carrying appropriations of money, and particularly the last part of the order which says, "The secretary of each committee is hereby instructed to forthwith prepare a statement of such work of his committee as would be of use in preparing such a schedule, and file the same with the clerk." The Chair wishes to call the attention of the several committees to this matter and requests that they call the attention of their clerks to this matter. It is necessary that this statement be prepared at once, as under the terms of the order the printing must be done before Tuesday next. Will the several members of the House and the secretaries of the different committees please bear this in mind and have their clerks furnish these statements, as this is a very important matter?

Mr. PLUMMER of Lisbon: Mr. Speaker, to clear the calendar a little, I will take from the table bill, "An Act relating to fees received by Clerks of Courts in naturalization proceedings," House 549; and I yield to the gentleman from Lincoln, Mr. Thombs.

Mr. THOMBS: Mr. Speaker and members of the House: Just a word in explanation of the purpose of this act reported from the committee on revision of

Statutes. Under the present State law, the clerk of courts has to account to the county treasurer bodily for all the fees received by him in his official capacity, those fees going to the State or to the county treasury, in view of the fact that the clerk is now paid a salary. Now it so happens that, under the United States naturalization law, the several clerks of the judicial courts of this State are a means in the process of naturalization, and those desiring naturalization present themselves to those clerks. A small fee is required from the applicants: I think four dollars is the entire sum. That is under the United States law, and the United States law provides that one-half of those fees may be retained by the clerk of courts in payment for his services, the other one-half going, I suppose, into the treasury of the United States Government; at least it is turned over to the United States in some way, and it is not at all a State matter. So that under the present law the clerk would be obliged to account to the county treasury for some United States funds, and it was deemed inadvisable and entirely unnecessary to do that. The State or county treasury has absolutely no right to any part of these funds; that is simply a matter between the clerk of courts and the United States.

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

On motion by Mr. Hobbs of South Berwick,

Adjourned until to-morrow morning at nine o'clock.