

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Legislative Record

OF THE

Seventy-Fourth Legislature

OF THE

STATE OF MAINE

1909

these organizations that I have come in contact with in our section, for this bill, that it may not be desecrated by circuses or by games or by anything of that sort, which takes the attention of the young from the sacredness or holiness of that day. I say that they have a right to ask for it and that this House and Senate should give it to them. There is a demand for it and they should have it. As the senator has said, it is a little while—a little while only—before they will pass over the river, when this day will be of no consequence to them and will probably pass out of existence as a day of memory of the dead soldier; but, while we have them with us, as they pass from their houses with hesitating steps to the music of the fife and drum—not as of yore, but with the hesitancy of old age—let them have that day so that they can pass along without passing through circuses or games. Let it be a quiet day which the law of Maine says shall be kept as sacred as the Sabbath.

Mr. WARREN of Cumberland: Mr. President, it is because I wish to preserve this day after the veterans have gone and because I hope it will be continued a long time in our history, that I do not believe that we ought to load it with arbitrary restrictions. I believe the day will have none the less of sacredness because we permit sports, as Christmas is none the less sacred to us because it is a day of merrymaking. I believe those who are to come after us will not wholly forget the purpose of the day. I believe it will be better to be preserved as a day of sports, as a day of holidays, than that it should be lost entirely out of the calendar.

The question being upon the motion of the senator from Cumberland, Mr. Baxter, that the bill be indefinitely postponed, the yeas and nays were called for and ordered, and the vote being had resulted as follows: Those voting yea were Messrs. Baxter, Boynton, Colcord, Donigan, Irving, Lowe, Macomber, Milliken, Minott, Osgood, Reynolds, Shaw, Walker, Warren, Wheeler, Wyman (16). Those voting nay were Messrs. Eaton, Gowell, Hamilton, Hastings, Hill, Howes, Kellogg, Knowlton, Mullen, Staples (10).

So the motion prevailed, and the bill was indefinitely postponed.

On motion by Mr. Wheeler of Cumberland, House Document No. 668, "An Act to amend Section 44 of Chapter 9 of the Revised Statutes, as amended by Chapter 174 of the Public Laws of 1907, relating to the assessment and collection of taxes on lands in places not incorporated," was taken from the table; and on further motion by the same senator, Senate amendment A was adopted; and, on his further motion, the bill took its second reading as amended and was passed to be engrossed.

On motion by Mr. Wheeler of Cumberland, House Document No. 669, "An Act relating to the collection of State, county and district taxes," was taken from the table; and on his further motion, the same was passed to be engrossed.

Mr. Wheeler of Cumberland presented and moved the adoption under suspension of the rules, of a memorial to Congress, relating to the taxation of inheritances. (The memorial was read and adopted.)

On motion by Mr. Wyman of Washington, "Resolve in favor of preserving the life of fish in the hatcheries and feeding stations of the State," was received and, under suspension of the rules, took its two several readings and was passed to be engrossed.

On motion by Mr. Hamilton of York, Senate Document 445, "An Act dividing the town of York and establishing the town of Yorktown," was taken from the table. On further motion by the same senator, House Amendment C was adopted in concurrence. On motion by the same senator, the Senate non-concurred with the House in the adoption of House Amendment B. On his further motion, the Senate reconsidered the vote whereby the bill was passed to be engrossed as amended by Senate Amendment A, and the same senator further moved that the bill pass to be engrossed as amended by House Amendment A and by House Amendment C. Mr. Kellogg of Penobscot thereupon moved that the bill lie upon the table with the amendments.

Mr. MACOMBER of Kennebec: Mr. President, I hope the motion to table

this bill will not prevail. We can just as well decide it now. We know all that we shall know about it. Why not vote upon it now and get it out of the way?

The PRESIDENT: The pending question is upon the motion of the senator from Penobscot, Mr. Kellogg, that the bill lie upon the table.

Mr. Kellogg of Penobscot thereupon withdrew his motion.

The PRESIDENT: The pending question is upon the motion of the senator from York, Mr. Hamilton, that this bill now pass to be engrossed as amended by Senate Amendment A and House Amendment C, which has been adopted in concurrence by the Senate.

The motion prevailed and the bill was passed to be engrossed.

On motion by Mr. Knowlton of Piscataquis, the report of the committee on salaries and fees "ought not to pass" on bill "An Act to amend Section 1 of Chapter 118 of the Public Laws of 1905, relating to the compensation of clerk of courts in Piscataquis county," was taken from the table.

Mr. KNOWLTON of Piscataquis: Mr. President: I want to say about this bill that we have all read in our childhood days about "Old Dog Tray," a good dog that got into trouble by getting into bad company. This bill was presented to the committee on salaries and fees and came in with a bad lot. This bill, should it be the pleasure of the Senate to allow it a passage, I shall move to amend. When the bill was placed before the committee, it read as it now reads, but it was the understanding with that committee that when that bill was reported to the House that it should be reported in a new draft and read entirely different.

The facts of the case, gentlemen, are these: Piscataquis county, as you know, is a small county and all of the towns that are incorporated are on either side of the Piscataquis river and a railroad runs down through the county. The county seat is at Dover, and the lawyers at the upper end of the county take the train at 6 o'clock in the morning and get down to Dover about 8.30, and they can then visit the court house and do their business of

the day and go back on the train, and the people from the lower end of the county have to go in the same way. So it is necessary that the clerk of courts should keep open from 7.30 until 6 o'clock at night.

That man's salary is a thousand dollars. It was established at that amount four or six years ago when the salary system was established all over Maine. At that time they had two terms of court. Since the establishment of the thousand dollar salary a new term has been added, so that we have now in Piscataquis county three terms of court and it is very proper and just that that office should pay a man an amount commensurate with the additional labor.

This bill, if I am allowed to have it brought before the Senate, will be amended so as to read, two hundred dollars for furnishing clerk hire for that clerk of courts. It does not increase his salary at all. It simply pays for a clerk, and, as you understand very readily, that man now with three terms of court must employ a clerk. In many of the counties the conditions of things are such that they do not have to keep an office open, but that man does from 7.30 to 6 o'clock at night, and all I ask is that there shall be given to him two hundred dollars to pay for a clerk that will enable him to perform his duties properly.

I am aware that the Governor is not in favor of increasing salaries. This is not an increase of salary at all under the arrangement under which the salary was fixed. It was a thousand dollars for two terms of court and all that we ask now is that two hundred dollars be given for clerk hire, in consideration of the fact that we have an extra term of court every year.

I move, Mr. President that the bill as I shall amend it, be substituted for the report.

Mr. MILLIKEN of Aroostook: Mr. President, I rise to ask a question of the senator from Piscataquis through the Chair. When was the change made? Or rather, put it this way, has there been any change in respect to the duties of this office since the pres-