

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Eighth Legislature

OF THE

STATE OF MAINE

1917

AUGUSTA
KENNEBEC JOURNAL PRINT
1916

SENATE

Thursday, March 22, 1917.

Senate called to order by the President.

Prayer by Rev. Paul S. Phalen of Augusta.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

From the House: An Act to amend Section 26 of Chapter 129 of the Revised Statutes, relating to wanton injury to books, pictures and statues.

In the House received and referred to the committee on judiciary.

Mr. DAVIES of Cumberland: Mr. President, in executive session yesterday, the judiciary committee voted to report finally today. Therefore, I move that the bill be referred to the next Legislature.

The motion was agreed to.

From the House: An Act to prohibit discrimination against persons seeking employment.

In the House received and referred to the committee on judiciary.

On motion by Mr. Davies of Cumberland, referred to the next Legislature.

From the House: An Act to enlarge the powers of the Western Maine Power Co.

Mr. LORD of York: Mr. President, I understand that an amendment was adopted in the House, and I move we reconsider the vote whereby this bill was passed to be engrossed.

The motion was agreed to.

Mr. LORD: Mr. President, I move that we concur with the House in the adoption of House Amendment A to this bill, S. D. 218.

I am familiar with the amendment, Mr. President, and think it adds but two words to the bill.

Mr. MARSHALL of Cumberland: Mr. President, may I inquire what House Amendment A is?

The PRESIDENT Perhaps the senator from York can explain the amendment.

Mr. LORD: Mr. President, it inserts the words, "firm" and "express" in the so-called Baxter amendment, which were left out by the committee.

House Amendment A was adopted in concurrence.

The same senator then offered Senate Amendment A to Senate 218 and moved its adoption.

On motion by Mr. Holt of Cumberland, the bill with amendments were tabled and assigned for next Tuesday morning.

House Bills in the First Reading.

H. D. 613. Resolve in favor of several academies, institutes, seminaries and colleges for maintenance and for repairs and improvements.

H. D. 502. An Act to provide for the registration of resident hunters.

Mr. GILLIN of Penobscot: Mr. President and fellow Senators—

Mr. DAVIES of Cumberland: Mr. President, I might suggest to the Senator from Penobscot, Senator Gillin, if he will permit me, that the matter go over until orders of the day, today.

I desire to confer with the Senator from Penobscot, myself in regard to the bill, and perhaps others would like to do so. It can be disposed of today.

Mr. GILLIN: Mr. President, I thank the Senator, and will take it up under orders of the day.

Mr. HIGGINS of Penobscot: Mr. President, I rise for the purpose of an inquiry. In the report of the committee on education I understood that an amendment was offered in the House?

The PRESIDENT: The report of the committee was amended, and in the Senate the bill was read the first time. The question of amendment will come up on the passage of the bill to be engrossed.

Mr. BURLEIGH of Aroostook: Mr. President, I understood that an amendment to this bill was adopted in the House yesterday. It seems to me it should have come in here this morning.

The PRESIDENT: It came along with the papers from the House, but under the ruling of the Chair we do not consider amendments until the bill or resolve is read twice, unless the Senate calls for them.

House 270. An Act to amend the charter of the city of Augusta, relative to police.

House 277. An Act to amend Chapter 244 entitled "An Act to provide a charter for the city of Gardiner" of the Private and Special Laws of 1913.

House 367. An Act to amend Section 1 of Chapter 138 of the Revised Statutes relating to collection and disposal of fines and costs in criminal cases.

House 368. An Act in relation to vacancies in public office.

House 581. An Act to enable the register of deeds of Cumberland county to procure durable copies of plans recorded in said registry.

House 582. An Act to change the name of the Unitarian church of Augusta, Maine.

House 592. An Act to incorporate the Musquacook Stream Dam & Improvement Co.

House 593. An Act to incorporate the Mattakeunk Stream Dam Improvement Co.

House 601. An Act to authorize the erection and maintenance of a bridge across that part of the Aroostook river known as the Back channel.

House 570. An Act to amend Sections 18 to 23 inclusive, of Chapter 18, Section 53 of Chapter 117, of the Revised Statutes, all relating to the board of registration of nurses.

House 574. An Act to amend Section 65 of Chapter 126 in relation to the appointment of cruelty officers.

House 576. An Act to amend the charter of the city of Hallowell.

House 577. An Act to amend Section 17 of Chapter 145 of the Revised Statutes of 1916 relating to the examination and commitment of persons to insane hospitals.

House 583. An Act respecting removal of filth from docks in the city of Portland.

House 588. An Act relative to notice by public utilities of changes in rates.

House 589. An Act to amend Section 17

of Chapter 12 of the Revised Statutes, relating to registers of deeds.

House 590. An Act entitled "An Act to amend Section 6 of Chapter 42 of Revised Statutes, concerning intelligence offices."

House 591. An Act in addition to Section 13 of Chapter 14, Revised Statutes, relating to adoptions in the Penobscot tribe.

House 571. An Act additional to Chapter 53 of the Revised Statutes of 1916, relating to the payment of benefits.

House 572. An Act to extend the charter of the Livermore and Augusta Railway Company.

House 573. An Act to extend the charter of the Casco Bay Water Company.

House 594. An Act to amend Section 82 of Chapter 115 of the Revised Statutes of 1916, relating to support of debtors in jail.

House 595. An Act authorizing the maintenance of a bridge between the mill and storehouse, by Worumbo Manufacturing Co., Lisbon Falls, Me.

House 597. An Act to incorporate the Pilgrims Home Cemetery Association in the town of Monroe.

House 598. An Act relating to assistance to towns in establishing free public libraries.

House 599. An Act to amend Section 75 of Chapter 4 of the Revised Statutes, relating to free public libraries.

House 600. An Act to amend Section 82 of Chapter 4 of the Revised Statutes, relating to instruction of librarians.

House 602. An Act to establish a legislative reference bureau in the State library.

House 579. An Act to incorporate the Independence Developing Company of Kingman.

House 411. An Act to amend Section 1 of Chapter 113 of the Revised Statutes, relating to the election of county treasurers.

House 546. An Act to amend Chapter 455 of the Private and Special Laws of 1901, amended by Chapter 305 of the Private and Special Laws of 1905, entitled "An Act to incorporate the York Beach Village Corporation."

House 567. An Act to enable the town of Princeton to supply electricity and water.

From the House: Reports A and B of the committee on labor on An Act relative to the hours of labor of conductors and motormen.

Report A, ought not to pass. Report B, ought to pass.

Mr. STANLEY of Oxford: Mr. President, I understand that Report B is in a new draft. I move that both reports be tabled pending acceptance of either.

The motion was agreed to.

From the House: An Act relating to the registration of information concerning aliens.

In the House this bill was read three times under suspension of the rules and passed to be engrossed.

In the Senate, on motion by Mr. Higgins of Penobscot, under suspension of the rules, the bill was read twice and passed to be engrossed in concurrence.

From the House: An Act appropriating moneys for the expenditures of government and for other purposes for the year 1917.

The PRESIDENT In the House this morning this bill was given its three several readings under suspension of the rules and immediately sent to the Senate.

On motion by Mr. Higgins of Penobscot, under suspension of the rules, the bill was given its two several readings and was passed to be engrossed in concurrence.

From the House: Report of the committee on judiciary on An Act authorizing and directing the county commissioners of Aroostook county to enlarge and repair the court house at Houlton, submitting same in a new draft under the title "An Act to authorize the county of Aroostook to enlarge the court house in Houlton and Caribou," and that it ought to pass.

In the House the report of the committee was accepted, and the bill and report was then referred to the Aroostook delegation.

On motion by Mr. Davies of Cumberland the bill and report was referred

to the Aroostook delegation in concurrence.

Messages and Documents from the Heads of Departments

A communication was received from the office of the secretary of State, transmitting a list of public acts approved by the Governor.

On motion by Mr. Davies of Cumberland, placed on file.

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

Placed on File

By Mr. Boynton of Lincoln: Resolution of Westport Grange, No. 516, 57 members, against any change in the present method of distributing of State school and mill fund.

By Mr. Bartlett of Kennebec: An Act to appropriate moneys for the expenditures of the government for the year 1918.

Mr. HIGGINS of Penobscot: Mr. President, this is the general appropriation bill. I move that the rules be suspended and that the bill be given its two several readings and be passed to be engrossed at this time.

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

Legal Affairs

By Mr. Baxter of Sagadahoc: An Act to amend Chapter 88, Section 19, Revised Statutes of 1916, relating to appeals from inferior courts.

Mr. MERRILL of Somerset: Mr. President, I arise to ask permission to introduce a bill, a private and special bill, out of order, and I ask the consent of the Senate that the same may be introduced at this time.

The reason why of this delay is that it is a matter that was called to my attention recently, after the time had elapsed for introducing bills. This is a bill that will require no public notice, and I do not think there is the slightest objection to it from anybody anywhere.

It is in relation to amendment of the

charter of the Skowhegan Water Company, and to this effect, that it may go elsewhere under its charter for obtaining water, and that we may get more and better water. It is for a supply of water for the benefit of the town and I think there is no question about anybody questioning the right.

The PRESIDENT: Is it an emergency measure, Senator?

Mr. MERRILL: Mr. President, it is.

Mr. DAVIES of Cumberland: Mr. President, understood from Senator Merrill in private conversation that the supply of water has failed at that point to which this company desire to extend its system.

There being no objection the bill was received.

On further motion by Mr. Merrill the bill, An Act amendatory of and additional to Chapter 44 of the Private and Special Laws of 1887, relating to the Skowhegan Water Company, under suspension of the rules was read twice and was passed to be engrossed.

Bills in First Reading

S. D. 368. An Act to provide State aid for the construction of highways extending continuously through three or more towns.

S. D. 369. An Act to amend Section 16 of Chapter 59 of the Revised Statutes, relating to compensation of inspectors of steamboats.

S. D. 370. Resolve in favor of the Truil Hospital Aid Association, for the care, support, medical or surgical treatment of indigent persons.

S. D. 371. An Act to amend Section 1 of Chapter 34 of the Revised Statutes of 1916, relative to the State department of agriculture.

S. D. 373. Resolve authorizing the treasurer of State to re-issue matured State highway bonds.

S. D. 374. An Act authorizing the municipal officers of the town of Machias to close a bridge over tide water.

S. D. 375. Resolve appropriating money to aid in repairing and constructing road and bridges, and for other purposes.

Final Reports.

Mr. Stanley from the committee on school for feeble minded, submitted its final report.

Mr. Gillin from the committee on mercantile affairs and insurance submitted its final report.

Mr. Baxter from the committee on banks and banking submitted its final report.

Reports of Committees

Mr. Davies from the committee on judiciary, on An Act to amend Chapter 229 of the Private and Special Laws of 1849 entitled, 'An Act incorporating the trustees of the fund for support of the Episcopate of the Protestant Episcopal church in the Diocese of Maine,' as amended by Chapter 311 of the Laws of 1864, as amended by Chapter 214 of the Laws of 1880, as amended by Chapter 106 of the Laws of 1895 and as amended by Chapter 452 of the Laws of 1897, (Senate No. 289), submitted the same in a new draft, under title of An Act to amend Chapter 452 of the Private and Special Laws of 1897, relating to the trustees of the fund for the support of the Episcopate of the Protestant Episcopal church in the Diocese of Maine, and that it ought to pass.

Mr. Marshall from the committee on legal affairs, on An Act to amend Section 3 of Chapter 20 of the Revised Statutes as amended by Chapter 101 of the Public Laws of 1905, relative to burying grounds (Senate No. 115), reported the same in a new draft under the same title and that it ought to pass.

Mr. Bartlett from the committee on mercantile affairs and insurance, on An Act to incorporate the Investment Insurance and Guaranty Co., reported the same in a new draft under the same title, and that it ought to pass.

Mr. Swift from the committee on railroads and expresses, on An Act to extend the time within which the provisions of Chapter 186 of the Private and Special Laws of 1915, providing for re-organization or consolidation of the railroad companies constituting the Boston & Maine Railroad system may be exercised. (Senate No. 173), reported

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

Mr. Peacock from the committee on sea and shore fisheries, on An Act to authorize the construction of a weir in the tide waters of Little Machias bay in the town of Cutler, reported same in a new draft under the same title, and that it ought to pass.

Mr. Ames from the committee on State lands and forest preservation, on An Act to amend Sections 2 and 21, Chapter 8 of the Revised Statutes, relating to lands reserved for public uses, (Senate No. 261), reported the same in a new draft under the same title, and that it ought to pass.

The same senator from the same committee, on An Act for the control of the white pine blister rust, and other fungus and insect pests, (Senate No. 171), reported the same in a new draft under the same title, and that it ought to pass.

Mr. Swift from the committee on taxation, on An Act to amend Section 1 of Chapter 11, Revised Statutes of Maine, relating to the collection of poll taxes and the commitment of poll taxes in incorporated places, (Senate No. 60), which was recommitted to the committee, reported the same in a new draft under the same title and that it ought to pass.

Mr. Conant from the committee on ways and bridges, on An Act to amend Chapter 25 of the Revised Statutes, relating to State and State aid highways, and to provide a mill tax fund for their construction, (Senate No. 17), reported the same in a new draft under the same title, and that it ought to pass.

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

Mr. Davies from the committee on judiciary, on An Act to amend Section 17 of Chapter 60 of the Revised Statutes of 1916, relating to gas and electric companies, (Senate No. 63), reported same ought not to pass.

The same senator from the same committee on An Act to amend Section 11 of Chapter 61 of the Revised Statutes of 1916, relating to eminent domain

rights, (Senate No. 68), reported same ought not to pass.

Mr. Grant from the committee on salaries and fees, on An Act to amend Section 39 of Chapter 117 of the Revised Statutes of 1916, relating to the salary of the register of probate for Somerset county, reported same ought not to pass.

The same senator from the same committee, on An Act to amend Section 1 of Chapter 335 of the Public Laws of 1915, relating to the equalization of the salaries of the clerks of the judicial court, reported same ought not to pass.

The same senator from the same committee, on An Act to establish the salary of the register of probate for the county of Aroostook, reported same ought not to pass.

The same senator from the same committee, on An Act relative to clerk hire in the office of the clerk of courts for York county, reported same ought not to pass.

Mr. Conant from the same committee, on An Act to fix the salaries of the Board of State Assessors, reported same ought not to pass.

The same senator from the same committee, on An Act to amend Section 43 of Chapter 117 of the Revised Statutes of 1916, relating to compensation of register of deeds in Aroostook county, reported same ought not to pass.

Mr. Ames from the committee on State lands and forest preservation, on An Act to amend Chapter 124 of the Private and Special Laws of 1915, for the protection of forests on the island of Mount Desert, reported that legislation thereon is inexpedient.

(Senator Walker in the chair.)

The reports were accepted and sent down for concurrence.

Passed to Be Engrossed

H. D. 145. An Act to amend Section 2 of Chapter 346 of the Private and Special Laws of 1905, relating to the powers and duties of the probation officer of Cumberland county.

H. D. 149. An Act to authorize the city of Lewiston to issue its bonds to the

amount of \$200,000 to pay its bonds now outstanding and maturing in the year 1917.

H. D. 165. An Act to amend Section 27 of Chapter 120 of the Revised Statutes, relating to offences against lives and persons of female children.

H. D. 228. An Act repealing laws respecting the government of the fire department of the city of Portland.

(Tabled on motion by Mr. Marshall of Cumberland, pending passage to be engrossed.)

H. D. 229. An Act to amend Section 1 of Chapter 285 of the Private and Special Laws of 1854, relating to the erection of wooden buildings in the city of Portland.

(Tabled on motion by Mr. Marshall of Cumberland, pending passage to be engrossed.)

H. D. 236. An Act to repeal Chapter 453 of the Private and Special Laws of 1868, and all acts additional thereto and amendatory thereof, relating to a ferry across the Penobscot river, between Orono and Bradley.

H. D. 241. Resolve, providing for the completion of the book of plans of Waldo county and appropriating money therefor.

H. D. 262. An Act to amend Chapter 83, Section 5 of the Revised Statutes, relating to the time and place of holding the county commissioners' court in York county.

H. D. 269. An Act to incorporate the Casco Title Guaranty Company.

H. D. 291. An Act to grant additional corporate powers to Maine Title and Utility Company.

(Tabled on motion by Mr. Deering of York, pending passage to be engrossed.)

H. D. 300. An Act to amend Section 34 of Chapter 55 of the Revised Statutes, relating to rates for supplying water for fire protection by public utilities.

(Tabled on motion by Mr. Lord of York, pending passage to be engrossed.)

H. D. 323. An Act to amend Section 21 of Chapter 49 of the Revised Statutes, relating to regulations for employment of minors between 14 and 16 years old.

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

Mr. DEERING of York: Mr. President, I was a little slow about this, but I would like to have House Amendment A read. I move we reconsider the vote whereby this bill was passed to be engrossed.

The motion was agreed to.

(House Amendment A read.)

The bill and amendment tabled and assigned for tomorrow.

H. D. 395. An Act to amend Section 55 of Chapter 30 of the Revised Statutes, relating to the amount to be expended by the insurance commissioner in investigating fires.

H. D. 423. Resolve proposing an amendment to the Constitution, in regard to apportionment of representatives in accordance with population. (Tabled pending passage to be engrossed, on motion by Mr. Lord of York.)

H. D. 425. An Act to amend Section 57 of Chapter 53 of the Revised Statutes, relating to guaranty capital of mutual insurance companies.

H. D. 468. An Act to amend Section 10 of Chapter seven of the Revised Statutes, relating to the disposition of unused ballots on election day.

H. D. 470. An Act additional to Revised Statutes, Chapter 51, relating to corporations.

H. D. 485. An Act to amend Section 12 of Chapter 43 of the Private and Special Laws, 1899, entitled An Act to establish the Rumford Falls Municipal court.

H. D. 488. Resolve, proposing an amendment to the Constitution of the State of Maine empowering the Legislature to authorize towns to divide into voting districts for purposes of holding elections.

H. D. 542. An Act additional to Chapter 5 of the Revised Statutes, imposing an added duty on boards of registration and municipal officers acting as a board of registration.

H. D. 543. An Act to incorporate the Smyrna and Oakfield Water Co.

H. D. 544. An Act to authorize the town of Yarmouth to supply gas and electricity. (Tabled on motion by Mr. Holt of Cumberland, pending passage to be engrossed.)

H. D. 545. An Act to amend the second paragraph of Section 45 of Chapter 117 of the Revised Statutes, increasing the amount of clerk hire in the Androscoggin county registry of deeds.

H. D. 547. An Act to incorporate the Odd Fellows' Home of Maine.

H. D. 548. An Act to amend Paragraph 1 of Section 4 of Chapter 72 of the Revised Statutes, relating to the appointment of guardians. (Tabled on motion by Mr. Lord of York, pending passage to be engrossed.)

H. D. 549. An Act to provide for the payment of a bounty on bears killed in the State.

Mr. HIGGINS of Penobscot: Mr. President, in view of the fact that the resolve appropriating the money to carry out the provision of this act has been reported, ought not to pass, and as the report has been accepted by the Legislature, I move that this bill be indefinitely postponed.

The motion was agreed to and the bill was indefinitely postponed.

H. D. 550. Resolve reimbursing the town of Orneville for expenses incurred in the care and nursing of a State pauper.

H. D. 552. Resolve in favor of the town of Phillips.

H. D. 560. An Act to amend Chapter 121 of the Private and Special Laws of 1913, to enable the annual meetings of Madison Water District to be held at any time during the month of July in each year.

H. D. 562. Resolve in favor of Ernest E. Graffam of Poland. (Tabled on motion by Mr. Deering of York, pending passage to be engrossed.)

H. D. 563. An Act additional to Chapter 52 of the Revised Statutes, providing a penalty for copying the records of banking institutions.

H. D. 564. An Act to amend Section 100 of Chapter 52 of the Revised Stat-

utes, relating to the capital stock of building and loan associations. (Tabled pending passage to be engrossed on motion by Mr. Bartlett of Kennebec.)

Mr. BARTLETT of Kennebec: Mr. President, I was called out and would like to inquire what action was taken in H. D. 395?

The PRESIDENT: The bill was read the second time and passed to be engrossed.

Mr. BARTLETT: Mr. President, if in order, I move that we reconsider the vote whereby we passed this bill to be engrossed.

The motion was agreed to, and on further motion by the same senator the bill was tabled pending passage to be engrossed.

H. D. 575. Resolve, in favor of the town of Washburn.

S. D. 357. An Act to amend Section 27 of Chapter 52 of the Revised Statutes to permit savings banks to invest in certain electric railroad bonds.

S. D. 358. An Act to ratify the organization of Capital park and give additional powers to said corporation.

S. D. 359. An Act authorizing the city of Augusta to raise money by taxation to assist Capital park in maintaining grounds and conveniences for public amusements.

S. D. 361. Resolve in aid of navigation of various lakes, rivers and thoroughfares in the State of Maine.

S. D. 362. An Act to provide for the registration of teachers.

S. D. 363. An Act to amend Section 60, Chapter 8 of the Revised Statutes, relating to the Maine Forestry District.

S. D. 364. An Act to enable the chief engineer of the State highway commission to convey a certain lot or parcel of land owned by the State of Maine to the European and North American Railroad.

S. D. 365. An Act to authorize the city of Augusta to acquire property.

S. D. 366. Resolve, in favor of Henry H. Grindle of Castine.

Mr. RICKER of Hancock: Mr. President, I move that this resolve, S. D. 366, be indefinitely postponed.

(The title of the resolve read on request by Senator Davies of Cumberland.)

Mr. DEERING of York: Mr. President, the statement of facts in this resolve is very short and quite to the point, and if the statement of facts is true it seems to me that the gentleman named ought to get his money.

Mr. RICKER: Mr. President, I should have made a little explanation. The amount of the resolve is only about \$15, and the Governor will pay this out of the fund, so that the payment is safe. I should have made that explanation.

The motion was agreed to and the bill was indefinitely postponed.

Passed to Be Enacted

An Act additional to and amendatory of Chapter 206 of the Private and Special Laws of 1907, relating to the West Branch Driving and Reservoir Dam Company.

An Act to amend Section 24 of Chapter 5 of the Revised Statutes, relating to the challenging of the right of a person to vote.

An Act to amend Section 19 of Chapter 5 of the Revised Statutes, relating to the sessions of the boards of registration in cities with over 35,000 inhabitants.

An Act to amend Section 14 of Chapter 58 of the Revised Statutes, relating to the extension of charters of street railroads.

An Act authorizing the town of Bucksport to secure a supply of water.

An Act to amend Section 25 of chapter 30 of the Revised Statutes, providing for the election of inspectors of buildings.

An Act to provide for a county law library at Rumford in the county of Oxford.

An Act amending Chapter 121 of the Private and Special Laws of 1915, relating to a close time on lobsters in Machias Bay and adjacent waters in the county of Washington.

An Act to amend Section 74 of Chapter 45 of the Revised Statutes, relating

to fishing for smelts in West Bay and West Bay Stream.

An Act to provide for street lights on Old Town Indian Island No. 1.

An Act to provide a common on Old Town Indian Island No. 1.

An Act providing for the relief of members of the Passamaquoddy tribe of Indians found destitute beyond tribal reservations.

An Act to amend Paragraph 10 of Section 51 of Chapter 82 of the Revised Statutes, relating to trial terms of the Supreme Judicial Court in the county of Oxford.

An Act relating to annual or biennial reports of state charitable and correctional institutions.

An Act to extend the rights, powers and privileges of the Guilford Manufacturing Company for the erection and maintenance of piers and booms in the Piscataquis River.

An Act relating to the issuing of blank writs by clerks of the Supreme Judicial Courts, and Superior Courts, clerks and recorders of municipal and police courts and trial justices.

Orders of the Day

The PRESIDENT pro tem: The Chair lays before the Senate a bill not on the calendar, H. D. 502, An Act in relation to resident hunters.

Mr. GILLIN of Penobscot: Mr. President, fellow Senators: I wish your attention for a few moments in going over the different sections of this bill in the briefest possible time, so that we may understand the application of it. It is H. D. No. 502.

Section 1 says that "no resident of this state shall hunt in any manner, at any time, or pursue, take, catch, kill, destroy or have in possession, within the limits of this state, any wild animals or wild birds," etc. and goes on to provide, coming down to section 2, what he will have to do in order to obtain a license.

Section 2. "Any resident of this state may make written application to the clerk of the city, town or plantation in which such resident resides, and such city, town or plantation clerk, after having satisfied himself that the applicant is a bona fide resident of said city, town

or plantation," etc., may issue a license. I read that part of the bill in order to make the application of it later.

Section 3 of the same bill says: "Every person holding a certificate of registration by virtue of this act shall, at all times, while hunting, have such certificate on his person, and shall exhibit the same for inspection to any person authorized to enforce the inland fish and game laws," etc.

I call the attention of the senators to section 8: The possession of any firearm in the fields or forests or on the waters or ice of the state by a resident of this state, except on land owned or leased by him on which he is actually domiciled, unless the person having such firearm in possession has in his possession a certificate of registration, as herein provided, duly issued to him, and covering the period such firearm is found in his possession shall be prima facie evidence of hunting in violation of this act."

"Any person who violates any of the provisions of section one, two, three," then it goes on to tell that the penalty shall be not less than five or more than twenty-five dollars with costs.

Now to my mind it is a drastic, drag-net, far-reaching bill, and ought not to become a part of the statutory law of this state. When this bill was originally introduced, in the same terms, it put and made the tagging of our boys throughout the state at \$1.25 a head. It is an opening wedge for them to get in. Then they dropped off the \$1.25, leaving all of the objectionable features of the law in the bill, and put it down to fifteen cents. From the towns throughout the state in which our country boys live, more than 150,000 of them betwixt the ages of twelve and sixteen years, and including all of the men within the state of Maine, what have they got to do? They have got to come from the margin of each town, go before the clerk of the town for purposes of identification, and they have got to carry this tag with them wherever they go, if they carry a gun. The bill provides that no man may carry a gun or hunt, except in the precincts or within the boundaries of his own land. The section, as read, says that if you carry a gun with you in any spot or place in the state of Maine, without one

of these fifteen-cent tags on your person to show somebody who comes up, you are liable to be hauled up in court before a trial justice or a municipal judge and fined \$25 and costs.

It is against the spirit of New England. It is a law that ought not to be made. Why, I can look back in my mind's eye into the beautiful town of Houlton, in which I was born, and hundreds of towns throughout my county where I taught school from one end of it to the other, and see the hundreds of little boys coming bare-footed, and on Saturdays going out into the woods in September hunting for birds, where there were four or five of those boys in a family. It would be a crime to take away from them fifteen cents apiece to have a tag put on them. It would be a still greater crime to allow some man who is already a state official under the laws of your state to make criminals of the country boys who come into your cities to make up its brain and brawn.

They can talk to you as much as they please. They can say it is for the purpose of keeping out people from out the state. But it reaches every town in the state of Maine. It requires every boy betwixt the ages of twelve and sixteen and twenty-one to put a fifteen-cent tag on him. And if he does not do it, it allows these fellows who are here asking that this law go through this senate and house, to arrest him and bring him before a trial justice or a municipal court, and probably the whole family that he is helping to support couldn't raise \$5 to pay the fine.

What is the need of it? What is the necessity of it? Still they urge it forward. They first cut off twenty-five cents. Then they cut off a dollar. Then they made it fifteen cents. But they left in all the drastic propositions. They say that men and boys who live in the places that are not towns will have to come way from the margins of our plantations and be identified before the town clerk of the adjoining towns before they can get one of these fifteen-cent tags. It gives a chance for the officers of the law to roll up hundreds of dollars of cost for the arresting of every man who has not got a tag on his person, who is carrying a gun. The law is so drastic that he could arrest you on your own

lawn if you had a gun in your hand and didn't have a tag.

But that is not what I am after. That is not why I object to this bill. It is the fact, fellow Senators, that I was brought up in a beautiful country town where when I was not working on a farm for fourteen hours a day, when I got a chance to go out on the hills and mountains and around on the rolling brooks and shoot game to eat upon the table, I didn't have to have any tag put on me, and I don't want any tags put on the sons of the people of the state of Maine. You want them in the forests. You want them under God Almighty's sunlight, without any tags on them, where they can breathe in the air and the intelligence that flows from God Almighty in the great university of nature, without any tags on them, and without having a game commissioner take them and bring them into your municipal courts and give them a criminal record. You want them to know how to shoot. That is what you are passing laws for throughout the state and throughout the nation today. You want your boys from twelve to sixteen to know how to handle a rifle. And they can learn it in the woods better than they can anywhere else, and they ought not to be tagged by these fellows who slip off a twenty-five cents, then slip off a dollar, then put on fifteen cents.

What man from city or country has come here to ask for these laws? I want to say to these men who have got positions under the statutes of the state of Maine, that they better hold those positions, and not to try to make laws to go out after the people of the state of Maine, but enforce the laws they have got upon the statute books. This law will reach more than 350,000 men and boys in the state of Maine, and give these fellows who have put this law in here the right to arrest them and bring them, my fellow senators, before the courts and give them records. They need not say to me, they need not say to you, that this is to help them keep out people from outside the state. It is for the purpose of making an opening wedge of a law that they backed down upon, and getting a fifteen-cent tag on everybody in the state, and then next term to increase it back \$1.25. That

is the purpose of the measure and it is dangerous.

It is dangerous for the boys. There isn't any game warden who will not know whether I am a citizen or not. I have travelled on the rolling waters of your state, three times down the West Branch, three times down the Allagash, three times down the East Branch, and I can say to the distinguished lawyer from Hancock, on every bit of water that you have got in your county. I have met the game wardens and the fire wardens. They know whether a man is a gentleman or not when they meet him, and they will not ask to have any tag upon his person. I say to you, this is a serious matter. I can employ guides. But there was a time when I could not get fifteen cents to put a tag on myself, and I was a perfectly good hunter, a better hunter than I will ever be a lawyer, fellow senators, when I was twelve years of age, and I believe if necessity called that I could shoot mighty straight now. I don't want to see the country boys with this tag on them. I don't want to see this law placed on the statute books, that one of my fellow senators here can't go on to his neighbor's land with a gun in his hand without violating the law. I am going to say to these game commissioners that they cannot make laws so that the boys of the state of Maine cannot raise their hand above their head without breaking one of their cursed laws. We have got law enough. I heard this stated before a legislative body—I want to keep within parliamentary rules and I will—that there were so many laws upon the statute book of a certain state pertaining to hunting that they could not be enforced on account of their multiplicity. Here is one that is multiple enough, where a man can't take a gun and go outside of his own farm, or his own house, without having a fifteen-cent tag upon him. In the interests of the boys of the state of Maine who, like me and like probably many other senators here, get their education by swinging axes in the forests of the State of Maine, by treading logs upon its rolling waters to bring them to the market and to the mill, I raise my voice in solemn protest against such a nefarious, invidious, wicked law. I want your sons

and my sons in the broad area of the state of Maine to go forth free, as their fathers went, into these forests.

We all know when we cross the meridian of life and enter its twilight, that "the tree that first shaded us and the first little shiner we caught with a pin, will be indelibly stamped upon the tablets of our memory when things of great moment have passed away."

"When I was a tiny boy

My days and nights were full of joy,
My mates were blithe and kind.
No wonder that I sometimes sigh
And brush the tear-drop from my eye
And cast a look behind,
The crownless hat ne'er dimmed the
light,

It only let the sunshine bright
Repose upon my head."

God bless the sons of a farming population in the towns and in the broad area of your state, who go forth on Saturday afternoons, with their bare feet and their crownless hats, with their guns upon their shoulders, untrammelled by any invidious laws like this, untagged except by the breath of God Almighty that comes from heaven, as free as the water and the air and the sunlight.

It is a nefarious bill. I don't care, gentlemen, who endorses it. I send my voice forth for the young boys and the men of the State of Maine, in solemn protest against it. If you put that law upon your statute books, you will hear from the boys when they come into their father's firesides and tell them that they have been arrested by some officious man who always wears a button, because they carried a gun out across their neighbor's field.

Gentlemen, I may possibly have such an animus against this bill that I have not appealed to your reason. I am prejudiced against it. But I know this, it is contrary to all the laws of the great State of Maine. There has no such law ever been placed upon your statute book. It is a new departure. It is a departure that is going to tag at least 350,000 of your boys and men who go into the forests for recreation.

I hope and trust that in this Senate, as I look into the intelligent and splendid faces of my fellow senators,—I hope

that in the interests of the boys who are growing up in our country towns, that you will stamp this law out of existence and not give it a passage in this distinguished body of your state.

I thank you, Mr. President, and I thank you, my fellow Senators, for your attention.

Mr. BUTLER of Knox: Mr. President, this proposed law to me harks from some officialdom somewhere. It seems like a law conceived in the brain of some office or some office-holders in Maine to put upon the people of our State. I have been here in this capitol so long I can hardly remember how long, but I think nearly twelve weeks now. I am the sole senator from my county, and no man, woman or child from my county has ever written me a line or said to me a single word in behalf of such legislation as this.

It is un-American, unpatriotic, and not in line with our New England traditions. There are certain rights, certain liberties that by virtue of our citizenship in Maine, in New England and in the Nation, we expect, and among these sacred rights are such rights as this bill would invade and largely nullify.

Now until some senator, or some other person in whom I have the greatest confidence, can show me some well-founded reason why we should fasten such a law as this upon our Maine people, I am opposed to it, unutterably opposed to it. In closing I will simply say this, that whatever they may want to get at—if they want to get at the non-residents through this law—I say this, that the remedy proposed is infinitely worse than the disease.

Mr. CHICK of Kennebec: Mr. President, I presume that every senator here is somewhat familiar with the natural resources of our state and the large number of people that come into our state during the year, attracted here principally by these natural resources. During 1902 quite an accurate census was made of the people who came into this state to spend a part or the whole of their vacation, and it was determined that there was approximately 133,000. That number has been increased largely from year to year until during this last season it was estimated that a quarter of a million people spent their vacation

or a part of their vacation within the state. The people who come into the state during the latter part of the season are attracted here because of the excellent hunting which they find. The State of course not only receives the money which is expended by these people for hotel bills, travelling expenses, etc., but all of those who hunt are supposed to procure a license. During last year there was put into the State treasury approximately \$30,000 for license fees from non-resident hunters. Had all of those non-residents who participated in hunting taken out a license, it has been estimated that the amount, instead of being \$30,000 would have been \$40,000 or \$45,000.

A great many of the people who come in here, some from the New England States, some from the Provinces, come in here with automobiles and hunt without taking out the license required by law. It is almost impossible for the wardens to determine whether they are actually residents of the state or not. If they are asked for their license, the wardens are immediately told that they come from some distant county of the state and consequently do not need a license. They stay a few days, procure a certain amount of game, whatever it may be, put the game into their automobiles and go out of the state without leaving their license fee, which they should leave under the law, and also taking the game along with them, of which no record is able to be procured.

At the first of the session a bill was introduced into the Legislature calling for the registration of resident hunters. That matter was referred to the committee and reached it in due course, was advertised and a hearing was held. After careful consideration by the committee it was thought that it would be an inopportune time to place a fee upon the resident hunters of the state for the purpose of procuring revenue. I might say here that the original bill called for a registration fee of \$1.15. The fifteen cents was supposed to be for the purpose of procuring the certificate of registration, and the dollar for the privilege. But, as I say, it was thought best by the committee to eliminate the dollar and not impose upon the resident hunters of the state any fee to contribute to the income of the state.

It was simply, practically, for the purpose of identification of the non-resident hunters that this bill was reported. This is the principle feature of the bill. It will enable wardens to determine the non-resident from the resident hunters.

It does not seem to me that this is going to put any great burden upon the people of this State. It does not seem that it is much of a hardship for the people to go to the town clerk, or even send to the town clerk,—the town, plantation or city clerk, whichever it may be, and once a year procure their certificate of registration.

I will say that they have some form of resident hunter registration in every state in the Union with the exception of four,—Delaware, Maryland, North Carolina and Maine. The fees for registration vary from fifty cents to \$5. This matter has been tried in other states and it has proved a success. Most of the states have already adopted it, and I can see no reason why the State of Maine should not enact this bill at the present time.

Mr. MERRILL of Somerset: Mr. President and fellow Senators: I do not propose to inflict a speech upon you upon this subject, but I certainly, in behalf of the boys of Somerset county, and in behalf of the boys of fifteen other counties so far as I know them, want to stand up and say to you, Mr. President, and to you, fellow Senators, that I do not for a moment entertain the idea that those bare-footed boys and those that are not bare-footed will object to paying a license fee of fifteen cents in aid of the great object of the State in preserving its game in this State and getting a revenue back from out-of-the-state hunters who come in here, and by the means of this little fee of fifteen cents and certificate or license to the boys and the men who are residents of the state of Maine, let the wardens be enabled to detect who are and who are not hunters within the State. I do not believe but what every young man, and I do not believe but what every old man who wants to go into the forests of Maine and into the woods of Maine for the purposes of hunting, will be perfectly willing to be tagged, and to wear his tag on the outside lapel of his coat, or his jacket, or

his hunting coat, and say to every one, "I have a right to be here. I am a citizen of the State of Maine and I have complied with the law." And if somebody comes along without a tag the warden has a perfect right to say, "Halt," and make him pay.

As the Senator from Penobscot says, we have got an abundance of laws. They are very many in relation to fish and game. They are many, but while we are spending all the money that we are on the fish and game department of this State, for heaven's sake, if there is anything that will help us out, to gain a revenue from people coming in from without the state and undertaking to palm themselves off as residents of Maine, why let us have that benefit. I do not think that this fifteen cents is going to hurt anybody, and I do not think as the senator from Penobscot says, that he deplures very much—and referred to his own bare-footed childhood, and I know what that means because we all went bare-footed in that generation just past—but we are citizens of the State of Maine and we will have to perform the duties laid upon us as citizens. If we are going to have a fish and game law, let us do everything to strengthen the hands of those who take charge of it, and keep the machinery running to help bring in revenue not only today and tomorrow but in the years to come. I hope, Mr. Chairman gentlemen of the Senate, that this bill will receive its passage.

Mr. GILLIN: I rise to make a motion, and also to say a word.

In reply to the distinguished Senator from Kennebec: He says that the people might write the town clerks. He has not read Section 2 of the bill, which says that they must go before them and be identified.

In answer to the distinguished Senator Merrill, I wish to say that it is an easy matter for them to tell an adult who is 21 years old who comes into the State. If this bill is offered in good faith for the purposes for which he offers it, why tag the boys of the State of Maine? I am not in favor of the proposition, or the kind of a tag proposed by the distinguished senator. I am in favor of a tag of God Almighty's sunlight shining on his back, and not a

15-cent tag, by which the residents of his town who are game wardens can identify him. Therefore, Mr. President, I make this motion—I understand that the pending question is an assignment of a time for the second reading of the bill, and I move that it be indefinitely postponed, and call for the question, Mr. President.

Mr. CHICK: Mr. President, when the vote is taken I would ask for a division.

A rising vote was had, and 15 Senators voting in the affirmative and eight voting in the negative, the motion was carried and the bill was indefinitely postponed.

Mr. BUTLER of Knox: Mr. President, I would like to make a motion at this time that we reconsider the vote had yesterday whereby we voted to indefinitely postpone An Act to amend Section 29 of Chapter 136 of the Revised Statutes, relating to copy of proceedings in criminal cases.

I yield to the Senator from Cumberland, Senator Davies.

Mr. DAVIES of Cumberland: Mr. President, I discovered since I spoke with the Senator from Knox, Senator Butler, this statute, and it is Chapter 136, Section 29, and I desire to ask the Senator if he has seen it, and I will read it.

"Section 29. Whenever any person is convicted of murder, a copy of the indictment, plea, evidence and charge of the presiding justice, certified by the official stenographer, shall be filed with the clerk of court where such trial is held."

May I ask the Senator if he is acquainted with that provision of the law?

Mr. BUTLER: Mr. President, the Senator will state that he is. Will the Senator not kindly read the rest of the Section?

Mr. DAVIES: "If such stenographer is paid an annual salary, the making and filing of said copy shall be without extra compensation, otherwise the expense thereof shall be paid by the county; but this section shall not apply to cases where motion for new trial is filed."

Is not that the precise ground you

were covering yesterday, I will ask the senator, Mr. President?

Mr. BUTLER: Mr. President, I will state, being familiar with this section, that this proposed law is intended to remedy just that defect. In cases where motions for new trials are filed, the official stenographer, as I understand it, as a matter of practice, is not obliged to write out the transcript of the proceedings and file the same. In this particular case where a pardon matter is pending, a man sentenced to life imprisonment, and now serving his sentence at Thomaston, and right in the midst of pardon proceedings, the attorney for the convict is confronted with this proposition, the Governor and Council require the evidence of the proceedings. The evidence is not obtainable, and in that particular case the reporter, Mr. Clay, at the time of the trial wrote out part of the evidence only and was told by the presiding justice that in as much as a motion for a new trial had been filed he need not go further, and he never has gone further. The convict is poor and unable to procure the means to get the testimony.

If Mr. Clay should happen to die it would be pretty serious for the convict's case. And inasmuch, Mr. President, as the committee on judiciary has practically concluded its labors, I move first to reconsider our vote whereby we voted to indefinitely postpone the act to amend Section 29 of Chapter 136 of the Revised Statutes relating to copy of proceedings in criminal cases.

The motion was agreed to.

On further motion by the same senator the bill was then referred to the committee on legal affairs.

Sent down for concurrence.

Mr. PEACOCK of Washington: Mr. President, I move we reconsider the vote of yesterday whereby we voted that An Act permitting municipal corporations to own and operate street railways, gas and electric companies, ought not to pass.

There has a petition come up in our town where they would like to own an

electric light plant, and until I have time to investigate it I would like to have this matter on the table.

The motion was agreed to, and on further motion by the same senator the bill was tabled.

Assignments of Today

The PRESIDENT pro tem: The Chair lays before the Senate H. D. No. 350, An Act to create a board of prison commissioners, tabled by the senator from York, Senator Deering. The pending question is motion to non-concur in adoption of House Amendment A.

Mr. DEERING of York: Mr. President, I had hoped at this time that the final decision might be reached upon House Amendment A, but the proponents of House Amendment A and the opponents of it are really outside of the Senate and not members of this body, and there is some possibility that they may agree upon an amendment if this matter is again postponed. So I ask that it may be again postponed until next Tuesday to see if they can agree. There is a chance that non-concurrence in the adoption of the amendment may endanger some very important legislation, and I hope that the opponents and proponents of the amendment will get together in regard to the difficulties which they think they are in.

The PRESIDENT pro tem: The Chair lays before the Senate H. D. No. 459, Resolve appropriating money for the expenses of the State Board of Charities and Corrections for the years 1917 and 1918, tabled by the senator from York, Senator Deering. The pending question is the adoption of House Amendment A.

On motion by Mr. Deering House Amendment A was adopted and the resolve as amended was passed to be engrossed.

The PRESIDENT pro tem: The Chair lays before the Senate H. D. No. 495, Resolve in favor of Joseph H. Underwood, tabled by the senator from Kennebec, Senator Chick. The pending question is

passage to be engrossed as amended by House amendment A.

Mr. CHICK of Kennebec: Mr. President, since the Senate assembled this morning a matter has been called to my attention in connection with this, and I move that it be retabled until tomorrow morning.

The motion was agreed to.

The PRESIDENT pro tem: The Chair lays before the Senate H. D. No. 205, An Act to amend Section 10 of Chapter 117 of the Revised Statutes, relating to stenographers of the supreme judicial court, tabled by the senator from Hancock, Senator Wood. The pending question is its passage to be enacted.

Tabled on motion by Mr. Merrill of Somerset.

The PRESIDENT pro tem: The Chair lays before the Senate An Act to amend Section 15 of Chapter 136 of the Revised Statutes of Maine, 1916, relating to proceedings in court in criminal cases, (S. D. 273), tabled by Senator Marshall. The pending question is on its passage to be engrossed.

(Tabled on motion by Mr. Marshall.)

Mr. BARTLETT of Kennebec: Mr. President, yesterday among the bills that came from the House was a bill relating

to insurance that was referred to the committee on mercantile affairs and insurance. I move that we reconsider the vote whereby we referred that bill to that committee.

I will say in explanation that the committee on mercantile affairs and insurance has held its last meeting. This was a bill the committee knew about and discussed in their last meeting, and it was the judgment of the committee that we simply let the bill take its first reading and be printed without reference to a committee.

The motion was agreed to.

On further motion by the same senator under suspension of the rules the bill, H. D. 624, An Act relating to insurance, was read the first time and the second reading assigned for tomorrow morning.

On motion of Mr. Peacock of Washington, H. D. 520, An Act to amend Section 76 of Chapter 45 of the Revised Statutes, relating to smelts, was taken from the table.

On further motion by the same senator the bill was read the second time and passed to be engrossed in non-concurrence.

On motion by Mr. Burleigh of Aroostook,
Adjourned.