

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Eighth Legislature

OF THE

STATE OF MAINE

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1917

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## SENATE

Tuesday, April 3, 1917.

Senate called to order by the President.

Prayer by Rev. Mr. Robinson of Gardiner.

Journal of previous session read and approved.

Mr. AMES of Washington: Mr. President, I move that the rules be suspended in order that I may present an order, out of order.

The motion was agreed to and the senator presented the following order and moved its passage:

Ordered, that a message be sent to the House of Representatives proposing a convention of the Legislature forthwith in the hall of the House, for the purpose of receiving a communication by the Governor.

The order was passed, and the secretary conveyed the message.

Subsequently the secretary reported that he had delivered the message with which he was charged.

### Message from the House

A message was received from the House of Representatives conveyed by its clerk, informing the Senate that the House concurred in the proposition for a joint convention for receiving a communication from the Governor.

The PRESIDENT: The Senate hears the message.

Thereupon the Senate proceeded to the hall of the House where a convention was held.

(For proceedings in joint convention, see House Report.)

Upon return of the Senate to its chamber:

Papers from the House disposed of in concurrence.

From the House: An Act to amend Chapter 295 of the Public Laws of 1915 relative to the compensation of employes for personal injuries.

The House accepted the committee

report, ought to pass; the Senate accepted the report, ought not to pass.

The House insisted upon its former action and appointed a committee of conference.

On motion by Mr. Higgins of Penobscot, the Senate voted to insist upon its former action and join a committee of conference.

The Chair appointed on such committee on the part of the Senate, Messrs. Higgins, Grant and Lord.

From the House: The committee of conference on the disagreeing action of the two branches on resolve in favor of Freeman Boynton of Boothbay Harbor for money paid in lieu of military service, H. D. 391, reported that they were unable to agree.

In the House the report of the committee was accepted and they asked for another committee of conference.

On motion by Mr. Conant of Waldo the Senate voted to adhere to its former action.

### House Bills in First Reading

H. D. 719. Resolve in favor of certain employees of the House of Representatives.

H. D. 717. Resolve appropriating money to pay Ethel M. Wade, stenographer and typist to the clerk of the House.

(Under suspension of the rules the resolve was read twice and passed to be engrossed in concurrence.)

H. D. 716. Resolve in favor of the official reporter of the House for services of assistant reporter, typewriter operator and additional assistance in preparation and completion of the Legislative Record, including installation and rental of dictating machines. (On motion by Mr. Peacock of Washington, the rules were suspended and the resolve was given its second reading and passed to be engrossed in concurrence.)

On motion by Mr. Higgins of Penobscot, the vote was reconsidered whereby H. D. 719, Resolve in favor of certain employees of the House of Representatives, was assigned for second reading Thursday morning.

On further motion by the same Sen-

ator, the rules were suspended and the bill was read twice and passed to be engrossed.

H. D. 721. An Act to amend Sections 92, 93 and 94 of Chapter 2 of the Revised Statutes, relating to the estimated income and expenditures of the State departments and institutions. (On motion by Mr. Googin of Androscoggin under suspension of the rules the bill was given its two several readings and passed to be engrossed in concurrence.)

Resolve in favor of securing plans for a state library building. (On motion by Mr. Baxter of Sagadahoc the rules were suspended and the bill was read twice and passed to be engrossed.)

H. D. 722. An Act to authorize the county of Aroostook to enlarge and repair the court houses at Houlton and Caribou in said county. (On motion by Mr. Burleigh of Aroostook the rules were suspended and the bill given its two several readings and passed to be engrossed in concurrence.)

H. D. 712. An Act to revise, collate, arrange and simplify the inland fish and game laws of the State, both general and public and private and special, and the rules and regulations of the commissioner of inland fisheries and game now in force.

#### Emergency Bill

From the House: An Act authorizing the issue of bonds and notes to the amount of one million dollars to defray expenses incurred to suppress insurrection, repel invasion or for purpose of war, and making an appropriation therefor.

On motion by Mr. Davies of Cumberland, the resolve was received under suspension of the rules, read twice and passed to be engrossed, in concurrence.

From the House: An Act to amend Section 7 of Chapter 117 of the Revised Statutes relating to payment of proportionate parts of salaries of retired justices of the supreme and superior courts.

On motion by Mr. Davies of Cumberland, the report of the committee on this bill was accepted, and it was then indefinitely postponed in concurrence.

On motion of Mr. Marshall of Cumberland the rules were suspended and that Senator presented the following order, out of order, and moved its passage:

Ordered, the House concurring, that when the Senate and House adjourn they adjourn to meet Thursday, April 5, at 9.30 o'clock in the forenoon.

The order was passed and sent down for concurrence.

Subsequently the Chair informed the Senate that the House had concurred in the passage of the order.

#### House Bills in First Reading

H. D. 724. An Act relating to qualification of judges of municipal and police courts. (Tabled pending second reading, on motion by Mr. Hastings of Androscoggin.)

H. D. 720. An Act to amend Section 60 of Chapter 4 of the Revised Statutes of 1916, relating to the creation of a sinking fund by cities and towns.

H. D. 723. Resolve appropriating money for the care and maintenance for Fort William Henry in the town of Bristol.

H. D. 715. Resolve in favor of Mary S. Hillman.

H. D. 713. Resolve in favor of Rena Cooley.

An Act to amend Section 117 of Chapter 18 of the Revised Statutes, relating to the insurance department.

In the House this bill was indefinitely postponed.

On motion by Mr. Grant of Cumberland, tabled pending acceptance of the report of the committee.

H. D. 685. An Act to insure the collection of taxes in unorganized townships.

H. D. 678. An Act to regulate the operation of jitney busses or any other steam or motor driven vehicle.

H. D. 718. An Act to authorize the county of Piscataquis to reimburse the town of Brownville to the extent of 30 per cent of its disbursements in the construction of a bridge across Pleasant river.

From the House: Majority and minority report of the committee on judiciary on An Act to amend Section 10

of Chapter 99 of the Revised Statutes, relating to leases.

The majority report, ought not to pass; minority report, ought to pass.

In the House the minority report was accepted.

Mr. DAVIES of Cumberland: Mr. President, I move that we concur with the House and accept the minority report.

On motion by Mr. Deering of York, the bill and report were tabled pending acceptance of either.

#### Passed to Be Enacted

An Act authorizing the issuing of bonds and notes to the amount of one million dollars to defray expenses incurred to suppress insurrection, repel invasion or for purposes of war, and making an appropriation therefor.

This bill carrying an emergency clause required a two-thirds vote of all the members of the Senate elected.

A rising vote was taken and 26 Senators voting in the affirmative and none in the negative the bill was passed to be enacted.

#### Messages and Documents from Heads of Departments.

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

Received and placed on file.

#### Bills in First Reading

S. D. 430. An Act relating to bonds in the probate court, given by executors and administrators to obtain license to sell real estate, amending Chapter 76 of the Revised Statutes.

S. D. 431. An Act to provide for the seizure and forfeiture of vehicles carrying intoxicating liquor intended for illegal sale.

S. D. 432. An Act in addition to Chapter 26, Revised Statutes, relating to the registration of motor vehicles.

S. D. 433. An Act to amend Section 28 of Chapter 117 of the Revised Statutes, relating to the salary of the judge of probate for the county of Androscoggin.

#### Passed to Be Engrossed

H. D. 427. An Act to amend Sections 10, 17 and 18 of Chapter 45 of the Re-

vised Statutes of 1916, relating to the importation of horses and cattle and also the testing of pure blooded cattle to be sold for breeding purposes. (House Amendment A adopted in concurrence.)

S. D. 652. An Act to create a board of harbor commissioners for the harbor of Portland and define its powers. (House Amendment A adopted in concurrence.)

H. D. 671. An Act to incorporate the Calais Water and Power Company.

H. D. 673. An Act to amend Paragraph 10 of Section 45 of Chapter 117 of the Revised Statutes, increasing the clerk hire in the Oxford county registry of probate office. (Tabled on motion by Mr. Grant of Cumberland pending passage to be engrossed.)

H. D. 677. An Act to improve the public highways of Maine by regulating the width of tires upon wagons and carts for carrying heavy loads. (Tabled on motion by Mr. Marshall of Cumberland pending acceptance of House Amendment A in concurrence.)

H. D. 688. An Act amending Section 14 of Chapter 41 of the Revised Statutes, increasing the license fee for itinerant vendors. (Tabled by Mr. Wood of Hancock pending passage to be engrossed.)

H. D. 701. Resolve authorizing the publication of automobile registrations. (Tabled on motion by Mr. Higgins of Penobscot pending acceptance of House Amendment A in concurrence.)

H. D. 702. An Act to amend Section 36 of Chapter 45 of the Revised Statutes, relating to the purchase, marking and liberating of seed lobsters. (Tabled on motion by Mr. Gordon of York pending passage to be engrossed.)

H. D. 703. An Act to amend Sections 40 and 42 of Chapter 45 of the Revised Statutes, relating to inspection and transportation of lobsters. (Tabled on motion by Mr. Gordon of York pending passage to be engrossed.)

H. D. 704. An Act repealing Paragraph 6 of Section 6 of Chapter 10 of the Revised Statutes, relating to the exemption of certain live stock from taxation.

H. D. 705. An Act to create the Auburn Sewerage District and transferring to it the sewer system of the city of Auburn.

H. D. 706. An Act to amend Section 13

of Chapter 7 of the Revised Statutes, relating to duties of election clerks.

H. D. 707. An Act to amend Section 20 of Chapter 5 of the Revised Statutes of 1916, relating to the registration of voters.

H. D. 708. Resolve appropriating money to aid in screening lakes and ponds, and for other purposes.

(Tabled on motion by Mr. Wood of Hancock, pending passage to be engrossed.)

H. D. 709. Resolve in favor of the erection of a State sanatorium in the county of Aroostook for the treatment of persons suffering from tuberculosis.

S. D. 358. An Act to amend Sections 1, 21 and 22, Chapter 69, Revised Statutes, relating to succession taxes.

Resolve on the pay roll of the Senate.

S. D. 420. Resolve for the pay of the chaplain and certain employes and for typewriting and stenographic assistance for the official reporter of the Senate.

S. D. 421. Resolve for a memorial in honor of Major General Hiram G. Berry.

S. D. 422. An Act relating to the operation of motor vehicles.

S. D. 423. Resolve appropriating money for the purpose of obtaining information in regard to wild lands for the purposes of taxation.

S. D. 424. An Act to establish military training in the public schools.

An Act to amend Section 23 of Chapter 115 of the Revised Statutes, relating to poor debtors.

S. D. 426. An Act to provide for the transfer to the reformatory for women of women serving in the State prison, in any county jail or in any house of correction.

S. D. 427. Resolve proposing an amendment to the constitution relative to the authority of the legislature to impose taxes. (Tabled by Mr. Holt of Cumberland, pending passage to be engrossed and specially assigned for Thursday morning.)

S. D. 428. An Act additional to Chapter 19 of the Revised Statutes, to facilitate the care and treatment of certain infectious diseases, and to add certain sections to Chapter 19 of the Revised Statutes, relating to the State board of health.

S. D. 429. An Act to amend Sections

49, 50, 51, 43, 54, 57, to amend certain sections of Chapter 64, Revised Statutes, in relation to the protection of neglected children.

On motion by Mr. Walker of Somerset, the vote was reconsidered whereby H. D. 704, An Act repealing paragraph 6, Section 6, Chapter 10 of the Revised Statutes, relating to the exemption of certain live stock from taxation.

On further motion by the same Senator the bill was tabled pending its passage to be engrossed.

#### Passed to Be Enacted

An Act to provide for discharge of record attachments of real estate which have lapsed.

An Act to extend the time within which the provisions of Chapter 186 of the Private and Special Laws of 1915, providing for reorganization or consolidation of the railroad companies constituting the Boston & Maine Railroad system may be exercised.

An Act authorizing the Biddeford and Saco Water Co. to increase its capital stock and to hold securities in other corporations.

An Act to amend Section 5 of Chapter 117 of the Revised Statutes, relating to the expenses of the justices of the supreme judicial court.

An Act to amend Section 17 of Chapter 8 of the Revised Statutes, relating to the sale of timber on reserved lands in all townships or tracts.

An Act to amend Section 42 of Chapter 117 of the Revised Statutes relating to expenses of county commissioners.

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.

An Act to amend Paragraph 1 of Section 4 of Chapter 72 of the Revised Statutes, relating to the appointment of guardians.

An Act to secure information relating to the yearly cut of timber from the wild land townships. (Tabled on motion by Mr. Davis of Piscataquis, pending passage to be enacted.)

An Act in addition to Sections 44, 45, 46 and 47 of Chapter 86 of the Revised Statutes, relating to attachment of property mortgaged or pledged.

An Act providing for monthly payment of salaries of county officials.

An Act to amend Section 1 of Chapter 11 of the Revised Statutes, relating to the collection of taxes and the commitment of poll taxes in incorporated places.

An Act to prevent discrimination against soldiers and sailors in the service of the United States or State of Maine, on account of their uniform.

An Act to amend Section 58 of Chapter 64 of the Revised Statutes, relative to the licensing of children's homes and maternity hospitals.

An Act amending Section 14 of Chapter 65 of the Revised Statutes, relating to custody of minor children of divorced parents.

An Act to amend Section 79 of Chapter 57 of the Revised Statutes, relating to speed of trains over and obstructions of grade crossings.

An Act to incorporate the Summer Harbor Water Co.

An Act to amend Section 19 of Chapter 86 of the Revised Statutes, relating to service of writs on corporations.

An Act to amend Sections 12 and 13 of Chapter 37 of the Revised Statutes relative to the inspection of milk and to provide a penalty for interference with inspectors appointed by cities and towns in the performance of their duties.

An Act to provide for the expenses of the Legislature, for salaries fixed by law, for departmental expenses of the State government and for the maintenance of the several State institutions during the period of the biennial sessions of the Legislature. (Tabled on motion by Mr. Higgins of Penobscot, pending passage to be enacted.)

An Act to amend Section 4 of Chapter 76 of the Revised Statutes, relating to notices upon petitions for sales of real estate.

An Act to incorporate the Investment Insurance & Guaranty Co.

An Act to amend Chapter 213 of the Private and Special Laws of 1915, relative to the granting of licenses for certain businesses and purposes by the municipal officers of the city of Portland.

An Act to amend Section 20 of Chap-

ter 117 of the Revised Statutes, and increasing the salary of the chief clerk in the office of State superintendent of public schools.

An Act to amend Section 28 of Chapter 45 of the Revised Statutes, relating to violations of the lobster law.

An Act to provide for card index for probate registry of Aroostook county.

An Act to amend Section 8 of Chapter 65 of the Revised Statutes relative to time for hearing of libels for divorce.

An Act amending Section 17 of Chapter 45 of the Revised Statutes, relative to granting lobster licenses.

An Act to amend Section 32 of Chapter 117 of the Revised Statutes, increasing the salary of the clerk of the Board of State Assessors.

An Act relating to the place of payment in this State of dividends declared by foreign mutual fire insurance companies.

An Act to amend Section 16 of Chapter 117 of the Revised Statutes, increasing the salary of state treasurer.

An Act in relation to the duties of county attorneys.

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.

An Act to amend Section 24 of Chapter 58 of the Revised Statutes, relating to unclaimed baggage and merchandise transported by street railways.

An Act to accept the benefits of an Act of Congress to provide for the protection of vocational education.

An Act to amend Sections 4, 5 and 7 of Chapter 95 of the Revised Statutes, in relation to mortgages of real estate.

An Act providing for the control of the white pine blister rust and other fungous and insect pests.

An Act to authorize the town of Yarmouth to supply gas and electricity.

An Act to amend Section 36 of Chapter 26 of the Revised Statutes, fixing a fee for registering motor cars in neutral automobile zones.

An Act to amend Sections 37 and 45 of Chapter 117 of the Revised Statutes, increasing the salaries of county at-

torney and assistant county attorney for Cumberland county, and to provide for clerk hire in said county attorney's office.

An Act to amend Section 3 of Chapter 384 of the Private and Special Laws of 1907, increasing the salary of the recorder of the old Town municipal court.

An Act amendatory of and additional to Chapter 44 of the Private and Special Laws of 1887, relating to the Skowhegan water district.

An Act relating to the department of electrical appliances of the city of Portland.

#### Orders of the Day

On motion by Mr. Grant of Cumberland, H. D. 673, An Act to amend Paragraph 10 of Section 45 of Chapter 117 of the Revised Statutes, relating to clerk hire in Oxford county offices, was taken from the table.

On further motion by the same senator the bill was passed to be engrossed.

On motion by Mr. Baxter of Sagadahoc the vote was reconsidered whereby An Act to permit savings banks to invest in certain railroad bonds was passed to be enacted.

On further motion by the same senator the bill was tabled.

On motion by Mr. Davies of Cumberland, S. D. 400, An Act to amend Section 5 of Chapter 146 of the Revised Statutes, relative to admittance and charges for patients at State sanitoriums, was taken from the table.

Mr. DAVIES: Mr. President, I desire to offer Senate Amendment A to this bill, and in connection therewith I merely desire to say that the amendment amends the bill so that it shall read in accordance with the deed of gift to the sanatorium.

Strike out the words in Section 5, Lines 6, 7 and 8, "according to the capacity of the sanatorium, such patients shall be eligible for treatment in all stages of the disease."

I move the adoption of the amendment.

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

On motion by Mr. Marshall of Cumberland, S. D. 356, An Act to amend Chapter 319 of the Public Laws of 1915, entitled An Act to provide for State and county aid in the construction of highway bridges, was taken from the table.

Mr. MARSHALL of Cumberland: Mr. President, I now second the motion of Senator Conant to adopt Senate amendment A.

The motion was agreed to.

Mr. CONANT of Waldo: Mr. President, I offer Senate amendment B to this bill:

"Senate amendment B to S. D. 356. Amend by adding after the last word on page 4, the following: 'So that said section as amended shall read as follows:'"

Senate amendment B was adopted and the bill as amended by Senate amendments A and B was passed to be engrossed.

On motion by Mr. Bartlett of Kennebec, 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 the investigation of fires, was taken from the table.

The same Senator then offered Senate amendment A to H. D. 395, and moved its passage.

"Senate Amendment A to H. D. 395.

Amend said bill by striking out the words 'fifteen hundred' in the 5th and 6th lines thereof, and insert in lieu thereof the words 'two thousand.'"

On motion by Mr. Grant of Cumberland, tabled, pending the adoption of Senate Amendment A.

On motion by Mr. Peacock of Washington, majority report, ought not to pass, and minority report, ought to pass, from the committee on sea and shore fisheries on H. D. No. 95, An Act to amend Sections 35 and 38 of Chapter 45 of the Revised Statutes of 1916, relating to the measurement of lobster, was taken from the table.



Mr. PEACOCK of Washington: Mr. President and Fellow Senators: Two years ago I advocated a double-gauge law in reference to the lobster fishery business, believing at that time if this law was passed it would help conserve the lobster business in the State of Maine, which at least 3500 fishermen depended upon for a livelihood and also for the support of their families, and I believe I am conservative in stating that at least 15,000 people in the State of Maine depend for their livelihood and the support of their families upon this business. But the double-gauge law recommended at that time is not the same law you are considering today. The law last year as recommended was from 10 to 13 inches, that is, to make it legal to catch and sell lobsters that measure not less than 10 inches and not over 13, while the law we are considering today is from 9 inches to 13½ inches, or making it legal to catch all lobsters 9 inches long up to 13½ inches. This is nothing more or less than a 9 inch law, especially in some sections of the State, namely, in York county and the western part of Cumberland county and in different sections of the State where the law has been persistently violated.

Last year the people interested in the double-gauge law, who were principally lobster dealers, sent to Washington and consulted Prof. Herrick, who is the best authority and expert on lobster business in the country, and he stated if we wanted to conserve the lobster business in Maine we should pass a law making it legal to catch lobsters from 9 to 12 inches.

Now let us look at the difference in the law we are considering today and the recommendations presented by Prof. Herrick. The law recommended today is from 9 to 13½ inches, and from the evidence your committee can get the lobsters caught above 12 inches represent fully 35 per cent of the weight of the whole lobsters caught in the State of Maine, but the lobsters caught above 13½ inches do not represent over 7 per cent of the lobsters caught.

Now the double-gauge law that is recommended today would increase or

make it legal to catch at least 35 per cent more lobsters than the present law does. It has been argued by the people favoring the double-gauge law that the present law under which we are operating, which is known as the "10½ inch law" is not conserving the business and the catch of lobsters is greatly decreasing. Now I would like to know if the people who favor the double-gauge law believe that it would work out for the best interest of the State of Maine and the fishermen who follow this business for a livelihood if we should make a law that would legalize the proposition so that we could catch 25 per cent more lobsters than they do at the present time. This new law if passed would reduce the legal length of lobsters from 10½ inches to 9 inches and places a restriction only on taking lobsters above 13½ inches, and from what information we can collect, as stated before, only 7 per cent of the lobsters in weight caught are over 13½ inches long, and 33 per cent of the lobsters in weight that are caught run from 10½ to 9 inches. This would naturally increase the catch of lobsters 25 per cent. Now if the lobster business is decreasing under the present law will it help the general business to make a new law whereby it is legal to increase the catch 25 per cent? I think the answer is very plain, that it will simply ruin the business, and within a short time there will not be lobsters enough to warrant making a business of catching these fish.

Representative Cole argued in the House last week that when the people are dissatisfied with a law then it is time to change it, and I fully agree with him, when we find that the majority of the people are asking for a change; but let us consider who is asking for a change in the present law. We find it is principally and almost wholly the lobster dealers and very few fishermen. The very large majority of the fishermen and their representatives who appeared before the sea and shore fisheries committee requested that the law be left as it is. They stated that all they needed was a strict enforcement of the law, and it has been demonstrated in certain

sections of the State where the fishermen have observed the law that they are not finding the fault that the people are who have persistently violated the law. There are certain sections in the State where the fishermen have got together and decided it was for their interest to observe the present law and they have liberated all lobsters below 10½ inches in length, with the result that they are having a good business; in fact, are earning more money than they ever earned before.

Two years ago we authorized the Government to appoint a Commission of three men to investigate the lobster business and report at this Legislature, and they have made a very extensive report, and on page 56 they say:—"We find and conclude that the legal length of 10 1-2 inches required by our law is the safest and sanest length and should be sustained under all conditions and no changes made therein." This Commission attended a meeting of delegates from New Hampshire, Massachusetts, Rhode Island, Connecticut, New York and New Jersey appointed by the Governors of these states and including representative fishermen, dealers, scientists, state and National officials. This meeting was held in Woods Hole, Massachusetts, July 12th, 1915, and from what information they got from the various representatives from the different states the industry in the states of Delaware, New Jersey, New York, Connecticut, Rhode Island, New Hampshire and Massachusetts was practically paralyzed and the future extremely dark, and that the catch in all of these states was decreasing very rapidly, and they stated that Maine was the only bright star in the firmament of the producing states, as they produced 65 per cent of all the lobsters caught along the coast. These figures were made in 1913 and it has grown gradually worse and the proportion since that time has gone very largely in favor of Maine. By their unwise laws, and especially in reducing from 10 1-2 inches, which they all had once, a most serious decline has come, and it was admitted that Maine had showed the best judgment and had sense enough to retain the 10 1-2 inch

law which had supported and maintained her position so much better than the 9 inch law had done in the other states. It was admitted and agreed by the heads of those great departments that the 10 1-2 inch law was the only wise and safe law, and that they would like to make a uniform law in all the states. They all agreed that a uniform law would be the right thing to have. To have agreed to a uniform law it would have been necessary for our Commission to agree to change from the 10 1-2 inch to a 9 inch law in the State of Maine to conform with the other states, but inasmuch as it was admitted by these great departments that the 10 1-2 inch law was the only wise and safe law for the industry and that the other states had ruined their business by having the 9 inch law, the Commission could not agree to any uniform law unless the other states were willing to come up to our present law.

It was argued before your Committee that the present law should be changed to conform with the Massachusetts law. Still all the evidence shows that the business in being very rapidly depleted in Massachusetts, and we cannot possibly see why if Massachusetts has a wrong law that in order to harmonize our laws we should adopt a law that has practically annihilated their business. At the present time there is an association working in Massachusetts, composed largely of fishermen and people interested in this industry, and they are trying to bring about a new law making a 10 inch law instead of 9 inches. This demonstrates that they have seen the errors of their way by being willing to recommend a more restrictive law, and must mean that our law is right and their law is wrong.

In my opinion the great trouble with the present law is the non-enforcement of it. Two years ago we passed a license law whereby each fisherman was compelled to take out a license to fish lobsters, and if any fisherman violated the law the Commissioner had the right to take away his license and stop him from fishing. We don't find in any one case that this law has been enforced, notwithstanding the fact that the evidence brought before the committee

shows that this law has been violated persistently and that fully 50 per cent of the lobsters caught less than 10 1-2 inches have been saved. Now if these lobsters had been liberated I believe you would see a different condition in the lobster business. The lobsters that are caught below 10 1-2 inches are netting the fishermen about 50 cents per lobster. Now if we are not able to have the lobster fishermen observe this law and liberate all lobsters under 10 1-2 inches, is it fair to suppose that they will observe the law which makes it illegal to catch lobsters above 13 3-8 inches when every lobster above 13 inches is worth \$2.00 to the lobster fisherman? If we cannot enforce the present law we certainly could not enforce the law recommended.

We realize in trying to formulate a law to govern this business that we meet with different conditions in different sections of the State; but we do find that wherever the law has been persistently violated that the catch of lobsters has been decreasing and that the large lobsters above 13 3-8 inches, the present gauge recommended, have practically disappeared from the waters, while where the fishermen have reasonably observed the law and thrown back all lobsters under 10 1-2 inches they are getting a good supply of large lobsters.

Most of the arguments in the House would give you to understand that if this law was accepted that we would get cheaper lobsters and the people in the State of Maine would be able to buy them for their own consumption. Now Gentlemen, I want you to understand that supply and demand regulate the price of every commodity, and during the last 10 or 15 years the demand for lobsters has materially increased owing to the installation of refrigerator cars whereby people in Kansas City can have live broiled lobsters as well as in the State of Maine and Massachusetts. This has increased the demand and no matter what law we may pass it will not materially reduce the price of lobsters.

I believe, during the next two or three years, if this law was enacted, that the lobster dealers would be able to make a lot of money, but they would do this to the permanent injury of the business.

They might be able to make money enough so that they could retire from business, but the poor lobster fisherman who is depending on this for a livelihood from year to year would be absolutely driven out of business.

I believe it is for the best interest of the lobster fishery business to retain the present law, and hope the Senate will vote not to accept the minority report of this committee.

Mr. President, I make the motion that the majority report be accepted.

Mr. DEERING of York: Mr. President, I desire simply to ask the senator from Washington a question.

The PRESIDENT: The senator from York, Senator Deering, desires to ask the senator from Washington a question.

Mr. PEACOCK: I will answer it if I can.

Mr. DEERING: Has the commission or body of men who has this subject under consideration at the present time, an idea to place a maximum gauge on the lobsters that can be caught?

Mr. PEACOCK: I do not understand the question, Senator.

Mr. DEERING: I understood you to say that there was a commission or body of men now making a study of this question, and I ask you if they have in mind placing a maximum gauge on the lobsters that can be legally caught?

Mr. PEACOCK: That commission I referred to was the commission of the state of Massachusetts. You understood that?

Mr. DEERING: Yes.

Mr. PEACOCK: My information is that their recommendation is that the law of Massachusetts be changed from 9 to 10 inches, saying nothing whatever of a maximum.

Mr. DEERING: And is that the commission that Professor George W. Field is chairman of?

Mr. PEACOCK: I think so. I am not sure about that. My information came

from the present commissioner of sea and shore fisheries who attended that meeting and reported to our committee the result of their deliberations, Mr. Dunbar.

Mr. BUTLER of Knox: Mr. President, it would seem that the lobster, like the poor, we have always with us. In any event I hope we shall so conduct ourselves that we may always have that delectable morsel of food with us.

This double-gauge law, which has been proposed, meets with favor only in a small section of our coast, and it meets with favor in a section where a bill was introduced to have a 9 inch law, an out and out 9 inch law, and this law has been accepted by those persons as about as good as a 9 inch law.

We have had this present law—and there is no sacredness about the age of it particularly—but we have had it a good many years, and today under that law the lobster is on the increase in the State of Maine, if I read the figures aright. In 1913, if I may quote from the commissioner's report, there were caught in the State of Maine 8,116,776 lbs. of lobsters. That seemed the low water mark. In 1914, according to the commissioner's report there were caught in amount 8,632,915 lbs. of lobsters. In 1916, the last report, there were caught in Maine under this law 10,155,047 lbs. of lobsters. That shows an increase since 1913 of nearly two million pounds.

While we have not yet heard from the senators from Hancock county, if I mistake not in the expression of the face of one of them we may, I believe that you will find, senators, that Hancock county and Washington county and Knox county will be a unit for the present law.

Now what about those particular counties who are most interested in this law? Let us see where the lobsters are caught, where the great industry is. In 1916 there were caught in my own county 2,196,200 lbs. of lobsters. In the county of Washington, the home county of the distinguished senator who has just spoken, there were caught 2,343,488 lbs. of lobsters. In the county of Hancock, same year, there were caught 2,304,375 lbs. of lobsters. Those three counties are more interested in the

lobster law than all the other counties combined. They have in those counties not wholly obeyed the law, but they have lived up to it reasonably well, and in many sections admirably. They want no change. They are successful, and the lobster is being conserved.

Now there are smaller counties: The county of Sagadahoc last year caught 446,000 lbs. of lobsters in round numbers, the county of York 416,000. Now I understand and am persuaded to believe that the county of York would like a change in the present law. But compare their catch of lobsters with the catch of these other three counties that I have named, and would it lead you, fellow senators, to change the law because of a desire in one county. The county of York catches practically the same number of pounds of lobsters as the whole State of Massachusetts, which in 1916 caught 491,940 lbs. And yet, gentlemen, we are asked to adopt a law in this State which is practically a 9-inch law because Massachusetts has one, so as to have uniformity in lobster legislation. Why, the catch of lobsters in Massachusetts today under a 9-inch law is infinitesimal. Do we want to put Maine on the same footing as Massachusetts? What do I care about the Massachusetts smacks coming down here into Maine? If the fishermen of Maine live up to the Maine law the Massachusetts smacks cannot buy 9-inch lobsters, and it is proposed that in the next two years the present law, if allowed to stand, shall be enforced so that thing will have to stop. I am deeply concerned about this measure, as are my fellows in the eastern part of Maine, the great place for the lobster industry.

This past week-end I had occasion to go down along our coast to Swan's Island, and I talked with some of the fishermen there. They are very successful in that section. They were very much disturbed when I told them that this double-gauge lobster law had passed the House, and one of them went over the island—and the people are scattered—and in a very short time he brought in to me a petition with fifty signatures on it. He says, "If I

had only had time I could have got every man on the island", something like 200, that would have registered their opposition in this way: "We, the undersigned lobster fishermen, in Swan's Island, in the county of Hancock—I trust the senator will pardon me for intruding upon his county of Hancock—earnestly urge you to oppose the passage of the so-called double-gauge lobster, as we believe it would be a serious blow to the lobster industry."

I received yesterday morning before leaving home a letter from three young men who are lobster dealers in Rockland. That is a curious thing, too, that I should get a letter of this kind from a lobster dealer. If I mistake not, I have seen lobster dealers over here during the session advocating the double-gauge law. But these men are not only dealers, but they are fishermen. They have both ends of the business. They are interested in both ends of the business. They own one of the large islands off our coast and send fishermen there to fish for them. I want to read you this letter. There is a good deal in it, and this is from their view point, not mine. They say: "We are opposed to the two measure law on lobsters. Our reason is this: If the fishermen will not put the small lobsters back"—and that is something worth considering, gentlemen, under the present law a 9-inch lobster or a lobster under 10 1-2 brings the fisherman about ten cents, not much money, and yet they sell it—"into the water as our present law reads, surely they would not put back the large ones that would be worth \$2. Of course the Boston smacks will come down on our coast and buy those large lobsters that the Maine smacks cannot handle. We suggest the present law well enforced will protect the lobster industry much better than the two measures. We will give you the number of lobsters caught at Green island, where we put back into the water all the seed lobsters as well as the small ones. These are the catches of nine men for four years: 1913, 49,978 lobsters in count; 1914, 65,493 in count; 1915, 51,273 in count; 1916, 63,543 in count."

Now these men know what should be done, and they have done the thing

that the whole of Maine ought to do, and the only reasonable thing to do, throw over the small lobsters where they are caught, and throw over the seed lobsters where they are caught. They have done that for years about that island, with the result that one fisherman on an average has caught from six to seven thousands pounds of lobsters a year. Take Monhegan where the industry is very prosperous. Those men have been a law unto themselves. They do not allow a man to violate the law there, if he does he cannot fish,—not any great length of time. They have splendid fishing there. Take Matinicus, another large lobster center.

Gentlemen, in my judgment, and you will believe me if I tell you that I am not a lobster fisherman,—in my judgment, from all I can learn from intimate association with the men who catch the lobsters, who are interested in the preservation of the industry as no other class of men can be, the best thing for the industry is to keep the present law and enforce it by the machinery provided two years ago, which has not been tried yet. There has been no effort, so far as I can learn, to enforce that law.

The fishermen in the main that have been living up to the law want no change. Their lobstering in their locality is fairly good. I have shown you that in the State of Maine as a whole, from the report of our commissioner of inland fisheries and game, there has been an increase during the last three years rather than a decline. They want no change, because they are in doubt how this theory will work out. They are in doubt whether they could make a living under this law. And gentlemen, this proposed law has never been tried in any state or country in the world. I think I am right about that, if not I am willing to be corrected. It is purely an academic proposition reasoned out by a professor in his study. It might work well possibly. But the double-gauge law proposed here, gentlemen, is not the law suggested by this eminent scholar. Professor Herrick, as has been explained by the distinguished Senator

from Washington county. Far from it. The law which he suggests is from 9 to 12, and not from 9 to 13 inches and 3-8. I think I am right about that, gentlemen. He says, if I may read just a sentence, "There is no other alternative but to adopt a double-gauge, placing the legal facts at say 9 and 12 inches, not 9 and 13 3-8."

I know not how the majority of my fellows may feel on this proposition. I have shown you, and you will pardon me if I emphasize it, that the section of Maine that I know directly about, the three counties that I have named, according to the last report caught more than six million pounds of lobsters, more than all the rest of our sea coast together. Those counties do not want this law. And surely they are as vitally interested in their industry as the counties in other sections where they have a diminishing industry. I feel that this should have some weight with you, especially you men who know little, if anything, from personal contact with the lobster industry. I feel too, and I feel it keenly, that the fishermen of Maine are trusting us. They are letting us alone, they are staying at home attending to their fishing and minding their own business, but they expect us to give them such a law as will meet with their approval. The other side have been here. They are here now. They have been here all winter. We have heard their side; but we have heard little, if anything, from the men so deeply concerned. And I say to you, in closing, gentlemen—and I have spoken at random—let us stand by the interests of a majority of the fishermen of Maine.

Mr. DEERING of York: Mr. President, this is a question which concerns the welfare of the whole State of Maine, and I do not disagree with my distinguished friends who have spoken in one particular, and that is that we are all trying to accomplish the same results. They believe in accomplishing these results by the methods which they have discussed with you, and I believe in accomplishing those results by the bill which is proposed by this minority report.

I understand that the minority report was signed by four, was it, or five?

Mr. BUTLER: Four; six to four.

Mr. DEERING: By four men of the committee, so it is not such a small minority report as it might be. Now we are going to differ somewhat with the distinguished gentlemen who have spoken in many of the conclusions to which they have arrived. We are going to disagree somewhat with this voluminous document which was written by Harman, Lewis and Donohue, 62 pages of it. We are going to show before we get through that this voluminous document differs in various places from itself, and we are going to prove that Professor Francis H. Herrick recommends very nearly the law which we propose.

The present law, as has been stated, has been in vogue in this State a good many years. It first saw the light of day in the year 1879, when we had it partly—part of the year in this State. In 1895 we adopted it for all of the year in the State of Maine.

Lobster regulation is a regulation that is very old. I think that lobster regulation began in Sweden in 1686, and has been going on down to the present time, and ever since lobster regulation has been going on under all the laws we have had up to the present moment, the lobsters have been decreasing. It seems to me, gentlemen, that up to the present time, none of the lobster legislation that we have had touches the vital point of the whole question. The vital point of the whole question to my mind, and to the mind of those who have put the most study upon it, is the preservation of the lobsters which produce the eggs, and of the eggs themselves. I understand from various books and pamphlets that have been handed around here, that about one lobster in 22,000 less than 10 inches long bears eggs. So you are not going to take very much of a chance in destroying an egg producer if you take them less than that measurement. When a lobster gets to be 12 inches in length, as I understand it, it can produce 20,000 eggs; when 14 inches long the produc-

tion is 40,000; 16 inches long 60,000 eggs; and 18 to 20 inches long, 80,000 to 100,000 eggs.

It will be seen that the lobsters of the lowest legal length are the ones that produce the least eggs. Various experiments have been tried, both in this country and Canada, to show what happens in regard to the destruction of the eggs. Leaving aside for the moment the fact that the dishonest fisherman would brush off the eggs if he could, of the female lobster and keep her and sell her—leaving that aside, the idea is this: The lobster bears eggs about once every two years. It bears them, as I understand it, a period of eleven months, and they hatch in a period of a week. That is, they are hatched for a period of a week. When a lobster hatches it is nothing but a speck—it is not a lobster as I understand it. After he has three or four changes he sinks to the bottom around amongst the rocks and sea-weeds and hides himself. Before he gets down there he is subjected to all the birds of the air—the kingfisher, the gulls and the fish hawks make these small lobster eggs and small lobsters their prey while they are floating. When they sink a little farther down the dog fish eat them, and further down I understand the cod and even the big lobsters themselves eat them. So you see, gentlemen, what a terrible chance the lobster has before it arrives at the place where it can protect himself, and out of all the eggs hatched, my understanding, from what I have read and been told and had experience is that about one egg in 15,000 ever reaches maturity. I want to submit to you, gentlemen, right here, that if the human race had to undergo any such hardships as beset the path of the lobsters there would be some difficulty in raising a family.

I understand that this committee, composed of Harman, Lewis and Donohue, met with committees from various other states, and I would like to take up one or two of the matters that they say they are agreed upon. I think by looking over the pages of this document that they agree with me in the figures which I have just quot-

ed. But on page 19 of S. D. No. 120, this committee said the following: "It was admitted and agreed by the heads of those great departments that the ten and one-half inch law was the only wise and safe law; that they would like to have a uniform law in all the states. We could all agree that a uniform law would be the right thing to have, if the conditions were all alike. To have a uniform law, it would be necessary for our commission to agree to recommend a change from the ten and one-half inch law to a nine inch, if the State of Maine conformed to the other states." They say that the heads of all those departments agreed to that. Now the heads of all those departments—one of them was Dr. George W. Field, and I am going to read an article, part of an article that George W. Field has written to show whether he agrees with this that they say that the heads of all those departments agree to. This is written by Dr. G. W. Field, and I am going to assume that Dr. G. W. Field is George W. Field for the purpose of this argument. He says: "The chief difficulty is that the majority of fishermen cannot see beyond the fact that 'if you protect the small lobsters there are bound to be plenty of big ones;' they fail to carry the thought farther and ask themselves, 'If we catch every large lobster possible above 9 to 10½ inches as soon as it reaches the breeding age, where is the supply of young to come from?' These large lobsters are the individuals which produce from 30,000 to 100,000 young, possibly annually, as compared with 500 to 10,000 every two years, by those below 11 inches. We do not kill young geese before they reach market size, but hold them until rapid growth slackens. But if at the same time (to make the comparison complete with our methods of dealing with the lobsters) we killed every old geese which we could find we would soon come to the end of the supply, both of geese and goslings. With the lessening number of eggs produced annually would follow a diminished number of young and the curtailment of the supply would come with increasing acceleration."

This commission said that Dr. George W. Field recommended that the 10½ inch law was the one needed. In this document written by G. W. Field, he says that you must preserve the large lobsters as well as the small ones. Furthermore, in this same document, to turn over one page—page 21, they recommend a greater annual natural production of lobster eggs. Where do they expect to get the greater annual natural production of lobster eggs if they are going to leave the law as it is and allow fishermen to catch all the lobsters that produce the great number of eggs and allow them to kill those that do not have any eggs at all.

On the next page, page 22—this is where the commission is recommending that they adopt this resolve—Resolved that we hereby express our unqualified confidence in the bureau of fisheries—until they get to the third one. The third recommendation of the bureau of fisheries is "protection of the adults, male and female, above and below the optimum market size (the so-called 'double-gauge')." So they recommend what the bureau of fisheries of the United States government says, and the bureau of fisheries of the United States government recommends the salvage of eggs, and the double-gauge law, if that amounts to anything.

Let us see how this particular thing works out in practice. It is the practice which concerns us in Maine, and not the particular theory which we are discussing. About every afternoon in the summer when the automobiling is good from Brunswick, yes, even from Bath, to the New Hampshire line, in all those cities and towns where the merry dietists or the noble epicure have their habitat, the frequent invitation is, Let us go up to Portsmouth and have a lobster supper at Hamm's. Of course in our part of the State, as in all parts of the State, there are those evil-minded individuals who say that there is another commodity at Hamm's dispensed which cheers the human system quite as much as 9 inch lobsters do; but your knowledge of the culture and refinement of those people who go there of course will dispel any such unworthy thoughts from

your mind. Of course I have heard that there are people who go to Hamm's for both, and I have heard my medical adviser say that both go well together. Considering, however, the fact that the Federal government has passed a bone dry bill, and the State of Maine may pass a bone dry bill, and we have increased the strictness of our regulation in regard to the confiscation of automobiles if they carry any liquor, and various other severe restrictions have been placed about such matters, I do not think that anything can be proven against the people who are returning from New Hampshire into Maine this summer unless we pass another statute authorizing the sheriff to use the stomach pump. (Laughter.)

But to return, I notice the figures that the distinguished gentleman from Knox quoted in regard to how many lobsters are caught, or were caught for a year past, last year I think, in Hancock, Washington and Knox counties. I do not remember the exact figures, but I think perhaps it was something like two million pounds in each county, and down in York county 400,000 lbs., and he did not say how much in Cumberland.

Mr. BUTLER: A million in Cumberland.

Mr. MARSHALL of Cumberland: 1,123,000 in Cumberland.

Mr. DERRING: 1,123,000 in Cumberland. Now gentlemen, the argument is from the opposition that they are the people who know most about the law; they are the ones most interested because they have caught the most lobsters. They say they do not want any change in the law because they are satisfied with it as it is. Down our way, they say, where we don't catch any lobsters, we want the law changed. Well, why in the world shouldn't we want it changed? The fishing smacks and fishermen from New Hampshire and Massachusetts come down into York county, and have been coming there for year after year, and taking our lobsters away from us and carrying them up to those places to sell. They have not got down as far as your counties yet, but when they get down to your counties you will



want this law just as much as we do. That is why we do not get many lobsters in York county today and fewer in Cumberland county than they get down in those counties. It is because the New Hampshire and Massachusetts fishermen have come there and carried our lobsters away, and that is what they are going to do sooner or later to the lobsters that are in Knox, Washington and Hancock. That is just as true as the gentlemen here live, the time will come when they will look back upon this legislature and see that they ought to have advocated a double-gauge law for the protection it would give them. Now why: Because, gentlemen, the 9 inch lobster is a legal lobster in New Hampshire and in Massachusetts. When we go to Hamm's we eat our own 9 inch lobsters caught along the coasts of York,—along Fortune's Rocks, Biddeford pool, Harpswell—that is where New Hampshire gets its lobsters; that is where Massachusetts gets its lobsters,—from the coast of York county which is nearest to them. How many times you will read the story of somebody going to Biddeford pool, asking somebody for lobsters.

They will reply, "A smack came in from Boston last night and we have just shipped ours all away." Or at Scarborough the same reply, or at Cape Porpoise the same reply. The smacks come in from Boston, Newburyport and Portsmouth, and they ship all the lobsters from the coast of York county to those cities. Now when they get so scarce that we have not any more and cannot supply them, they are going to strike farther down and take what is in Cumberland and what is in Bro. Butler's county, in Knox, and finally they will go down and take them away from Washington and Hancock counties. That is just what is going to happen.

They say that under this particular law the amount of lobsters has increased in the last two years. Well, that may be so. They may have increased a little. But from 1895 down to 1913 they decreased from fourteen million pounds to seven million pounds.

Mr. BUTLER: Eight million, wasn't it?

Mr. DEERING: My book says seven.

Mr. BUTLER: This report says eight million in 1913.

Mr. DEERING: A million pounds more or less—I want to get it right. Comparative statistics of the lobster product of the Atlantic coast states for various years from 1880 to 1913. I find that year should be 1880, that is when the law began in Maine, 14,234,182 lbs. of lobsters; in 1913, 7,670,667. That is what I find in this book. This is the United States bureau of fisheries, department of commerce. For all practical purposes, any way—if the reports of the State and the government differ a little, they do not differ much—the fact is that since 1880, when we had the 10½ inch law, down to 1913, the lobsters had decreased more than half.

Now see what happened to the price. In 1880, when they were getting fourteen million pounds, they were worth \$268,000, and in 1913, when they were getting seven million pounds, just half as much, they were worth \$1,525,000—say, half as much lobsters were worth five times more in 1913 than in 1880.

That means something to another class of people besides the lobster fishermen and the lobster dealers. That means something to the class of people that we represent, the public. They are the ones that are concerned in the lobster industry as well as the dealers or the fishermen. Comparison has been made between the amount of lobsters produced in the State of Maine and in the state of Massachusetts and Rhode Island and those other states. But I want the Senate just to remember that the State of Maine, with all its indentures and coves and bays, has two thousand miles coast, which probably is as long as all the rest of the coast put together where they catch lobsters. So that comparison of total numbers does not prove any particular thing.

Go on with this fact, that New Hampshire and Massachusetts desire to keep our law as it is. They claim that all laws ought to be uniform in regard to lobsters, but just notice where they keep their law. They

have the 9 inch law in Massachusetts, and they recommend that we keep a 10½ inch law. If they are so sincere that a 10½ inch law is correct, why in the world do they not adopt the 10½ inch law themselves in Massachusetts? Well, the reason is this. A smack can come down here and get right outside of the three mile limit and buy a 9 inch lobster from one of our fishermen at an illegal price and then go up to Massachusetts and sell that same lobster at a legal price, and that is why Massachusetts wants us to keep a law that is different from theirs, so they can get our poor fishermen and trade with them on illegal prices and go to Boston and sell them at five or six times the price they pay for them.

I have a letter here from Edward Jameson & Sons, Portsmouth, N. H., written to Mr. Frank H. Ellis, dated March 31: "Dear sir: We understand that the Maine Legislature has passed a double gauge-law; and this is to come before the Senate next week. If this law passes it will make a hardship for the dealers in New Hampshire. We would like to have it remain the old length, ten and one-half inches long. Do all you can to have it remain as it is. Thanking you for the favor, we are, respectfully, E. Jameson & Sons."

And I understand Edward Jameson is now a member of the Massachusetts Legislature, and he has written this letter down here to Representative Ellis, asking us to keep the same lobster law we have because it is going to be a great hardship to the dealers in New Hampshire if we change it.

Another one—Edward S. Downs, a fish dealer, 67 Market Street, Portsmouth, N. H., written to the same Representative: "Please do all you can to kill that double-gauge lobster law for it will be better for us in New Hampshire. E. S. Downs."

Now to take up what Professor Herrick has said. I understand that the gentlemen who are in the opposition here say that Professor Herrick recommends a 9 and 12 inch law, a double-gauge. Well, if they admit Professor Herrick knows what he is talking

about, here is a lecture he gave before the committee on sea and shore fisheries of Maine. I think he has given about the same figures that I have given. On page 11, quoting from Professor Herrick, he says: "The quickest way to destroy any animal is to kill its adults, because you strike at the source of its eggs." Now if whoever read what Professor Herrick has said had continued further in reading what he recommended, they would have read further than that paragraph where he says 9 to 12 inches is the proper length and the only length, and if they had read in the third paragraph on the 14th page, they would have read this—after speaking of his recommendation of 9 and 12 inches in total body length, and weight from one to 2 3-4 lbs. he says: "The precise terms of these limits are not so vital, provided we preserve the principle of protecting the larger and more productive adults." That sentence, gentlemen, explodes the whole theory that they have built this case up upon. He recommends the principle and says those particular measurements are not so vital provided they adopt the principle.

I have not much more to say upon this subject, but I desire to say that this is not an academic proposition. It is a proposition where the law as it is now has proven to be a destruction of the lobsters and the lobster industry. From the first year that it was adopted it has cut the amount of lobsters almost in half, and it has increased the price five times.

It has been suggested by one of the senators who has spoken that if we pass this bill, we make it illegal for H. D. No. 702 to pass. In that bill it is provided that the large female lobsters bearing eggs can be caught and delivered to some government officer or some state official for the protection of its eggs. That bill is now on the table, and before this bill passes, if there is any inconsistency in that with this law, a proper amendment will be made so that it will not be illegal to market those female lobsters, or sell female lobsters to the government officials legally.

Now another principle involved is,

above 13 1-2 inches, of 3-8, whatever it is, are all adults, both male and female, of large productive sizes. At the present day the law requires that the female lobsters bearing eggs should be put back into the water. That is all right as far as it goes. But you know, and everybody knows that the eggs have to be fertilized, and there is no provision in the law at all now to provide for putting back any male lobsters, and science teaches that the sexes of the lobsters, in order to secure the best production should be about equal. The law as it is now allows us to destroy all the male lobsters you can catch, no matter how big they are, and allows us to destroy all the female lobsters unless you happen to catch them bearing eggs. Now they only bear eggs about half the time. So by that law as it is now, you only protect one sex half of the time. By the law that we propose you protect both sexes all the time above this measurement. And we contend, and we think we have the documents here to prove it, that the law that protects both sexes all the time is far better than the law that protects one sex half the time.

Mr. GILLIN of Penobscot: Mr. President, just a moment of the valuable time of the members of the Senate.

I do not profess to be able, my fellow senators, to give you a diagnosis of the habits of the lobster. In order to ascertain where I am at myself, as I confess I know but very little about the subject matter, I have paid great attention to the arguments of the distinguished gentlemen, pro and con, and I can give my views in about two minutes. I know you will be glad to know I am not going to inflict a speech upon you.

It seems to me that the distinguished senator who has just spoken admits that Washington, Hancock and Knox are at least protected amply and well by the present law, where the great mass of lobsters in the State of Maine are caught. That much I have got into my head because it has been admitted. In the county of York, not only the amount caught is small but the lobsters are small. Now I have also got that into

my head. Furthermore than that, the states of New Hampshire and Massachusetts that have a 9 inch law are so devoid of all kinds of lobsters that they are coming down to York county to buy our 9 inch lobsters against our law. Now that is something else I have got into my head out of these arguments.

But there is something else to it. If the great counties of the State of Maine that furnish this great, lucrative industry for the balance of the people of the State of Maine can protect their lobster fishing under the now existing law, which admittedly does protect them, then they must admit that it is because certain officers in the State of Maine who are delegated by the authority of the State and paid for by the money of the State, are violating their duties when they allow a few 9 inch lobsters in the county of York to be illegally sold. Therefore, leaving out the breeding of the lobster and getting down to the cold facts, it seems to me that I know as much about the lobster fishing industry at Monhegan and Matinicus as any other man within the area of the State of Maine or New England, for about fifteen years there is scarcely a Saturday or a Sunday that I am not down round there in a yacht which buys lobsters—not owned by me by any manner of means, because I would not be able to buy the lobsters we use in the yacht—and we know what class of lobsters they sell and what class they throw back.

In conclusion, my fellow senators, when the great lobster industries of the State of Maine under the present law are amply and well protected, and in the states that are now under a 9 inch law, they have so used up their lobsters that they have to come down and violate our law by buying a few 9 inch lobsters in York, I think it is time that the distinguished senators in this legislative body paid attention to the arguments of those distinguished senators that come from the counties where the great lobster industries are being protected in the interests of all and for the interests of everybody. And if they have got law violators in New Hampshire and law violators in Massachusetts, and come down here to induce our citizens to violate our laws, there is no reason under heaven

why we should attempt to destroy the great lobster industry of an entire state, which coming hot from the mouth of those who oppose that industry they admit that they are coming down to a time where there is only a small portion of your lobsters caught,—and those are small lobsters. And I second the motion of the distinguished senator from Washington, that the majority report be accepted.

Mr. AMES of Washington: Mr. President: The senators on the committee on sea and shore fisheries have given ample reason for the retention of the present so-called lobster law. I want to remind my fellow senators of the necessity for its retention as a matter of political economy.

You all remember how Senators Eugene Hale, William P. Frye and John D. Long, fought for the upbuilding of the merchant marine and the Gloucester fishermen, so we could keep in training sailors who could readily be transformed into marines. How the western delegation in Congress ridiculed and defeated their legislation, and today we have a weak navy, partially manned.

It has been exemplified that U boats can successfully invade our shores. Naval attaches are today scouring the coast of Maine for experienced surfmen to man speedy gasoline scout boats. I feel if you pass the nine inch lobster law and you will put out of business the thousands of lobster fishermen who are especially trained not only for scouts but for marines. You will be sacrificing your last line of defense. Don't legislate for the benefit of a few lobster dealers, at the sacrifice of the lobster industry of the State of Maine and your coast guard.

Mr. DEERING: Mr. President, I wish to make just an addition of a few words. Perhaps I would better preface my remarks by saying they are going to be partly in answer to the distinguished Senator from Penobscot, Senator Gillin.

I understand him to say that he seconds the motion of the distinguished gentleman from Washington, relying upon that understanding that he has, that there are a few law-breakers in

New Hampshire and Massachusetts that come down into York county and destroy the lobster industry of York county, and that the rest of the state in all right.

I had hoped that the distinguished senators here would pay some attention to the scientific gentlemen who have made studies of these things all their lives. I had hoped that the idea of preserving the eggs of the lobster, preserving the adult lobsters for the purpose of propagation of the race would make some impression upon the distinguished senators here assembled. I understand now, however, that there are some who are going to ignore the fact that the adult lobsters are the ones who produce the race, and they are going to throw this whole question off upon an idea that there are law-breakers in New Hampshire and in Massachusetts, and that these gentlemen who raise the most lobsters are perfectly satisfied with the law.

I say to this distinguished gentleman from Penobscot, as I do to these gentlemen, that the time is coming and has now arrived when York county lobsters are no longer profitable for these smack men to come after, and they have already begun in Cumberland, and they are going down your coast and take every single county in turn, and they are going to rob the State of Maine in Hancock county, and Knox, and Washington, just the same as they have robbed us in York and Cumberland counties of our lobsters. And when they say that the only thing, only question of this whole argument is that York county gets robbed by violators of the law from New Hampshire and Massachusetts and ignore all the scientific arguments that are made, they ignore such men as Professor Francis H. Herrick, Professor George W. Field, and all those distinguished gentlemen, who have declared above their signatures and in public print time and time again that the double-gauge system in which you protect the immature and the adults, is the only scientific way to protect the lobster industry, just the same as it is the only scientific way to protect every single industry which thrives in the State of Maine.

It is true, gentlemen, that Washington, Hancock and Knox produce more lobsters now than we do in York and Cumberland counties. But it is not so that they always did. They produce them now because Massachusetts and New Hampshire let them alone and refuse to change their law so that they can come down and get ours. And I say to you—

Mr. BUTLER: Will the gentleman permit a correction?

Mr. DEERING: Certainly.

Mr. BUTLER: We have seen Massachusetts smacks down in Knox county. I do not think they confine their operations, if I may make a statement, exclusively to York.

Mr. DEERING: I accept the suggestion of the gentleman from Knox county that they come down to Knox county. That may be true. They may come as far as Washington or Hancock. But it is very unlikely that anybody with a gasoline boat should go down to Knox county if he can go to York beach and get them from Portsmouth, or down to Washington or any of those places that are three or four hundred miles away, when he has right under his nose in York and Cumberland counties plenty of places he can go to get the lobsters without coming so far. I have no doubt, as the Senator from Knox says, that they have seen smacks down there and that smacks come down there and take away some of their lobsters; but I do not think that any where near the number come down there as do to our shores and take our lobsters away.

I desire to say that this whole question is a question not for today, not for this year, but for the future. We have shown you what happened to our lobsters. We have shown you that the present law, which has been in force thirty-eight years, has not protected them. Under thirty-eight years operation of this present law the lobster supply has been cut in two, and the worth has increased five times. And now to have this whole question thrown off, all the scientific facts disregarded, and blamed upon some law-

breakers in New Hampshire and Massachusetts, is not the proposition worth thinking about? We are trying for the same thing that these gentlemen are trying for. We are trying to protect this industry for the whole State of Maine. The time is going to arrive, nay, the time is now here, when we should pass a law which would protect not only the small lobsters, but those that lay the eggs.

Gentlemen, I desire to protect Lincoln and Knox and Hancock and Washington counties as much as they desire to protect themselves. But I want them to take from the example of York and Cumberland counties a lesson home to themselves, that lobster fishermen will come where lobsters are, and when ours are all gone theirs are going to disappear the same way. This is the time to change the law, not wait until you lose your lobsters the same as we have lost ours. Take it at the time when you can protect them and not wait until your lobsters are gone.

Gentlemen, I hope the minority report of this committee will be accepted. It is the proper report, in my mind, to accept.

Mr. GILLIN: Mr. President, just one word. I think I can appeal to the distinguished senator himself, and I think I can puncture the scientific knowledge of some of these gentlemen with a cold pariard of simple common sense. The law as now upon your statute books protects all of the small lobsters under 10½ inches. Does the gentleman mean to say that on that side of the question, if you put your law down to 9 inches, that they will be any better protected, Mr. President and gentlemen of the Senate? Does any scientific man that ever studied the question, in an age of scientific principles, put such an absurd proposition up to the thinking gentlemen of this Senate, that cutting your law down from a 10½ inch law to a 9 inch law will protect your small lobsters?

Mr. WOOD: Mr. President, coming from the great fishing county at Hancock, where it has been aptly said

that in Hancock, Washington and York we do the great bulk of the fishing, I think we ought to be taken into consideration. I just want to say a word. So much has already been said, and the hour is late, so I will not attempt to make any extended remarks. Perhaps it would not be necessary. I could not add anything, Mr. President. But I want to say that I have been interested in lobsters for years, ever since I was a bare-footed boy down on the shores of Frenchman's bay, when I used to take a pitchfork and go down among the rockweed and catch lobsters. They were born about 10½ inches long in those days, you know.

Now Mr. Redman, Representative Redman, from my nearby town of Ellsworth—city they call it—I beg their pardon—said in the House the other day a very apt thing. He said, "This is a double-barrel gun, but only one barrel is loaded." Now the idea is simply this, the way it looks to us down in Washington and Hancock counties, that this double-gauge law is simply a disguise for a 9 inch law. That is all there is to it. Now we say, let the law alone. Our fishermen say that. They write me hundreds of letters, and by petitions and by telephone, and all through that section, they say, "This is good enough as it is. Let it alone. Don't have any change." The only note of wanting a change from my section is from the dealer. He is a very good friend of mine, and he gives me business in my law office, but at the same time he is a dealer in lobsters and he wants the change, and he is the only one that expresses that note. The others say, Let well enough alone.

This double-gauge business works on another idea. Up in New Hampshire and Massachusetts they can serve a lobster that is 9 inches long and get a dollar for it just the same as if it was 13 inches long. They want to catch those little ones. Another thing, just briefly. I wish you all could have read the speech of the distinguished representative from Stonington, Mr. Harman, in the House the other day. He knows something about lobsters. He has been engaged

in the lobster business for eighteen years. He has made a scientific study of it. He is not a Republican either, and he spoke against his Democratic colleague, Mr. Goldthwait, in the House the other day and said, "Let this lobster law alone. After two years of careful study by the commission we are satisfied that the law is best just as it is." And who makes this 9 inch? The distinguished senator from Penobscot, Senator Gillin, has taken all the meat out of that. You haven't got to make this gauge nine inches in order to save your big lobsters and protect and preserve your race. That is all nonsense. It is just simply a subterfuge to get the 9 inch law. That is what they put the double-gauge on for.

Another thing, how much would it affect York and Cumberland counties should you put this 13½ inch law into effect. Some fisherman was overheard to say, "Oh, we don't care anything about it. We get a hundred 9 inch lobsters where we don't get one 13½ inches long." I do not know whether that was true or not. He was overheard saying that in an aside. It is probable that they catch a great many more 9 inch lobsters than they do the larger ones. But it affects very materially down in Hancock and Washington and Knox counties.

Then there is one thing that Representative Eaton, who knows something about the lobster law, says, that now over twenty smacks go down into the provinces in the spring of the year and bring up lobsters, big lobsters, and all those big seed lobsters have to be liberated in Maine waters, and those would be shut off if they put this double-gauge into effect. He says that is why the lobster supply is being kept up now at the present time, those seed lobsters are being thrown over into the water and are keeping up the supply. And he says, and they say in their report, and in the report that the distinguished senator from Knox, Senator Butler, read, that the lobster industry is increasing. It was at a low ebb in 1913, and it has increased since then under the present law. Without taking more of your time—I wish I had a little more, but I will not

take it; so many good things have been said about it, it is unnecessary to say any more.

I hope, Mr. President and Senators, that the majority report will prevail.

Mr. BUTLER: I move that when the vote be taken, it be taken by the yeas and nays.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Washington, Senator Peacock, that the Senate adopt the majority report of the committee on sea and shore fisheries, and the Senator from Knox moves that when the vote is taken it be taken by yeas and nays.

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

Those voting yea were: Messrs. Ames, Bartlett, Baxter, Burleigh, Butler of Knox, Conant, Davis, Gillin, Higgins, Holt, Merrill, Peacock, Peterson, Ricker, Walker Wood—16; and those voting nay were: Messrs. Boynton, Chick, Deering, Fulton, Googin, Gordon, Grant, Hastings, Lord, Marshall, Stanley, Swift—12. Absentees: Messrs. Butler of Franklin and Davies.

Sixteen Senators having voted in the affirmative and twelve in the negative, the motion of the Senator from Washington, Senator Peacock, prevailed.

On motion by Mr. Swift of Kennebec, the vote was reconsidered where-by Senate 173, An Act to extend the time within which the provision of Chapter 186 of the Private and Special Laws of 1915, providing for reorganization or consolidation of the railroad companies constituting the Boston & Maine Railroad system may be exercised, was passed to be enacted.

On further motion by the same senator the bill was tabled.

On motion by Mr. Higgins of Penobscot, a recess was declared until 2.30 o'clock this afternoon.

#### After Recess

Senate called to order by the President at 2.30 o'clock.

On motion by Mr. Davies of Cumberland, a recess was taken until 3 o'clock.

#### After Recess

On motion by Mr. Higgins of Penobscot, H. D. 555, An Act to provide for expenses of the Legislature for salaries fixed by law for departmental expenses of the State government and for the maintenance of the several State institutions during the period of the biennial session of the Legislature, was taken from the table.

On further motion by the same senator the bill was passed to be enacted.

On motion by Mr. Hastings of Androscoggin, H. D. 641, An Act for better protection against adulterated or misbranded fertilizers, was taken from the table.

Mr. HASTINGS of Androscoggin: Mr. President, I now move that the bill be indefinitely postponed, and that when the vote is taken it be taken by the yeas and nays.

Mr. PETERSON of Aroostook: Mr. President, I move that the bill be tabled.

Mr. GRANT of Cumberland: Mr. President, may I ask the senator to assign a day?

Mr. HASTINGS: Mr. President, I call for the yeas and nays on that question.

The PRESIDENT: The question before the Senate is on the motion of the senator from Aroostook, Senator Petersen, that this bill be tabled, which takes precedence of the motion of the senator from Androscoggin that it be indefinitely postponed.

A rising vote was had and 3 senators voting in the affirmative and 14 in the negative the motion of the senator from Aroostook was lost.

Senator Hastings withdrew his motion asking for the yeas and nays, and the bill was then indefinitely postponed.

On motion by Mr. Higgins of Penobscot, S. D. 693, An Act to amend Section 45 of Chapter 117 of the Revised Statutes, providing for clerk hire in the office of

the county attorney of Penobscot, was taken from the table.

The pending question being on the motion by Senator Grant to indefinitely postpone the bill.

Mr. HIGGINS of Penobscot: I move that we concur with the House in passing this bill to be engrossed.

Mr. DEERING of York: Mr. President, I would like to ask the senator from Penobscot, if this is not one of those salaries and fees bills that was reported adversely by the committee on salaries and fees?

Mr. HIGGINS: Mr. President, I will say that it is not.

Mr. GRANT of Cumberland: Mr. President, I will say that I thought it was when I tabled it, but have found out differently.

The PRESIDENT: The Chair was in error in stating the pending question on this bill. The pending question is on the adoption of House Amendment A. House Amendment A strikes out the word "sixth" in the fourth line and inserts the word "fifth."

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

On motion by Mr. Walker of Somerset, H. D. 704, An Act repealing Paragraph 6, Section 6, Chapter 10 of the Revised Statutes relating to the exemption of certain livestock from taxation, was taken from the table.

Mr. WALKER: I now move that this bill be indefinitely postponed.

Mr. BARTLETT of Kennebec: Mr. President, I hope the motion of the Senator from Somerset, will not prevail. This was a bill that come before the committee on taxation two years ago, and it repealed the tax on sheep and swine, and on live stock under 30 months of age. I understand that in certain towns there is considerable of this property and I do not think it works anywhere to the general advantage. I think it should pass, as it has already gone through the House, al-

lowing this class of property to be taxed.

Mr. WALKER: Mr. President, the object of the passage of this bill two years ago was to encourage the farmers to raise neat stock and sheep. I think it has been an encouragement to that end, and for that reason I believe it should be continued during the coming two years.

Mr. BUTLER of Franklin: Mr. President, the intention of this law I think was correct but as it worked out in practice I can see where it is of very little advantage. You take the sheep around the State, they are in small flocks and will not be appraised by the assessors for more than about \$3 each. If a man is losing money on them now, six or seven cents won't make but very little change.

We have stock in some sections of the State where it is in quite large quantities that this law exempts. In my own town we have one party own cattle that would be exempt—I think he must have had last spring one-fourth of all the stock there was in town.

As one of the assessors taking the valuation, it did not appeal to the farmers I met as being of any particular advantage. With most of them the stocks would be so small that they did not seem anxious about it. There are places where it exempts quite a large amount, in one spot, and it would be my judgment that without the law it would be better and more satisfactory to the farmers in the State.

I would hope that the motion of the Senator from Somerset will not prevail.

Mr. FULTON of Aroostook: Mr. President, I think that I can say from experience or observation in my own county that the exemption of sheep and stock of certain ages as mentioned in the bill passed two years ago has had the effect to increase that stock in my own town.

I know that quite a number of years ago, when quite a small boy in that county, there used to be great herds of young cattle and of sheep. Within the past few years, and since the people of the county went into the culture of po-



tatoes almost wholly, they have neglected the raising of stock, and especially sheep, but I have noticed this past two or three years that the number of sheep have increased markedly, and they also have gone more into stock raising. I fancy the exemption of that class of stock in the bill passed two years has had an effect in increasing sheep and young cattle in the county.

I am not posted, especially, but that has been my observation, and I have talked with a number of farmers who look upon the matter as I do.

I hope the motion of the senator from Somerset, will not prevail.

Mr. MERRILL of Somerset: Mr. President, one of the great interests of the State of Maine is the agricultural interest, farming, and I think everyone who has had any experience or has any knowledge of the farming interests of this State will allow that the great and one of the most important propositions for the farmer is the raising of some stock.

You cannot farm it, properly, unless you do raise stock, and feed the products of the farm on the farm, and thereby build it up and make it better. That is the only way to farm. Your fertilizer bill that you have just passed into oblivion is the thing that has made poor the farmers of the State of Maine. It is all right to raise potatoes on, but when you come to raising hay and grain on fertilizer alone, you can't do it. The important thing is to have the stock in the tie-up, feed out your hay, feed out your grain and feed out everything you raise on the farm and sell it in the mature crop, the beef and mutton and pork. That is where you get your money from the farm, and that is how you build up the farm.

The Legislature of this State exempted from taxation all sheep and swine, and neat stock up to thirty months of age, and mules and young colts up to six months old. What are we doing here if we pass this bill today? You are taking away the first boon you ever handed out to the farmers in the world in the score of taxation. The farmer is taxed more, he pays a higher rate of taxation on his property than any other class of property

in the State of Maine. His farms are taxed nearer to the full value than any other real estate in the State.

You may go into your towns and villages and cities and you see a set of buildings that cost from ten to fifty thousand dollars, and how much are they taxed for? Ten thousand dollars may be taxed for four or five thousand, and that will be the limit. Your fifty thousand dollar house will be taxed ten or twelve thousand and that will be the limit. Take your farm that is worth twenty thousand dollars, and how much will it be taxed for? It will be taxed practically for twenty thousand dollars, and then your assessors will hunt around and find every little calf, every hen and turkey and pig and colt and heifer and steer, and they will put a valuation on of practically the full value.

What have we heard about the intangible property in the State of Maine during this whole session? We have heard that not one-tenth or one-twentieth part of it is taxed.

I say not only was that bill passed for the purpose of encouraging the farmers to raise more stock, to raise more sheep, to raise more hogs, and better their farms, but it was passed for the purpose of evening up a little, if possible, with these men that have this intangible property and do not pay a mill on it.

Mr. President, and fellow Senators, I hope you will see that this motion of the Senator from Somerset, Mr. Walker, prevails.

Mr. BARTLETT: Mr. President, as a member of the committee on taxation two years ago, I was in favor of this bill which took the tax off this class of property and the only reason that I recall before the committee was that it might encourage the agricultural interests to that extent, although we all felt that it might be to only a small extent in view of the small tax. As stated by the Senator from Franklin, Senator Butler, the information I get at the present time is that it has not had the effect to stimulate this, as it seemingly would, but it has had the effect to exempt herds of a few large breeders. In other words, it exempts those people who are doing a large business of that

nature, whereas in a large business on other matters they have to pay taxes, and I feel that it is wise to repeal this bill.

Mr. WALKER: Mr. President, while the tax is small, yet I know the farmers in Maine appreciate the fact that the legislature of Maine two years ago remembered them even in a slight degree. And if they repeal that law they will also remember that the legislature of Maine remembers them in this legislature.

Mr. BUTLER: Mr. President, it has been stated that more farmers are going into sheep raising than perhaps have been going into that business for a few years. The price of the product has much to do with that. Wool is bringing something, and sheep and lambs are worth something today.

I started into business in 1892, and paid farmers in the locality where I was 25 cents a pound for wool in 1892. Twenty-five cents seemed to pay for the product fairly well, and there were many sheep in the locality where I was. The next year we paid them 18c a pound for wool, and the next year after that in 1894, we paid 16c. In 1895 we paid 12c for first quality wool, and 9c for second grade.

You can all remember the situation, and that after that date the sheep industry ceased in Maine. There were no sheep except in isolated places, and there have been none up to the present time. Of course prices now will guarantee keeping sheep, and possibly farmers may maintain flocks again as fast as they can produce them, but this amount that is exempt from the average farmer, as I met them, they considered it more as a joke.

If you can help them in any way, in a way that would have some money consideration to them, and exempt all neat stock, I would not oppose a measure of that kind. I do not think for the average farmer over the State that the amount exempt pays for the bother of sifting it out in making the assessments.

I have no objection to the principle of exempting neat stock to benefit the farmer, and I would be favorable to exempting it all, but this hits in such

a small way, and you have to sort it out in assessing, and I think it is of but very little value.

Mr. WOOD of Hancock: Mr. President, I am not a candidate for anything except to come back here again after two years, if I have good luck, for I have made so many friends, that I want to meet them again. I am not a candidate for anything more important than that, and I attach due importance to that position. So that I am not saying what I say to get the farmers' votes, but in listening—I do not pretend to know anything about farming—but in listening to Senator Walker and to Senator Merrill, their arguments appealed to me as perhaps being disinterested in a way, not claiming to have any special interest, and I believe probably they are right and if we can extend any encouragement to the farmer in this small way—as has been said by the opposition it does not amount to very much as a matter of taxation, but sometimes these little encouragements held out to the farmer, while he is prosperous, lives comfortably, gets on well, at the same time he does not have such a wonderful cinch of it but what he may be glad to have this little encouragement.

It strikes me, fellow senators, that we better hold out this help, and I am in favor of leaving the matter as it is to encourage the farmers.

The PRESIDENT: The question before the Senate is on the motion of Senator Walker of Somerset that this bill be indefinitely postponed. The bill is very short and the Chair will read it: "An Act repealing Paragraph 6, Section 6, Chapter 10 of the Revised Statutes, relating to the exemption of certain live stock from taxation.

Section 1. Paragraph 6, Section 6, Chapter 10 of the Revised Statutes is hereby repealed.

Section 2. All other acts or parts of acts inconsistent with the foregoing are hereby repealed."

This part repeals the law whereby a certain class of animals on the farm is exempt from taxation.

Mr. WALKER: Mr. President, when

the vote is taken I ask that it be taken by a division.

A rising vote was had and 22 senators voting in the affirmative and four in the negative the motion of the senator from Somerset, Senator Walker, prevailed, and the bill was indefinitely postponed.

On motion by Mr. Davis of Piscataquis, S. D. 208, An Act to secure information relating to the yearly cut of timber from the wild land townships was taken from the table.

On further motion by the same senator the vote was reconsidered whereby this bill was passed to be engrossed.

The same senator then offered Senate Amendment A to Senate Document 208: "Amend by inserting after the word 'lands' in the third line of Section 1, the words 'which have been cruised and examined under the authority of the board of State assessors for taxation purposes'; so that said section as amended shall read as follows:

"Section 1. That the owners or agents of all lands in unorganized townships and organized plantations, classed as wild lands, which have been cruised and examined under the authority of the board of State assessors for taxation purposes, shall return to the board of State assessors, on blanks furnished upon application to said board, the amount in board feet of all logs and other timber cut, or if it has been cut into four-foot lengths, or otherwise, the number of cords of each wind of wood cut from their land the year preceding April first of the year in which said return is made."

Senate Amendment A was adopted.

The same senator then offered Senate Amendment B and moved its adoption:

"Senate Amendment B to S. D. 208, An Act to secure information relating to the yearly cut of timber from the wild land townships. Amend by adding at the end of Section 1, the following words: 'such reports shall not be accessible to the public nor shall they be deemed public records.'"

Mr. DAVIES of Cumberland: Mr. President, may I inquire through the Chair of the senator from Piscataquis,

what the purpose of the second amendment is, that they shall not be public records?

Mr. DAVIS: Mr. President, the bill provides for the report on any wild land to the State assessors, all that has been cut off the land in the previous year, and it is for the information of the State assessors and not to allow anybody to go and look over the private business of any private owner.

Mr. DAVIES: Mr. President, I would ask the senator what objection would there be to making it a public record?

Mr. DAVIS: Mr. President, the principle objection is that the people who own the property do not like to have everybody knowing about their private business.

Mr. DAVIES: Mr. President, then it seems to be a matter of personal liberty.

Mr. DAVIS: The information is for the State assessors and the only purpose I will say is so that they can tax the land.

On motion by Mr. Higgins of Penobscot the bill and amendments were tabled.

Mr. BUTLER of Knox: Mr. President and fellow senators, let us pause a moment in our deliberations. As citizens of this country, this united country, we were drawn very closely together today by the joint session of the morning, and as members of this body I am sure we were drawn more closely together by the common ties of brotherhood and citizenship.

We have reached the point, my fellows, when our work here is nearly ended. In a few days, the 78th session of the Maine Senate will have passed into the realm of history, and the story of our achievements and failures, of our victories and our defeats, will be told, in after years only by the printed page. But that story will only be told in part. But light of the eye will not be there; the familiar voices of our associates will not be there; the charm and the personality and comradeship of our fellows of this body will be wanting. These we shall re-

member when the printed page, the cold, formal type, is by us forgotten.

Some one has written, I cannot recall the author, a very beautiful thing on comrades, and it has been running through my mind at this hour, and I can recall but the one sentence which sums it all up: "Come, I will build inseparable cities with the love of comrades, with their arms linked about each others' necks, with the manly love of comrades." So, my fellows, our burdens have been lightened, our defeats softened, our victories gladdened by the personality and comradeship of our fellows.

It has indeed been worth the while to have met one another, to have learned from one another, to have talked with one another, to have felt intimately this association. Today we forget those who fought against us, and we have fought. We forget even those who fought with us, and remember only that we are 31—31 kindred spirits, working for our noble State as God has given us to see the way.

And to you, Mr. President, we are indebted in large measure for whatever measure of achievement we have accomplished. Since the organization of this body, you have presided over our deliberations with distinguished ability, with fairness, with courtesy, with kindness to all. And no man, no senator of this body, I feel sure, has been able to discern that you have in the slightest degree preferred one senator above another. To a presiding officer of any deliberative body, this is the highest praise that can be bestowed. And this praise I bestow upon you now, Mr. President, ungrudgingly, without stint, gladly.

But words, mere words, are temporary and passing. Your fellows desire to remember you in a more substantial way than by mere speech, and on their behalf I now present you with this beautiful gold watch. As it ticks away the minutes and hours of your life, may it serve to remind you of the winter of 1917, of the 78th Maine Senate, and of the 30 fellows who have called you President.

As you face the long future, may you be able to say with another, "As I look life lightens, joy deepens and love embodies the earth." (Applause.)

The PRESIDENT: The Senator from Knox, Senator Butler, and fellow Senators: A man would surely be bereft of all finer sentiments and emotions if he were not touched at a moment like this. As I look at this beautiful gift I cannot help being surprised, as it represents time, how quickly time has flown with us here this winter. It has been now almost 14 weeks since we began our deliberations, but the time has gone very quickly and very speedily. And if there is one thing, as I look into the face of this beautiful emblem, that emphasizes itself upon my mind now, it is the fearsome fact of how quickly time flies. Here we have a watch with the 12 numerals, each one an hour, two hands, and they go about twice—one day is gone—another day added to those in the past. But really when you come to think of it, time does not fly. We are the people who fly. Time was here yesterday, was here today, it will be here tomorrow. But we are just simply notes floating on the eternal stream of time. Thinking it over, it does not seem as if we had been here in work and in comradeship for 14 weeks, the time has gone so quickly. When time drags heavy, then it is generally disagreeable, but the converse is time here.

The average man's time is made up or divided into three parts, work, recreation and sleep. Our work at the Legislature has been governed more or less by the hands of the clock, or watch. We have met at certain stated periods. We have deliberated as long as there was anything which called us so to do. Our time has been freely given to the State in work as long as there was work to be done. And I wish to state right here that there is no man that ever appreciated any more than I, how much the Senate has done for me. Because I am not infallible. I have made mistakes in rulings sometimes. I have had some shortcomings in matters, because I am simply human. I am not like this watch, strict, unyielding, absolute, but have some limitations. But you Senators have put up with that very gladly. I also appreciate the unflinching courtesy that has always been shown me upon all occasions by you in my duties as presiding officer, and wherever I have felt called upon to enforce

the rules—and I can say very gladly that has been very, very seldom, because the Senators have certainly known the rules and observed them—why, the Senators have yielded very cheerfully. So you may be very sure that I appreciate your forbearance of my shortcomings, your forgiveness of my faults, and your courtesy in every respect.

There is another period of our time which is given to recreation, and that which the Senator from Knox has so beautifully and so graphically portrayed that part of our time which we can sue for ourselves. That part of the time which we shall work is governed more or less by the clock and by the watch. Nature requires that a certain amount of our time be given to sleep, but that which we give to recreation is our own. We can use that as we see fit. And as we have met one another in the intercourse and exchange of ideas in the corridor of the State House, in the lobbies of the hotels or at our boarding places, why we have had that play of ideas which is always broadening and helpful. We have had what you might say good fellowship, not good fellowship as used in the vulgar sense of depravity or degeneracy or dissipation, but in helpfulness and cheerfulness, in kindness and in appreciation of a fellow senator's good qualities and trying to help one another along in this work in which we are all engaged.

I sometimes think that in this world we are too much afraid of those stern people who would want all our movements to be as regular and fixed as those in this watch. There are austere people in the world, in the state of Maine, who say that if everything was ruled as rigidly, as unyieldingly and as absolutely as the movements of that watch, that all would be well. I am sorry to say that I cannot agree with them in that respect. Perhaps some of us, or some people, stand in too much fear of that class of people. Those people say that we should not act unless we live in accord with certain rules which they wish to make themselves; that our very actions

should be governed by sort of wheels and cogs like these in this watch, that our thoughts should not be released except by some springing of a lever the same as there may be in this watch, and that our emotions, our sentiments, should be kept in restriction as some of the motions of this watch are held in check by the different springs. And you can see what a cold and cheerless world this would be. There would be no spontaneity of emotion or sentiment. There would be no love, no consideration or pity for the shortcomings of our friends or of our neighbors.

Sometimes I think we make too many laws restricting people according to the ideas which these very stern, austere people have. And it seems to me sometimes that their only purpose and object is to add to the sum total of conventional hypocrisy.

Another thing that impresses itself upon my mind as I look at this matchless piece of machinery is that it will keep time for a long period to come; that is, it will serve as a mirror upon which will be shown the different memories which must come to me whenever I think of this legislature. When you come to think of it, fellow senators, life without memory would not be worth very much. And as a man grows older I imagine that sense increases, because when we go along the darkening shades of life and turn down the back side, with many a man, all he has to console himself is the memory of his happier and younger days. So this time-piece, as I look into it in the future, will be a token to bring to my recollection very pleasant and very happy memories spent with you in these halls, and in the different gathering places where I have had intercourse with you. And you may be very sure that I appreciate what the Senator from Knox, Senator Butler, has said, and I appreciate the tangible and concrete inspiration of it in this form.

I thank you again, senators, for this. (Applause.)

Mr. HASTINGS of Androscoggin: Mr. President, if in order I wish to take from

the table S. D. 391, An Act to grant a new charter to the city of Auburn, tabled by me on the adoption of House Amendment A.

The motion was agreed to.

On further motion by the same senator House Amendment A was adopted in concurrence and the bill as amended was passed to be engrossed in concurrence.

On motion by Mr. Grant of Cumberland, H. D. 682, An Act to amend Section 45 of Chapter 117 of the Revised Statutes, relating to the amount to be paid for clerk hire in the municipal court of the city of Portland, was taken from the table.

On further motion by the same senator the bill was given its first and second reading under suspension of the rules.

On further motion by the same senator House Amendment A was adopted in concurrence and the bill was passed to be engrossed in concurrence.

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

Mr. HIGGINS: Mr. President, I now move that Senate Amendment A be indefinitely postponed, and yield to the senator from Washington, Senator Peacock.

Mr. PEACOCK of Washington: Mr. President and fellow senators, I second the motion of Senator Higgins that this amendment be indefinitely postponed. In explanation of the same I will say that this bill was submitted to the committee on sea and shore fisheries, and a very careful hearing was given, a public hearing, and also in executive session your committee considered this proposition very carefully.

We realized in considering this proposition that there were two interests there, there were two lines of fishermen. There were people that were interested in the line fishermen, fishing through the ice, and there were people that were interested in the seiners.

The bill as originally presented to us

asked the repeal of the whole law. We felt that the line fishermen and the seiners had a common interest there, and the bill as we presented it we believed protects the interests of the line fishermen and their seiners, and the line as we recommended it is below any possible point that the line fishermen through the ice could possibly use, because the ice does not go down the bay that far, and we cannot see why the report of the committee should not be accepted.

I move that the report of the committee be accepted.

Mr. BOYNTON of Lincoln: Mr. President, I rise to sustain the amendment. I will say that the hand-liners view this repeal of the law with a good deal of consternation and alarm, and they have written and telephoned and sent petitions and they have been here in person. They do not wish their chance of livelihood be taken from them. On the other hand I have not received from the seiners one unsolicited demand that the law be repealed. The hand-liners and the sympathizers of the hand-liners, something over two hundred, they protest on the ground that there was a new draft submitted in the place of the original bill, and they have had no chance to appear for that; and they further say that between the time of 1887 and 1901, when the law was repealed that the fisheries at the head waters of both rivers were destroyed and the smelts become so scarce that fishing was necessarily abandoned. They cannot see why these two rivers were singled out. The original bill called for a repeal of the law from Casco Bay to the Penobscot.

The smelts are migratory fish and return to the same river in which they were hatched and where they are accustomed to spawn, and when they are once taken from the river it takes a good while to propogate them again.

And then again it seems a little inconsistent that at this session we have enacted three laws, House bills, 158, 96, and 518, and all of those restricting the seiners and giving the hand-liners more liberties and more fishing grounds.

It seems to me that the place where they can fish with hand lines, where the

ice is, does not have much bearing on this question, for it is the fish that they are after, and if the fish are taken at the mouth it does not matter whether there is ice clear down to the sea or not.

Mr. DAVIES of Cumberland: Mr. President, will the Chair be kind enough to read the amendment.

The PRESIDENT (reading): "Senate amendment A to H. D. 520.

House Document 520 entitled An Act to amend Section 76 of Chapter 45 of the Revised Statutes, relating to smelts, is hereby amended by striking out the words "Merrill's Ledges" in the twelfth line of Section 76 on page two of said act and inserting in place thereof the words "Spectacle Island and Brooks Point" and striking out in the thirteenth line of said section the words "Merry's Island" and inserting in place thereof the words "Farnum's Point" in Lincoln county so that said section as amended shall read as follows:

Section 76. No smelts shall be taken or fished for in the tidal waters along the coast of Maine within one-half mile of the coast line at mean high-water starting from Cape Small Point on the west bank of the Kennebec river and continuing easterly along the coast of Maine to Owl's Head in Penobscot bay, except by hook and line or weirs or set-nets through the ice, under penalty of not less than ten, nor more than fifty dollars for each offense, to be recovered by complaint or indictment. This section shall not apply to the waters along the coast of Maine between Martin's Point and White Head in the county of Knox, or in the Sheepscot river to Spectacle Island and Brooks Point, nor in the Damariscotta river to Farnum's Point in Lincoln county."

Mr. BOYNTON of Lincoln: Mr. President, I move that when the vote be taken it be taken by a division.

The pending question being on the motion of the senator from Penobscot, Senator Higgins, that Senate Amendment A to H. D. 520 be indefinitely postponed, a rising vote was had, and 13 senators voting in the affirmative and six in the negative, the motion pre-

ailed and the amendment was indefinitely postponed.

On further motion by the same senator the bill was passed to be engrossed in concurrence.

On motion by Mr. Peacock of Washington, S. D. 333, An Act to require certain vehicles to carry lights at night and to control the glare of headlights was taken from the table.

The same senator then offered Senate Amendment B to H. D. 333 and moved its passage:

"Amendment "B" to Senate Document 333.

Senate Document 333, entitled "An act to require certain vehicles to carry lights at night and to control the glare of headlights" is hereby amended by striking out all of Section 1 after the word "vehicle" in line seven and inserting the following: "which is designed to be propelled by hand, or any vehicle designed for the transportation of hay, straw, wood, lumber, stone, machinery or other heavy freight, nor shall it apply to any form of vehicle whatsoever while upon any bridge or highway where street lights are maintained at a distance of 500 feet apart or less" so that Section 1 as amended shall read:

Section 1. Every vehicle on wheels, whether stationary or in motion, on any public way or bridge, shall have attached to it a light or lights so displayed as to be visible from the front and rear thereof during the period from one hour after sunset to one hour before sunrise: Provided, however, that this act shall not apply to any vehicle which is designed to be propelled by hand, or any vehicle designed for the transportation of hay, straw, wood, lumber, stone, machinery or other heavy freight, nor shall it apply to any form of vehicle whatsoever while upon any bridge or highway where street lights are maintained at a distance of 500 feet apart or less.

Also by striking out all of Section 3 and putting in place thereof the following:

Section 3. The Public Utilities Commission shall prepare rules and regulations from time to time governing

the use and operation of headlights on electric cars and lights on motor vehicles used on public highways, and prescribe penalties for violation thereof and may from time to time alter, rescind or add to any rules and regulations of the commission and any changes therein shall take effect when approved by the Governor and Council and published at least once in each daily newspaper in the State."

Mr. FULTON of Aroostook: Mr. President, if in order I move that the bill and amendment lie on the table until Thursday morning. I have not had an opportunity to examine carefully the amendment, and I think that the senator from Washington and myself can agree after we have had a little longer time to look it over carefully.

I move that it be tabled until Thursday morning, and I promise not to keep back the work of the Senate by keeping it any longer than that time.

The motion was agreed to.

On motion by Mr. Marshall of Cumberland, H. D. 464, Report of the committee on mercantile affairs and insurance, ought not to pass, on An Act to amend Section 6, Paragraph 4, Chapter 50 of the Revised Statutes, relating to compensation for personal injuries for employees, was taken from the table.

Mr. MARSHALL: I would inquire, Mr. President, what action was taken in the House and the present status of the bill.

The PRESIDENT: In the House the bill was substituted for the report of the committee, ought not to pass.

Mr. MARSHALL: Mr. President, I move that we concur with the House in substituting the bill for the report.

For the information of the Senate I will read the bill: "Any town or city may, in lieu of the compensation and insurance provided by this act, continue any member of the fire department in said town, who may have been injured in the course of his duties, on the payroll at full pay, if such full pay exceeds the maximum compensation provided for employees under this act."

It seems to me that it is an entirely proper bill, and I move that we concur with the House in substituting the bill for the report.

The motion was agreed to and the bill was read the first time.

On further motion by the same senator under suspension of the rules the bill was read the second time and passed to be engrossed.

On motion by Mr. Marshall of Cumberland, H. D. 574, An Act to amend Section 65 of Chapter 126 in relation to the appointment of cruelty officers was taken from the table.

On further motion by the same senator the bill was passed to be enacted.

On motion by Mr. Bartlett of Kennebec, H. D. 694, An Act to amend Chapter 82 Section 72, Revised Statutes, relating to appropriations of attorney general, was taken from the table.

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

"Senate Amendment A to House Bill No. 694.

Amend House Bill No. 694 by adding at the end of Section 72 the following:

"The attorney general shall, at the request of any State department, make or cause to be made investigations in behalf of such department and he shall also prosecute any case to such extent as may seem advisable; and the expense of such investigation and prosecution shall be charged to this appropriation." So that as amended said Section 72 shall read as follows:

"Section 72. For said purpose the sum of \$7500 shall be appropriated each year, and so much thereof as may be necessary, may be expended under the direction of the attorney general. The Governor and Council may draw their warrants from time to time, for the expenditure of said sum, upon the presentation of bills properly avouched by the attorney general. The attorney general shall at the request of any State department, make or cause to be made, investigations in behalf of such



department and he shall also prosecute any case to such extent as may seem advisable; and the expense of such investigation and prosecution shall be charged to this appropriation."

Mr. DAVIES of Cumberland: Mr. President, may I ask the senator from Kennebec a question through the Chair? Was it not the intention that the amendment should provide that the attorney general should make investigation upon request of one of the departments?

Mr. BARTLETT: Mr. President, to explain the reason for this amendment—

Mr. DAVIES: Just a moment, if you please. Have you answered the question, Senator Bartlett?

Mr. BARTLETT: Mr. President, it is the intention that he shall make an investigation at the request of the different departments.

Mr. DAVIES: Mr. President, I ask the senator if it would not be better to give the attorney general some discretion as to whether he shall investigate or not?

Mr. BARTLETT: Mr. President, the money for this has been given to the attorney general's office. This simply clarifies an understanding which has been entered into, as I understand the situation, in regard to the attorney general's office, in regard to this work.

Mr. DAVIES: Do you not think it would be better to give the attorney general some discretion as to whether he should make an investigation? The amendment reads that "The attorney general shall, at the request of any State department, make or cause to be made an investigation in behalf of such department, etc."

Mr. BARTLETT: Mr. President, having in mind some particular departments, I feel in order that they may do anything the attorney general must assist them. He might make their work a dead letter unless the law reads that he shall do this.

Mr. DAVIES: Mr. President, I move that the amendment and the bill be tabled.

The motion was agreed to.

On motion by Mr. Gordon of York, H. D. 667, An Act to amend Sections 1, 2 and 3 of Chapter 141 of the Revised Statutes, to better define the duties and to increase the number of medical examiners, was taken from the table.

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

"Senate Amendment 'A' to House Document 667.

"An Act to better define the duties and to increase the number of medical examiners.

Section 1 of said act is hereby amended by inserting after the word "Penobscot" in the 11th line thereof the words "three each," and by striking out in the 11th and 12th lines the words "and York three each" and inserting in place thereof the words "for the county of York four," so that said section when amended shall read as follows:

"Sec. 1. The Governor, with the advice and consent of the council, shall appoint for a term of four years, medical examiners for each county in the State, who shall be able and discreet men, learned in the science of medicine and anatomy, and bonafide residents of the county for which they are appointed. The number of medical examiners so to be appointed shall be as follows: For the counties of Knox, Lincoln, Sagadahoc and Waldo, one each; for the counties of Androscoggin, Franklin, Hancock, Oxford, Piscataquis, Somerset and Washington, two each; for the counties of Aroostook, Kennebec, Penobscot, three each; for the county of York, four, and for the county of Cumberland, five; and they shall be appointed with reference to territorial distribution. In addition to the number of medical examiners in the several counties, as above provided for, the governor may, however, with the advice and consent of the council, appointed as many more medical examiners in the several counties as he deems necessary and proper.

They shall be liable to removal from office by the Governor and council at any time, for cause. Each medical examiner before entering upon the duties of his office, shall be duly sworn to the faithful performance of his duty. They shall make examinations

as hereinafter provided upon the view of the dead bodies of such persons only as are supposed to have come to their death by violence or unlawful act of some person or persons, the committing of which act is punishable in accordance with Sections 1, 2 and 3 of Chapter 20 of the Revised Statutes of Maine."

Senate Amendment A was adopted and the bill as amended was passed to be engrossed.

On motion by Mr. Davies of Cumberland, An Act to amend Chapter 337 of the Public Laws of 1915, relating to the amount to be paid for clerk hire in Knox County, was taken from the table.

Mr. DAVIES: Mr. President, I desire to say that at the time I made the motion to table this bill the Senator from Knox, Senator Butler, was not here. I therefore yield to him.

Mr. BUTLER: The calendar shows that the pending question is to recede and concur.

The PRESIDENT: In the House the bill was substituted for the report and the bill was amended by the adoption of House Amendment A. In the Senate the report of the committee on salaries and fees, ought not to pass, was accepted.

Mr. BUTLER: Mr. President, if in order I move that we insist and ask for a committee of conference.

Mr. GRANT of Cumberland: Mr. President, I think the Senator knows that we had a caucus of the whole Senate a few days ago and took a vote on the question of the reports of the committee on salaries and fees, and agreed at that time that we would stand by the reports. The committee reported in this case, ought not to pass.

Mr. BUTLER: Mr. President, if it be the understanding of the members of the Senate who attended that meeting and I was not present at the session Monday afternoon, and so do not know what action may have been tak-

en on similar matters. If it be the understanding that the action of the majority was binding on all, and all have agreed to live up to it, I will be the last one to break from the caucus, but I do desire, if that is not the understanding, to protect so far as I may be able to, the interests of my county.

I cannot see how any earthly harm could come by the appointment of a committee of conference.

The PRESIDENT: The pending question is on the motion to recede and concur with the House. The Senate voted to accept the report, ought not to pass, and the House substituted the bill for the report.

Mr. DAVIES: Mr. President, that motion was by Senator Butler of Knox.

Mr. BUTLER: Mr. President, if I understand the situation the House substituted the bill for the adverse report. I make this motion, if it be not in violation of any understanding the Senators have had.

Mr. DAVIES: Mr. President, I think it is entirely in contravention of the understanding we had at a meeting in the judiciary committee room. Informally a notice was given that the senators meet there immediately after adjournment, and many of us met there for the purpose of discussing with the committee on salaries and fees the reports of that committee. After some little discussion in which a number of the senators participated it was voted by a majority of those present that we should vote to support the reports of the committee on salaries and fees.

Under those circumstances I feel, Mr. President, as if Senator Butler of Knox would desire to withdraw his motion, he having been present at the meeting.

Mr. BUTLER: Mr. President, I have so stated.

The PRESIDENT: What does the senator desire in regard to this matter? The House insisted on its former action and asked for a committee of conference.

Mr. GRANT: Mr. President, I move that we adhere to our former action.

The motion was agreed to.

On motion by Mr. Peacock of Washington unanimous consent was granted and that senator presented under suspension of the rules, An Act to create a commission of sea and shore fisheries.

On further motion by the same senator the bill was tabled and 1000 copies ordered printed.

The PRESIDENT: The matter for special consideration today is Report A, ought not to pass and Report B, ought to pass in new draft, of the committee on labor, on H. D. 551, An Act relative to the hours of labor of conductors and motormen.

On motion by Mr. Higgins of Penobscot, tabled and assigned for next Thursday.

Report A, ought to pass in new draft and Report B, ought not to pass of the committee on judiciary on S. D. 241, An Act to provide for the establishment of district almshouses or infirmaries and to repeal Sections 15, 16 and 17 of Chapter 29, Revised Statutes, was taken from the table, and on motion by Mr. Higgins of Penobscot, was tabled and assigned for next Thursday.

On motion by Mr. Walker of Somerset, majority report, ought not to pass, minority report, ought to pass, of the committee on salaries and fees on An

Act to amend Section 38 of Chapter 117 of the Revised Statutes, regarding the compensation of the judge of probate for Somerset county, was taken from the table.

Mr. WALKER: Mr. President, I move that we concur with the House in substituting the bill for the report of the committee on salaries and fees.

Mr. GRANT of Cumberland: Mr. President, it seems to me that is in the same position as the other bill. I hope the Senate will support the report of the committee, as they voted in caucus the other day. Mr. President, I move that we adhere to our former action.

The motion was agreed to.

Mr. CHICK of Kennebec Mr. President, I ask that the rules be suspended in order that I introduce a public act at this time, and if the act is received I shall then ask that it lay on the table for printing. It is An Act to amend Chapter 121 of the Public Laws of 1917, entitled An Act to amend Section 17 of Chapter 12 of the Revised Statutes, providing for notice by registers of deeds to municipal officers of real estate transfers.

The rules were suspended and the bill was received and tabled for printing.

Mr. BUTLER of Knox: Mr. President, if there is nothing further, I move that we adjourn.

The motion was agreed to and an adjournment was taken until next Thursday morning at 9.30 o'clock.