

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Ninth Legislature

OF THE

STATE OF MAINE

1919

AUGUSTA
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SENATE

Friday, March 7, 1919.

The Senate was called to order by the President.

Prayer by Rev. E. S. Philbrick of Augusta.

Journal of previous session read and approved.

On motion by Mr. Davies of Cumberland, the rules were suspended and that gentleman introduced out of order the following order:

Ordered, the House concurring, that when the Senate and House adjourn they adjourn to meet on Monday, March 10th, at 4.30 o'clock in the afternoon.

On further motion by Mr. Davies, the order received a passage and was sent down for concurrence.

Papers from the House disposed of in concurrence.

House Bills on First Reading

H. D. 291: Resolve in favor of the Penobscot tribe of Indians for general care, maintenance, relief and education.

From the House: Majority and minority reports of the committee on judiciary on resolve proposing an amendment to Sections one, two and three of article five of the constitution providing for the election of secretary of State by the people; majority reporting ought not to pass; minority reporting ought to pass.

In the House the majority report was adopted.

On motion by Mr. Deering of York the Senate voted to concur with the House in the adoption of the majority report of the committee.

From the House: Majority and minority reports of the committee on judiciary on resolve proposing an amendment to the constitution providing for the election of State treasurer by direct vote of the people; majority reporting ought not to pass; minority reporting ought to pass.

In the House the majority report was adopted.

On motion by Mr. Deering of York the Senate voted to concur with the House in the adoption of the majority report of the committee.

From the House: Majority and minority reports of the committee on judiciary on resolve proposing an amendment to Section 11 of Article nine of the Constitution, providing for the election of Attorney General by the people; majority reporting ought not to pass; minority reporting ought to pass.

In the House the majority report was adopted.

On motion by Mr. Deering of York, the Senate voted to concur with the House in the adoption of the majority report of the committee.

H. D. 259: An Act amending Chapter eight, Section 60, paragraph four of the Revised Statutes, relative to township of Grafton.

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

Legal Affairs

By Mr. Gurney of Cumberland, Resolve, amending Article nine of the Constitution so as to provide for a bond issue for the purposes of building and maintaining public wharves and for the establishment of adequate port facilities in the State of Maine.

Salaries and Fees

By Mr. Grant of Cumberland, An Act to provide for the fixing of salaries and wages of subordinates of the several departments of the State government.

Sea and Shore Fisheries

By Mr. Davies of Cumberland, An Act regulating the taking, selling, packing and canning of clams, authorizing the surveying of clam bottoms and the leasing thereof by the State, prohibiting the taking of clams from leased areas, except by the lessee, authorizing the selection and reservation of areas for experimentation in clam conservation and propagation,

establishing the boundaries of polluted areas from which the taking of clams is prohibited and the repeal of all existing laws inconsistent therewith. (500 copies ordered printed.)

Banks and Banking

By Mr. Baxter of Sagadahoc, An Act to amend Sections 12 and 23 of Chapter 40 of the Revised Statutes relating to the duties of the bank commissioner in registering dealers in securities.

First Reading of Printed Bills and Resolves

S. D. 160: An Act to abolish the common council of the city of Lewiston.

S. D. 161: Resolve authorizing and empowering the Governor and Council to acquire by purchase the residence of the late James G. Blaine, and such other property contiguous or adjacent thereto to be used in connection therewith as said Governor and Council may determine for an executive mansion.

S. D. 164: An Act to authorize the Biddeford & Saco Water Company to issue bonds for refunding and other purposes.

S. D. 165: An Act to authorize the Winterport Water Company to issue bonds for refunding and other purposes.

Reports of Committees

Mr. Grant for the committee on appropriations and financial affairs on resolve in favor of Edward R. Parent in payment of witness fees, counsel fees and disbursements made by him in the contested Senatorial election case from Androscoggin county, reported that the same be referred to the committee on judiciary.

Mr. Grant from the same committee on Resolve in favor of Henry L. Irish in payment of witness fees, counsel fees and disbursements made by him in the contested senatorial election case from Androscoggin county, reported that the same be referred to the committee on judiciary.

The reports were accepted.

Mr. Grant for the same committee on Resolve for indexing the documents filed by the Legislature of

Maine since 1820, now in the office of the secretary of the Senate, submitted the same in a new draft under the same title, and that it ought to pass.

Mr. Baxter for the committee on banks and banking on bill, An Act to amend Section 33 of Chapter 52 of the Revised Statutes of Maine, relative to deposit by savings banks in institutions outside of the State of Maine, reported that the same ought to pass.

Mr. Gurney for the committee on claims on resolve, to reimburse C. H. Robinson Company, Portland, for goods sold and delivered to the State, but for which the purchaser duly authorized, failed to file with the State auditor a copy of the order, reported that the same ought to pass.

Mr. Clement for the same committee on resolve, in favor of Charles E. Darling, superintendent of the State Fish Hatchery, Enfield, Maine, reported that the same ought to pass.

Mr. Walker for the committee on education on bill, An Act to amend Section 49 of Chapter 16 of the Revised Statutes, relating to the duties of superintendents of schools, reported that the same ought to pass.

Mr. Chick for the committee on insane hospitals on resolve, in favor of the Bangor State Hospital for purposes herein enumerated for the years 1919 and 1920, submitted the same in a new draft under the same title, and that it ought to pass.

Mr. Chick for the same committee on resolve, in favor of the Bangor State Hospital for interest on the Robie Amusement Fund for the years 1919 and 1920, reported that the same ought to pass.

Mr. Chick for the same committee on resolve, in favor of the Bangor State Hospital for maintenance and other purposes for the years 1919 and 1920, reported that the same ought to pass.

Mr. Chick for the same committee on resolve, in favor of the Augusta State Hospital for the construction and equipment of a nurses home, reported that the same ought not to pass.

Mr. Chick for the same committee on resolve, in favor of the Augusta State Hospital, for the construction of a new building for patients, submitted

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

Mr. Chick for the same committee on resolve, in favor of the Augusta State Hospital for maintenance and other purposes for the years 1919 and 1920, reported that the same ought to pass.

Mr. Gordon for the committee on pensions on resolve, providing for a State pension for George A. Tenney, reported that the same ought to pass.

Mr. Lord for the committee on public utilities on bill, An Act to amend Section 39, Chapter 55 of the Revised Statutes, relating to increase or decrease of capital stock or stock, bonds or scrip dividends," (Senate No. 120), that the same ought to pass. (The report was accepted, and under a suspension of the rules the bill received its first reading at the present time.)

Mr. Lord for the committee on railroads and expresses on bill, An Act to amend Chapter 151 of the Public Laws of 1917, entitled An Act to enable the chief engineer of the State highway commission to convey a certain lot or parcel of land owned by the State of Maine to the European and North American railroad, submitted the same in a new draft under the same title, and that it ought to pass.

Mr. Peacock for the committee on ways and bridges, on bill, An Act to amend Chapter 319 of the Public Laws of 1915, providing for State and county aid in the construction of highway bridges, (S. D. 49) reported that the same ought to pass (The report was accepted, and under a suspension of the rules the bill received its first reading at the present time.)

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

Mr. Gannett for the committee on taxation, on bill, An Act to establish a uniform tax on intangible personal property, (S. D. 232) reported that the same ought not to pass.

The report was accepted.

Passed to Be Engrossed

H. D. 202: Resolve in favor of the State department of health.

H. D. 214: An Act to amend Section 86 of Chapter 33 of the Revised Statutes, as amended by Chapter 219 and

244 of the Public Laws of 1917, relating to the disposition of money collected under the provisions of the inland fish and game laws. (Tabled pending its second reading on motion by Mr. Emerson of Aroostook.)

H. D. 255: An Act to provide for physical education in the public schools. (Tabled pending its second reading on motion by Mr. Deering of York.)

H. D. 266: An Act to amend Section 4 of Chapter 217 of Acts and Resolves of 1917, relative to the carrying of dangerous weapons without a license

H. D. 27: Resolve making an appropriation to support the bureau of horticulture. (Tabled pending its second reading on motion by Mr. Grant of Cumberland.)

H. D. 279: An Act amending Section 41, Chapter 36, of the Revised Statutes, relating to the department of agriculture, providing for the collection and examination of samples of feeding stuffs, fertilizers, insecticides, seeds, foods and drugs. (Tabled pending its second reading on motion by Mr. Gannett of Kennebec.)

H. D. 280: Resolve making appropriations for the Pasamaquoddy Tribe of Indians for the years 1919 and 1920.

H. D. 281: An Act to amend Section 30 of Chapter 56 of the Revised statutes, as amended by Chapter 76 of the Public Laws of 1917, relating to powers of the Public Utilities Commission.

H. D. 282: An Act to amend Section 40 of Chapter 55 of the Revised Statutes, relating to powers of public utilities.

H. D. 283: Resolve providing for the compilation, printing and distribution of an index to the Private and Special Laws and to the Resolves of the State of Maine. (Tabled pending its passage to be engrossed on motion by Mr. Emerson of Aroostook.)

H. D. 284: Resolve making appropriation for support of bureau of weights and measures. (Tabled pending its passage to be engrossed on motion by Mr. Gannett of Kennebec.)

H. D. 285: An Act to amend Section 67, of Chapter 33 of the Revised Statutes, as amended by Chapters 219 and

244 of the Public Laws of 1917, relating to the licensing of taxidermists.

H. D. 286: An Act to extend the charter of the Farmington-Oakland Interurban Railway.

H. D. 287: An Act to amend Sections 128 and 130 of Chapter 16 of the Revised Statutes relating to the certification of teachers.

H. D. 288: Resolve in favor of Ellie L. Stafford for teacher's pension.

H. D. 289: An Act to amend Section 107 of Chapter 16 of the Revised Statutes relating to the payment of teachers' salaries.

H. D. 290: An Act amending the charter of Shepard & Morse Lumber Company.

H. D. 292: An Act to extend the charter of the Investment Insurance and Guarantee Company.

H. D. 293: An Act to extend and amend the charter of the Eastern Maine Railroad.

H. D. 294: An Act to amend Section 37 of Chapter 33 of the Revised Statutes, as amended by Chapter 219 of the Public Laws of 1917, relating to the protection of moose.

H. D. 296: An Act to amend Section 5 of Chapter 126 of the Revised Statutes, relating to indecent exposure.

H. D. 297: An Act to amend Section 22 of Chapter 33 of the Revised Statutes, as amended by Chapters 219 and 244 of the Public Laws of 1917, relating to the sale and purchase of certain protected fish.

H. D. 298: Resolve in favor of the inhabitants of Scarborough, reimbursing them for expenses incurred in defense of suite for damages alleged to have been received upon the State highway in Scarborough.

H. D. 300: Resolve appropriating money for the maintenance of teachers' Old Home, on Old Town, Indian Island, No. 1. (Tabled pending its passage to be engrossed on motion by Mr. Emerson of Aroostook.)

H. D. 304: An Act to amend Chapter 218, Public Laws of 1917, providing for the establishment of a bureau of markets.

On motion by Mr. Gannett of Kennebec, the motion was reconsidered whereby this bill was passed to be engrossed, and on further motion by the same gentleman the bill was re-

tabled pending its passage to be engrossed.

H. D. 305: An Act to amend Chapter 141, Public Laws of 1917, providing for the improvement and certification of seed.

On motion by Mr. Grant of Cumberland, the vote was reconsidered whereby this bill was passed to be engrossed, and on further motion by the same gentleman the bill was retabled pending its passage to be engrossed.

H. D. 308: An Act to amend Section 55 of Chapter 33 of the Revised Statutes, as amended by Chapters 219 and 244 of the Public Laws of 1917, relating to the protection of game birds.

H. D. 330: Resolve relating to the erection of a free highway bridge across and over the Piscataqua river from some point in Kittery, York county, in the State of Maine, to some point in Portsmouth, Rockingham county, in the state of New Hampshire. (Tabled and specially assigned for consideration on Wednesday of next week on motion by Mr. Walker of Somerset.)

S. D. 150: Resolve in favor of the State School for Girls.

S. D. 151: Resolve in favor of the State School for Boys.

S. D. 152: An Act providing for the examination and review of historical matter for publication of which state aid is asked of the Legislature. (Tabled pending its passage to be engrossed on motion by Mr. Gannett of Kennebec.)

S. D. 155: An Act to amend Sections 6, 10 and 33 of Chapter 6 of the Revised Statutes, relating to primary elections and the filing of nomination papers by independent candidates. (Tabled pending its second reading on motion by Mr. Thornton of Aroostook.)

S. D. 157: Resolve in favor of several academies, institutes, seminaries and colleges for maintenance and for repairs and improvements. (Tabled pending its passage to be engrossed on motion by Mr. Grant of Cumberland.)

Mr. GRANT: Mr. President, I

might make an explanation of why I am tabling these resolves by saying that it is the custom to have auditors or clerks go over each one of the resolves carrying an appropriation of money, and this particular resolve they were unable to locate and check up, and that is the reason why I have asked to have it tabled until next week.

S. D. 158: An Act to amend Chapter 429 of the Private and Special Laws of 1901 as amended by Chapter 356 of the Private and Special Laws of 1903, with reference to the Winthrop municipal court.

Passed to Be Enacted

An Act to amend Section 36 of Chapter 18 of the Revised Statutes, relating to the practising of dentistry.

An Act relating to the tenure of office of county treasurers.

Orders of the Day

The PRESIDENT: The Chair lays before the Senate, specially assigned for today, report of committee on judiciary, ought not to pass, on bill, An Act to amend Sections 16 and 17 of Chapter 12 of the Revised Statutes relating to registries of deeds, H. D. 80.

Mr. DAVIES of Cumberland: I move that the report of the committee be accepted.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate H. D. 212, An Act to amend Section 64 of Chapter 33 of the Revised Statutes, as amended by Chapter 219 of the Public Laws of 1917, relating to the use of automobiles in hunting wild birds and wild animals, tabled pending its second reading by the senator from Aroostook, Senator Tuttle, and specially assigned for today.

Mr. TUTTLE: Mr. President, I wish to offer Senate Amendment A and move its adoption.

The secretary read Senate Amendment A to H. D. 212: Amend H. D. 212 by striking out all of the second paragraph after the word "costs" in the tenth line thereof, and by substituting instead therefor the words

"and sixty days' imprisonment for each offence, or by both such fine and imprisonment. The possession by any person while in an automobile of any rifle or shot gun, either loaded or with a cartridge or cartridges in the magazine thereof, shall be prima facie evidence of hunting in violation of this section."

On motion by Mr. Thombs of Penobscot, the amendment and the bill were tabled.

The PRESIDENT: The Chair lays before the Senate, S. D. 16, An Act granting to women the right to vote for presidential electors, tabled by the senator from Somerset, Senator Folsom, the pending question being the adoption of Senate Amendment A.

Mr. FOLSOM: Mr. President, I now move that this bill be taken from the table.

The PRESIDENT: It comes from the table automatically.

Mr. FOLSOM: I move that it be retabled and assigned for special consideration Tuesday next. In explanation I would like to say that when this was tabled on Wednesday and assigned for today, the senator from Washington, Senator Ames, was notified that action would be taken today; but he has been unable to return, and while the friends of this bill feel they are entitled to have decisive action taken at this time, in the interest of fairness we make this motion, and we also wish to serve notice on the opponents that we shall ask for consideration of all the amendments that are offered on Tuesday next.

The motion was agreed to, and the bill was retabled and assigned for consideration Tuesday next.

Mr. THOMBS of Penobscot: Mr. President, I move that we take from the table H. D. 212, just laid on the table a few moments ago.

The motion was agreed to and the senator from Penobscot, Senator Thombs, yielded the floor to the senator from York, Senator Deering.

Mr. DEERING: Mr. President, may I inquire what the pending question is?

The PRESIDENT: The adoption of Senate Amendment A to H. D. 212.

Mr. DEERING: Mr. President, as I understand the Senate amendment, it strikes out from the chapter the forfeiture of an automobile provided that by use of that automobile any moose or deer or duck or partridge is shot. I think that it is wise perhaps to strike from the bill in question the clause which probably would place upon a man a fine of \$40 and the price of his automobile if he happened to shoot from it. If a man happened to be out in a Packard machine and killed a duck he would be fined \$40 and a \$5000 automobile, which would perhaps be not commensurate with the misdemeanor that he had committed. Now I am very glad that that particular part of it is stricken from the bill.

And now I desire to say something about the latter part of the Act, which says the possession by any person of any loaded firearm or a firearm with a cartridge or cartridges in the magazine thereof, in an automobile at any time, shall be prima facie evidence of hunting in violation of this section. It seems to me that the fact that a person has a loaded rifle or a rifle with a cartridge in an automobile being prima facie evidence of the commission of any misdemeanor, is going further in the prosecution of the criminal law than we ought to go. The class of cases in which we have certain particular pieces of evidence as prima facie evidence of guilt, has always been as far as I recollect in this State, the class of cases which had to do with sale and keeping of intoxicating liquor. Now we are beginning at the present time to add that particular piece of evidence to the hunting laws of the State of Maine, and it seems to me that with the money that we spend on the hunting laws, and the men that we hire, and the great activities that there are in the hunting districts of Maine in order to find people that are violating the law—and I want to say here that it is a pretty hard job for anybody to take any kind of an automobile, even a Ford, and ride through the woods hunting for these particular animals that they are chasing, so they must perforce shoot from their automobile

while they are riding along the road—I want to say that at this time we are adding a particular feature to the enforcement of this particular law, and it will not be very long before somebody will come in here and ask that the possession of some material in a boat, a lobster trap perhaps without a name on it, is prima facie evidence that that man intends to fish for lobsters without having his traps marked; and it will not very very long before we will have all the other laws of the State of Maine that pretend to prosecute misdemeanors and crimes, amended with some such section, so that the possession of those very articles which might be used harmfully would be a prima facie case against those men for violating the law.

I do not think that this legislation is demanded. I think it is a dangerous piece of legislation to embark upon. I do not believe that the State or the department of inland fisheries and game desire to have this matter pushed to this extent. I believe the people do not want it passed.

I make the motion therefore that the whole bill be indefinitely postponed.

The PRESIDENT: The pending question is the adoption of Senate Amendment A to H. D. 212, and the senator from York, Senator Deering—

Mr. DAVIES of Cumberland: Mr. President, I think Senator Tuttle of Aroostook had this matter in charge. I wish he would be kind enough to tell us something of the nature of the proposition.

The PRESIDENT: The senator from Aroostook, Senator Tuttle, hears the request of the senator from Cumberland, Senator Davies.

Mr. TUTTLE: Mr. President, I tabled this bill several days ago, not that I had any particular interest in it, only I thought that where it called for the forfeiture of an automobile it was rather drastic. I think that there is some virtue in the bill and that it would be of some assistance in the protection of our game, but I hadn't any special interest otherwise than that in the bill.

Mr. BABB of Cumberland: Mr.

President, I had not thought to say anything on this bill. I admire, and I wish I myself could make as good a plea as the honorable senator from York. But being a member of the committee on inland fisheries and game, I want to say this, that the bill as it was reported had the signatures of the full committee. We are, however, willing to strike out the forfeiture of the automobile. But before I pursue this further, I want, if I can, to picture to you something of the situation that has existed in the state concerning the wild game.

If we look at our state seal we will see on either side of it the husbandman, the farmer, we will see the fisherman, we will see the tall pine tree; the moose, which is typical of our wild life in the fields and forests. Now gentlemen of the Senate, when that seal was made, where was the moose? Where was the deer? Where was our wild life? Almost, as I might say, at ease in the forest. It was not hunted as it is now. It had only the flintlock to fear then, and the slow methods of traveling existing at that time. As civilization has progressed and as the modern weapons, firearm weapons have increased, we have found that our game is disappearing in the forests and I fear that unless something is done, unless some measures are taken that are stringent, it will be but a few years before some of our game will be extinct. Now I have reference to the partridge, that noble game bird, that beautiful game bird. As we have had opportunity to ride in our automobiles through this state for the last two years, it has been the exception that we have seen the partridge. What has happened? It is being hunted to death by the man in the automobile, and with the automatic shot gun. Now are we going to sit here and not pass a law that will give this bird, this beautiful bird, this bird we all love,—and are we going to let the deer be hunted from the automobile, and not give him his chance? I tell you, gentlemen, when we ride in an automobile with our doors open and one foot on the running-board of our car, with our automatic gun cocked ready to

shoot, the partridge do not get very much chance, or the deer do not get very much chance to get under cover.

Now these are the things that we heard in our inland fisheries and game committee, and I hope that this amendment and this bill will not be defeated. I wish to see it written on the books that our live game will have a chance, that it will be considered rather than the individual that is hunting. I thank you.

Mr. METCALF of Piscataquis: Mr. President, as a member of the committee on inland fisheries and game, and as a resident of one of the greatest hunting and fishing regions of Maine, I hope that this bill will not be indefinitely postponed.

In our section of the country we have a chance to see some of the ravages of automobile hunting. We have there, extending way up into the north woods, many roads which have been constructed in the last few years, and up and down those roads in the fall of the year is a continuous stream of automobiles with loaded guns, sometimes as many as three or four parties—I know of one case a hunter told me of a short time ago, that he met a car running along on those roads, with both doors open and three men with loaded guns, all loaded and ready to fire, kneeling right down to the doors each side. And it is exterminating the deer and the partridges and all sorts of game in that country. It is time that we had some protection from automobile hunting, and I endorse every word that Senator Babb has said in this matter, and I trust that this bill will not be postponed. I am willing to accept the amendment, as read, to the bill.

Mr. THOMBS: Mr. President, I happen to live in a county, and in that section of the county, that I think is considered as good a game section of the State of Maine as there is in any of the 16 counties, I myself do not pose as a hunter, but having lived in this section of Maine for a considerable number of years, I have naturally come in contact with many hunters, and have had to do more or less with the enforcement of

the fish and game laws of the State, and I want to make one general observation regarding legislation relating to fish and game matters.

I believe that this legislature before it passes a law of that kind should carefully consider as to whether the law is entitled to and ought to have the respect of the people of the State. If you pass a law that is not entitled to such respect you at once breed a contempt for it and you invite its transgression. Therefore I say that that is an important consideration in matters of this kind relating to the entire State.

Now I think the gentlemen who are members of the fish and game committee have magnified the matter of hunting from automobiles and the amount of game that is slaughtered therefrom. I want to say to you senators, that I believe that there is not anywhere near the amount of game that falls before the gun of the hunter from his automobile that these gentlemen would have you understand, or as the gentleman who represents the fish and game department in this State would have you think. I am quite ready to admit that occasionally there is a bird shot from an automobile, but I am not ready to admit that there are any considerable number, and there is even less in number of other animals shot from them. And I believe it is our duty in passing upon this matter to carefully consider whether or not the passage of this act is going to help under the circumstances as they now exist.

Now as senators, let me call your attention to this, that there is already in existence a law prohibiting hunting from automobiles. The bill as it was reported from the committee had added to this a provision for the forfeiture of the automobile, which they now relinquish, but they do desire that the possession of a gun loaded, or with cartridges in the magazine, shall be prima facie evidence of illegal hunting. Now I do not need to say to any lawyer in this Senate that there must, in order to make a successful prosecution of a man arrested with a firearm in his automobile, there must be additional

evidence produced in order to get a conviction. I do not believe that any jury that might be empanelled in the State of Maine would return a verdict of guilty against a man arrested in an automobile and in possession of a firearm, if he should make denial that he was hunting. So I say that in order for this to be an effective law, in order for it to have any value whatever, the State or the prosecuting officer must necessarily produce some additional evidence before he would be able to secure a conviction. And I believe that in the majority of cases he might be unable to do this. But if he was able to do it, he could get a conviction under the law as it stands today. It would not be necessary, if he was in a position to furnish evidence that the man was illegally hunting, for him to have the advantages of a prima facie case. So that I believe that the enforcement of the law would be exceedingly difficult, that it would lead to many a technical squabble, and that in a great majority of the cases the man charged with violation of the law would be acquitted and the law would fall into disfavor, or at least there would not be bred for it the healthy respect that follows the prompt and certain punishment of a violation of a criminal statute. Therefore I say I doubt the wisdom of enacting this law because I believe that it is impossible in practice to attain the result that the law in theory might give.

But I want to call your attention to another phase of this matter. I have no doubt that in many sections of the great north woods—I know it is true in my section of the State—that there are people for whom it is necessary that they be provided with firearms both by day and by night, and I would remind any lumbermen in this Senate that it is the custom in my section of the State for the paymaster of these different concerns, as he travels about doing the work that properly belongs to his department, to go armed. He oftentimes has a large sum of cash to pay the crew and he must necessarily travel through long stretches

of woods. And I believe that under the law as it stands today he has a right to the possession of a firearm in his automobile when he is upon such an errand, and I do not believe that legislation that might cause a man discharging his duties of that kind to be arrested, and the work of his employer and the needs of the waiting crew perhaps be multiplied, by his being hurried off to jail or arraigned before some court wherein an inquiry might be had as to whether or not he had transgressed.

And that leads me to say, gentlemen, in conclusion, that I do believe it is a serious question whether under all the circumstances as they now exist, that such a law as the proposed legislation would be expedient or practical in its application to the conditions in Maine. And I want to add this, that I am not speaking because I am opposed to the preservation of the fish and game in the State of Maine. As a citizen of Maine I believe that it is a very valuable asset and that it should be properly conserved and preserved for those who come after us. But I do believe that it is worth while to stop and consider in trying to preserve this game to select the method to accomplish that result which will meet with the approval and have the hearty respect and support of the people of the State of Maine, because I believe, fellow senators, that unless the people of Maine are behind the movement for the preservation of fish and game you might just as well make no legislation at all.

Mr. DAVIES: Mr. President, I suggest the reading of the amendment, if you please.

The secretary then read the amendment.

Mr. FOLSOM of Somerset: Mr. President, I very heartily concur in the point made by the senator from Penobscot and I would like to ask him a question through the Chair.

The PRESIDENT: You have that permission.

Mr. FOLSOM: I would like to ask the senator if he has the reference to the present statute,

Mr. THOMBS: Mr. President, in answer to the question of the senator from Somerset, I will say that I think the present statute is found in the Public Laws of 1913. I think this is H. D. 212 which we have under consideration. And the reference to the 1917 laws is Chapter 219.

Mr. FOLSOM: Mr. President, possibly it might be proper to read Section 64 to the Senate for its information. This section reads as follows: "It shall be unlawful for any person to hunt, chase, kill, catch or destroy any wild bird or wild animal at any time from an automobile or by aid or use of any light or lights carried thereon or attached thereto; it shall also be unlawful for any person to have in possession at any time any wild bird or wild animal or part thereof taken in violation of any provision of this section. Whoever violates any provision of this section shall pay a fine of not less than \$40 nor more than \$100 and costs for each offence."

I think that is law enough and I hope this bill will be indefinitely postponed.

The PRESIDENT: The pending question before the Senate is the adoption of Senate Amendment A.

A viva voce vote being taken,

The amendment was not adopted.

The question being on the motion of Senator Deering of York that the bill be indefinitely postponed,

A viva voce vote being taken, the motion prevailed and the bill was indefinitely postponed.

Mr. DEERING of York: Mr. President, I move that the rules be suspended in order that I may introduce a resolve, and I desire to say that this is not a private matter or private legislation, and I am only asking that the rules be suspended so that it might not be delayed on its reference to a committee.

The motion was agreed to, and the gentleman was permitted to introduce the following resolve:

Resolve appointing a committee to revise, collate, arrange and consolidate

the collateral inheritance tax and probate laws of the State of Maine.

On further motion by Mr. Deering the resolve was referred to the committee on judiciary.

On motion by Mr. Baxter of Sagadahoc, it was

Ordered: That the use of the Senate chamber be granted the committee on banks and banking on the afternoon of Thursday, March 13th.

Mr. Gannett of Kennebec moved that the Senate reconsider its vote of yesterday whereby a resolve to authorize and instruct the Governor and Council to erect a statute in memory of the sons of Maine who served in the World War, was ordered read in the House before its reference to a committee.

The motion was agreed to.

On further motion by Mr. Gannett the resolve was referred to the committee on military affairs.

Mr. GANNETT of Kennebec: Mr. President, I now move that the Senate reconsider its vote whereby it tabled Senate Document No. 152, and in explanation I will say that this bill was tabled under the understanding that it carried an appropriation. I now understand that it did not, and I yield to the Senator from Hancock, Senator Ricker.

Mr. RICKER: Mr. President, I wish to offer an amendment to this bill. I find that this bill is a new draft, and in the redrafting there were some mistakes made. I will say that there is no appropriation of money attached to the bill whatever.

Mr. Ricker then offered Senate Amendment A, to amend the bill by striking out the words "the State Historian who" in lines five and six, and substituting in place thereof the words: "to a professor of history of some college or university within the State of Maine who shall be appointed by the Governor, which two."

The pending question being on the adoption of Senate amendment A,

The amendment was adopted.

The bill was then passed to be engrossed as amended and sent down for concurrence.

The PRESIDENT: The Chair will appoint as members of the National Prohibition Committee on the part of the Senate Senators Davies of Cumberland and Walker of Somerset, the House having appointed as members of such committee Messrs. Cochran of Monmouth, Crabtree of Island Falls and Washburn of Perry.

On motion by Mr. Creighton of Knox,

Adjourned until Monday, March 10, 1919, at 4.30 P. M.