

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Ninth Legislature

OF THE

STATE OF MAINE

1919

AUGUSTA
KENNEBEC JOURNAL PRINT
1919

SENATE

Thursday, March 27, 1919.

Senate called to order by the President.

Prayer by Rev. Dwight A. Ball of Augusta.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

Communication from the Clerk of the House

State of Maine, House of Representatives,

Augusta Maine, March 27, 1919.

To Percy F. Crane,

Secretary of the Senate.

The Governor of the State having returned to the House, Resolve in favor of the trustees of Hartland Academy for agricultural instruction for the years 1917 and 1918, with his objections to the same,

The House proceeded to vote on the resolve, and one voting in favor of the resolve and 133 voting against its passage accordingly the resolve failed to receive a passage.

Respectfully,

(Signed) CLYDE R. CHAPMAN,
Clerk of the House.

Received and placed on file.

From the House: Report of the committee on agriculture, ought not to pass, on H. D. 482, An Act to amend Sections 3 and 12 of Chapter 36 of the Revised Statutes, relating to marking packages of agricultural seeds.

On motion by Mr. Gurney of Cumberland, tabled pending first reading.

From the House: Majority report of the committee on agriculture, ought to pass, on H. D. 148, An Act to amend Sections 40, 41, 42, 43, 47 and 48 of Chapter 16 of the Revised Statutes, relating to medical inspection of school children. Minority report of the same committee on the same bill, ought not to pass.

On motion by Mr. Gordon of York, the bill with accompanying reports was tabled pending acceptance of either report.

From the House: Report of the committee on public utilities, ought not to pass, on H. D. 463, An Act to amend Section 2 of Chapter 56 of the Private and Special Laws of 1895, as amended by Chapter 203 of the Private and Special Laws of 1903, relative to the water supply of Boothbay Harbor.

In the House the bill was substituted for the report of the committee.

On motion by Mr. Lewis of Lincoln, the report and bill were tabled.

Bills in First Reading

H. D. 471: Resolve to continue the resolve under Chapter 90 of the Revised Statutes of 1917, for the North Yarmouth Academy grant, Township No. 1, Range 4, Aroostook county. (Under suspension of the rules read twice and passed to be engrossed in concurrence.)

From the House: Report of the committee on conference on the disagreeing action of the two branches of Legislature on An Act to amend Section 62 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, submitted the accompanying amendment and recommended its adoption:

Amend House Document No. 212 by striking out after the word "follows" in the enacting clause of said act, all of said act, and substituting therefor the following:

Section 1. Section 64 of Chapter 33 of the Revised Statutes, as amended by Chapter 219 of the Public Laws of 1917, is hereby amended by striking out after the word "section" in the sixth line thereof the words, "whoever violates any provision of this section shall pay a fine of not less than \$40 nor more than \$100, and costs for each offense," and inserting in place thereof the following: "No person shall carry in any motor vehicle in use on the highways or in the fields or forests of the State any rifle or shotgun either loaded or with cartridges in the magazine thereof. Whoever violates any provision of this section shall be subject to a pen-

alty of not more than \$100 and costs for each offense, or imprisonment for not more than 60 days, in the discretion of the court."

On motion by Mr. Lord of York, tabled pending acceptance of the report.

Mr. DAVIES of Cumberland: Mr. President, it seems to me that we are getting a good many matters on the table, and of course we want to adjourn as quickly as possible. I wonder if Senator Lord would object to assigning a time for the consideration of this matter?

The PRESIDENT: The Chair will state for the information of the senator from Cumberland that automatically each bill comes off the table each day, an order having been passed to that effect.

Mr. DAVIES: May I ask when that order was presented?

The PRESIDENT: It was passed yesterday.

The following resolve was presented and on recommendation by the committee on reference of bills was referred to the committee on

Appropriations and Financial Affairs

By Mr. Gannett of Kennebec, Resolve in favor of C. Sumner Buckley for services rendered as clerk for the committee on taxation.

(Under suspension of the rules the bill was given its two several readings at this time and was passed to be engrossed.)

Bills in First Reading

S. D. 254: Resolve appropriating money for the purchase of the history of York. (Under suspension of the rules, read twice and passed to be engrossed.)

S. D. 255: Resolve to amend Article IX of the constitution as amended by Article XXXV of the constitution, increasing the amount of bonds to be issued for the purpose of building State highways and providing for the building of intrastate, interstate and international bridges. (Under suspension of the rules, read twice and passed to be engrossed.)

S. D. 256: An Act to provide for the jurisdiction of the public utilities com-

mission over certain motor vehicles. (Under suspension of the rules, read twice and passed to be engrossed.)

S. D. 257: An Act to amend a certain Section in Chapter 45 of the Revised Statutes, relating to the licensing of persons engaged in the lobster fisheries. (Under suspension of the rules, read twice.)

Mr. Peacock of Washington offered Senate Amendment A.

The PRESIDENT: The Chair would ask the senator from Washington if his amendment amends the new draft, S. D. 257?

Mr. PEACOCK: Yes, the new draft.

Senate Amendment A to S. D. 257

Amend Senate Document 257 by striking out all of Section 31 after the word "dollars" in the fifth line of the new draft and inserting in place "and the smack, vessel or other means of transportation shall be forfeited to the State," so that said section as amended shall read as follows:

Section 31. Whoever, as master or owner, transports lobsters without the State, not having obtained the license provided in the preceding section, shall be punished by a fine of not less than fifty nor more than five hundred dollars, and the smack, vessel or other means of transportation shall be forfeited to the State.

The amendment was adopted.

On motion by Mr. Deering of York, the bill was tabled pending passage to be engrossed.

Reports of Committees

Mr. Emerson for the committee on appropriations and financial affairs, on Resolve appropriating money to carry on the work of the State Board of Mothers' Aid as defined by Chapter 222 of the Public Laws of 1917 and amendments thereof, reported same ought not to pass.

The report was accepted and sent down for concurrence.

The same senator for the same committee on An Act to defray the necessary expenses of an assessors' convention, reported same ought to pass.

Mr. Grant for the same committee, on An Act in relation to appropria-

tions for the Maine State Library, reported same ought to pass.

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

The same senator for the same committee on An Act to appropriate moneys for the expenditures of the government and for other purposes for the year 1919 (Senate No. 241), reported same ought to pass.

The report was accepted, and on motion by Mr. Grant of Cumberland the rules were suspended and the bill was read twice and passed to be engrossed and sent down for concurrence.

The same senator for the same committee on resolve appropriating money to carry on the work of the State Board of Charities and Corrections as defined by Chapter 147 of the Revised Statutes and amendments thereof, reported same ought not to pass, as it is provided for in the appropriation bill.

The report was accepted and sent down for concurrence.

The same senator for the same committee on An Act to amend Section 4 of Chapter 37 of the Revised Statutes, relating to the duties of the commissioner of agriculture, reported same ought to pass.

The same senator for the same committee, on An Act to amend Chapter 244, Section 1 of the Public Laws of 1917, relating to the duties of the commissioner of Inland fisheries and game, reported same ought to pass.

The same senator for the same committee, on Resolve, to reimburse the People's Ferry Company of Bath (Senate No. 135), reported same ought not to pass, as it is provided for in a new draft under title of An Act to acquire the property of the People's Ferry Company, and to provide for the operation by the state of a ferry between Bath and Woolwich on the Kennebec River, and that it ought to pass.

The same senator for the same committee, on Resolve, making an appropriation in favor of the People's Ferry Company to aid in the construction of a new ferry boat with the

necessary slips and approaches thereto, submitted the same in a new draft under the title of bill An Act to acquire the property of the People's Ferry Company, and to provide for the operation by the state of a ferry between Bath and Woolwich on the Kennebec River, and that it ought to pass.

Mr. Emerson for the same committee, on An Act authorizing the appointment of a state pension agent, reported same ought to pass.

The same senator for the same committee, An Act relating to the appropriation for the industrial accident commission, reported same ought to pass.

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

The same senator for the same committee, on An Act to amend Chapter 178 of the Public Laws of 1917, relating to the control of the white pine blister rust and other fungus and insect pests, reported same ought not to pass, as it is provided for in the appropriation bill under land agent and forest commissioner.

The report was accepted and sent down for concurrence.

The same senator for the same committee on An Act in relation to the employment of clerks and necessary assistants by the superintendent of public printing, reported same ought to pass.

The same senator for the same committee, An Act to amend Section 41 of Chapter 36 of the Revised Statutes, relating to the analysis of feeding stuffs, commercial fertilizers, etc., reported same ought to pass.

Mr. Grant for the same committee, on An Act to amend Chapter 215 of the Public Laws of 1917 to provide for payment of a bounty on bears killed in the State, reported same ought to pass.

Mr. Emerson from the same committee, on An Act to amend Section 55 of Chapter 30 of the Revised Statutes as amended by Chapter 270 of the Public Laws of 1917, relating to the amount to be expended by the insurance commissioner in investi-

gating fires, reported same ought to pass.

Mr. Ricker for the committee on education, on An Act to provide an equalization fund for secondary schools, submitted the same in a new draft under the same title, and that it ought to pass.

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

Mr. Metcalf for the committee on inland fisheries and game, on An Act to amend Section 18 of Chapter 33 of the Revised Statutes as amended by Chapter 219 of the Public Laws of 1917, relating to the protection of fish, reported same be placed on file, as the subject matter in new draft has been incorporated in another bill to be reported by this committee.

The report was accepted and sent down for concurrence.

Mr. Emerson for the committee on interior waters, on Resolve, making an appropriation in favor of Sebago lake, Songo river, Bay of Naples, Chutes river and Long lake in Cumberland county, submitted the same in a new draft under the same title and that it ought to pass.

The same senator for the same committee, on An Act to amend Section 72 of Chapter 82 of the Revised Statutes, as amended by Chapter 283 of the Public Laws of 1917, increasing the annual appropriation for the attorney general's department, reported same ought to pass.

Mr. Ricker for the committee on education, on An Act to provide for up-keep, equipment and extensions for the several normal schools and the Madawaska Training school, submitted the same in a new draft under the same title, and that it ought to pass.

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

Mr. Gurney for the committee on legal affairs, on An Act to amend Section 3 of Chapter 84 of the Revised Statutes, relating to clerk of the judicial courts, (Senate 211), reported same ought to pass.

The report was accepted, and un-

der suspension of the rules the bill was read twice and passed to be engrossed.

The same senator for the same committee, on An Act to amend Section 55 of Chapter 82 of the Revised Statutes, relating to exceptions in civil and criminal cases, reported same ought to pass.

The report was accepted and the bill tabled for printing under the joint rules.

Report of the committee on legal affairs, on An Act relating to the term of service of the city treasurer and collector of the city of Portland, reported same ought to pass.

(Signed) GURNEY,
HINCKLEY,
PARENT,
MASON,
LANPHER,
WEATHERBEE,
GARCELOIN,
HUSSEY,
THOMBS.

Tabled on motion by Mr. Lord of York, pending acceptance of the report.

Mr. Gurney for the same committee, on An Act to amend Section seven of Chapter 117 of the Revised Statutes, relating to compensation of judges upon retirement, reported same ought to pass.

The report was accepted and the bill tabled for printing under the joint rules.

Mr. Folsom for the Committee on salaries and fees, on An Act to amend Paragraph 2 of Section 45 of Chapter 117 of the Revised Statutes, as amended by Paragraph 2 of Chapter 223 of the Public Laws of 1917, relating to clerk hire in the Androscoggin register of deeds, reported same ought not to pass.

The same senator from the same committee, on An Act to amend Chapter 117, Section 42 of the Revised Statutes, as amended by Chapters 39, 167 and 173 of the Public Laws of 1917, relating to the compensation of county commissioners, reported same ought not to pass.

The reports were accepted and sent down for concurrence.

The same senator for the same

committee, on An Act to increase the salary of the judge of the Bath Municipal Court, reported same ought to pass.

The same senator for the same committee on An Act to increase the salary of the Recorder of the Bath Municipal Court submitted the same in a new draft under the same title, and that it ought to pass.

The same senator for the same committee, on An Act to increase the amount allowed for clerk hire to the Lewiston Municipal Court, submitted the same in a new draft under the same title, and that it ought to pass.

Mr. Thombs for the committee on State Prison, on Resolve for the Improvement of the State Prison at Thomaston, submitted the same in a new draft under the same title, and that it ought to pass.

The same senator for the same committee, on Resolve in favor of the Maine State Prison for maintenance and current expenses, reported same ought to pass.

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

The following committees submitted their

Final Reports

Indian Affairs; Interior Waters; Public Buildings and Grounds; State Prison.

Passed to Be Engrossed

H. D. 382: An Act to amend Section 32 of Chapter 33 of the Revised Statutes, as amended by Chapter 219 of the Public Laws 1917, relating to the pollution of the waters of the state by sawdust and other mill waste. (House Amendment A adopted in concurrence.)

H. D. 386: Resolve to appropriate money for the erection and furnishing of buildings for the Reformatory for Women at Skowhegan. (House Amendment A adopted in concurrence.)

H. D. 461: An Act to amend Section 25 of Chapter 18 of the Revised Statutes relating to appointments of

members of Board of Dental Examiners.

H. D. 469: An Act to prohibit the use of tiawls of more than 4000 hooks, or more than ten nets, within certain waters.

H. D. 473: Resolve in favor of the Penn Mutual Life Insurance Company of Philadelphia, Penn., for a tax credit.

H. D. 474: Resolve in favor of the Fidelity Mutual Life Insurance Company of Philadelphia, Penn., for a tax credit.

H. D. 476: An Act to amend chapter 154 of the Public Laws of 1917, entitled "An Act to provide state aid for the construction of highways extending continuously through three or more towns."

H. D. 477: Resolve in favor of the Provident Life & Trust Company of Philadelphia, Penn., for a tax credit.

H. D. 478: An Act to amend Section 49 of Chapter 117 of the Revised Statutes relating to the Board of Registration in Medicine.

H. D. 479: An Act authorizing the Penobscot Development Company to construct and maintain booms and piers in the Aroostook river in the town of Ashland.

(On motion by Mr. Thornton of Aroostook, tabled pending second reading.)

H. D. 480: An Act granting Bradbury Smith the right to establish and maintain a ferry between the towns of Sullivan and Hancock.

H. D. 481: An Act to amend Section 32 of Chapter 67 of the Revised Statutes, concerning probate appeals.

H. D. 483: An Act to authorize the payment of additional sums for co-operative agriculture.

H. D. 484: An Act additional to Chapter 48 of the Revised Statutes, relating to the State sealer of weights and measures.

H. D. 485: An Act to prevent and punish the desecration, mutilation or improper use of the flag of the United States of America, and of this State, and of any flag, standard, color, ensign or shield authorized by law and to make uniform the law relating thereto.

S. D. 240: An Act to enable towns or cities to procure State aid in the construction of armories.

S. D. 251: An Act to amend Section 67 of Chapter 82 of the Revised Statutes, relating to the appointment of assistants and deputies to the attorney general.

S. D. 252: An Act amendatory of and in addition to Section 15 of Chapter 12 of the Revised Statutes, relating to indexes in registries of deeds.

(On motion by Mr. Lord the vote was reconsidered whereby this bill was passed to be engrossed, and on further motion by the same senator it was tabled pending passage to be engrossed.)

S. D. 253: Resolve authorizing and instructing the Governor and Council to make such alterations and improvements of the residence of the late James G. Blaine, recently given to the State by Mrs. Harriet Blaine Beale, as may be necessary, and to furnish it suitably, to serve the purpose of an executive mansion, and to acquire by purchase such contiguous property as may be needed for said purpose.

Resolve in favor of the University of Maine for the purpose of refunding and paying a bond.

Finally Passed

Resolve proposing an amendment to Section 1 of Article II of the constitution of the State of Maine, providing for the continuation of the right of suffrage to a person, otherwise qualified to vote for Governor, senators and representatives in this State, in the town or plantation where his residence for suffrage purposes has been established, for a period of three months after his removal therefrom to another town or plantation within this State.

This resolve proposing an amendment to the constitution required a two-thirds vote of all the members of the Senate. Twenty-six senators voting for the passage of the bill it was finally passed.

Resolve proposing an amendment to Article IX 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.

This Resolve proposing an amendment

to the constitution required a two-thirds vote of all the members of the Senate. Twenty-six senators voting for the passage of the bill it was finally passed.

Resolve appropriating money for the public roads of Oxford county, in accordance with an act of Congress, approved May 23d, 1908.

Resolve in favor of Andrew Egan, for military pension.

Resolve, in favor of the town of Livermore, reimbursing said town for money paid to soldiers' dependents.

Resolve, in aid of navigation on the lower lakes.

Resolve in favor of the inhabitants of the town of Industry, Franklin county, Maine.

Resolve, in favor of the Madigan Memorial hospital on account of the care of certain persons during the year 1917.

Resolve to provide funds for vocational education.

Resolve, in favor of the town of Castine for correcting an error in amount paid for State road work, in the years 1917 and 1918.

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

Passed to Be Enacted

An Act to amend Section 18 of Chapter 86 of the Revised Statutes, relating to service of certain kinds of writs.

An Act to regulate fishing in Kennebago stream.

An Act to amend Section 6 of Chapter 66 of the Public Laws of 1917, as amended by Chapter 244 of the Public Laws of 1917, relating to non-resident fishing licenses.

An Act to amend Section 66 of Chapter 16 of the Revised Statutes, relating to the attendance of children at school.

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.

An Act to amend Section 1 of Chapter 96 of the Revised Statutes, relating to the recording of chattel mortgages.

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

An Act to amend Section 1 of Chapter 272 of the Public laws of 1917, entitled, An Act to require certain vehicles to carry lights at night and to control the glare of headlights.

An Act prohibiting weighers of coal, hay, straw, junk and other articles and measurers of wood, bark or charcoal from giving certificates of weight or measure until they have qualified for the faithful performance of the duties of their offices.

From the House: Resolve for the repair and construction of roads.

In the House under suspension of the rules read twice and passed to be engrossed.

In the Senate under suspension of the rules this resolve was read twice and passed to be engrossed in concurrence.

From the House: Resolve for the repair and construction of roads and bridges and for other purposes.

In the House under suspension of the rules this resolve was read twice and passed to be engrossed.

In the Senate under suspension of the rules this resolve was read twice and passed to be engrossed in concurrence.

From the House: Resolve in relation to the employment of discharged soldiers.

This resolve carried the emergency clause and came from the House passed by that body.

In the Senate 26 senators voted for the passage of the resolve and it was finally passed in concurrence.

Today Assigned

The PRESIDENT: The Chair lays before the Senate H. D. 346, veto message on resolve in favor of John G. Fleming for building a highway in the town of Wiscasset, tabled by the senator from Cumberland, Senator Davies. The pending question before the Senate is, shall this bill become a law notwithstanding the objection of the Governor.

Mr. DAVIES: Mr. President, I

present a letter dated December 5, 1917, addressed to the state highway commission, Augusta, Maine, the subject of which is Wiscasset claim, signed by John G. Fleming, the claimant under this resolve, with a statement of facts attached, the three pages being numbered 1, 2 and 3, and move that the same be printed and be made a part of the documents in relation to H. D. 346, and that the matter be especially assigned for tomorrow morning.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate S. D. 207, An Act relative to diseases, infectious, contagious or dangerous to public health, tabled by the senator from Cumberland, Senator Gurney, the pending question being second reading and adoption of Senate Amendment A.

On motion of Mr. Gurney, the bill was indefinitely postponed.

The PRESIDENT: The Chair lays before the Senate H. D. 319, An Act relating to inspection and recount of ballots cast at primary elections, tabled by the senator from Aroostook, Senator Thornton, pending second reading.

Mr. THORNTON: Mr. President, there is an amendment which I wish to offer to this bill, but I have not yet completed it, and I move that the matter lie on the table until tomorrow morning.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate H. D. 358, An Act to amend Section 127 of Chapter 87 of the Revised Statutes, relating to affidavits of plaintiffs, tabled by the senator from Cumberland, Senator Davies, pending passage to be enacted.

In the House this bill was indefinitely postponed.

On motion by Mr. Davies, the Senate voted to concur with the House in the indefinite postponement of the bill.

The PRESIDENT: The Chair lays before the Senate report of commit-

tee on legal affairs, ought not to pass, on bill, An Act to incorporate the Western Maine Branch of the Women's Board of Missions, tabled by the senator from Cumberland, Senator Davies, the pending question being acceptance of the report.

Mr. DAVIES: Mr. President, the Western Maine Branch of the Women's Board of Missions desires to become a corporation. The purposes of this board are explained in the title to the act.

They come to the Legislature for authority to incorporate because they desire to use the word "Maine" in the title of the corporation, and under our present statutes a corporation organized such as this one desires to be could not be organized with the use of the word "Maine." Therefore, Mr. President, it became necessary to apply to the Legislature for a special act.

The only work which this corporation desires to do is to disseminate as widely as possible the teachings of the principles of the Master and Saviour of mankind. There is no salaried officer in connection with this proposed corporation—not one. Their only work is to teach principles which will make men purer and higher and nobler, and I know of no better purpose for which the State of Maine could lend its name, Mr. President, for the purpose of incorporation, than for just that purpose.

Therefore, I move, Mr. President, that the bill be substituted for the report.

Mr. THOMBS of Penobscot: Mr. President and fellow senators, before you act upon the motion of the Senator from Cumberland, it would seem very proper that the committee make known its reasons for making such a report, and as chairman of that committee I am pleased so to do.

I think the Senator from Cumberland has correctly stated the reason why we are considering this matter at this time. This society, existing for some years, for some reason or other at this time desires to in-

corporate under the laws of Maine. After they decided to take such a step they made application to the office of the attorney-general for incorporation under the general law of Maine.

The attorney general's office advised them that they could not allow them to incorporate in that manner because this Legislature in its wisdom in time past had enacted a law to the effect that a society of this kind desiring to incorporate should not use the word "Maine." I do not know as it is timely or worth while for me to discuss with you the wisdom of such an enactment. The fact remains, however, senators, that that is the law, the statute law of the State of Maine today. A corporation of this kind coming to the attorney general's office for papers are denied because, as I say, the Legislature has deemed it wise that the word "Maine" be not commonly used as a heading or title for corporations of various kinds. I presume the underlying principle or reason for that is because it might possibly mislead somebody into thinking that this organization represented in some way the State.

That is the proposition before you this morning, gentlemen, simply that and nothing more. If you pass the motion of the Senator from Cumberland, you are undoing in this instance the act of a previous legislature which the attorney general's office has been bound by and acted upon up to this time. It resolves itself simply into this question, is there any reason why this corporation, limited in its scope and limited in the work which it desires to do—is it worth while and do you consider it proper in this instance to depart from this settled policy of the State? If you do it in this instance, you certainly ought to repeal this present act so that any corporation applying to the attorney general's office might be granted the same right that you are willing to accord them in the legislature.

Every corporation or every society of individuals who come to the

Legislature for special incorporation of course take up a good deal of the time of the legislature and it is a considerable expense. I believe, senators, that you should choose and you should make your act consistent. If you want to say to any of these societies, you are entitled to borrow and use the name of the State, why then repeal the existing law so that the attorney general's office may feel free to grant incorporation under the general law, and save each legislative session the time, trouble and expense of incorporating under private and special laws.

Mr. DAVIES: Mr. President, may I have a few moments? I think that we can all agree with my statement that the title of this corporation can mislead no one. About that there can be no doubt. It is called An Act to incorporate the Western Maine Branch of the Women's Board of Missions. Certainly the title shows exactly and entirely what this organization aims to do.

Now going one step further along that line, suppose we eliminate for a moment in the title of this corporation the word "Maine" and see what we have there. The organization would then be called Western Branch of the Women's Board of Missions, which gives them not at all what they want or desire. This is one of those cases where it is absolutely necessary to have the word "Maine" in the title to accomplish the purpose. And it can do no harm.

Neither do I agree, Mr. President, with the statement made by my friend, Senator Thombs, that if we pass this act we should repeal the law. That is highly inconsistent. There is absolutely no reason for that. In fact, there is every reason why we should not do that. Because we are dealing here entirely with a certain class of corporation, that, as I have said, has no salaried officers and is organized and doing its work entirely for charitable and religious purposes. And I think the motion, Mr. President, was to substitute the bill for the report.

Mr. DEERING of York: Mr. President, I would like to ask Sen-

ator Davies of Cumberland, if we have not had before us and passed favorably a law which authorizes corporations or associations which were not organized for the purpose of making money to assume the word "Maine" where they have been in business as associations for two or three years? Didn't we report favorably on such a law?

Mr. DAVIES: I am unable to answer that question, Mr. President. I am sure that there was such a law in the Legislature but I cannot see that it affects this case. Just what the present status or state of that law is, or proposed law, at the present time, I do not know.

Mr. THOMBS: Mr. President, in an attempt to answer the Senator from York, I desire to say that I do think there is such an act in the Legislature, having been favorably reported by the judiciary committee. I called the attention of the Senator from Cumberland to that act several days ago, and he at that time said that he thought that did apply to this particular case. Since then I think he has stated to me that it was his opinion that it did not. Now I was willing this morning to accept his statement that it did not apply, but in view of that statement that he now makes that he is uncertain about it, as I understand it, I move that this matter lie on the table until tomorrow morning that we may make that point sure.

Mr. DAVIES: Now, Mr. President, I hope we won't do that. I only desire to say this in reply to what Senator Thombs has said. There has been before our committee a bill which grants the right under its provisions to use the word "Maine" in an automobile association. We reported favorably on an act which aims to organize the Maine Automobile Association. We can do that without objection. But we refuse to the Western Maine Branch of Women's Board of Missions the right that we have given to the Maine Automobile Association, irrespective of whether there is any general law now before the Legislature or not, and the purpose for that I do not

understand. I hope the motion of Senator Thombs will not prevail. I hope we can dispose of this thing at the present time.

The PRESIDENT:: The pending question is on the motion to lay on the table made by the senator from Penobscot, Senator Thombs.

A viva voce vote was taken and the motion was lost.

The PRESIDENT: The pending question before the Senate is on the motion of the senator from Cumberland that the bill be substituted for the report of the committee, ought not to pass

A viva voce vote being taken, the motion prevailed and the bill was tabled for printing under the joint rules.

The PRESIDENT: The Chair lays before the Senate S. D. 185, An Act to amend Section 16, Chapter 9 of the Revised Statutes, to provide for inventory of exempt live stock, etc., tabled by the senator from Cumberland, Senator Davies. This was recalled from the committee on engrossed bills.

Mr. DAVIES: Mr. President, I have an amendment which I desire to offer to this bill. I simply present it at this time and ask that it be printed that I may have an opportunity to discuss it with the chairman of the committee on agriculture. I move to reconsider our vote whereby this bill was passed to be engrossed.

The motion was agreed to, and on further motion by the same senator the bill and the amendment were laid on the table for printing.

The PRESIDENT: The Chair lays before the Senate H. D. 451, An Act to exempt certain public bonds from taxation, tabled by the senator from Sagadahoc, Senator Baxter, pending assignment of time for second reading.

Mr. BAXTER: Mr. President, I move that this bill lie on the table because I think the other bill to which I referred yesterday will be in the Senate tomorrow morning.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate, H. D. 411, An Act to increase the salary of the deputy treasurer of state, tabled by the senator from Cumberland, Senator Grant, pending second reading.

Mr. GRANT: Mr. President, I move this be indefinitely postponed as it is to be taken care of under another general bill.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate An Act to authorize the attorney general to appoint a tax attorney and to prescribe his powers and duties, tabled by the senator from Penobscot, Senator Thombs, pending printing under joint rules.

Mr. THOMBS: Mr. President, inasmuch as this is still dependent upon another act, I move it lie on the table until tomorrow.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate, S. D. 239, An Act to amend Section 32 of Chapter 117 of the Revised Statutes as amended by Chapter 183, Public Laws of 1917, relating to the salaries of the board of state assessors and for clerk hire in said office, tabled by the senator from Somerset, Senator Folsom, pending second reading.

Mr. FOLSOM: Mr. President, the subject matter is covered by a general bill, therefore I move the indefinite postponement of this bill.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate S. D. 247, An Act relative to the surety bond business of trust companies and domestic corporations, and amending Section 90 of Chapter 52 of the Revised Statutes, tabled by the senator from Cumberland, Senator Davies, pending second reading.

On motion by Mr. Davies, the bill was given its second reading and passed to be engrossed.

The PRESIDENT: The Chair lays before the Senate S. D. 206, Resolve for laying the county taxes for the year 1919, tabled by the senator from

Cumberland, Senator Grant, pending adoption of House Amendment A.

Mr. GRANT: Mr. President, I now wish to offer Senate Amendment A to House Amendment A, and move its adoption, which reads as follows:

"Amend said Amendment A by striking out the words 'forty-eight' and the figures '48' and inserting in place thereof the words 'forty-seven' and figures '47'."

The motion was agreed to and Senate Amendment A to House Amendment A was adopted.

The Senate then voted to adopt House Amendment A as amended, and the resolve as amended was passed to be engrossed.

The PRESIDENT: The Chair lays before the Senate S. D. 205, Resolve for laying the county taxes for the year 1920, tabled by the senator from Cumberland, Senator Grant, pending passage to be engrossed as amended by House Amendment A.

On motion by Mr. Grant, the Senate voted to reconsider its action whereby this resolve was passed to be engrossed, and the same senator then offered Senate Amendment A to House Amendment A, and moved its adoption, which reads as follows:

"Amend said Amendment A by striking out the words 'forty-eight' and the figures '48' and inserting in place thereof the words 'forty-seven' and figures '47'."

The motion was agreed to and Senate Amendment A to House Amendment A was adopted.

The Senate then voted to adopt House Amendment A as amended, and the resolve as amended was passed to be engrossed.

The PRESIDENT: Will the senator from Cumberland inform the Chair if this applies to Cumberland county?

Mr. GRANT: It does. I am informed that we need a rider on both resolves in order to give a month's extension for the tax to be assessed. I yield to Senator Butler.

Mr. BUTLER of Franklin: Mr. President, at the proper time I wish to ask for suspension of the rules to introduce an act carrying an emergency clause asking extension of time to levy these county taxes as it is late. It is required it should be done in the month

of March. This extends the time to the month of April for the year 1919.

The rules were suspended, An Act relating to the assessment of county taxes in the several counties for the year 1919, was introduced and read, and on motion by Mr. Thombs the rules were suspended and this act was given its first and second readings and passed to be engrossed.

The PRESIDENT: The Chair lays before the Senate H. D. 400, An Act to provide for the registration of resident hunters, tabled by the senator from Somerset, Senator Walker, pending assignment of time for second reading.

Mr. WALKER: Mr. President, I move that this bill, together with House Amendment A and House Amendment B as adopted in the House be indefinitely postponed.

Mr. President, we now have a non-resident hunters' license law. It is reported that a great many residents outside the state come to this state, shoot our game, return home and pay no license; and if they are asked by the game wardens to show their license they reply that they are residents of this state, and it is for the purpose of identification of these non-resident hunters that this bill has been introduced.

We purpose, or the friends of this measure purpose, to tag the people of our state and the assumption is that whoever does not have a tag that he can produce to the fish and game wardens is guilty of transgressing the law is a non-resident.

Mr. DAVIES of Cumberland: Excuse me, Senator Walker, may I interrupt?

The PRESIDENT: Will the senator from Somerset bear an interruption?

Mr. DAVIES: I think Senator Walker would not object to have the purport of this bill read, together with the two amendments. There would be no objection to that.

Mr. WALKER: No, I will bring that up just a little later.

Mr. DAVIES: I was very much interested in your remarks, but I don't know just what they cover, for I am not acquainted at all with the provisions of the law.

Mr. WALKER: I will take this up, Mr. President, immediately.

As I said, the assumption is that all those who do not have this tag are transgressing the law, and therefore the fish and game wardens, acting on this assumption, can better enforce the law.

Now all former bills which have been introduced in the legislature of Maine for a resident hunters' license have been for the purposes of revenue. The fee has been fixed at a larger amount than under the present law. This bill, as I said, is for identification.

Now the first section of this bill provides that no resident of this state shall hunt in any manner, at any time, or pursue, take, catch, kill destroy or have in possession, within the limits of this state, any wild animals or wild birds without having first procured a certificate of registration. That was amended in the House by House Amendment A, which leaves that section so that the provisions of this act shall not be construed as applying to unprotected wild birds, or as affecting the right of a bona fide resident of this state or his immediate family to hunt without such license on land owned by him or on land leased by him and on which he was actually domiciled and which land is used exclusively for agricultural purposes. That amendment is to be applied at the end of the first paragraph of section 1 of this bill. A farmer that is actually living on his farm can shoot game—if he has a farm a little distance away on which some tenant may be living, it would be unlawful for him to shoot such game. It also gives them a right to kill wild birds that are not protected. All of our beautiful birds of song, the robin, the lark, the dove—they care nothing about those—they would give him a right to kill all of those beautiful birds. Why not protect those birds in this bill?

Then it goes on to state that every person holding a certificate of registration by virtue of this act shall at all times while hunting have such certificate on his person and shall

exhibit the same for inspection to any person authorized to enforce the fish and game laws. Failure to produce such certificate or satisfactory evidence of the issuance of same upon such request shall constitute a violation of this act.

Now I submit to you, Mr. President, that that is a pretty far-reaching proposition in this law. Every person holding a certificate is obliged to show it to any game warden who may chance to come along. If he does not have it with him—and how often the case would arise when he would not have his certificate of registration with him—he must satisfy that game commissioner that he has such a certificate, or he can be dragged before a court where he must prove his case. I submit to you, Mr. President, that this would subject him to a great inconvenience. I am opposed to such a provision in any law that will subject a man to a thing of this kind, taking away from him that part of his natural rights which he has as a man.

Then section 4 goes on to state that "it shall be unlawful for any resident of this state to offer for transportation," anything which he may shoot, catch, kill or destroy on his own farm—gives him a right under this law to kill it or catch it, but it gives him no right to transport it. Isn't that an inconsistent proposition?

Section 5 applies to the transportation companies and the men who work for transportation companies. If they accept this game, which the farmer who has been given a right to kill on his own farm, for transportation, they are subject to a fine and are likely to be dragged before the courts and put to great inconvenience.

Section 7 provides that every city, town or plantation clerk shall keep a record of all such certificates issued by him. And I wish to say that the fee for these certificates was first fixed at twenty-five cents a year. An amendment was offered in the House making it twenty-five cents for a lifetime. I have no doubt but what if an amendment had been offered fix-

ing at five cents per year, or six for a quarter of a dollar, they would have accepted that. I have no doubt but they would have accepted anything if they could have got the title through.

As I said, in former legislatures the bills which they have introduced have been for the purposes of revenue. Those bills have been amended again and again and finally have been turned down. They have adopted a little different tactics at this Legislature. They fixed the fee small in the first place. They thought they could count on future legislatures to increase the fee and make that thing all right. They wanted it as an entering wedge.

Perhaps many of you may be familiar with a little anecdote of an early settler. He was at work splitting rails on his lot. A half dozen Indians came along and told him that he must go with them into captivity. He replied that he was willing to go but he wanted to finish splitting the log on which he was then working. "If you will take hold and help me we will be through in a minute." He arranged three of them on one side of the log and three on the other and put their fingers into the crack, and then he very dexterously knocked the wedge out and he had them by the fingers. That is what those proponents perhaps desire of this measure. They want to make a start this year, and in two years they will come back and fix it for the purposes of revenue.

Section 9 provides that the possession of any firearm in the fields or forests or on the waters or ice of the state by a resident of this state, unless the person having such firearm in possession has in his possession a certificate of registration as herein provided, duly issued to him and covering the period such firearm is found in his possession, or gives satisfactory evidence of the issuance of such certificate, shall be prima facie evidence of hunting in violation of this act.

We cannot have any sort of a firearm on our person unless we are likely to be arrested by fish and game wardens and dragged into our

courts. Isn't that an absurd proposition to put up to an intelligent legislature?

The penalty for violating this act is not less than \$5. The penalty for a clerk's violating it is not less than \$25. If the clerk happens to make a little mistake in some of our cities, a fellow comes along and wants to be registered—or he may write to the city clerk, the act provides for that, he may write to this city clerk and if he is satisfied that everything is all right he may issue his license, but if he makes any mistakes he may be dragged before a court of justice and is likely to be fined \$25 and costs. Now I submit to you that is a tremendously hard proposition for the clerks of the State of Maine in the different municipalities, especially in the cities. If the law means anything, if it is intended to mean anything, I can see where a great difficulty would come from that provision of the law.

I have sat in former legislatures—not so much in this one, and I complimented the chairman of the fish and game committee the other day because there had not been so many legislative fish and game bills and resolves come before this legislature as in former legislatures—but in former legislatures, and to some extent in the present legislature, I have sat in my seat and listened to the reading of these bills, resolves and petitions, until I have said to myself that as the mountains are round about Jerusalem, so are the fish and game laws encompassing the people of our State.

I suppose our first idea of fish and game law came from reading the life of Noah. Noah lived many years ago and at one time he had the whole jurisdiction of all the beasts of the field and the fowls of the air, and all creeping things, and even humans. He was something of a prophet, and he had been commanded to prepare an ark because there was to be a tremendous deluge. He prepared that ark in the 600th year of his life, and then he went

out hunting for the beasts of the field and the fowls of the air and the other things. He didn't take with him a gun. He must have had some such instrument as the pied piper had, for when he commenced calling the animals began to assemble from the corners of the earth and they went into that ark, the male and female, two by two. I heard a man one time who was learned in the law and the gospel speaking about this proposition, that even the fish of the sea went in two by two, that they might not be drowned or swim on to what would after be dry ground. Finally the rains came and for forty days and forty nights they descended upon this earth. And by the way he not only was a great hunter and the first fish and game commissioner of which we have any knowledge, but at that time he had charge of all the humans in the world, and he took into that ark himself and his wife, his sons and their wives, and let all the rest drown.

In the 601st year of his life the waters had abated sufficiently so he took the roof off from his building and let those things which were inside go forth. It is stated that afterwards he engaged in farming, that he planted a vineyard, that he made wine, and evidently that wine after it was made—I don't know how long afterward, but evidently it contained more than one-half of one per cent.—it must have contained two and three-fourths per cent. and perhaps more, because he became drunken, and while he was drunken, as many drunken men often do, he performed deeds of which he would be ashamed when he got sobered off.

Mr. DAVIES: Mr. President, may I inquire what Senator Walker is quoting from?

Mr. WALKER: I will soon be through, Mr. President. Two of his sons aided him; the other one did not; and the two that aided him he blessed, and the one that did not he cursed.

Well, now, in relation to this bill under consideration, you may say it is a

simple matter. Yes, it is—a 25-cent law, good for life, that would be a small matter, no question about that. But the sinking of the Lusitania, Mr. President, was a small matter in comparison with what was going on at that time. But yet it meant the taking away of the liberties of this country, those things in which we believe, and the people of this country said that that act should be avenged, and they backed it up by their treasury and by their boys, and they made good and the Huns found out that they would not submit to having their rights taken from them.

Taxing tea before the Revolution was a small matter, and yet it contained the gist of the whole subject which the people in those times had set their hearts to accomplish, and in Boston harbor the tea was thrown overboard, in other places it was put in damp cellars, in others it was sent home. It took from the people of the 13 colonies their rights, and those rights were dearer to them than life.

I submit to you that this bill under consideration takes from us our rights in a measure, so far as a bill would, and that is un-American. It is contrary to the New England ideas of liberty. There is a member in the House of Representatives from my county, Mr. Millett, who has three boys who have been fighting in France. He told me the other day that he would be ashamed to look those boys in the face when they came home and tell them that the guns which had been waiting for them in those homes, because of some act of the Legislature of which he was a member—they could not use those guns and go out and hunt as they ordinarily did. While they had been fighting in Europe to give the people of Europe more rights, we had been taking away from those boys their rights here.

It is a small thing but it smells bad. Bangor, the Queen City of the East, has been noted in recent years for furnishing presidents of the Senate who have served gracefully, acceptably and well, having numerous candidates for Governor, but it has also been noted for having within the memory of those present a noted poet, David Barker. He

once wrote a poem which applies to this bill. As it is so short I will try to repeat it.

"I met a lion in my path
(T'was on a dreary autumn night)
Who gave me the alternative
To either run or fight
I dare not turn upon the track,
I dare not think to run away,
For fear the lion at my back
Would seize me as his prey.
So summoning a fearless air
Though all my soul was full of fright,
I said unto the forest king,
'I will not run, but fight.'
We fought and as the fates decreed
I conquered in the bloody fray,
For soon the lion at my feet
A lifeless carcass lay.

A little skunk was standing by
And noted what the lion spoke,
And when he saw the lion die,
The lion's tracks he took.
He used the lion's very speech,
For, stretching to his utmost height,
He gave me the alternative
To either run or fight.
I saw he was prepared to fling
Fresh odors from his bushy tail;
And knew those odors very soon
My nostrils would assail.
So, summoning an humble air,
Though all my soul was free from
fright,
I said unto the dirty skunk,
'I'll run, but will not fight.' "

(Applause.)

So I say, Mr. President, although this is small it smells bad.

Now let us give the boys a chance. Sometimes I think that the little red schoolhouse at the cross roads, coupled with the instruction and the work which they were obliged to do in their homes in the helping bring up the large families, the advice of their mothers, the counsel of their fathers, brought forth more men who became truly great in the future than our guilded laws at the present time.

We are proud of men because of what we have done. I trust the future people of the State of Maine can say the same of us. We point with pride to the fact that at one time in the Congress of the United States we had more influence than any state in the Union had ever had or has had since, having the secretary of state, James G. Blaine; a Speaker of the House in Thomas B. Reed, a President pro tem in the Senate in William P. Frye, chairman of the ways and means committee of the House in Nelson Dingley, chairman of

financial affairs in the Senate in Eugene Hale, and Captain Boutelle and Seth L. Milliken also served on important chairmanships. The past at least is secure. Let us do nothing but what will give the boys as good a chance today as they had yesterday.

Well do I remember, Mr. President, the first partridge that I shot. It was after school. I took my father's gun; I went into his woods, and on a lot of land joining his woods, I on one side of the Fish brook, I shot a partridge on the other, and in that brook I had caught thousands of brook trout. That partridge was mine because there was one shot in that gun that was a dead shot, and one only. I took that partridge home and showed it to my mother. The sun was just sinking over the western hills. Wasn't I a happy boy! That scene is as indelibly engraved upon my memory as though it happened this morning. And as the sunset of life sinks below the western hills I trust that through no act of mine will I be guilty of doing anything which will take away the rights of our boys. And when I see a barefooted boy I feel like patting him on the back—for I love the boys—and saying to him in the words of the poet,

"Blessings on thee, little man,
Barefoot boy with cheeks of tan.
With thy turned-up pantaloons,
And thy merry whistle tunes,
With the sunshine on thy face,
Through thy hat brim's jaunty grace,
From my heart I give thee joy.
I was once a barefoot boy."

Mr. METCALF of Piscataquis: Mr. President, I think the gentlemen of this Senate well understand this bill and I am not going to make any remarks upon it, only to say this, that this is a full committee report, made up after careful consideration and having a long hearing by this committee. I think it is something that is needed badly in this State, and I am willing to leave it to the members of this Senate to decide. I hope the motion of the gentleman from Somerset, Mr. Walker, will not prevail.

Mr. THOMBS of Penobscot: Mr. President and fellow senators, it is with a feeling of a good deal of reluctance that I arise to address you upon the matter under consideration,

inasmuch as I fear that something I might say, some suggestion that I might make, or some omission, might detract from the beautiful, logical, pathetic appeal that has been made to you this morning by our honored senator from Somerset. And if I felt that it was a personal matter of myself I should not make the attempt for those very reasons.

I do feel, however, that I am attempting and ought to attempt to represent in this body more than myself. And I want to preface these remarks by saying to you and offering as the excuse for these remarks, that I believe that a majority of the people of Penobscot county are opposed to this act, as they are opposed to none other before this Legislature.

The senator has well pointed out to you that the bill in its final form now is for the sole purpose for aiding in detecting those coming into our State and hunting without a license. And in a nice sort of way he has shown you how ridiculous the proposition is as they have attempted to build a bill to fit.

Gentlemen of the Senate, there is something more to be considered in this matter, I believe, than simply to use it for the purpose for which they now design it, but I am willing to go farther, and I am willing to conceive that the genial gentleman who presides over the department of inland fisheries and game in this State is perfectly sincere when he says to you and I that he believes in and recommends this act, and the committee are sincere when they also recommend it, for the purpose of preserving the game of the State of Maine.

Gentlemen of the Senate, that it a laudible purpose, truly. I hope that the fish and game interests of Maine may be preserved forever, but gentlemen of the Senate, let us look at this thing squarely for just a moment and see whether the result that is aimed at, in our opinion, will be accomplished by the enacting of this into law. I want to remind you that the gradual disappearance of the fish and game in the State of Maine may be to some extent the result of natural

causes, or at least causes over which we have no control. Do not believe for a moment that the gradual disappearance of fish and game in Maine is due entirely to the poachers, the pot hunters or the law breaker. In my opinion those beautiful animals that inhabit our woods, and the fish that swim in the clear, limpid waters of Maine, sometime will be gone as a result of the natural order of events. Civilization in its onward progress cannot live, exist, or be side by side with the natural things that are necessary to preserve the fish and game interests.

Now if that be at all true I wish to address myself to another phase of this question. I want to remind you, senators, that more than in any other way the people of the State of Maine are affected by their fish and game laws. There are more people in Maine who hunt and fish and are amenable to these laws than are amenable to any other one law, and I want to call your attention to the great mass of legislation that has grown up and is now embodied in Chapter 33 of the Revised Statutes of the State of Maine. And I want to say to you candidly, senators, that if you come into my county and take a copy of your statutes relating to this matter and peruse it carefully and then come to me and tell me where you can fish, when you can fish, what you can shoot, how you can ship it, and what your rights are as a citizen of Maine, then I will bow to you as being a very much better lawyer than I am.

Why, gentlemen, do you know to what extent the ardor of the fish and game department of the State of Maine has carried this thing? And with your permission I want to illustrate the limit which they have already reached by a matter which has occurred within a month in my own town. Two men went on a fishing trip, and they were good fishermen or luck was with them, and they came home with more than the law allowed them. They are experienced fishermen and they knew they had violated the law, and I am glad to say that they were punished for

it, and I think they ought to have been punished more than they were, for they knowingly and wilfully violated the law.

These same gentlemen after they had provided fish for their own families and for their neighbors and friends, gratuitously, conceived the very evil thought of selling the fish that they had left, and they went about over the town offering the fish for sale. They made various sales to residents of my town. In a few days a long warden, and he is a good and diligent warden, too, I will say that for him, found this infraction of the law, and he fined them, which was right. He goes farther than that, and he calls upon the people who had purchased innocently the fish, and he said to them "my dear sir," or "my dear madam, you have violated the laws of the State of Maine, and you now owe the department of inland fisheries and game a fine of \$10.00." For what? Because these men had offered to them fish, which I defy any man who is not experienced in those matters, to tell from a fish whether it might be legally sold at that time and place.

Do you know, gentlemen, that there is a law on our statute books today which says that the person who buys, himself or by his servant or agent a fish illegally caught, is subject to a fine? And I want to say to you, sirs, that when a man calls at my house and exposes nice looking fresh fish for sale and my wife seizes upon the opportunity to provide something for our table, I believe that the system of the thing is wrong if she is liable to prosecution and her name must go down in the records of the State of Maine as a violator of the criminal law.

Gentlemen of the Senate, is not that going far enough with this thing? But they are not satisfied with that, they want to go still farther, and as the senator from Somerset said, press it on and on to a limit now unseen.

I want to call your attention to another thing, gentlemen. The people of the good old State of Maine, honest, hard working and loyal people,

are not blessed with many of the privileges which fall to the lot of mankind living in other states. We do not have those great centers of population in which we find the culture and the learning and the entertainment that an advancing civilization has provided for even the poorest among them. Our lot is rather a hard one up here, but there is one thing that we have always enjoyed up to the present time. We have enjoyed the freedom that we have inherited as citizens of the state to go out into the woods and fields without let or hindrance, and there find such recreation as may be enjoyed by him who loves nature in all her beauty. And, gentlemen, I hesitate, and I ask you to consider well before you place even the slightest restriction upon this natural right. Oh, I do not know what the effect would be, but I don't want to go on record, for one, as helping to initiate a law which might possibly have the effect of denying to some boy, those pleasures and benefits I have enjoyed. It seems to me that we are entitled to and that we ought to allow to the boys and girls who come after us the fullest and freest indulgence in these God-given privileges.

And, gentlemen of the Senate, I hope you will not make it possible whereby some innocent boy out in the pursuit of recreation, but at the same time through the breathing of the fresh air and looking upon the beautiful scenes of nature, building up for himself a stronger physical body, a clearer and better mind, that he afterwards may use for the best interests of those around about him, should suffer by the passage of this bill.

Gentlemen, I said in the beginning that I believe this ~~is~~ a serious matter, and as the senator from Somerset has so well said, it is a departure. You are turning at his time, if you pass this act, from the road which you have journeyed on up to this time, and notwithstanding the ability of the gentlemen of the committee, is it not well for us to pause and consider; let us look back over the record we have made up to now and

see whether or not it does not justify us in maintaining and continuing the same position in this matter that we have heretofore maintained.

Gentlemen, I am pleased, in my own behalf and in behalf of what I consider to be a large majority of the people of Penobscot county, to join with the senator from Somerset in asking you to indefinitely postpone this bill.

Mr. DAVIES of Cumberland: Mr. President, we have discussed almost everything within the realm of human knowledge; we have discussed everything from the Lusitania to lake trout, but we have omitted entirely the discussion of the bill before the Senate.

I am very heartily in favor of the bill as presented. I am not informed, Mr. President, as to the amendment. I know nothing about that. It was not my intention to take the time of the Senate at this late hour, but on the suggestion of my friend and colleague, Senator Babb, I want to use just four minutes of the time of this session for discussing, if I may, this act.

Mr. President, when God banished Adam and Eve from the Garden of Eden he was loath to destroy its beauty and grandeur and he transferred them both to the State of Maine and made Portland its Jasper Gate.

This, Mr. President, has of necessity imposed upon us certain responsibilities, almost without limit. First the benefit of what we find in this State is ours, ours to use, ours to keep, ours to enjoy, but more than that, Mr. President, these benefits are ours to transmit.

I was going down the main street in the city of Augusta this morning, rather early for most of you, and when I got down to the intersection of the main street and the street that goes over the bridge, going up the other side, I attempted to cross at the left-hand side of a post that had been erected at that junction, and as I was going along rather briskly I heard someone say, "Why, Senator, where are you go-

ing?" I told the traffic man standing there that I was going to the other side of the street, but he said, "You cannot go that way." And I was compelled to turn to the right of that post to cross to the other side. I lost my personal liberty, but it was for my protection, and it was for the protection of the community.

The reason that this act is here in the Senate is that it is for the protection of the game of the State of Maine, and it is here for no other reason.

Mr. President, I find that the game in the State of Maine is worth approximately to this great commonwealth almost thirty million dollars every year, and it is our duty as legislators to protect it and to protect it well.

It is undoubtedly true that a person loses part of the personal liberty he is so proud of, if he is compelled to go to a town or city clerk and buy a license before he can go to the woods and hunt game, but over and above that is the feeling that he is doing something for the protection of a great resource of the State of Maine, and he must waive that personal feeling for the benefit of the common good. (Applause.)

My friend Babb has just notified me and I wish to put this in the record, if I may, having only exceeded my time by four minutes, and I think that is doing fairly well. The only states in the Union where hunters are not compelled to buy certificates or licenses before hunting, are Delaware — mind you, Delaware! North Carolina, Mississippi and Maine. Does it not seem reasonable that we can safely, properly, and appropriately follow the lead of forty-four of our great sister states and adopt this bill?

Mr. FOLSOM of Somerset: Mr. President, I just want to take about four minutes to give you my view of this situation. There are many ways of killing a bill. This bill has been treated to several of them, ridicule, oratory, and amendment.

(At this point Speaker Farrington, at the request of the President, took a seat at his left.)

Mr. FOLSOM (continuing): Ridicule has been applied in great volume for the past three months, and when it was found that that was not sufficient, we were invited, or the House was invited, before this bill arrived at its present stage, to take on a lot of amendments, some of which survived and some of which did not, and whose only purpose was the killing of this bill.

As was well said by the senator from Cumberland, Senator Davies, we have heard everything under the name of heaven discussed except this bill, and there are just two or three things I would like to speak about.

I think there are two classes of people who know what is necessary for the preservation of the game in this State, and they are composed of the staff of the fish and game commission and the boys who go hunting. I will confess that I am not a hunter or much of a fisherman, and if I want to know anything about the hunting laws, or whether they are proper, I go and ask the boys who go hunting, and when the papers of this State announced to the State that this act had been presented to this Legislature I went home and asked the boys who go hunting what they thought about it. They are men who go into the woods and hunt every year. I asked them if it was true that a great many people went into the woods who were residents of other states, apparently, but who escaped the provisions of our licensing law by claiming they were residents of this State, and they all told me that such was the case, and that they thought this law ought to be enacted. That was enough for me.

Now the senator from Somerset, my colleague, has referred to several sections of this act and stated that in the application of it we are taking away the rights of the boys, of the men, who wish to go hunting; that a man must have his certificate upon his person or he would be arrested, or something to that effect. He must have that certificate or show by reasonable evi-

dence that such a certificate has been issued to him. That certainly is no hardship. The fee is no hardship. There is not a man in the State of Maine who cannot go to the clerk of his city or town and get this certificate and pay his little registration fee without any great trouble.

The section referred to, it is Section 6 I think, or some section of this bill, I haven't it just at hand, provides that game shall not be transported. That is a similar provision to the provision in the general act, but if a man has his registration card or proves that he has one he can transport his game under the general law.

There is a provision I want to call your attention to, and it is the most meritorious section of this act, notwithstanding the statements that we are infringing upon the rights of the boys. Every season, every hunting season, there is scarcely a day that we do not take up our daily papers and find that some young lad in this State has shot himself or shot a companion, and I say that there should be some statute that should regulate that if the parents of these boys have not the power to do it. This act provides that a boy under 16 years old shall not have a license or be registered except by the written consent of his parents. I think that is a very wise provision of this act, and I would vote for it if for no other purpose than to pass that section.

Mr. DEARTH of Penobscot: Mr. President, I will not talk over a minute and a half, but I promised the senator from Piscataquis, Senator Metcalf, that I would say a word in favor of this bill, and I want to keep my promise if I make an enemy of every man in this Chamber.

I hope this bill as amended will pass because I believe it is not only wise but that it is absolutely necessary. It cannot be denied but what poaching is being carried on all over the northern part of the State, and it cannot be denied but there is illegal hunting because of the failure of the provisions of the law to give the wardens authority to prevent it.

It is known by everyone that the wardens if they run across these

people in the wilds, in the woods, catch them in the act of hunting, they justify themselves by saying they are citizens of the State of Maine. They are strangers to the wardens and the wardens have no way at the time to determine whether the men are telling him the truth or a falsehood. He dares not arrest them for fear they may be citizens of the State and have a right to hunt, because he is liable for damages for false arrest, and as a result this goes on.

I am not going to take but a minute or two, but I shall stand behind the department which is behind this bill and has spent time and energy in this matter, and knows more about it than you and I can possibly know.

You are spending thousands and thousands of dollars every year for this department, now give them what they want in order to carry out effectively the law and protect your game.

Mr. BABB of Cumberland: Mr. President, I want just one minute. I have had this come to me authoritatively that people from Massachusetts come to the city of Portland, hire automobiles with Maine numbers on them, go to our big woods and there hunt without purchasing a non-resident hunter's license. Take that and the long sweep of our border, where those states are protected by license, they come in and poach in our State.

I hope this bill will pass.

The pending question being on the motion of the senator from Somerset, Senator Walker, that this bill be indefinitely postponed, a viva voce vote being taken the motion was lost.

The bill was then given its second reading and House Amendments A and B were adopted in concurrence and the bill was then passed to be engrossed in concurrence.

The PRESIDENT: The Chair lays before the Senate An Act to provide for the pensioning of firemen in the city of Lewiston who have served for 30 years or more, tabled by the senator from Cumberland, Senator Davies, the pend-

ing question being reference to committee on judiciary in concurrence.

Mr. DAVIES: Since I tabled that act yesterday, Mr. President, I have made an investigation of the circumstances and I find them to be substantially these. The city of Lewiston passed an ordinance that provided for the pensioning of firemen. This ordinance was submitted to Mr. Justice Merrill for an opinion, and his opinion declared that it was impossible for the city of Lewiston to do so legally. Therefore it became necessary, Mr. President, for that city to come to the Legislature for the purpose of securing an enabling act. The House received the act and it was referred to the committee on judiciary, and I move that we concur with the House.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate Joint order relative to appointment of committee to examine certain manuscripts and report to next Legislature, tabled by the senator from Cumberland, Senator Davies pending passage of the order.

Mr. DAVIES: Mr. President, I think it will occur to the members of the Senate that this order was presented by Senator Thornton of Aroostook. Since I tabled it I have conferred with him in relation to it but I haven't had time to examine the information which the order seeks to encompass in a report by a bill or otherwise, and therefore I move it lie upon the table.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate H. D. 182, Resolve making an appropriation for the control of contagious diseases among domestic animals, tabled by the senator from Aroostook, Senator Tuttle, pending assignment of time for second reading.

Mr. TUTTLE: Mr. President, I find that this matter is taken care of in another bill and I therefore move that we concur with the House in its indefinite postponement.

The motion was agreed to.

The PRESIDENT: The Chair lays before the Senate H. D. 465, Majority report, ought not to pass, and minority report, ought to pass in new draft, on bill An Act to grant a new charter to the city of Waterville, tabled by the Senator from Cumberland, Senator Davies, the pending question being the acceptance of either report.

In the House, the House accepted majority report, ought not to pass.

Mr. DAVIES: I move that the bill, together with both reports, lie upon the table and be especially assigned for next Tuesday.

The PRESIDENT: The senator from Cumberland, Senator Davies, moves that the bill together with both reports lie on the table.

Mr. DAVIES: Unless there is objection on the part of the Chair I would like to have it especially assigned for next Tuesday.

The PRESIDENT: Might the Chair suggest that you re-table it tomorrow to comply with our rule?

Orders of the Day

Mr. GORDON of York: Mr. President, I would like to take from the table the report of the committee on public health for the purpose of correcting a clerical error. The committee reported on H. D. 464 that it ought to pass, by a majority report, but through a clerical error the words "in new draft" were left out, and I wish to offer the following amendment to that report so as to get before us the report from that committee in the new draft.

The motion was agreed to and the report was taken from the table.

The same senator then offered Senate Amendment A and moved its passage, as follows:

Amend same by striking out all after word "report" and by adding in place thereof the words "new draft, under the title of An Act to amend Section 40 of Chapter 16 of the Revised Statutes relating to medical inspection of school children" and insert "it ought to pass."

Mr. GURNEY of Cumberland: Mr. President, may I ask the senator from York, through the chair, what the status of that is? Is that the bill that

was indefinitely postponed in the House yesterday?

Mr. GORDON: The House acted yesterday, as I understand, on the old bill, the original bill, and this is simply to correct a clerical error which should have been in "a new draft." I just want to get it in the shape of a committee report that it may come before the legislative body.

Mr. GURNEY: May I ask the senator from York a further question, we are not acting upon the motion of the House to indefinitely postpone yesterday?

Mr. GORDON: This is the report of the committee.

Mr. GURNEY: Mr. President, I should like to have that laid on the table so I may investigate it, and I so move.

The motion was agreed to.

Mr. THORNTON: Mr. President, I move to reconsider the vote whereby H. D. 481 was passed to be engrossed this morning, relating to probate appeals.

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

Mr. DAVIES of Cumberland: Mr. President, may I inquire if an Act to amend the charter of the City of South Portland is before the Senate at the present time?

The PRESIDENT: The Chair would state for the information of the senator from Cumberland that it was before us yesterday. I think it is being engrossed.

By unanimous consent, Mr. Chick of Kennebec introduced out of order, report of the committee on insane hospitals on An Act additional to Chapter 145 of the Revised Statutes, relating to the observation and care of persons in the State hospitals, S. D. 130, submitting the same in new draft and under the same title, and that it ought to pass.

The report was accepted and tabled for printing under the joint rules.

The PRESIDENT: The Chair desires at this time to announce the death of one of the most prominent men throughout the State of Maine, a former member of the House of Representatives, a man of strong character and marked characteristics, a well known figure through these

halls and throughout the State of Maine, the Hon. Joseph P. Bass of Bangor.

On motion by Mr. Thornton of Aroostook,

Adjourned until tomorrow morning at ten o'clock.