

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eightieth Legislature

OF THE

State of Maine

1921

AUGUSTA
KENNEBEC JOURNAL PRINT
1921

ERRATA:

**The following errata are
inserted because one or more pages
in this session day have errors
noticed and corrected here.**

ERRATA

Page 154, column	1, line 17, for Chapter "199" read "198."
" 163, "	2, after order by Mr. Winter, read "Tabled on motion of Mr. Buzzell of Belfast."
" 174, "	1, line 8, for "Lewiston" read "Rockland."
" 194, "	1, " 24, for "Sewall" read "Newall."
" 197, "	2, " 50, for "insurance" read "issuance."
" 267, "	2, " second Act referred to Inland Fisheries and Game was referred to Judiciary Committee.
" 305, "	1, " 42, for "Boys" read "Girls."
" 305, "	1, " 45, "H. 169" should read "H. 165."
" 511, "	2, " 2, for "H. 106" read "H. 160."
" 586, "	1, " 13, for "St. Albans" read "St. Agatha."
" 591, "	2, " 23, for "1919" read "1909."
" 602, "	2, " 12, for "enacted" read "engrossed."
" 617, "	1, " 46, for "322" read "332."
" 650, "	2, " 31, for "H. 336" read "H. 366."
" 662, "	2, " 26, for "Barrington" read "Harrington."
" 692, "	2, " 35, for "H. 236" read "H. 336."
" 694, "	1, " 2, for "S. 154" read "S. 155."
" 716, "	2, " 3, for "Mr. Perham" read "Mr. Bragdon of Perham."
" 772, "	1, " 24, for "same" read "Committee on Appropriations and Financial Affairs."
" 869, "	1, " 50, insert "Finally passed."
" 902, "	1, " 24, for "Clark" read "Barton."
" 902, "	1, " 40, for "S. 185" read "S. 184."
" 928, "	1, " 51, for "343" read "243."
" 949, "	1, " 43, for "Merton's" read "Martin's."
" 954, "	1, " 44, insert "ought not to pass."
" 958, "	2, " 20, for "179" read "181."
" 958, "	2, " 28, for "178" read "179."
" 967, "	2, " 49, for "S. D. 198" read "S. D. 180."
" 981, "	2, " 10, for "\$300" read "\$300,000."
" 1000, "	2, " 47, for "Portland" read "Biddeford."
" 1005, "	2, " 42, for "salaries" read "selection."
" 1142, "	1, " 40, for "H. D. 465" read "H. D. 456."
" 1169, "	2, " 2, for "Fogg" read "Forbes."
" 1191, "	2, lines 3 and 11, for "engrossed" read "enacted."
" 1191, "	2, line 20, for "finally passed" read "passed to be enacted."
" 1191, "	2, lines 31, 40, 48, for "engrossed" read "finally passed."
" 1211, "	2, " 12 and 13, "National Guard" should read "Nash and Viles."
" 1280, "	1, line 14, for "bald" read "bomb."
" 1321, "	1, " 35, for "lighting Long and Big Lakes" read "Lewy, Long and Big Lakes."
" 1373, "	2, " 42, for "Arthur B. Forbes" read "Arthur E. Forbes."
" 1376, "	2, " 14, for "S. D. 161" read "S. D. 167."
" 1409, "	2, " 36, for "Chapter 178" read "Chapter 238."

HOUSE

Monday, April 4, 1921.

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Layton of Augusta.

Journal of previous session read and approved.

From the Senate: Final report of the committees on insane hospitals, school for feeble minded, State sanatoriums and towns.

In the House read and accepted in concurrence.

Papers from the Senate disposed of in concurrence.

From the Senate: Bill, An Act to make uniform the fees of the deputy sheriffs in attendance upon supreme judicial and superior courts, which was passed to be engrossed in the House, as amended by House amendment A in non-concurrence, March 31.

Comes from the Senate, passed to be engrossed with House amendment A rejected and the Senate insisting on its former action.

In the House, on motion by Mr. Rounds of Portland, that body voted to insist upon its former action and call for a committee of conference.

The SPEAKER: That committee will be appointed later by the Chair.

Reports of Committees

Mr. Varney from the committee on education on Bill, "An Act in relation to the selection of a board of trustees for the University of Maine, and to create a board of overseers for said University and making the University of Maine a State institution," reported that legislation thereon is inexpedient.

Mr. Forbes from the committee on public utilities on Bill, "An Act to amend Chapter 187 of the Private and Special Laws of 1915, relating to the incorporation of the Oquossoc Light and Power Co. and to enlarge its powers," reported that same be referred to the next Legislature.

Reports were read and accepted and sent up for concurrence.

Mr. Tilden from the committee on banks and banking on Bill, "An Act relating to the taxation of shares of stock of trust companies organized under the laws of this State, and banking institutions formed under the laws of the United States," reported same in a new draft under same title and that it "ought to pass."

Report read and accepted, and the bill ordered printed under the joint rules.

Mr. Murray from the Portland Delegation reported "ought to pass" on Bill, An Act amending the charter of the People's Ferry Company.

On motion by Mr. Rounds of Portland, the rules were suspended and the bill given its first and second readings.

Mr. ROUNDS: I move suspension of the rules, and that the bill be given its third reading.

Mr. McILHERON of Lewiston: Mr. Speaker, this is a very important bill, and I move that it lie on the table, pending third reading.

The Chair declaring the motion carried, Mr. Rounds of Portland doubted the decision of the Chair.

A viva voce vote being taken, the motion of the gentleman from Portland, Mr. Rounds, that the bill be given its third reading prevailed.

Thereupon the bill received its third reading and was passed to be engrossed.

Mr. Cram from the Portland Delegation on Bill, "An Act to amend Chapter 164 of the Private and Special Laws of 1915, providing for the establishment of a board of recreation for the city of Portland," reported same in a new draft under same title and that it "ought to pass."

The report was accepted.

(On motion by Mr. Cram of Portland, the rules were suspended, the bill given its three several readings and passed to be engrossed.)

Mr. Cram from the Portland Delegation on Bill, "An Act conferring certain additional powers on the city

of Portland, namely, the power to establish a municipal ferry to Peaks Island in Portland Harbor," reported same in a new draft under same title and that it "ought to pass."

The report was accepted.

(On motion by Mr. Rounds of Portland, the rules were suspended, the bill given its three several readings, and passed to be engrossed.)

Passed to be Engrossed

House 452: An Act to regulate religious worship in the public schools.

Passed to be Enacted

An Act to incorporate the South Portland High School District.

An Act to regulate boxing exhibitions within the State of Maine.

An Act to amend Section 12 of Chapter 36 of the Revised Statutes, as amended by Chapters 126 and 237 of the Public Laws of 1919, relating to the sale of clams, oysters and scallops.

An Act to repeal Section 34 of Chapter 25 of the Revised Statutes, requiring an annual appropriation of the sum of three hundred thousand dollars for State aid construction.

An Act to amend Section 53 of Chapter 8 of the Revised Statutes, as amended by Chapter 111 of the Public Laws of 1919, requiring a permit for the burning of brush or slash near woodlands.

An Act to amend Section 2 of Chapter 16 of the Revised Statutes, providing for the improvement of conveyance of pupils to common schools.

An Act to amend Section 1 of Chapter 215 of the Public Laws of 1917, increasing the bounty on bears in Penobscot and Washington counties.

An Act to amend Section 3 of Chapter 144 of the Revised Statutes, as amended by Chapter 130 of the Public Laws of 1917, and by Chapter 58 of the Public Laws of 1919, and by Chapter 245 of the Public Laws of 1919, relating to the age of commitment to the State School for Boys.

(Tabled by Mr. Cram of Portland, pending passage to be enacted.)

An Act to amend Section 10 of Chapter 117 of the Revised Statutes, as amended by Chapter 216 of the Public Laws of 1917, and as amended by Chapter 31 of the Public Laws of 1919, relating to salaries of reporters of the supreme judicial court.

An Act to amend Chapter 8 of the Revised Statutes, as amended by Chapters 111 and 168 of the Public Laws of 1919, requiring a permit for the burning of blueberry land adjacent to forest growth.

An Act to amend the first two paragraphs of Section 38 of Chapter 219 of the Public Laws of 1917, as amended by Chapter 37 of the Public Laws of 1919, relating to the protection of deer.

An Act to create the Hancock-Sullivan Bridge District.

An Act relating to life insurance for minors and the surrender of such insurance.

An Act amending Section 25 of Chapter 30 of the Revised Statutes, relating to appointment of Inspector of Buildings.

An Act to amend Chapter 239 of the Public Laws of 1919, relating to the use for public purposes of armories build by municipalities with State aid.

An Act to change the time of holding the annual meeting of the town of East Livermore, to enlarge the powers and duties of the Selectmen, to abolish certain offices and to provide for the administration of Town affairs.

An Act additional to Chapter 33 of the Revised Statutes, as amended, prohibiting fishing in the tributaries of Lake Annabessacook, in the county of Kennebec.

An Act to provide for Temperance Day in the public schools in the State of Maine.

An Act to amend Section 20 of Chapter 68 of the Revised Statutes, relating to administration granted without bond.

An Act to amend Section 85 of Chapter 82 of the Revised Statutes, relating to the terms of Superior Court for the county of Kennebec.

An Act for the better protection of

claims within the limits of the towns of Yarmouth, North Yarmouth and Cumberland.

An Act to control the establishment of Sanatoriums and Hospitals for infectious and contagious diseases within the populous districts of cities and towns.

An Act to amend the charter of the Kennebec Water District.

(Tabled by Mr. Maher of Augusta, pending passage to be enacted.)

An Act to amend the charter of the Kennebec Water District.

(Tabled by Mr. Maher of Augusta, pending passage to be enacted.)

An Act authorizing the town of Bar Harbor to lay out and maintain paths within its limits.

Finally Passed

Resolve in favor of Sarah W. Pike for services as stenographer of the Committee on Judiciary.

Resolve in favor of Andrew H. Morong for services rendered to State of Maine by order of the Adjutant General in investigating cases for local registration boards in matter of soldiers.

Resolve in favor of the town of Sorrento, to reimburse the towns for expenses of a law suit regarding dependents of Sailors and Soldiers.

Resolve reimbursing the county of Kennebec for money expended in pursuing insane criminals escaping from Augusta State Hospital.

Resolve in favor of Bert Allard of Richmond for damages caused by highway construction.

Resolve providing for payment for the care of Pearl Clark, during the year of 1919.

Resolve in favor of Cary Hospital, Caribou, Aroostook County, to aid in the construction of a hospital.

Resolve in favor of Catherine Nelligan of Brewer for State pension.

Resolve increasing the State pension of Vinnie E. Saunders of Trescott.

Resolve in favor of Meldon Nealley for State pension.

Resolve in favor of Nasson Institute.

Resolve appropriating money to pay for preparation of "The Maine Book."

Resolve in favor of Mrs. E. L. Robinson of Bangor.

Resolve appropriating money to pay the claim of Rowell S. Cushing against the State of Maine.

Resolve appointing a Committee of Investigation to procure plans and estimates for a State Library Building.

Resolve in favor of the Clerk, Stenographer and messenger to the Committee on Inland Fisheries and Game.

Resolve authorizing the State Land Agent to sell certain Public Lots in Lakeville Plantation in Penobscot County.

Resolve in favor of the town of Milo, for aid to mothers with dependent children.

Resolve to provide for payment of seed lobsters purchased in 1920.

Resolve reimbursing plantations because of reduction in the rate of interest paid by the State to plantations on their Wild Land School Funds.

Orders of the Day

On motion by Mr. Viles of Augusta, the rules were suspended, and that gentleman was granted permission to introduce out of order a Public Act for the purpose as stated by that gentleman of making an amendment to an act that has already been finally enacted, as follows:

An Act to repeal Section six of the emergency act, enacted at the present session of the Legislature under the title "An Act amendatory of and additional to Chapter 9 of the Revised Statutes, relating to the assessment and payment of excise taxes, which has become Chapter 71 of the Public Laws of 1921.

Whereas House Document, No. forty-five of the present session of the Legislature has been enacted into law under the title of "An Act amendatory of and additional to Chapter nine of the Revised Statutes, relating to the assessment and payment of excise taxes," and,

Whereas, in its present enacted form

said act contains the following section:

"Sect. 6. State and county taxes hereafter assessed upon land in unincorporated townships, in accordance with provisions of existing law, shall be due and payable to the treasurer of State on June fifteenth, annually, and shall bear interest from that date," and,

Whereas, the members of the committee by which this act was considered and reported back to the Legislature are at a loss to understand how this section was inserted in said act, and,

Whereas, it was not the intention of the members of said committee that said act should contain this section, and,

Whereas, the members of the Legislature were not aware that said section was contained in this act and had no opportunity to consider its merits, and,

Whereas, this act was enacted as an emergency measure, contained the emergency clause and was signed by the governor on March thirty, nineteen hundred and twenty-one and is now in full force and effect, and has been denominated by the engrossing department of the secretary of State's office Chapter seventy-one of the Public Laws of nineteen hundred and twenty-one, and,

Whereas, the facts recited above, in the opinion of this Legislature, constitute an emergency which renders the immediate passage of this act necessary in order to preserve the public peace, health and safety of the State, now therefore,

Be it enacted by the People of the State of Maine as follows:

Sect. 1. Section six of chapter seventy-one of the public laws of nineteen hundred and twenty-one is hereby stricken out of said chapter in its entirety and sections seven and eight of said chapter are renumbered sections six and seven respectively.

Sect. 2. In view of the emergency cited in the preamble, this act shall take effect when approved.

On motion by Mr. Viles of Augusta,

the rules were suspended, and the bill, without reference to any committee, was given its three several readings and passed to be engrossed, and sent up for concurrence.

On motion by Mr. Rounds of Portland, the House reconsidered its action whereby on April 2 it accepted the report ought not to pass on Bill An Act regulating the sale of liquor in Maine.

On further motion by the same gentleman, the bill was substituted for the report. Whereupon, Mr. Rounds of Portland offered House Amendment A to House Document No. 388, an act regulating the sale of liquor in Maine, as follows:

Amend by adding a section, to be numbered Section 2, as follows:

"Sec. 2. This act shall take effect only in case of its ratification by the voters of the State at a special election which is hereby authorized and directed to be held for the purpose on the second Monday of September next. The aldermen of cities, the selectmen of towns and the assessors of the several plantations in this State are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of senators and representatives on said second Monday in September following the passage of this act, to give in their votes upon this act, and the question shall be: Shall the law passed by the Eightieth Legislature entitled 'An Act regulating the sale of liquor in Maine' providing that the regulations governing the keeping and sale of intoxicating liquors in this State shall be the same as the regulations, which now are in force or shall hereafter be adopted by the Congress of the United States for the enforcement of the Eightieth amendment of the Constitution of the United States, be ratified and become law? And the inhabitants of said cities, towns and plantations shall vote by ballot on said question, those in favor of the act voting yes upon their ballot, and those opposed to the act voting no upon their ballot, and the ballots shall be received, sorted,

counted and declared in open ward, town and plantation meetings and return made to the office of the secretary of State in the same manner as votes for Governor and members of the Legislature; and the Governor and Council shall count the same, and if it shall appear that a majority of the inhabitants voting upon the question are in favor of the act, the Governor shall forthwith make known the fact by his proclamation, and this act shall thereupon take effect. The secretary of State shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the foregoing act, accompanied by a copy thereof."

Mr. ROUNDS of Portland: Mr. Speaker, this bill was reported, ought not to pass. Now, gentlemen, this is not a liquor bill. It is to regulate the matter so that the people of the State of Maine having sickness may have a little liquor on hand. It is a matter of fact that only forty-seven doctors in this State have taken out under the Volstead act the license which will give them six quarts of liquor in any calendar year to do as they pleased with. Out of over two thousand physicians only forty-seven has taken out that license. Now in the city of Portland, we have a good many doctors and a good deal of sickness. We have hospitals and everything of that kind. I know of one physician who has taken out his six quarts of liquor, and who at the present time has not a bit on hand. Now I know from experience, and I feel it, that it is a bad thing to have liquor to drink; but I will say that it is a good thing to have liquor in the house so the doctor can have liquor to prescribe in case of sickness. Personally I know that if I had not had liquor in the house, my old mother would not have lived three months this last year. Now, gentlemen, somebody else may have an old mother; somebody else may have a wife; somebody else may have a daughter that they think a good deal of, and no liquor can be had in the city of Portland, with over seventy thousand inhabitants, and they have no right to get it without breaking the law. I think it is time to do

something to regulate this, or let the people who wish to in the State, confirm the Volstead act. This is a temperance measure instead of a liquor measure.

Mr. WOODRUFF of Brunswick: Mr. Speaker, the matter was pretty thoroughly ventilated at the hearing before the committee. Mr. James B. Perkins, Federal enforcement officer, appeared there as an opponent to the bill on the ground that enforcement would be made more difficult. His position was confirmed by Sheriff Graham of Cumberland county and by Sheriff Oliver of Sagadahoc county; so on the part of the enforcement officials, both Federal and State, there is objection to the passage of this bill.

I think that the gentleman from Portland (Mr. Rounds), is not quite correct in his figures with reference to the physicians in the State. As I recall it, the total number of physicians was 1,170. Out of that number, 81 had applied for permits to obtain the six quarts of liquor allowed, but only 47 of the 81 have made use of the liquor. Besides the six quarts to which they are entitled for internal use, they would have the opportunity to obtain all they desired for other than internal use. It was reported there, too that a large majority of the druggists of the State object to any change and to make it legal in any form whatsoever the sale of liquor in the State; that physicians do object to pressure being brought upon them to write prescriptions for liquor which the druggists should fill. It was stated also that all the hospitals in the State are supplied with everything in this line that they require for their work. Considering the fact, that the enforcement officials, the majority of the physicians and the majority of the druggists are opposed to this bill, and that there is a strong public sentiment in the State in opposition to it, I hope that this amendment will not be adopted.

Mr. ROUNDS: Mr. Speaker, I may be mistaken in some of the figures, but I did not calculate to be, and I want to apologize to the House if I

have said anything wrong; but as a matter of fact this bill was thrashed out by a great many citizens. There was somewhere in the neighborhood of twenty in the hall out of a great number of voters, and three Portland men spoke against it, and one lady read letters written somewhere about 1912, 1913 or 1914, when we could all get liquor wherever we wanted it in Maine. That was her argument, and if I am wrong I would like to be corrected by the gentleman from Brunswick, (Mr. Woodruff). What I want to say is that now is the time we are talking about. Two years ago, I think it was, we passed a law giving the same percentage of liquor as the United States law, one-half of one per cent. If I am wrong I would like to be corrected; but if that is so, why not have the whole of the Volstead act just the same way? Twenty-four states have got it in this same way, and I think that was brought out at the hearing by Mr. Perkins. I think it is time for us to do something to help the sick people and help temperance and do away with these home brews and concoctions of that kind.

Mr. DODGE of Portland: Mr. Speaker, I would like to call the attention of the House to one matter in connection with this special election to be held on this question, that in the budget for the election to be held a year and a half hence, there is an item of \$20,000, and I assume it will cost thereabouts to hold a special election on this matter. I simply want to call attention to that first, but while I am on my feet I will say that I have not heard of any great demand for any liberalization of the present existing laws as they may apply to the liquor question in the State of Maine. So far as I personally am concerned, I hope that this proposed amendment will not be adopted. Further while on my feet, I would like to say that I would like to see one unanimous committee report sustained in this Legislature.

The pending question being the adoption of amendment A to bill an act regulating the sale of liquor in Maine.

A viva voce vote was taken, and the amendment failed of passage.

On motion by Mr. Wing of Auburn, the bill was indefinitely postponed.

Mr. Rounds of Portland was granted permission to present out of order a petition of the Portland League of Women Voters and 1,000 others in favor of enacting a law allowing married women and widows to determine by what middle name they shall be registered as voters. On further motion by the same gentleman the petition was placed on file.

On motion by Mr. Forbes of Paris, it was voted to take from the table House Document No. 366, Bill An Act to amend so much of the paragraph of Chapter 82, Section 51 of the Revised Statutes, as relates to the holding of trial terms of the Supreme Judicial Court for the county of Sagadahoc, tabled by that gentleman pending passage to be enacted. On further motion by the same gentleman, the bill was passed to be enacted.

On motion by Mr. Holley of No. Anson House Document No. 344, Bill An Act relating to municipal elections in Houlton, tabled by the Speaker on March 23rd, pending assignment for third reading was indefinitely postponed.

On motion by Mr. Maher of Augusta, House Doc. 123, Bill, An Act to provide for the local inspection of slaughter houses, tabled by that gentleman pending second reading, was re-tabled until the next session.

The SPEAKER: The Chair presents for consideration, Senate Doc. No. 167, Bill, An Act relating to protection of wild birds, tabled March 31st, pending its third reading, on motion by the gentleman from Augusta, Mr. Maher.

Mr. MAHER: Mr. Speaker, I think this bill should be entitled "An Act to encourage the destruction of wild birds." It authorizes the slaughtering of sea gulls, as I read it. I may, however, be misinformed, and in order that some friend of the measure may explain what its purposes are,

I will move the indefinite postponement of the bill.

Mr. SPEAR of Rockport: Mr. Speaker, as I remember it, this matter was taken up in the committee on Inland Fisheries and Game, and they decided to indefinitely postpone the bill, but the people who appeared in favor of the bill were agitating this matter because of the destruction of blueberries on certain blueberry lands, and so I think the bill provides that under these conditions these birds may be killed when they were found destroying these blueberry lands, and so I should rather hope the motion to indefinitely postpone would not prevail.

Mr. MAHER: Mr. Speaker, the sea gull along the coast of Maine has been protected for the last eight or ten years. Formerly they were subject to slaughter, and were slaughtered along the coast in great numbers, and they have increased in large numbers, and they are one of the most valuable agencies for the destruction of unnecessary and dangerous germ-producing decomposed matter that we can have. Of course if they were destroying property like blueberries on blueberry lands of much value in order to keep themselves alive, I should say they perhaps should be deterred in that, but the trouble is that this is not confined to the destruction of blueberries. This provides that wherever they are found destroying property. The result of this bill, if it is passed, is going to be a renewal to what were the conditions before the passage of the protecting act, and along the coast and on our beaches, these gulls which are a source of value and which are a source of beauty should be protected. They are going to be subject to indiscriminate slaughter by sportsmen who have nothing to do but to go out and try to kill these beautiful things that are swooping down through the air, and certainly it seems to me there is no call for any such legislation as this.

Mr. O'CONNELL of Millinocket: Mr. Speaker, I think the Federal law takes care of this measure, and I think we do not have any jurisdic-

tion over it whatever. I think we decided in our committee that we had no right to pass any law of this kind, and I think if you will take the trouble to look it up, you will find that the Federal law will cover this matter.

Mr. ROGERS of Rockland: Mr. Speaker, I have always lived along the coast and there is no one who likes to see these wild birds flying along our coast better than I do, and there is no one who has any more interest in their protection so long as they are not a nuisance, but I will say that I think they are getting to be a nuisance all along the coast. They will light upon a blueberry patch and cover a spot as big as this State House, or even larger, and completely destroy it, and the blueberry industry all along the coast of Maine is getting to be a very large industry, and the men who came here in behalf of this bill wanted me to support the bill, but I said I would not have the indiscriminate slaughter of these gulls. I know that around the city of Rockland there are times when I could shoot a double-barreled gun and kill not only one but dozens of these birds. But they told me that these birds were destroying their property and they wanted to favor this bill, and I told them if they could have it fixed so that permission would be granted to shoot the gulls when they were destroying property I should not oppose it, and I think they went before the committee and laid that proposition before the committee. Afterwards I saw by the papers that the gulls were protected by the Federal law, and the committee couldn't do anything about it, but I think this bill was put in. I don't know how it was arranged with the Federal game commissioner, but I think when they are destroying property that they should perhaps be killed off.

Mr. CRAFTS of Greenville: Mr. Speaker, this bill was threshed out before the committee on Inland Fisheries and Game, and we found that the Federal law protects the sea gull, but there is a provision in that law whereby you can go to the Federal authorities and by presenting

evidence that they are destroying property you can get a permit to kill them. We objected at first to allowing the killing of the gulls because if we did anything it would be in opposition to the provisions of the Federal law, but this will give the commissioner of inland fisheries and game the same rights in conjunction with the Federal authorities, and you cannot shoot them without going and getting a permit from the commissioner of inland fisheries and game and also a permit from the Federal government before you can do anything, even if you pass this bill, and therefore we allowed this bill to come in giving the State authority to grant that permission.

Mr. MAHER: Mr. Speaker, I didn't know that there was any Federal act in regard to this act, but everything that has been advanced by the gentlemen of the committee is in favor of the position which I stated, because if that is the law the mere passage of this act will not strengthen the situation at all. It makes it more difficult, it is striking right against what the proponents of the proposed legislation would want because it interposes another provision in the way of a second step. You have to get a Federal permit now, if I am correctly informed by the gentleman from Greenville, Mr. Crafts, and then on top of that you will have to get a permit from the local commission, something which would defeat the very purpose of the proponents of this measure. Now, if there is a Federal act which says that gulls shall be protected, and if in destroying property permits shall be obtained, it seems that there is at present all the law that is needed, and the attempt here of remedying that condition by permits from the local commissioner simply adds one more difficulty.

Mr. BARWISE of Bangor: Mr. Speaker, I will say for the information of the House that this Federal regulation came about in a peculiar way. It was not a Federal act in the sense that it is a statute by Congress, but it came about by treaty with Great Britain. When Congress tried to pass an act regulating the mi-

gration of birds the court held it unconstitutional, but they got around the matter in the way of making it a treaty with Great Britain, and it comes about as a treaty governing migratory birds.

The SPEAKER: The question before the House is on the motion that the bill be indefinitely postponed.

A viva voce vote being taken,
The motion was agreed to, and the bill was indefinitely postponed.

The SPEAKER: The Chair presents for consideration House Document No. 414, Bill An Act to provide funds for maintenance of State and State aid highways, tabled on March 31st pending its third reading, by the gentleman from Augusta, Mr. Maher.

Mr. MAHER: Mr. Speaker, in order to facilitate an early adjournment by getting this matter out of the way, I will say that I tabled that because of another matter appearing further down upon the calendar, being House Document No. 300. I wish now to move that House Document No. 414 take its third reading at this time, and speaking to that motion and in order to have time, I would direct the attention of the House at this time to House Document No. 300.

My motive in tabling the present matter under consideration was that in the interest of economy we might be able to save some of the money which was suggested in that bill for the maintenance of highways in this State. And having in mind that there was before the committee on taxation, House Document No. 300, presented by myself, I had hoped for a favorable report from the committee on taxation upon House Document No. 300, which would have made a material saving to the amount of several hundred thousand dollars, or at least \$200,000 to the taxpayers of the State of Maine, in the shape of a reduction from this present bill which provides for a maintenance fund for State and State aid highways. My hope was based upon the vain assumption that House Document No. 300 was a worthy measure. It evidently did not so meet the approbation or the views of the committee. I shall not move to

substitute the bill for the unanimous report of that committee. I think that House Document No. 300 is a very meritorious measure. It is a bill to impose a tax upon gasoline used for the propulsion of vehicles over our highways. In other words, it is a tax on the gasoline used by motor vehicles. There has been considerable discussion in the papers that it would be a tax on all the gasoline used in this State, and yet an examination of the bill would show that is not so because Section 12 of the bill says, "Any person, firm, corporation, or association purchasing gasoline for use other than the propulsion of motor vehicles on the highway shall, upon signing blank provided by the State assessors to all retail dealers declaring such fact be entitled to said gasoline tax free and all dealers shall be exempt from payment of the within prescribed tax upon sale so made provided the original certificate herein provided for accompanies their report to the county treasurer."

This bill, House Document No. 300, was an attempt to impose a tax of one cent a gallon, one cent for every 10 miles run by an automobile, and while I am not very familiar with automobiles, I think I may be conservative and somewhere within the realms of accuracy when I say that almost any automobile will run 10 miles on a gallon of gasoline, and it is a tax of one cent on every ten miles of travel on the automobiles that are going over these roads and producing serious condition, that confronts this State today, a condition that is bound to increase in seriousness and at some time will bother more than it does today the taxpayer and property owners and farmers of the State of Maine. Now to me it is a specious argument and full of sophistry that the spending of vast sums of money for these State highways is simply in the interest of the development of a market for the benefit of industry and for the benefit of agriculture in our State. It is not so. That is an indirect aim, but the great end, the great object is illustrated in this very Legislature by the deter-

mined effort to pass a bill which will be before you, and which I will have no doubt will be passed, a comprehensive codification in the interest of the automobile owner and driver.

We are putting our roads into shape at vast expense. The primary object of it, whatever may be the impelling motive underneath, the primary object of it is to furnish good traveling for the automobiles. The State of Arkansas is just now approaching a position as a result of this same method. Arkansas has reached a stage where it is confronted by just what is to reach the State of Maine, or any other state other than a state endowed with great, tremendous wealth. Out there in certain districts, due to excessive appropriations for highway maintenance and highway construction brought about by the automobile, in certain districts one farmer out of every five has been forced into bankruptcy, and the present governor of that state was elected upon an issue of retrenchment and cutting to the end; and that state is now confronted by the proposition of universal bankruptcy, and it is a situation which might well cause serious concern. I do not say that anything like that confronts the State of Maine, but it is a pretty serious condition when you consider the amount of money that is being spent and that is being proposed to be spent, and the time that is being consumed in the framing and shaping and directing of legislation in behalf of this great, new agency.

You have seen down here session after session of committees taken up, time consumed, action taken in this branch and in the other branch of this Legislature with reference to the railroad tax, a situation that is crying today for absolute relief for the condition of the railroads. One of the serious contributing factors in this question is the competition of the automobile. Every man knows the condition in regard to the street railroads. One of the serious, contributing factors to their deplorable, present financial condition,

is the advent and the marked competition of the automobile. It is so with the steam railroads. Now, I claim that that condition is not a fair condition. No doubt, we want all these new methods, the people are willing to appropriate money for these new methods, but there should be some additional burden put upon them other than the registration fee, other than the little license that they pay for the privilege of running an automobile. An automobile that stands in a garage pays exactly the same fee in the State of Maine that an automobile of the same type and description pays which is run day by day from one end of our State to the other. And what tax, pay tell me, do the automobiles pay to the State of Maine, those who come in here as summer visitors, and come in here by the thousands? That is all right; we want them; directly of course they help the State of Maine, but what do they pay towards the maintenance and upkeep of our highways? You are the custodian of the people's interest here, and I say to you that they pay not a penny unless they have been here thirty days, but for the period of thirty days they can tour from one end of the State to the other, and they can destroy roads that cost a great many hundreds and perhaps thousands of dollars per mile to construct, and the State of Maine is simply confronted by one more burden upon her people to make good the loss.

You all know that the State of Maine is a terminal station in many ways, and that it is a way station in a lot of other ways. The steam railroads would have it a terminal station. We object. We all know that for many automobilists, Maine has recently developed into the state of a way-station. I particularly refer to that great branch of not "spiritual" but "spirituous" traffic that comes in at one end of the State and goes up as far as it can towards the Jackman line. Now I know of no way that we can get any of the burden shifted from the shoulders of our people by reason of the destruc-

tion that those cars are doing to these roads except by a gasoline tax of a cent a gallon.

However, I will not move to substitute that bill now or at any time for the committee's report. I am quite confident that the future will take care of itself and that at some time the outcome will be reached. It has been recommended by the governor New York seriously to the Legislature of New York, and the State of Maine will be confronted by that proposition later on. At the present time, in order not to delay legislation any more than ten minutes, I will move that the present method be pursued and that this bill, House Document No. 414, have its third reading.

The motion was agreed to, and the bill received its third reading and was passed to be engrossed.

The SPEAKER: The Chair will state in regard to House Document No. 55, in the absence of the gentleman from Portland, Mr. Warren, the matter will be again tabled.

The SPEAKER: The Chair will present for consideration, House Document No. 156, Report of committee on Legal Affairs on Bill, An Act for licensing lodging houses, tabled pending the acceptance of the report of the committee, reporting "ought not to pass," by the gentleman from Portland, Mr. Cram.

On motion by Mr. Cram, the report of the committee was accepted.

The SPEAKER: The next matter on the Calendar, Bill, An Act relative to designation of persons appointed to enforce cruelty to animals laws, tabled by the gentleman from South Portland, Mr. Hinckley, owing to the absence of that gentleman, will again be tabled.

The SPEAKER: The next matter on the calendar, Senate Document No. 170, Resolvé appropriating money to aid in screening certain lakes, will be tabled owing to the absence of the gentleman from Calais, Mr. Murchie.

The SPEAKER: The next matter on the calendar is House Document No. 454, Bill, An Act to provide for full time State highway commission, and this matter will be tabled owing to the absence of the gentleman from Calais, Mr. Murchie.

The SPEAKER: The next matter on the calendar is Bill, An Act to establish a State school fund, pending its passage to be engrossed, by the gentleman from Calais, Mr. Murchie.

On motion by Mr. Maher of Augusta, this bill was again laid upon the table.

The SPEAKER: The next matter on the calendar is Senate Document No. 184, Resolve to reimburse the town of Prentiss for sheep and poultry killed by dogs, tabled pending its passage to be engrossed, by the gentleman from Portland, Mr. Rounds.

On motion by Mr. Rounds, the bill was again tabled.

The SPEAKER: The next matter on the calendar is Senate Document No. 175, Report of committee on Inland Fisheries and Game, on Bill, An Act for better protection of ducks and geese in Merrymeeting Bay, tabled pending acceptance of the report, by the gentleman from Portland, Mr. Cram.

On motion by Mr. Cram, the report was again laid upon the table.

The SPEAKER: The next matter on the calendar is Senate Document No. 189, Bill, An Act to increase the salary of the State treasurer, tabled pending its first reading, on motion by the gentleman from Augusta, Mr. Maher.

Mr. MAHER: Mr. Speaker, I will say that I tabled this measure at the request of some party, and I have been unable to locate the one who made the request. He does not seem to be here at the present time. I have no interest in this measure, and I haven't any particular reason for delaying it. With these words of notice to the party who made the request, I now move that the bill be given its first reading

Bill, An Act to amend Section 16 of Chapter 117 of the Revised Statutes, as amended by Chapter 196 of the Public Laws of 1917, to increase the salary of the State treasurer, then received its first and second readings.

On motion by Mr. Dodge of Portland, the rules were suspended and the bill received its third reading and was passed to be engrossed.

The SPEAKER: The next matter on the calendar, is House Document No. 94, Bill, An Act granting to J. Fred Sawyer, part of the bed of Moosehead Lake, tabled pending concurrent action. In the Senate on April 1st, this bill was indefinitely postponed in non-concurrence with the House.

On motion by Mr. Buzzell of Belfast, the House voted to recede from its former position and concur with the Senate in the indefinite postponement of the bill.

The SPEAKER: The next matter on the calendar is House Document No. 381. This will be again laid upon the table.

The SPEAKER: The next matter on the calendar is the report of the Committee on Judiciary on An Act relating to the qualification of voters, tabled pending the acceptance of the report of the committee, reporting "ought not to pass" by the gentleman from Portland, Mr. Rounds.

On motion by Mr. Rounds, the report of the committee was accepted.

The SPEAKER: The next matter on the calendar is majority and minority reports of Committees on Legal Affairs and Labor on An Act relative to hours of employment of women and minors. This will again be tabled.

The SPEAKER: The next matter on the calendar is House Document No. 282, House Amendment "B" to House Amendment "A" to An Act limiting salaries of certain city and town officers, tabled pending adoption of the amendment, by the gentleman from Jonesboro, Mr. Varney.

On motion by Mr. Varney, the matter was again tabled until tomorrow morning.

The SPEAKER: The matter on the calendar is House Document No. 459, Resolve in favor of Bangor State Hospital, tabled pending its passage to be engrossed.

On motion by Mr. Case of Lubec, the resolve was passed to be engrossed.

The SPEAKER: The next matter on the calendar is House Document No. 300, Report of Committee on Taxation on bill, An Act requiring excise tax on gasoline, tabled pending the acceptance of the report, by the gentleman from Augusta, Mr. Maher.

Mr. Maher moved that the report be accepted.

On motion by Mr. Viles of Augusta, the matter was again tabled for further consideration.

The SPEAKER: The next matter on the calendar is House Document No. 451, An Act relative to damages done by wild animals, tabled pending its passage to be engrossed, by the gentleman from Oakland, Mr. Hunton.

Mr. HUNTON of Oakland: Mr. Speaker, in the absence of the gentleman from Island Falls, Mr. Crabtree, I move that this matter be again placed upon the table.

The motion was agreed to.

The SPEAKER: The remaining matter on the calendar, House Document No. 400, An Act relative to workmen's compensation, will be again laid upon the table.

On motion by Mr. Dain of Bath, The House voted to take a recess until 4 o'clock this afternoon.

AFTER RECESS

The following papers from the Senate were taken up out of order, under suspension of the rules:

From the Senate: Final report of the joint standing committee on Public Utilities.

Comes from the Senate read and accepted.

In the House read and accepted in concurrence.

Senate Bills in First Reading

Senate 198: Resolve making appropriations of the Passamaquoddy Tribe of Indians for the half year from January 1, 1921 to June 30, 1921, and for the years July 1, 1921 to June 30, 1923.

On motion by Mr. Leighton of Denysville, the rules were suspended, and the resolve was given its two several readings and passed to be engrossed in concurrence.

Senate 197: Resolve in favor of the Penobscot Tribe of Indians for the general care, maintenance and education thereof.

(On motion by Mr. Blanchard of Old Town the rules were suspended, the resolve given its two several readings and passed to be engrossed in concurrence.)

Senate 196: Resolve appropriating money for the purpose of operating the fish hatcheries and feeding stations for fish, for the protection of fish, game and birds and for printing the report of the Commissioner of Inland Fisheries and Game, and other expenses incident to the administration of the Department of Inland Fisheries and Game.

(On motion by Mr. Landers of Eustis, the rules were suspended and the resolve given its two several readings and passed to be engrossed in concurrence.)

Senate 195: An Act additional to Chapter 33 of the Revised Statutes, as amended, relating to the protection of white perch in East pond and in North pond of the Belgrade chain of lakes, so-called, in Kennebec county and in Somerset county.

On motion by Mr. Barney of Chelsea the rules were suspended and the bill given its three several readings and passed to be engrossed in concurrence.)

Senate 194: An Act to amend Section 5 of Chapter 128 of the Revised Statutes, relating to removal or con-

cealment of mortgaged or attached personal property.

(On motion by Mr. Cram of Portland, the rules were suspended and the bill given its three several readings and passed to be engrossed in concurrence.)

Senate 202: An Act to legalize and make valid certain acts of the assessors of the town of Danforth for the year 1920 and 1921.

(On motion by Mr. Hussey of Blaine the rules were suspended, the bill received its three several readings and was passed to be engrossed in concurrence.)

Senate 193: An Act to amend Sections 1 and 7 of Chapter 101 of the Revised Statutes, relating to the revlevin of distrained beasts.

(On motion by Mr. Farnsworth of Caribou, the rules were suspended, the bill given its three several readings and passed to be engrossed in concurrence.)

Resolve in favor of county law libraries.

(On motion by Mr. Woodruff of Brunswick, the rules were suspended, and the resolve received its two several readings and was passed to be engrossed in concurrence.)

Senate 192: An Act to amend Section 11 of Chapter 260 of the Public Laws of 1917, increasing the salary of the stenographer of the Androscoggin Superior Court.

(On motion by Mr. Morneau of Lewiston, the rules were suspended, and the bill received its three several readings and was passed to be engrossed in concurrence.)

Senate 201: An Act to amend Section 77 of Chapter 82 of the Revised Statutes, relative to clerk hire for Reporter of Decisions.

(On motion of Mr. Hodgkins of Bangor, the rules were suspended, the bill received its three several readings and was passed to be engrossed in concurrence.)

Senate 142: An Act to regulate the use of aircraft.

(On motion by Mr. Moody of York, the rules were suspended and the bill

received its three several readings. On further motion by the same gentleman Senate Amendment "A" was adopted in concurrence, and the bill was passed to be engrossed as amended by Senate Amendment "A" in concurrence.

From the Senate: Bill An Act to increase the amount paid by the State for cattle condemned under the provisions of Sections 3 and 9 of the Revised Statutes, which was passed to be engrossed in the House March 29.

Comes from the Senate passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House, on motion by Mr. Williams of Webster, that body voted to reconsider its action whereby this bill was passed to be engrossed. On further motion by the same gentleman, Senate Amendment "A" was adopted in concurrence, and the bill as amended by Senate Amendment "A" was passed to be engrossed in concurrence.

From the Senate: Bill, An Act to amend Section 87 of Chapter 16 of the Revised Statutes, relating to State aid to high schools under emergency conditions, which was passed to be engrossed in the House March 31.

Comes from the Senate passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House, on motion by Mr. Varney of Jonesboro, the action of that body whereby this bill was passed to be engrossed was reconsidered. On further motion by the same gentleman, Senate Amendment "A" was adopted in concurrence, and the bill as amended by Senate Amendment "A" was passed to be engrossed in concurrence.

From the Senate: Report of the Committee on Salaries and Fees reporting "ought not to pass" on Bill An Act to amend Section 44 of Chapter 117 of the Revised Statutes, as amended by Chapter 214 and 260 of the Public Laws of 1919, increasing

the salary of the treasurer of Androscoggin county.

Comes from the Senate bill substituted for the report, and passed to be engrossed.

(Tabled by the Speaker in the absence of the chairman of the Committee on Appropriations and Financial Affairs.)

From the Senate: Bill, An Act to amend Section 32 of Chapter 219 of the Public Laws of 1917, as amended by Chapter 174 of the Public Laws of 1919, relating to pollution of waters of the State by sawdust and other mill waste, which was passed to be engrossed as amended by House Amendment "A" in non-concurrence on March 24.

Comes from the Senate, House Amendment "A" rejected, and that body insisting upon its former action.

(Tabled by the Speaker.)

The Chair presents at this time out of order remonstrances and petitions which the clerk will read:

By Mr. Williams of Webster: Remonstrance of M. F. Newton and certain others against An Act regulating the sale of liquor in Maine.

By the same gentleman: Remonstrance of M. G. Keay and certain others against same.

By Mr. Varney of Jonesboro: Remonstrance of Mrs. Joanna Price and 26 others against same.

By Mr. Cole of Eliot: Remonstrance of C. L. Burns and 38 others against same.

By Mr. Harriman of Prospect: Remonstrance of Sadie H. Bates and others of Sandy Point against same.

By Mr. Gardiner of Gardiner: Remonstrance of Addison B. Lorimer and 22 others of Portland against same.

By Mr. Bragdon of Westbrook: Remonstrance of Rev. A. A. Walsh and certain others against same.

By Mr. Woodruff of Brunswick: Remonstrance of Mrs. Alice Winslow and certain others against same.

By the same gentleman: Remon-

strance of Edith L. Sawyer and certain others against same.

By Mr. Maxwell of E. Livermore: Remonstrance of C. H. Oakes, M. D., and certain others against same.

By Mr. Nickerson of Swanville: Remonstrance of Mrs. Nellie F. Boyd of Jackson and certain others against same.

By Mr. Crafts of Greenville: Remonstrance of Alice M. Bigney and 17 others against same.

By the same gentleman: Remonstrance of Mrs. J. A. Parent and 25 others against same.

By the same gentleman: Remonstrance of Delia Hanson and 24 others against same.

By Mr. Maxwell of E. Livermore: Remonstrance of J. F. Quimby and others of Turner against same.

By the same gentleman: Remonstrance of Mr. and Mrs. H. B. Jacobs and others of Turner against same.

By Mr. Leighton of Dennysville: Remonstrance of Minnie M. Thompson and certain others against same.

By Mr. Chandler of Dover: Remonstrance of E. B. Parson and certain others against same.

By Mr. Forbes of Paris: Remonstrance of 103 citizens of Paris against same.

By Mr. Varney of Jonesboro: Remonstrance of Chas. W. Ingalls and 35 others against Sunday open time for hunting in Washington County.

By Mr. Heal of Weston: Petition of Caribou Grange in favor of State School Fund Bill.

By the same gentleman: Petition of Aroostook County Pomona Grange in favor of same.

By Mr. Witham of Clinton: Remonstrance of Annie C. Clements and certain others of Kennebec County against Sunday hunting in Kennebec County.

Were read and ordered placed on file and sent up for concurrence.

Reports of Committees

Mr. Rounds from the Committee on Salaries and Fees reported "Ought not to pass" on Bill "An Act to amend

Section 37 of Chapter 117 of the Revised Statutes of 1916 relating to the compensation of county attorneys."

Same gentleman from the same committee reported same on Bill "An Act relative to salaries of Justices of the Superior Courts."

Mr. Case from the Committee on Ways and Bridges reported same on Bill "An Act to provide for the inspection and repair of all steel or iron highway bridges in the State."

Same gentleman from the same committee reported same on Resolve appropriating money to aid the town of Fort Kent for the construction of a stone work on the Fish River to prevent it from wearing out any more land.

Reports were read and accepted and sent up for concurrence.

Mr. Fagan from the Committee on Legal Affairs on Bill "An Act to amend Section 78 of Chapter 11 of the Revised Statutes relating to sale of real estate for taxes in incorporated places," reported same in a new draft under title of "An Act amending Sections 76, 78 and 80 of Chapter 11 of the Revised Statutes, relating to the sale of lands of non-resident owners," and that it "Ought to pass."

Report read and accepted, and the bill ordered printed under the joint rules.

Mr. Rounds from the Committee on Salaries and Fees on Resolve to increase the salary of judge of the Municipal Court in Gardiner, reported same in new draft under same title, and that it "ought to pass."

Report read and accepted.

(On motion by Mr. Viles of Augusta, the rules were suspended and the resolve given its two several readings and passed to be engrossed.)

Mr. Rounds from the Committee on Salaries and Fees on Bill, An Act to amend Chapter 246 of the Private and Special Laws of 1909, relating to the salary of the Judge of the Farmington Municipal Court, reported same in a new draft, under same title and that it "ought to pass."

Report read and accepted.

(On motion by Mr. Thomas of Chesterville, the rules were suspend-

ed and the bill given its third several readings and passed to be engrossed.)

Mr. Rounds from the Committee on Salaries and Fees on Bill, An Act to amend Section 7 of Chapter 117 of the Revised Statutes, relating to the compensation of retired justices of the Supreme Judicial Court, reported same in a new draft under same title, and that it "ought to pass."

The report read and accepted.

(Tabled by the Speaker, pending first reading).

Passed to be Enacted

An Act to amend Section 17 of Chapter 12 of the Revised Statutes, as amended by Chapters 121 and 299 of the Public Laws of 1917, relating to the recording of deeds.

An Act to amend Paragraph 9 of Section 6 of Chapter 10 of the Revised Statutes, as amended by Chapter 105 of the Public Laws of 1919, relating to exemption from taxation of the estates of War Veterans.

An Act additional to Section 11 of Chapter 128 of the Revised Statutes, relating to the use of fare boxes and fare registers on street cars and the mutilation of coin used in the payment of fares.

An Act to amend Section 51 of Chapter 4 of the Revised Statutes, as amended by Chapter 59 of the Public Laws of 1917, and by Chapter 97 of the Public Laws of 1919, relating to the payment by the State of the burial expenses of honorably discharged soldiers and sailors.

An Act to amend the corporate purposes of the Eastport Hotel Company.

An Act to amend Section 3 of Chapter 235 of the Private and Special Laws of 1911, relating to a Police Commission in the city of Portland.

An Act relating to adoption.

An Act to incorporate the town of Drew.

An Act to amend Chapter 118, Section 2 of the Revised Statutes, relating to the fees of Trial Justices.

An Act to amend Chapter 119 of the Private and Special Laws of 1899, and provide for the compensation of

the Recorder of the Municipal Court of the city of Saco.

An Act to amend Chapter 118, Section 20 of the Revised Statutes, relating to the fees of town clerks.

An Act additional to Chapter 33 of the Revised Statutes, as amended, relating to ice fishing in China Lake, including that portion of said Lake known as Mud Pond.

Finally Passed

Resolve amending Section 17 of Article 9 of the Constitution, so as to permit the use of the proceeds of State Highway Bonds for the construction of State Aid highways.

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

The SPEAKER: The Chair will at this time announce the conferees appointed on the part of the House on the disagreeing action of the two branches of the Legislature, in regard to Bill, An Act to make uniform the fees of deputy sheriffs in attendance upon Supreme Judicial and Superior courts. Messrs. Rounds of Portland, Maxwell of East Livermore and Wing of Auburn.

On motion by Mr. Rounds of Portland, Senate Document No. 201, Bill An Act to amend Section 77 of Chapter 82 of the Revised Statutes, relative to clerk hire for Reporter of Decisions, which was passed to be engrossed at this afternoon session, was tabled.

The SPEAKER: The Chair will state that there are a few matters which might profitably come up this afternoon, but if there are any such on the calendar, the opportunity is afforded members to take them up at this time.

Mr. ROGERS of Rockland: Mr. Speaker, I move that the vote be reconsidered whereby the House this morning indefinitely postponed Senate Document No. 167, in regard to the protection of wild birds. I would like to say to the members of this House that the proponents of this bill feel that under the provisions of

the Federal law they cannot get a permit because the question of whether there are migratory birds or not is an unsettled question. They come here to this Legislature asking that this law be passed in order that they may have a chance to protect their own property, and it is certainly quite hard for anyone to stand by and see their property destroyed by birds that are of no real value and of no real use anyway, and in order to protect their blueberry lands they are obliged to watch them from daylight until dark in order to keep the sea gulls off of them and they are not allowed to shoot them. I will venture to say that in and around Rockland there are 10,000 gulls, and if half of them were shot or driven away there would be enough left for all uses of ornament, and that is all they are good for is ornament, and they are of no real value. And for this reason I would like to have this bill become a law.

The SPEAKER: The Chair will inquire of the gentleman from Rockland, Mr. Rogers, whether he voted with the prevailing side this morning?

Mr. ROGERS: No, Mr. Speaker, I did not.

The SPEAKER: The motion is therefore out of order.

Mr. MAHER of Augusta: Mr. Speaker, I move that we now take from the table the two bills relative to the charter of the Kennebec Water District which were tabled by me this morning.

The motion was agreed to.

Thereupon Bill, An Act to amend the charter of the Kennebec Water District, and Bill, An Act to amend the charter of the Kennebec Water District, were taken from the table.

The pending question being the passage of the bills to be enacted,

On further motion by Mr. Maher, the bills were passed to be enacted.

Mr. MAHER of Augusta: Mr. Speaker, in regard to the matter of which the gentleman from Rockland, Mr. Rogers, has just spoken, namely Senate Document No. 167, An Act re-

lating to the protection of wild birds, I will say that I voted with the prevailing side, and I do not care to take advantage of anybody with reference to any matter of legislation where, if it is necessary, there be a change in the present law. Consequently, to accommodate and restore the parliamentary status of the measure, I will make the motion that the vote be reconsidered whereby this House voted to indefinitely postpone this bill.

The motion was agreed to.

The SPEAKER: The bill is now before the House.

Mr. ROGERS of Rockland: Mr. Speaker, I understand that this bill was reported favorably by the committee.

The SPEAKER: The Chair is so informed.

Mr. Rogers then moved that the report of the committee be accepted.

Mr. MAHER: Mr. Speaker and gentlemen, addressing myself again to this matter, I will be very brief. If we are correctly informed, and I have no reason to doubt it at all, by the gentleman from Greenville, Mr. Crafts, and other members of the committee, this is entirely and absolutely a superfluous bill, because you have to get permission from the Federal commissioner before you can slaughter or kill these birds, and this law just simply puts an additional burden upon the man who desires to protect his property, be that property blueberry land or whatever it is, because in addition to getting a Federal permit you have to get permission from the local commissioner. So unless there is very grave abuse of the present law, requiring more stringent protection of birds, in the shape of after they get Federal permission they must get permission of the local commissioner, the law defeats its very purpose, and I move its indefinite postponement.

Mr. ROGERS: Mr. Speaker, the gentlemen who are asking for this bill have tried repeatedly to get permission from the Federal government to shoot these birds, and they can-

not get that permission, and this is the method they have taken. They are perfectly willing to get two permits if it is necessary, or three or four to protect their property, but under the present law they cannot get it.

The SPEAKER: The Chair is always free to express the parliamentary situation, and sometimes wishes he could state his opinion upon the legal situation, and would suggest that this matter be tabled until the gentlemen discover what the legal situation is, because we are always advised not to enact statutes that are of no force whatever.

On motion by Mr. Maher, the bill was then tabled.

Mr. Varney of Jonesboro moved to take from the table Bill, An Act to establish the State School fund and provide for its apportionment.

The SPEAKER: The Chair is of the opinion that this is one of the measures in regard to which he suggested that it probably would not come up for decision until Tuesday. Does the gentleman from Jonesboro, Mr. Varney, care to press the matter.

Mr. VARNEY: Mr. Speaker, I understood that this bill was tabled by the gentleman from Calais, Mr. Murchie, pending the printing of the new draft, and that he had no objection to its coming up at this time, although I have no desire to press the matter at all.

The SPEAKER: Then the matter will be laid upon the table.

The SPEAKER: The Chair will take this opportunity to make an announcement which it will say he desires to be given the very widest publicity, and that is from this present adjournment there will be no disposition or attempt on the part of the Chair to handle any matter. Caveat emptor is the rule beginning at the next session.

On motion by Mr. Heal of Weston,
Adjourned until tomorrow morning
at 9 o'clock.