

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Fourth Legislature

OF THE

STATE OF MAINE

1929

KENNEBEC JOURNAL COMPANY  
AUGUSTA, MAINE

## HOUSE

Thursday, April 11, 1929.

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

Prayer by the Rev. Mr. Bryant of Gardiner.

Journal of the previous session read and approved.

From the Senate: Report of the committee on Inland Fisheries and Game on bill an act to revise and simplify the inland fish and game laws of the State, S. P. 545, S. D. 222, reporting same in a new draft S. P. 767, S. D. 412, under same title and that it ought to pass.

Comes from the Senate report read and accepted, Senate Amendments M and N offered and failed of passage, and the bill passed to be engrossed as amended by Senate Amendments A, B, C, D, E, F, G, H, I, J, K, L, O, P, and Q.

Mr. ROY of Lewiston: Mr. Speaker, this is one of the most important measures that has come before this Legislature. Fish and fishing are things very few know very much about, and I think it would be a good idea at the outset to get the ideas of those who know something about it, thus better preparing ourselves to understand the situation. For that reason I would like to say something right now on that bill.

The SPEAKER: The gentleman may proceed.

Mr. ROY: As I view it, this is one of the most important measures to come before us at this session. I stepped into the Senate yesterday and I thought they were having a mock session with the number of amendments to that bill. I think they adopted the whole alphabet, at least down to Q.

This bill was drafted by men who know something about fishing. About two years ago a general committee was appointed to draft a bill revising the fish and game laws in an endeavor to simplify them which as you know are very complicated. For instance you have a right to fly fish in one part of a lake, in another part plug fish and in another part you have no right to fish at all. Again, in some places the limit of length of fish to be taken is eight inches, in others ten and in others twelve and how is a

man fishing in that place to know? He breaks the law without knowing it and is subject to a fine, and for that reason it was thought wise to simplify the laws and make them general for the whole State.

I should say that one reason why our lakes are depleted of fish is that we have been destroying their breeding grounds. Salmon for instance, is a salt water fish and it runs up our streams and into our lakes in the fall. Trout and salmon are the only fish that spawn in the latter part of the year, around the last of October and the first of November. Their eggs hatch in mid-winter. Salmon and trout take from 75 to 125 days to hatch, depending on the temperature of the water, but those eggs begin to hatch no matter how cold or how near the freezing point. Those little fish after they have hatched stay in fresh water and the streams until they are about two years old and then go back to the salt water; and the only way we can catch salmon in our lakes is by screening the outlet or locking them in. That is why we call them landlocked salmon because there is no such thing as a strictly fresh water salmon and they will get out of the lakes unless you lock them in, and if there is a hole in that screen anywhere they will all get out. That is one reason why we have been stocking the lakes with salmon, and it is said where did those salmon go. They have gone back to the sea. They would come back to the lakes to spawn if they could but they cannot on account of the dams. They can go over a dam down stream but they cannot go back again and that is the reason why we find so few salmon.

Another reason is that we have polluted the water until they cannot live in it. Look at the Kennebec river and the mud that is held in solution in that river from the roads, the farms and the gardens and all those things. The Androscoggin is still worse. The Penobscot is not so bad and salmon are still running up there; but if that river were in the same condition as the Kennebec, there would be no more salmon there than there is in the Kennebec. Salmon do not feed in the spawning season and trout the same. A salmon does not feed from the time it starts up into fresh water until it goes back to the sea.

The red salmon that go up the Columbia and the Yukon, the most of them die because they run up there so far—more than one thousand miles—up those rivers. Going up there without food, after they spawn they will remain there and come back along in January in their endeavor to get back to the sea; but the most of them die of starvation and exhaustion, and that is why along those rivers in the springtime the banks are covered with dead salmon which has given rise to the belief that all salmon die after they spawn; but they do not. Some of them do, I think about ninety per cent, and about ten per cent get back to the sea. We know this because the Government has been marking them and we find that some of them go back. They do not all come back to the same stream because some of those marked salmon have been found in other streams.

Trout are much like salmon and spawn in the fall. They go up stream and if we would have trout in our lakes, we must not have brook fishing because there is no such thing as brook trout. They are all lake trout and go into the lakes after they get big enough. All brooks that run into ponds should be closed to fishing to trout and salmon.

It is a mistake to stock a pond with trout and salmon for the reason that the trout is the smartest fish that we have and is the quickest. There is no fish that can catch a trout but a trout can catch any other fish. Most fish swim straight ahead but the trout swims in a wiggly manner—zigzag, but any bird which tries to catch a fish will dive at the head of the fish and may get the most of the fish, but the trout is out of the way before they can get him. If these ponds were left to themselves, you would find that within a short time, you would have nothing but trout. In other words, there would be the same situation as when the first settlers came who found nothing but trout. You put salmon and trout in the same pond and the trout will get away with the salmon. That is why some of those salmon probably go to sea and the trout not; but the trout is as good a fish as the salmon, although some claim that the salmon is the best.

Next to the salmon and the trout

comes the white perch. The white perch is a salt water fish and it goes up into our lakes and streams and spawns, remains a number of years but will go back to the sea just as the salmon do. If you want to keep the big white perch in the ponds, the outlets must be screened and white perch are different from trout and salmon for they will spawn under the banks of the stream, under the roots of trees on the banks of the river and they look after their eggs to a certain extent until they are hatched. That is the reason why one can breed white perch right in the lake. They feed cheaply at night on bugs and insects but they take in other little fish or spawn when they can get them.

Then we have the black bass, probably the strongest and gamiest fish we have—ahead of trout and salmon as far as gaminess is concerned. The only time you can catch them with flies is in June—sometimes in May. They spawn in May and take care of their eggs. If you go along shores of a pond you will find a hole dug down and they spawn there and they will stay there and look after their eggs and woe to the fish that goes near it. You can always be sure wherever you put bass that they will increase on their own account for they take care of their eggs and their young after they hatch for a certain length of time. A trout will eat a trout as quickly as it will eat anything else. Put big trout and little ones together and see how quickly the little ones will disappear. That is one reason why trout and salmon, if they have no place to spawn, if the brooks are dried up and they have to spawn anywhere that they spawn along the shore and their eggs are eaten up by other fish—hornpout, suckers and all kinds of fish—and you never can expect salmon and trout to increase if they have to spawn in the ponds but you will have to keep the brooks clear for them.

It may be interesting to know that the black bass is not a native of Maine. It was introduced here some sixty years ago—the date is not given and I got that out of an old Maine report here in the Library—in 1867. It says there that 34

black bass were brought from Newburg, New York and deposited in Duck Pond, Falmouth. These were the first bass that came into the State of Maine. A large lot was delivered in Bangor by E. S. Woodford of West Winsted, Connecticut. The greater portion of these, about 60 in number, were put into Fitz Pond in the town of Dedham; 28 in Newport Pond and 10 were sent to Phillips. Previously, in the month of August, Cochnewagen Pond, in Monmouth, and Cobbosseecontee Lake in Winthrop and adjoining towns were stocked with bass at the expense of the Oquossoc Angling Association. The fish for this purpose were furnished by Walter Brown from his private ponds in Newburg, New York and were brought to their destination by George Shepard Page, president of the Oquossoc Angling Association. Mr. Brown also furnished, gratis, the black bass with which Duck Pond was stocked.

Then we have the pickerel which is another good fish. I prefer it to the bass. Some seem to think that pickerel destroy all other fish. I do not believe it for pickerel do not inhabit the same waters with trout, salmon and bass. Bass inhabit the rocky shores. Once in a while you get them out with the pickerel but that is when they cannot find food enough around the rocks and they go after the shiners that the pickerel feed on. Of course the pickerel is easily seen. One cannot go along the shores without seeing them. They have big mouths and some people think they will kill and eat everything in the pond, but they do not. I never found either a trout, salmon or a bass in a pickerel but you can find most everything else including frogs, mice and rats. Everything that swims and moves the pickerel will feed on, but their chief food are shiners which are the natural food of most fish because they breed much faster than any other fish and wherever you find shiners you will find pickerel.

Now about ice fishing. I have here an editorial from the Lewiston Journal in which the editor says "The fish and game revision by the Legislature lies in a bed of nettles apparently. The latest addition to it, opening all lakes of Maine over a mile in area to two weeks of ice

fishing in January, has aroused such a revolt among the friends of good fishing that it seems to be outside of reasonable consideration." Well, now, I would like to know who those friends of good fishing are. They certainly do not know much about ice fishing for the reason that the original bill provided for ice fishing in all the lakes during the last fifteen days of January. Any of you who know anything about ice fishing know how hard it is to fish in January and how few fish are caught. By this editorial one would imagine that all a man would have to do would be to cut a hole in the ice, bring a basket and the fish would jump into it. It shows that well educated men may know very little about fish. The editorial says: "Ice fishing is the bull in this china shop. And the reason for it is plain. It runs counter to the whole idea of conservation of the fish, for the purpose of attracting tourists. We spend great sums to stock ponds for sport and profit. We propose to pass a law that will damage the State immeasurably. And solely because the word will go out all over the land that Maine fishing is growing poor on account of the Maine policy of catching the fish through the ice at a time of year the men and women who come here and spend their money are not easily on the ground."

That is really ridiculous and I am surprised that a man so well educated as this editor is could write such stuff as that. I would like to have him go in January, for instance, when the ice is two or three feet thick and some of you fellows know what it is, a man is all in before he begins to fish. You set a line and perhaps do not get a bite. Ice fishing is good the latter part of February and March and you will then get most any kind of fish, but in January trout and salmon have not begun to feed and while you may make a good catch of young trout, January is no time to ice fish. This idea of ice fishing will go all over the land and everybody will know that we are ice fishing here and they will not come, he says. Now that is ridiculous and it would seem that men who write should know a little more about what they are writing. I do not mean to say

that this man is not sincere for he undoubtedly believes that it would deplete the lakes if ice fishing were permitted in January. Fishing two days in March and you will get ten times the amount of fish that you would the whole month of January.

I notice in Penobscot county the special provision, "fishing in Stetson Pond is permitted for pickerel, black bass and white perch only". How can you make a law to stop the trout and salmon from biting? You make a law to permit catching pickerel, bass and white perch. If there are trout and salmon there can you make a law to stop them from biting? Certainly not. In fishing for those fish you will catch trout and salmon.

How many are there here who have been fishing, sometimes all day, without having hardly a bite and then catch a salmon weighing two or three pounds. How many would throw it back? Very few even though the warden were there. I have seen that where there was a law on everything but pickerel or where the little fish are and where the shiners are and the other fish follow them. I do not believe one in fifty will throw back any fish he has caught through the ice even if the warden is at the other end of the pond. Fish are generally along the edge of the lake and when one is caught he is thrown out on the shore, out on the snow and they pick him up at night when the warden is gone. Probably one in twenty-five or one in fifty would throw them back and that is all.

As to fly-fishing, that of course is the gentleman's way of fishing and it is the best way to catch them. Plug fishing, of course, is a common way to fish and you can catch them only at certain seasons of the year. As I have said, you can catch bass in June, but those who know anything about bass fishing, let them try to catch a bass with flies in July, August or even September and you will find you would not get one in a month. You take little black flies and you will catch just as many in the brooks as with worms where there are trout for the reason that a trout will rise at most anything in the summer time in a running brook. If you throw a leaf or a stick or anything in the water, you

will see the trout rise to it and it is just the same with the little flies that you put on your hook and you catch just as many as you would with worms.

I would feel sorry if we could not get something out of this bill. Let it go through in some way. After men who know something about fish and fishing have worked for two years, to have their work go for naught would be unfortunate; but as it is now each Senator has made provision for his own pond. I did not read this through very carefully but I understand there are about 75 amendments to be added from the House and I hope there will be. That is all I have got to say.

The SPEAKER: Does the gentleman move the acceptance of the committee report?

Mr. ROY: I do, Mr. Speaker.

Mr. ANGELL of Saco: I have sat here, Mr. Speaker and Members of this Legislature, for three months or a little better and I have heard everything discussed from fire to water, and many, many times, as various measures have been presented, I found it very, very difficult to remain in my chair. In other words, I'll admit I am one of those fellows who likes to hear himself talk. In this respect it brings to my mind, bearing on this thing, a little story I heard relative to a colored mammy who came up here from the South after having left her little brood of children, and went to work for a family in the city of Boston. It came Friday night, prayer meeting night, and she thought she would like awfully well to go to what we call a testimony meeting, an old-fashioned prayer meeting, and she inquired of the lady of the house where she might go. The lady happened to be a Christian Scientist and indicated a short distance from the house a little church where they held services. This old mammy attended the service. She sat there, and as time went on she heard one after another get up and testify as to what Mary Baker Eddy had done for them. Mammy stood it as long as she could and finally hopped onto her feet and said "Brethren and Sisteren, I got to tell you all what

Lydia Pinkham did for me.”  
(Laughter)

Now when it comes to fishing, hunting or anything that pertains to the out-of-doors, I like to talk about it, particularly with men who are in love with it to the same degree as I am. I am not going to try to make a speech. I just want to talk to you members, one and all, as individuals who have at heart the best interests of the fish and game of this State, the third greatest asset the State of Maine possesses.

In order that you may understand something of the occasion for this bill, which apparently seems to be, with some, a joke, I will just give you a little of the history. As you all are aware, you have heard it referred to—that the existing laws which we have at the present time called by many who have occasion to use them, a joke book. There are numerous repetitions, contrary statements and a general set of laws that applied to that asset of our State fish and game at a period when we went fishing with a horse and buggy or walked. Ten, twelve or fifteen years have passed and we are in an age of automobiles, and where we had one fisherman, we have twenty-five now. Now I think you all will agree and know that you can dip water out of a bucket for a certain length of time, but eventually you come to the bottom of the bucket. We felt the same applied to the resources of the fish and game in the State of Maine.

Now everyone of you sitting here, some without much hair and some with quite a lot, young and old, can remember when you, in your individual localities, could go out and in two hours' time come back with a very splendid string of fish and they were not minnows. But you cannot do that today. How many have stopped to wonder why you cannot do so? Our little investigation shows you that where one man was draining on that supply, today twenty-five are draining on it, and if we go on sitting here pat, passing the buck year after year for somebody else following us to take care of this situation, we will wake up some Sunday morning and the youngster who is growing

up in our families or that nephew or kid brother is going to say “Pap, brother or uncle, why is it I cannot catch the kind of fish you tell about?”

Now we have got to give a little thought to that situation. I will agree that in some people's minds it may not be as important as the export of power or the condition of your highways or how much money you are going to lug home for your special resolve, but I am here to tell every one of you that it is the third greatest asset the State of Maine has got, and the time is coming in the State of Maine when that asset is going to be the means of bringing into the State of Maine an income of millions—not thousands—but millions from out-of-State visitors who come here attracted by that one thing.

Now once more I will say you can pass the buck, you can sit pat, or you can get up here and fight for some special little privilege that applies to your back yard, but I am asking you, gentlemen and ladies, to disregard that, and look at this thing as a State-wide proposition—you can do something for the State of Maine of a constructive nature. With this idea in mind, realizing year after year that any thing progressive or constructive had been defeated in this Legislature, a few of us felt that perhaps if we started a program of education and co-operation, that we might begin to get somewhere. To that end we took our time, our own private time, away from our individual pleasures and our individual businesses, and went through the State of Maine—into the various communities and got together the boys from the villages, from the farms, clerks in the stores, lawyers and the doctors—anybody who had a love for the out-of-doors, and told them our motives, what we would like to do—a constructive program for the State of Maine, not for their community, and those boys and men were whole-hearted and good sports enough and interested enough in the welfare of the State of Maine to get together and organize themselves into small local units and to spread in their communities the idea that was going abroad throughout the State, and this thing grew until

out of the sixteen counties in the State, fourteen of those counties are now represented by small organizations of interested citizens who are behind and supporting this general movement for a betterment of conditions.

Now you will hear somebody get up and say it is a sportsman's idea. I am always inclined to ask that individual if he has any idea what a sportsman is, and he says it is just millionaires, whatever a millionaire is, who are behind this thing. I will brand that as a deliberate falsehood.

This movement is fostered by the boys and men in the State of Maine who are going to use and enjoy the privileges and it is incidentally backed by every good sportsman who comes into the State of Maine. So much for who is behind it.

Now the ways and means to arrive scemewhere. We called together representatives from every one of these associations and we had some thirty-six represented in the convention, two men from each club, and before those two men was laid the idea of creating a constructive program for a step in advance in the interests of the fish and game in the State, and that committee has worked out some of the ideas embodied in this Paper 412. We do not claim credit for all of them. I say we—I mean they do not claim credit for all of them. Now what happened? As is always the situation when someone seems to be doing something, another group springs up with a tremendous anxiety to also do something. And they created a constructive program, both parties, both organizations, interested in the one identical thing. We came together down here with two separate programs. Never could get together, somebody said, but we did get together and each one of us gave something and each one of us took something, and the man who is the Governor of this State sat in with us and expressed his ideas and helped to smooth out the rough places and helped us to arrive at something that everybody considered a constructive program and that, gentlemen, was presented to this Legislature in the form of Senate Document 412.

Your Speaker, and the President of your Senate, appointed a committee of ten men, representing eight counties in the State of Maine, to

hold hearings and listen to any criticisms or objections or advice that might be presented for or against this bill. We sat right up here, and we listened to some fellows who came in here in their old clothes, off the farms, who had ideas, and we listened to other interests come in here who had hired legal talent to fight for them, pitting brains and money against lack of education but a sincere, heartfelt interests in the welfare of the State of Maine. Now how did the committee meet that? In every single instance—there were ten men on that committee—nine others will bear me out—this committee met both parties concerned and both parties were willing to give and take, giving up personal interests, private interests, for the sake of getting something constructive for the State of Maine. Two nights from two o'clock in the afternoon until after twelve o'clock at night we sat here and listened, and there was not one single constructive suggestion that was ignored. Then we went into session and considered all of these things and changed numerous sections in this law to meet with the approval of both interested parties by mutual agreement, and I want to tell you members right here that only in one instance out of a whole bookful of laws was there a party that we could not get to concede, and he did not come from a farm either.

Now, I love fair play and square shooting, and I have every confidence in the members of this House that every one here feels the same way. That committee put in better than three months' work on this proposition, day in and day out. Everybody has had an opportunity to come to that committee with any special act, or anything that they considered was irrelevant and not for the welfare of the State of Maine, and how many came? I am telling you now that many came—about one-tenth part of those who, in the last twenty-four hours, are rushing in with something that they want for their back yard.

Now, members, that isn't to my mind square shooting. Now you may want to kill this proposition. It may not be worth anything to you, and you may want to pass the buck, one of the three great passings you have heard about, but I cannot believe it. I think every man and woman here must realize that this is a vital thing to the State of Maine, that it is a



constructive step for the welfare of the State of Maine, and a step ahead. Now you can say we will postpone it for two years and try it again next Legislature, and two years from now you are going to take the same identical step that you are taking today, a step ahead, but no further than you will take at right this minute. Now there will probably be amendments offered to this bill. As far as I am concerned I would love to see this bill go through as it is. It has been abused plenty right now, but I realize that certain individuals, for certain reasons, perhaps at home, feel obliged to present amendments. I won't excuse it, but if they have got to do it, they will have to, I presume, but I am going to ask this House right here and now to take a stand on this bill as it is. Give it a chance. Give the Department downstairs and the men who have been interested in working for fish and game interests an opportunity to prove that what they have worked out will work, and I am going to second that motion that we accept and concur with the Senate and that further amendments to this bill be eliminated, and that this thing be given a try-out. (Applause)

Mr. CLARK of Winslow: Mr. Speaker and members of the House: Before this matter comes to a vote, not to be behind the Senate in the matter of offering amendments, I have Amendment A to Senate Amendment G to offer, and I move its adoption.

The SPEAKER: The House has not yet accepted the committee report. Will the gentleman defer offering his amendment until the matter of the acceptance of the report has been debated and decided upon. The question before the House is on the acceptance in concurrence with the Senate of the ought to pass report. Is the House ready for the question?

The question was called for.

Thereupon the House voted to concur with the Senate in the acceptance of the ought to pass report, and the bill had its first reading.

The SPEAKER: The House will now act upon the several amendments from the Senate.

Mr. ANGELL: Mr. Speaker, I would like to move that the reading of the Senate Amendments be dispensed with, and that the House vote to accept the Senate Amendments as printed.

Thereupon, on motion by Mr. Angell, the House voted to concur with the Senate, that the reading of the following Senate Amendments be dispensed with and that said amendments be adopted in concurrence, namely: Senate Amendments A, B, C, D, E, F, G, H, I, J, K, and L.

On further motion by the same gentleman the reading of Senate Amendments M and N was dispensed with, and said amendments were rejected in concurrence.

Mr. ANGELL: Mr. Speaker, I move that reading of Senate Amendment O be dispensed with and that the amendment be adopted in concurrence.

Mr. COMINS of Eddington: Mr. Speaker, it appears that Senate Amendment O is inconsistent with Senate Amendment L, and I offer House Amendment A to Senate Amendment O and move its adoption, as follows:

House Amendment A to Senate Amendment O to bill an act to revise and simplify the inland fish and game laws of the State.

Amend said amendment O by striking out from the fourth paragraph the following: By striking out from line three of said section the word "seven" and inserting in place thereof the words "six and."

Thereupon House Amendment A to Senate Amendment O was adopted.

On motion by Mr. Angell, it was voted that the reading of Senate Amendments P and Q be dispensed with, and that said amendments be adopted in concurrence.

Mr. MERRILL of Dover-Foxcroft: Mr. Speaker, I would just like to call attention to the fact that Senate Amendment O proposes to amend Section 18 of said act by striking out from line three of said section the word "seven" and inserting in place thereof the words "six and" which covers the ground of the amendment just adopted as I see it, and already provided for in Section O.

The SPEAKER: The gentleman from Dover-Foxcroft, Mr. Merrill, raises the question as to the effect of House Amendment A to Senate Amendment O. In the bill as printed Senate Amendment O is inconsistent in the fourth paragraph thereof with Senate Amendment L. House Amendment A

strikes out the fourth paragraph of Senate Amendment O from the words "by" following the word "and" in the fourth paragraph down to the words "six and," and leaves that matter to be taken care of by Senate Amendment L.

Mr. INGRAHAM of Bangor: Mr. Speaker, in Senate Amendment O, Section 62, I think there must be an error. Perhaps it could be amended verbally, although I am having an amendment prepared, where the word "November" is substituted for the word "October." Now furs trapped in October are of no value to the trapper or to the fur merchant. I attended that hearing and November was agreed upon and no one objected to it, and I would like the privilege of offering an amendment a little later as soon as it can be prepared. This possibly might be done by a verbal amendment right here and now.

The SPEAKER: The Chair is of the opinion that such an amendment would not be strictly of a verbal character.

Mr. INGRAHAM: Mr. Speaker, I would like the privilege of offering House Amendment B.

Mr. CLARK of Winslow: Mr. Speaker, I offer House Amendment A to Senate Amendment G and move its adoption as follows:

House Amendment A to Senate Amendment G.

Amend by adding at the end thereof the following: "Except that all lakes and ponds in the county of Kennebec now closed to ice fishing shall be open to ice fishing through the ice on Thursday of each week during the months of February and March. Provided however, that the commissioner shall have full power and authority to close to ice fishing such lakes and ponds as are in his judgment in danger of undue depletion of fish."

Thereupon the House voted to reconsider its action whereby it adopted Senate Amendment G in concurrence and that body voted to adopt House Amendment A to Senate Amendment G and voted to adopt Senate Amendment G as amended by House Amendment A.

Mr. WIGHT of Newry: Mr. Speaker, Senate Amendment A in the section that applies to Oxford county as I read it, applies to the whole of

the waters in Oxford county, but perhaps I do not understand the reading of it; and in order that I may study it a little I would ask that that section of Senate Amendment A lie on the table.

Thereupon the House voted to reconsider its action whereby it adopted Senate Amendment A in concurrence; and on further motion by Mr. Wight, a viva voce vote being taken Senate Amendment A was tabled.

From the Senate: Report of the Committee on Judiciary on bill an act to provide a uniform motor vehicle code, reporting same in a new draft (S. P. 742) (S. D. 399) under title of an act relating to the use and operation of motor vehicles on the highways and that it ought to pass.

Comes from the Senate report read and accepted and the bill passed to be engrossed as amended by Senate Amendment A, and Senate Amendment B as amended by Senate Amendment A to Senate Amendment B.

In the House, report read and accepted in concurrence.

(Senate Amendment A read)

Thereupon the bill had its first and second readings and Senate Amendment A was adopted in concurrence.

The SPEAKER: The Chair desires to state that Senate amendment B as amended by Senate Amendment A to Senate Amendment B is very lengthy. Senate Amendment B is printed and should appear on the desks of the members as Senate Document 429, which is in itself twenty-one pages in length.

On motion by Mr. Aldrich of Topsham the reading of Senate Amendment B was dispensed with.

Thereupon the Clerk read Senate Amendment A to Senate Amendment B and the House voted to adopt Senate Amendment A to Senate Amendment B in concurrence.

Mr. WING of Kingfield: Mr. Speaker, I would ask if this would be the proper time to offer House Amendment A to Senate Amendment B.

The SPEAKER: It would be the proper time.

Mr. Wing then offered House Amendment A to Senate Amendment B, as follows:

House Amendment A to Senate Amendment B to S. P. 742.

Amend Section 13 of said Senate Amendment B by striking out in lines six and seven the words "shall be" in amended section forty-three of said Section 13, the words "made under oath" and substituting the words "signed by the applicant."

Also by adding to said bill after section twenty-seven of said amendment B, the following section to be numbered twenty-eight:

Sec. 28. Whoever shall make any material mis-statement of fact upon his application for license to operate a motor vehicle or for registration thereof, shall be subject to a fine not exceeding one hundred dollars or to imprisonment not exceeding ninety days or both.

Mr. WING of Kingfield: Mr. Speaker and members of the House: As some, or perhaps all of you, will understand from the amendment, it simply provides for the doing away with the oath in the application for, license or registration in the motor vehicle law. This proposition was taken up before the Judiciary committee and there was so much opposition in the committee that it was stricken from the bill. As there was a great deal said in favor of this, I feel that throughout the State of Maine there is a call for this amendment. Lawyers and others who administer the oath on these applications, a good many charge nothing for their time though it is a nuisance to them. I think that the most people understand or feel that the oath means nothing to the applicant and that it is an unnecessary bother. In a sparsely settled region, it is with great difficulty at certain times that you can get your application signed. The amendment provides that in case of any material mis-statement of fact in the application, there shall be or may be a fine of one hundred dollars or up to three months in jail. It seems to me that that is sufficient and that we are putting the citizens of the State of Maine to an altogether unnecessary trouble in obliging them to go before a justice of the peace in order to complete their applications for these licenses or registrations.

I do not care to say anything more on this subject because I think all

of you know the situation and know whether you care for this amendment or not, and I do not want to hazard the bill itself by overdoing this proposition.

Thereupon, a viva voce vote being taken, the House voted to adopt House Amendment A to Senate Amendment B and the House adopted Senate Amendment B as amended by Senate Amendment A and House Amendment A, and tomorrow assigned.

From the Senate: Bill an act relating to a tax on gasoline. (H. P. 1224) (H. D. 412) on which the House accepted the minority report of the Committees ought to pass and passed the bill to be engrossed.

Comes from the Senate the majority report of the Committee ought not to pass accepted.

In the House, on motion by Mr. Kitchen of Presque Isle, the House voted to insist on its former action and ask for a committee of conference.

The SPEAKER: The Chair will announce the committee later.

From the Senate: Bill an act to provide funds for the construction of State highways (H. P. 1225) (H. D. 409) on which the House accepted the minority report of the Committee ought to pass and passed the bill to be engrossed.

Comes from the Senate the majority report of the Committee "ought not to pass" accepted in non-concurrence.

In the House, on motion by Mr. Kitchen of Presque Isle, the House voted to insist on its former action and ask for a committee of conference.

The SPEAKER: The Chair will announce the committee later.

From the Senate: Bill an act relating to finger prints and photographs of criminals (H. P. 1743) (H. D. 815) which was passed to be engrossed in the House, April 8th.

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

In the House, Senate Amendment A read.

The House voted to reconsider its action whereby this bill was passed to be engrossed.

On motion by Mr. Jack of Lisbon Falls, tabled pending adoption of

Senate Amendment A in concurrence.

From the Senate: Bill an act relating to fees for small loan agencies (S. P. 649) (S. D. 300) which was passed to be enacted in the House April 9th and passed to be engrossed as amended by Senate Amendment "A" in concurrence on April 5th.

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

In the House:

Senate Amendment A to Senate Amendment A read.

Mr. LOCKE of Biddeford: Mr. Speaker, the gentleman from Lewiston Mr. R. Hamel, telephoned me this morning and wished me to state that the amendment was in accord with the remarks he made the other afternoon on the floor of the House, and in his behalf and acting as his proxy, I move that the Senate Amendment be adopted in concurrence and the bill be passed to be engrossed.

The SPEAKER: Is it the pleasure of the House to reconsider its action whereby this bill was passed to be enacted?

Mr. SEAVEY of Sherman: Mr. Speaker, Senate Amendment A to Senate Amendment A I wish to say to the members of the House is agreeable to the banks and banking men in the Legislature and, in fact, is an amendment suggested by them to apply to small loan agencies. There is a sliding scale beginning at fifty dollars for amounts up to fifty thousand dollars and increasing thereafter by fifties for each twenty thousand dollars; and I move its acceptance.

Thereupon the House voted to reconsider its action whereby this bill was passed to be enacted.

The House further voted to reconsider its action whereby this bill was passed to be engrossed as amended by Senate Amendment A.

Thereupon, the House voted to adopt Senate Amendment A to Senate Amendment A in concurrence and the bill as so amended was passed to be engrossed in concurrence.

### Orders

On motion by Mr. Kitchen of Presque Isle, it was

Ordered, that when the House rises this morning, it be to recess until three o'clock this afternoon.

### First Reading of Printed Bills and Resolves

(H. P. 1756) (H. D. 826) An act relative to acknowledgment and record of deeds and other instruments.

(H. P. 1759) (H. D. 828) Resolve providing for a statue of Hannibal Hamlin to be placed in the National Statuary hall at Washington.

### Passed to be Engrossed

(S. P. 736) (S. D. 389) An act to provide for relief of needy dependents of disabled veterans of World War.

(S. P. 794) (S. D. 389) An act relative to resident attorneys for foreign corporations.

(S. P. 320) (S. D. 425) Resolve in favor of the State Park Commission.

(On motion by Mr. Carleton of Portland tabled until afternoon.)

(S. P. 795) (S. D. 427) Resolve pertaining to the construction or purchase of a new motor boat for the Sea and Shore Fisheries Commission.

Mr. LEONARD of Hampden: Mr. Speaker, I move that this resolve be indefinitely postponed.

Mr. BUTLER of Bath: Mr. Speaker and members of the House: This motor boat is wanted by the Sea and Shore Fisheries. As I see it, it is nothing more nor less than a yacht for the director to take his friends out fishing and to go sporting with. (Laughter) This yacht, as I call it, is to cost twenty thousand dollars, and according to Mr. Crie's own statement before the Appropriations committee, it would cost ten thousand dollars a year to run it; and I think if the Director of the Sea and Shore Fisheries is going to have a yacht to go around in, why don't we give one to some of the other fellows working for the State? I hope the gentleman's motion to indefinitely postpone will prevail.

Thereupon, a viva voce vote being taken, the House voted to indefinitely postpone this resolve.

### Passed to be Engrossed—Continued

H. P. 1540, H. D. 558: Resolve in

favor of setting aside a tract of land as Game Preserves.

H. P. 1755, H. D. 825: Resolve to modify the conditions of the gift from B. C. Jordan to the State for the purpose of encouraging cultivation of forests.

#### Passed to be Enacted

(S. P. 480) (S. D. 189) An act to regulate the manufacture and sale of soft drinks, syrups and non-alcoholic beverages.

(S. P. 541) (S. D. 364) An act to provide for building a bridge across the Penobscot river, at or near Bucksport, to be known as the Waldo-Hancock Bridge.

(H. P. 1688) (H. D. 758) An act to modify the practice on pleas in abatement.

(H. P. 1732) (H. D. 805) An act relating to the Board of State Assessors.

(H. P. 1749) (H. D. 821) An act relating to eminent domain for ferries.

On motion by Mr. Rounds of Portland, the House voted to reconsider its action of yesterday whereby it accepted the report of the committee on Appropriations and Financial Affairs referring to the next Legislature resolve in favor of a memorial for William Pitts Fessenden; and on further motion by the same gentleman the resolve was recommitted to the committee on Appropriations and Financial Affairs.

Mr. JACKSON of Bath: Mr. Speaker, I rise to a point of personal privilege.

The SPEAKER: The gentleman may state his point of personal privilege.

Mr. JACKSON: Mr. Speaker, and Ladies and Gentleman of the House: I promise not to speak more than forty-five minutes. It has been suggested—I promised my wife I would not tell who suggested it—that it might be in order to present the order permitting smoking in a new draft.

If I had the rhetorical eloquence of the distinguished member from Portland, Miss Laughlin, if I had the pathetic appeal of the gentleman from Readfield, Mr. Peacock, if I had the voice volume and power of gesticulation of my learned colleague, the gentleman from Topsham, Mr. Aldrich, I would move you to tears one moment and

convulse you with laughter the next; but, unfortunately, I have none of those qualifications.

If I even had the ability to quote from the great Masters of the Pen, as the gentleman from Biddeford, Mr. Locke, has, I would quote some of our great Masters, and I might say:

“Open the old cigar box,  
Let me consider a while;  
Here is a mild Manila  
Here is a ‘Lady’s Smile.’”

But I won’t weary you, ladies and gentlemen, with further quotations from Kipling or Sam Connor or Gus Merrill. I will proceed to the more pleasant duty with which I am charged.

The Nicotine Division of this House appreciate very much the privilege of smoking that has been accorded them through the courtesy of the member from Waldoboro, Mrs. Gay. Were I not afraid of incurring the displeasure of the Speaker, I would perform that duty of presenting her with this little token of appreciation myself, but rather than arouse any feeling at all in these closing days of this very delightful session, I am going to ask the handsome and popular Messenger of the House if he will kindly perform that duty for me and present to her this little token. (The Messenger handed Mrs. Gay a bouquet of flowers amid the applause of the House, the members rising.)

Mrs. GAY of Waldoboro: Mr. Speaker, words fail to express my appreciation of this kindness. If by my motion to suspend the rules I have given you one-half the pleasure that this gift gives me, I am well repaid. I think this gift also assures them that I still hold the title of “Smokers’ Chaplain” which was bestowed upon me at the last session of this Legislature. I thank you for your kindness. (Applause)

#### Orders of the Day

The SPEAKER: Under Orders of the Day the Chair presents the first matter today assigned, majority report ought not to pass and minority report ought to pass, committee on Ways and Bridges, on resolve proposing an amendment to the Constitution to provide for an additional issue of bridge bonds, H. P. 1301, H. D. 446, tabled on April 10th by the gentleman from Presque Isle,

Mr. Kitchen, the pending question being acceptance of either report; and the Chair recognizes the gentleman.

Mr. KITCHEN: Mr. Speaker and Members of the House: This resolve proposes an amendment to the Constitution providing for an additional issue of bonds to the extent of \$5,000,000 for bridges, a part of the so-called pay-as-you-go program. Now the House, yesterday, by its action, showed conclusively that it was in favor of the pay-as-you-go program. We know what has happened to the gas tax and the accompanying measure in the Senate, but insofar as the House is concerned, in order to keep these measures all alive, I believe we should accept the minority report of this committee, ought to pass, and I so move at this time.

The SPEAKER: The gentleman from Presque Isle, Mr. Kitchen, moves the acceptance of the minority report, which is an ought to pass report, on the resolve proposing an amendment to the Constitution to provide for an additional issue of bridge bonds. Is it the pleasure of the House to accept the minority report?

A viva voce vote being taken the minority report ought to pass was accepted; and on further motion by Mr. Kitchen the resolve received its first reading and assigned for 3 o'clock this afternoon.

The SPEAKER: The Chair presents the second matter today assigned, majority report ought not to pass, minority report ought to pass, committee on Ways and Bridges, on bill an act to authorize the treasurer of State, under the direction of the Governor and Council, to issue bonds for bridge construction, conditional on the adoption by the people of a constitutional amendment authorizing such bonds, H. P. 1300, H. D. 445, tabled on April 10th by the gentleman from Presque Isle, Mr. Kitchen, the pending question being acceptance of either report; and the Chair recognizes the gentleman.

Mr. KITCHEN: Mr. Speaker and Members: This is also an accompanying act, authorizing the State Treasurer, under the direction of the Governor and Council, to issue bonds in case they are authorized by the people. It is an accompanying act that always accompanies a

constitutional amendment providing for highway bonds, and I move that the House accept the minority report ought to pass on this.

A viva voce vote being taken, the minority report ought to pass was accepted; and on further motion by the same gentleman the bill received its two several readings and was assigned for 3 o'clock this afternoon.

The SPEAKER: The Chair presents the third matter today assigned, House report ought to pass in new draft, committee on Ways and Bridges, on bill an act to establish a State Highway Commission, H. P. 1758, H. D. 827, tabled on April 10th by the gentleman from Dover-Foxcroft, Mr. Merrill, the pending question being acceptance of report; and the Chair recognizes the gentleman.

Mr. MERRILL: Mr. Speaker, in urging the acceptance of the report on this bill, I have very little to say except that from the divers opinions expressed on the part of the various members of this House regarding the best form in which to present a bill constituting a new Highway Commission, this seemed to our committee the wisest course, to present the bill in the simplest possible terms. That we have accomplished that purpose, I think you will all agree on the reading of the bill.

It makes very little difference from the present commission form under which we work. It does provide what I think everyone will admit is nothing more than just an increase in the salaries of those officials. There have been various thoughts expressed as to the advisability of a full-time commission, a one-man commission, a commission with an advisory board of five or seven members, all of which features might bear some admirable qualities, but it was deemed by our committee as a whole, as shown by our unanimous vote, that this particular form, in its directness, and in its simplicity, provided the best and most workable vehicle to present to the House for its action. Without any more comment, I move the acceptance of the report.

A viva voce vote being taken, the report of the committee was accepted; and on further motion by the

same gentleman the bill received its two several readings.

Mr. QUINT: Mr. Speaker, I wish to offer House Amendment A to House Paper 1758. House Document 827, bill an act to establish a State Highway Commission, and move that the bill and amendment lie on the table pending printing of the amendment, and be specially assigned for tomorrow morning.

The SPEAKER: The gentleman from Limerick, Mr. Quint, offers House Amendment A to House Paper 1758 and moves its adoption. The effect of House Amendment A is to strike out all after the enacting clause and to substitute a new bill. The gentleman from Limerick (Mr. Quint) moves that the bill and amendment lie upon the table and that the amendment be printed and specially assigned for tomorrow morning. The Chair will inform the gentleman that the bill might be back from the printer this afternoon—

Mr. ALDRICH of Topsham: Mr. Speaker—

The SPEAKER: The gentleman from Topsham, Mr. Aldrich, may not debate the motion to table the amendment.

Mr. ALDRICH: No, Mr. Speaker, I want to speak on the motion relative to the assignment.

The SPEAKER: The gentleman may do so.

Mr. ALDRICH: Mr. Speaker, we have before us an entirely new matter, which we have received in printed form for the first time this morning. Now there is an amendment offered the nature of which I am entirely ignorant, and I would move, Mr. Speaker, that that matter be specially assigned, and I would amend the gentleman's motion as to the assignment that it be specially assigned for tomorrow morning.

The SPEAKER: The gentleman from Topsham, Mr. Aldrich, moves to amend the motion of the gentleman from Limerick, Mr. Quint, with respect to the time of assignment by substituting tomorrow morning for three o'clock this afternoon.

A viva voce vote being doubted, a division was had,

Fifty-four having voted in favor of the motion and 67 in opposition, thereto, the motion was lost; on motion by Mr. Quint, the bill and amendment were tabled and spec-

ially assigned for three o'clock this afternoon.

Mr. PERHAM of West Paris: Mr. Speaker, is this amendment of such length but what it could be read at this time just as a matter of information?

The SPEAKER: The amendment may be read to the members.

House Amendment A was read by the Clerk as follows:

#### House Amendment A to House Document 827

House Paper No. 1758 is hereby amended by striking out all after the enacting clause and substituting therefor the following:

"Sec. 1. Section three of chapter twenty-five of the Revised Statutes is hereby amended by striking out the whole of said section and inserting in lieu thereof to read as follows:

"Sec. 3. The state highway commission as heretofore established shall consist of seven members, one from each councilor district, to be elected by the Legislature at the same time and in the same manner as Councilors are elected, two to serve for two years, two to serve for four years and three to serve for six years; and thereafter, as the terms expire each member shall be elected to serve for a term of six years. The first term of office for the member from each councilor district shall be determined by the Secretary of State, by drawing by lot, in the presence of the Governor and Council. In case of vacancies occurring between legislative sessions, the Governor with the advice and consent of the Council, shall appoint a member from the same councilor district to serve until his successor is chosen by the next incoming Legislature, to fill the unexpired term in which the vacancy occurred. Said Commission when elected and qualified under this act shall succeed to all the rights and powers, and perform all the duties, of the present State Highway Commission, which is hereby abolished. The Commission shall have sole charge of the property, interests, business, and transactions of the highway department, with sole power and authority to manage and conduct the same. The commission shall annually choose a chairman from its members, and in case of a failure to make such choice, the Gov-

ernor shall appoint the chairman. The attorney-general shall be attorney for the commission and shall without additional compensation give such advice and service as it may from time to time require. The commission shall adopt and have a seal, and keep a record of all its proceedings, which shall be open to public inspection during business hours.

'The Commission shall be furnished with suitable offices at the seat of government, and shall perform all the duties and may exercise all the powers expressly or impliedly given by this chapter, and by the act entitled "An act relative to motor vehicles and the Law of the Road, and to revise and amend chapter twenty-six of the revised statutes and amendments thereof and additional thereto." The members of this commission shall meet in executive session at the seat of government on the second Tuesday and Wednesday of each month, and shall meet at other times and places, as shall be designated from time to time, by the chairman and by the executive manager. No member of this commission shall have any official or professional connection with, or hold any stock or securities in any road-building or bridge-building firm or corporation engaged in work in the State of Maine, nor shall he supply to the state any labor or material for construction, maintenance or repair work upon ways and bridges in which the state is engaged, nor shall he render any professional service for or against any firm, person or corporation engaged in such work, nor shall he be a member of any firm which shall render any such service. No member of said commission shall serve on or under any committee of any political party.

The commission shall make an annual report to the Governor and Council of its doings and expenditures, and also make a report to each regular session of the Legislature for the preceeding two years, with such statement relative to the construction and maintenance of public highways and bridges and such recommendations as to the general policy of the state relative thereto as it considers appropriate. The report shall be transmitted to the Secretary of the State on or before the thirty-first day of Decem-

ber of each year. The commission shall have full power to enforce all contracts made by the present highway commission, both at law and in equity.'

"Sec. 2. Section four of chapter twenty-five of the Revised Statutes is hereby amended by striking out the whole of said section and inserting in lieu thereof, the following:

'Sec. 4. The commission shall select and appoint as Executive Manager a person who has had at least fifteen years experience as a business executive and who has a thorough knowledge of highway construction and maintenance. Said Executive Manager shall hold office during the pleasure of the commission, and may be removed from office by a two-thirds vote of all members of the commission.

The Executive Manager, shall, under the supervision of the State Highway Commission, have charge of and manage the active business operations of the State Highway department. He shall perform such further duties and make such reports as may be required of him by the commission, and shall receive such salary, not exceeding twelve thousand dollars per annum, as may be fixed by the commission.

He may, with the approval of the commission, employ such engineers, supervisors, assistants and help as he may deem necessary in the administration and execution of this chapter. All salaries and expenses contemplated by this section shall be paid from the fund for maintenance and administration.

"Sec. 3. The compensation for each member of the highway commission for the performance of his duties as outlined in this act shall be the sum of two thousand dollars per year and expenses."

Mr. CHASE of Cape Elizabeth: Mr. Speaker, I rise to a point of order. The amendment as read appears to be to the House Document number, and I would move that the Clerk be authorized to correct that as a clerical error so that the amendment may be to the House Paper.

The SPEAKER: The correction may be made as a matter of course.

The SPEAKER: The Chair presents the first matter tabled and unassigned, House report ought to



pass in new draft, committee on Judiciary, on bill an act relating to licensing operators of motor vehicles after their conviction of operating the same while under the influence of intoxicating liquor, H. P. 1468, H. D. 511, new draft H. P. 1699, tabled on April 9th by the gentleman from Kingfield, Mr. Wing, the pending question being acceptance of report; and the Chair recognizes the gentleman.

Mr. WING: Mr. Speaker and Members of the House: Senate Document 399 which we passed to be engrossed this morning, takes the place of this bill, and I would move that this matter be retabled and specially assigned, - - -

The SPEAKER: The Chair would suggest that the gentleman simply table the bill and leave it unassigned.

Thereupon, a viva voce vote being taken, the bill was retabled and unassigned.

The SPEAKER: The Chair presents the second matter tabled and unassigned, House reports, majority report ought to pass in new draft, minority report ought not to pass, committee on Ways and Bridges, on bill an act to authorize the Treasurer of State, under the direction of the Governor and Council, to issue bonds for State highway and bridge construction, conditional on the adoption by the people of a constitutional amendment authorizing such bonds, H. P. 451, H. D. 142, new draft H. P. 1728, H. D. 801, tabled on April 9th by the gentleman from Dover-Foxcroft, Mr. Merrill, the pending question being acceptance of either report; and the Chair recognizes the gentleman.

Mr. MERRILL: Mr. Speaker, I wish to state my attitude in presenting this matter—that I am extremely conscious of my inability to express adequately to you as well as I wish I might my understanding of the advantages of a bond issue. I wish you also to understand that I do not stand here in any sense with the feeling that I can instruct the members of this House. I simply wish, if possible to show to you the reasons that have appealed to me and that have caused me to change my opinion from the day when I came down to this session fully determined to oppose a bond

issue up to today, when I am heartily advocating the bond issue. So I want to talk to you as man to man and man to woman, as though we were chatting, I expressing my opinion, considering your rights to hold your own opinion, talking to you as one man of average intelligence, I hope, to other men and women of average intelligence.

(At this point Mr. Chase of Cape Elizabeth, assumed the Chair, amid the applause of the House, the members rising)

Mr. MERRILL continuing: In the first place, the question to be decided in our minds is: Do we need additional funds with which to continue a progressive program of highway construction? If we grant that we do, then the important question becomes: What is the wisest method in securing those funds? It is not a question of a fight, it is a question of a calm and reasonable consideration of the facts that we have to face.

This House yesterday voted for a gas tax increase of one cent. I wish to deal with that just a moment in its relation to a possible source of funds. As I stated yesterday, the principle of the gas tax is right; it is the most eminently fair tax, to my way of thinking, that was ever assessed. But let us look back two years. We find that on the passage of the act to increase the gas tax from three to four cents, petitions were presented to the Governor invoking a referendum; some 12,000 names appeared on those petitions, a sufficient number to have invoked the referendum, but the Governor declared that over 2,000 of those names could not be legally considered as sufficiently accurate to determine the fact that there were 10,000 or the required number to invoke the referendum, and no referendum was held. I assume that if that happened two years ago, that the proposal now to increase the gas tax from four to five cents would certainly meet with the same opposition. Twelve thousand names at least could easily be secured on petitions invoking a referendum. If the referendum was secured, and if the question of the increase of the gas tax from four cents to five cents was placed before the people

of this State next September, I say this, without any prejudice—I say it not because I am opposing that—I say it not because I am favoring the bond issue, but I say it as a matter of my calm, determined judgment—and that is that it will surely go down to defeat at the hands and by the votes of the people of the State; so that if your five cent tax proposition becomes any part of your program, I fear that the funds available for highway construction would be limited by just that much.

I think the property tax has to be touched upon in the consideration of this bond issue because I have to speak of the property tax in speaking of the bond issue. I firmly believe that the accompanying measures to the pay-as-you-go program, the three hundred thousand dollar appropriation to be raised by that direct taxation, which is nearly one-third of a mill, is impracticable at this time and could not, by any possibility, get outside of this State House, and if by any possibility it did, it would likewise be defeated.

Now the other method is by the issuance of bonds. I presume we all have the old New England conservatism that dislikes the thought of debt. I hope I will be able to show you, as I have been able to convince myself, that the proposed bond issue is not, in the strict sense, a mortgaging of this State, it is not, in its strictest sense, a debt. My conception of a mortgage or a debt, of which a bond issue is the outstanding evidence, is that of placing a mortgage on your home or on some tangible bit of real estate to raise money with which to purchase something which you think you need or want, and that has to be paid out of a fixed, possibly, and limited income. If you die and are not protected by adequate insurance and fail to meet these debts, your property may become confiscated.

If a man can go to a banking institution, or does go to a banking institution, and can show that bank that he has a fixed income, that if the bank will loan him money on what he can show that bank is his credit and what is his fixed income at that time, and that by the use of the loan he can increase his business, can make his business more

economical, more advantageous, can increase production, that bank does not hesitate, after satisfying itself of these facts, to loan that man money on that security. The bank loans its credit. We make over, pledge a certain portion of our income which is not dependent upon a job in the instance I am speaking of. We pledge a certain amount of a fixed income to the retirement of that obligation; we are not mortgaging anything that we have. Even were we mortgaging in this instance of the State, does it invalidate the credit of this State, worth around \$800,000,000 of itself, to incur an obligation of credit to the extent of fifty millions of dollars?

What can we do with this loan? This bond issue is nothing but that we are asking the State as a bank to loan its credit, that we may float bonds to use in the business of highway construction and maintenance, and we can show this bank that we have an income not only sufficient to service those bonds as to principal and interest and retire them, which is provided for subsequently in the act itself, when due; not only that, but there will be enough to pay the departmental expenses of the Highway Police and the Registration Department, the sum of \$425,000, and then have a surplus directly applicable to other types of highways in the first year of its operation of more than \$600,000, which balance goes on increasingly every year until the full maturity and payment of the last bond.

I do not know as I have made my thought clear to your minds. It is difficult, as I say, to get away from that idea that if this State issues bonds for highway purposes, it is running into debt. It is not so. It is loaning its credit for a business operation and is guaranteeing the reimbursement and retirement of its indebtedness by a fixed income from registration fees alone, which will more than take care of the servicing of these bonds, take care of the departmental expenses, and leave that balance which is increasing year after year.

If we are satisfied to go on as we have been going on, building two miles here, three miles there, four miles somewhere else, a mile somewhere else, if we are satisfied with that policy, if we are satisfied with getting along without funds enough to meet the Federal Aid, if

we are satisfied to be twenty-five years in providing roads for the State of Maine which we may have in five years by the adoption of this credit plan, then that is for you to say and the people of the State to say—it is not for me.

The obtaining of funds from a bond issue is not peculiar to Maine. It is the custom of nearly all of the states that are doing progressive road work. A great many feel and say that it is very unwise to put money into something that will wear out before the term of the bonds expires. I would like to give you my thought there. The roads constructed, as they are being constructed today, have been increasingly improved in construction as the Nation has learned more how to build better roads. The surface of the road, the part that comes in contact with traffic, is the only part of your road that wears out, and properly treated, resurfaced at proper intervals, you are maintaining the foundation of your road and you are keeping, by the maintenance funds, the surface of your roads practically indestructible. The life of such a road is not known.

A road properly built, drained, and with heavy under-construction, with the surface which is the only part that can wear out, treated at proper intervals out of the maintenance fund, is a saving proposition. You can build with this amount of money—you can build with this twenty million dollar proposed bond issue—500 miles of gravel road at \$20,000, a mile, 143 miles of bituminous macadam at \$35,000 a mile, 83 1-3 miles of cement roads at an average cost of \$60,000 per mile—and what will be the result from that construction? On those roads so treated, so built, you will be able to reduce the maintenance cost from \$1,200 a year to \$125 a year, which saving of about \$1,000 per mile can be directly credited against your interest charge on your bonds. Again, your interest charges on your bonds need not be a deterrent in anyone's mind because, more than that saving, it has been demonstrated beyond the possibility of question that the saving to the user of the improved highway, in gasoline consumption, in wear and tear on tires and machines, in the increased loads that may be hauled,

the direct saving effected is 22 per cent. Now you do not see that 22 per cent saving every Saturday night in your envelope, and it is difficult to believe that we get that saving, but it has been demonstrated, I think, that we do effect that saving, and if so it is certainly a good business proposition to hire money at four and four and a half per cent which is returning to us 22 per cent to everyone who uses such improved highways.

Now the question has arisen: What will we do at the end of the period of five years, which is the proposed time covered by the expenditure of the \$20,000,000 bond issue? What is the answer? Shall we not have to have another bond issue?

This is my idea, which I believe is based on sound reasoning: When we have constructed about 469 miles as estimated under this bond issue, we have eliminated that much mileage from consideration for the immediate future except as to maintenance; we have eliminated that much mileage as regards new construction, and we have therefore lessened by that much the need of any new bond money. More and more, as the years pass, after the peak load of around 1934, coming back into the treasury, unneeded for servicing of bonds, is an increasing balance from registration fees which may not increase beyond a year or two more—none of us know—but figuring such increase as has been actually taking place in the last two years, we will still have, in about 1935, 1936, or 1937, from the increasing balance coming back, from a million to two million dollars of loose money. That is unallocated moneys which can then be allocated to maintenance, which means surfacing and upkeep of the roads.

At the present time we are a quarter of a cent above the average for the United States in our gas tax. We are in excess of any of our neighboring states in New England. I do not fear that a higher gas tax would keep tourists out of the State of Maine who wanted to come into it. To my mind that is a very unreasonable argument. I do fear, however, that it might militate against tourists who cared but very little whether they toured into Maine or New Hampshire up into Canada; it might

militate against us for them to feel that we, a state stuck off in the eastern corner of the United States, had a higher gas tax rate than any other state in New England; but that argument is not weighty enough to be talked about particularly, to my mind. It does seem to me unwise to place ourselves with the very few—seven, I think—widely scattered states of the Union that have a five cent gas tax.

In five years' time, when this bond money shall have been expended with the tendency in all states to increase in gas tax, we may very probably be below the national average, and can, with good grace and wisdom, increase our gas tax by one cent without any objection on the part of anybody in the State; we can very likely at that time increase our income, if necessary, to keep on an even keel with our bond issue. Because of the fact that we have been and shall have for the next five years increasingly enlarged our public institutions to take care of the destitute and the feeble-minded and the insane and the criminal classes, we may have arrived at the point, in five or six or seven or eight or nine years, that we will not have to appropriate from tax money the amount that we have had to provide for the care of these institutions. If that becomes true—and I believe it will—we will then be more easily able to apply half a mill or possibly a mill property tax in addition. In other words, I can see available funds in sufficient quantity at the expiration of five years, having completed our highway construction on roads into every county of the State of Maine, into Kittery, Calais and Fort Kent, up into my county and through Somerset County. Having completed those roads planned and laid out in 1923, there is no further need of bond issues, unless some future Legislature or generation decides that it is advisable and advantageous to the State of Maine to extend its trunk line system, in which case probably other bond issues will be necessary—but that is for the future to take care of.

I believe that we should not unnecessarily load the future with obligations, but, as it seems to me, with this \$20,000,000 bond issue, we are not loading the future with any obligations; we are arranging, as

the careful parent does, for the welfare of his child; we are arranging that the indebtedness shall be taken care of out of funds now at our disposal and which we allocate for that very purpose. If new problems arise—and we shall always have the highway problem with us until our tremendous mileage in Maine has been entirely rebuilt—when such time comes we must not think that the future generations cannot care for their problems as adequately as we are attempting to care for ours, and while we should not burden them with things that we might well do ourselves, neither should we take the attitude that they will not be able to take care of this when the time comes.

For these reasons, and many more which I could adduce by reading to you figures—but I confess to you that I am a dumbbell at figures. When it comes to remembering, I believe fairly that to read a mass of figures to a man of ordinary intelligence, like myself, unless he has time to sit down and study and study and absorb those things, it is meaningless and is useless at a time like this.

Furthermore, it has been said and suggested that not enough money was appropriated or allocated under either the bond issue system or the pay-as-you-go program to take care of our State Aid highways. I say to you that in voting for a bond issue you are not voting for an inelastic program. Before the final set-up is made, changes can be made to take care of anything like that which may be considered needed.

I think I have said perhaps enough on this subject. I hope I have not appeared to be preaching or speaking from any assumed superiority. I do not feel that I have. I have tried, as I said to you in the beginning, simply to show you how I have become convinced that at the present time, considering the inadequacy of the provisions of the pay-as-you-go program, considering not only its inadequacy, but, as I see it, the impossibility of securing funds that way,—for the reasons that I have mentioned, I have become convinced that if we want roads, and if we want roads built in larger sections than one, two or three miles in a place, which

is uneconomical, we should have a large bond issue, large enough so that contracts can be let for five, six or seven or ten miles on a stretch, thereby enabling the work to be done much more economically than it can be done under the pay-as-you-go or the catch-as-you-can program.

Mr. PERHAM of West Paris: Mr. Speaker, as usual, I shall take but just a very few minutes of your time, and I hope you will allow me that. I would like to leave Mr. Merrill's territory and go up to Oxford County for a few minutes. I would like to say that through Oxford County we have a Federal highway, and also that much work is being done on third-class and State Aid roads, and I am convinced of one thing,—that it is a great benefit to our section of Oxford County, and enough so that the demand is going throughout the town for more State Aid roads through the different methods of getting it—that is third-class highways.

There is one fact that faces all of us here, and that is that the State is confronted by an urgent need for road money. I believe thoroughly in the principle of the Kitchen gas tax, but I do not believe in it at this time, because I feel that for the next five years we have got to take it on a business proposition to handle the demands of the people for the coming five years, and that we have to rely on the gas tax after that.

I believe that the bond issue, so to speak, is a business proposition for the State of Maine. The only objection that I have had previously to this bond issue is that I wanted to feel that we were going to have a business administration to handle that money, and by the talk I have heard this morning I feel that we are going to have it, and I feel that when we spend this money that it is going to be spent in a manner whereby we are going to get a dollar's worth of value when we pay out a dollar. For that reason, gentlemen of the Legislature, I believe in the bond issue at this time as against the gas tax.

Mr. KITCHEN of Presque Isle: Mr. Speaker, it is not my intention at this time to enter into extensive argument in opposition to the bond issue. The hour is growing late. I could well stand here, with what information I have at hand, and of-

fer opposition against further bond issues at great length, but I am not going to do so, for two reasons: First, because of the fact you all know my position in the matter from my statements yesterday. Second, because of the fact my hands are tied definitely.

My good friend, Mr. Merrill, who is a member on the committee, yesterday, while rising in his seat and opposing the gas tax, did not use all of the persuasive arguments that he might have used against it. He was very fair and courteous to me. For that reason I am simply going to leave this to the members of the House in so far as I am concerned to decide for themselves as to what their vote will be.

Mr. LEONARD of Hampden: Mr. Speaker and members of this Legislature: I rise to represent the old saving disposition of our forefathers. If you vote the \$20,000,000 of bonds, it means a debt of twenty-five dollars for every man, woman and child in this State. We have nineteen millions already issued. That will pretty near double it, over \$50 for every one of our 750,000 population. You eliminate the women and children and those who do not pay hardly any taxes except poll tax, and the people who are going to pay this tax you put hundred of dollars on them.

Will industry come to this State with a high tax rate and assume their part of this forty million dollar debt? Will the people have any money left to buy cars with from the automobile dealers who are sponsoring this bill?

Today we are paying \$552,000 interest on bonds we owe. If we issue \$20,000,000 more it will be almost double. Mr. Kitchen's plan calls for a direct tax of \$300,000. Where does that direct tax go? It goes into the roads. Under the bond issue, if we raise around a million dollars every year to pay interest, where does that money go? It goes into the pockets of the investors.

I will just simply say: Who are you going to represent here? Are you going to represent the interests of the State for the interests of those who have money to invest?

Mr. MERRILL: Mr. Speaker, the gentleman from Hampden, (Mr. Leonard) has raised a question which I had intended to touch upon. There seems to be an idea rather prevalent that in some way

the taxpayers of this State will have to stand behind these bonds and that in some way the taxpayers must pay the interest and the retirement of these bonds.

I wish to say this: When you have paid your registration fee on your automobile, which you do every year, you have paid all that you ever can be called upon to pay toward the retirement of bonds and the servicing of those bonds in interest money. There can, by no stretch of imagination, one iota of tax be levied upon the property of this State to service and retire the bonds. The motor car registration fees,—not a tax—the privilege you are now paying for to run your automobile, will be diverted into the channels of servicing these bonds. It is a much better plan for the poor man than your gas tax or your \$300,000 appropriation direct from a tax in which you will have to bear your share.

This bond proposition removes from the shoulders of the taxpayers of this State any additional burden of taxes; it provides that those who drive automobiles will pay every dollar until the last bond is retired. I wish to make that point clear.

Mr. BISSETT of Portland: Mr. Speaker, I have listened very attentively to this question pro and con, and I also went to the hearings on this question and attended them very constantly and was very much interested. I listened to the gentleman from Hampden, Mr. Leonard, saying that it would cost every man and woman in the State twenty-five dollars per year. Perhaps that is right. There is one question here that has not been touched on. This Legislature may vote yes or no but in September it is the people of this State who will say whether they want this bond issue or not. I believe in the last two years our pay-as-you-go program has not been successful, and I am certainly in hopes that this Legislature will let it go to our people where the water power question and everything else has gone, for them to decide.

Mr. INGRAHAM of Bangor: Mr. Speaker, I think I can offer in a very few minutes a very conclusive argument against any bond issue. I want to ask you what is a bond issue but a direct mortgage on your property, whether it is your auto-

mobile or whether it is your home?

This is from the office of the Treasurer of the State of Maine, December 31, 1928. September 1, 1913, we placed a bond issue of \$300,000 at four per cent. We have outstanding of that issue \$187,500. On July 1st, 1914 we placed an issue of \$500,000 at four per cent, and there is outstanding \$299,000. Coming down to April 1, 1915, there was another \$500,000 issue, and there is unpaid \$225,000, and various other amounts. April 1, 1920 we issued \$2,500,000 of bonds at five per cent—I might add here there is no reason for the State of Maine paying five per cent on her bonds—that outstanding amount is now \$2,500,000. Going down to the total of these bonds issued for road construction, we have issued \$15,318,500. We have outstanding \$13,432,500, and with the addition we just put on here it brings them right back to where they were, and they have not been paid. This is the record in sixteen years down to 1928.

I think many of you people here realize it is a very easy matter to get a mortgage on a good piece of property, but it is pretty hard to pay it off. I know from experience. You have money to retire your bonds, yet they do not seem to be retired.

The story of the bond issue put up by Dr. Merrill reminds me of the salesman who tried to sell me an interest in a fox farm, or a cat farm, rather. You got twenty-five cents for the pelts, and you got some rats and fed the cats on the rats, and you would feed the rats on the carcasses of the cats, and therefore you would have perpetual motion and that is just what we will have in regard to the bond issue. (Applause)

Mr. Merrill of Dover-Foxcroft was granted permission of the House to speak a third time.

Mr. MERRILL: Mr. Speaker, I am somewhat surprised, and I am wondering which is the sincere expression. Within two weeks the gentleman from Bangor (Mr. Ingraham) came to me and declared that he did not think the \$20,000,000 bond issue was large enough, and that he would gladly support a bond issue for \$50,000,000 if we could have it to use on the roads now. I, today, am astonished at his statement, which is absolutely ir-

reconcilable with that proposition. He stated at that time he had a man, an expert accountant, figuring upon a maturity plan or something of that sort, and would have the figures here within a few days to submit to me, evidently trying to get my support for a larger bond issue instead of none. I have failed to reconcile his attitude, and in my own mind his attitude of two weeks ago nullifies his attitude of today. (Applause)

Mr. INGRAHAM of Bangor: Mr. Speaker, I think I have the same privilege of changing my mind as Dr. Merrill has to change his mind from the time he came over here. I am in favor of a bond issue of \$50,000,000, which I could take on to the street in New York and get financed for 3 1-2 per cent or possibly at a premium that would retire these old bonds, build our entire trunk line highways with cement,—the balance of these highways. I find it impossible to interest people in the proposition. After careful study I find that this \$15,000,000 or \$20,000,000 does not fill the gap. It will leave a few miles of gravel road, leave a few miles of macadam road, and a few miles of cement. If a \$50,000,000 bond issue could be placed for the retiring of these old bonds and connecting up our main trunk lines with macadam, I would support it, but I will not support the waste of \$20,000,000 to further patch up these roads.

Mr. BOVE of Naples: Mr. Speaker, I desire at this time to go on record that I am strongly in favor of this \$20,000,000 bond issue. And the reason that I am in favor of it, Mr. Speaker, and Members of the House, if you will bear with me just a few minutes, I will tell you.

I have been travelling through some European countries, and I have been in a number of the states in our United States and I am going to tell you now that we are very fortunate, indeed, to have about everything that they are lacking but one thing, and one thing only, and that is good roads. I never have yet seen a country or a State that looks to me just as handsome during the winter months,—our mountains, covered with snow, and our lakes covered with ice—as it does in the summer time, covered with verdure.

I wish to state the reason why I am in favor of this bill is because

we have got to have roads in order to have out-of-state people come to our State. Now in the condition that we are, we do not have so many people as we would if our roads were built.

Sunday afternoon some of my neighbors told me that this year there has not been a day during this winter that they did not see automobiles go through the beautiful little town of Naples. As far as I am concerned, I have a good road that goes by my place. But that is not the proposition. The proposition is that we should have good roads all over the State of Maine. I was told only yesterday that there is one county in our State that has only twelve miles of macadam road, and they should have more.

Now the question seems to be that we are worrying about what we are going to do when these bonds expire. I have faith in future Legislatures, and there is no question in my mind but that at the expiration of these bonds, that future Legislatures will take care of them. Therefore I am in favor of the \$20,000,000 bond issue, Mr. Speaker and Members. I thank you. (Applause.)

Mr. LOCKE of Biddeford: Mr. Speaker, I might say in opening that I am not opposed to a bond issue, but the question that has concerned me since this argument started this morning is by whom that bond issue is to be spent. That seems to me the vital question.

The bond issue contains a constitutional referendum which must be submitted to the people in September. We have at this time before this House two distinct measures for a Highway Commission. Is the present Highway Commission to expend the money? If so, why the need of other Commissioners? That is the question to my mind, ladies and gentlemen, that we should consider first,—as to who is going to spend this money. We cannot go before the people after this Legislature adjourns and ask them to support a constitutional amendment until we know ourselves, before we leave here, by whom the money is to be spent. I am not opposing any motion for a bond issue, but that thought has just occurred to me, and it seems to me to be the vital question that the whole of us here are concerned

with before we can submit any proposition of bond issue to the people.

Mr. LOWELL of Lincoln: Mr. Speaker, after listening to my few feeble remarks in this House yesterday, I feel there is no doubt in your minds as to my attitude toward the bond issue. I believe it unwise, and I do not believe it necessary to bond this State for \$20,000,000 at this time for the building of our highways. I believe there is a better method. I believe that in placing \$20,000,000 more upon this State, together with what we already are bonded for, making nearly \$40,000,000, is too large an indebtedness, too great a burden for a State with our small valuation and our seven or eight hundred thousand people to carry.

I have a communication, and you all have had that communication, from the Maine Automobile Association. No doubt you have studied it and analyzed it. I have heard it discussed before the Ways and Bridges Committee and some parts of it may look good, but I am not ready to accept it. The introductory part of it, however, does sound good, and that part is what appeals to the people. The money is immediately obtainable and does not impose any present burden of taxation. That is what appeals to our people. A certain part of the people are ready and willing to buy most anything you have to offer if they can buy it on time—on the installment plan, so to speak; they would be willing to bond this State for any amount. That is why the people are ready to accept the bond issue.

Now I believe there is a better plan than mortgaging this State. I have heard remarks here today that this did not mortgage the State and placed no burden of taxation on the people. To my mind I believe it does. I believe when you bond this State for \$40,000,000, you are placing a mortgage upon the State of Maine, upon every little industry and every home and farm, and the money must be forthcoming somewhere. The bond issue is an easy method of getting this money. It is, I will admit, following the lines of the least resistance, and perhaps we will not have to meet that obligation. Now I believe that we should try and avoid doing this,

that we can get by and hand to our posterity a State not too heavily mortgaged. When we place another mortgage upon this State, we can never hope to pay it—this generation—but we will be handing to them a State heavily mortgaged and for what? For building roads and highways which we have worn out and which we have benefitted by and enjoyed and which they have never seen. Let us show to our posterity that we were in a way self-supporting and are not shouldering our responsibilities upon them. They will have their troubles and their problems to solve in the day in which they live, and I hope that the motion to accept the majority report will not prevail.

Mr. RUMILL of Tremont: Mr. Speaker and Members of the Legislature: I want to go on record as opposed to any increase in the gasoline tax. One of my reasons is because of the large list of remonstrances against such acts sent to me from my constituents. My primary reason is because I am thoroughly convinced in my mind, after the very full explanation from one of the proponents, Dr. Merrill, that this act is not a mortgage in the full sense of the word; it is simply loaning a credit, and I am thoroughly convinced that it is the most feasible way in which to provide funds for the sustenance of the extensive road program that is now before us. For that reason I oppose the gentleman's motion to accept the minority report.

Mr. WING of Kingfield: Mr. Speaker and Members of the House, I wish to bring to the attention of the members only one thing in regard to the proposed program for road building.

At the hearing it was brought out, in regard to State Aid roads and maintenance, that neither program was sufficient. Now in this program there are only three things we need to consider: The building of State roads, the building of State Aid roads, and the maintenance.

After the hearing before the committee, as I said, it was brought out that either program was deficient to the extent of from eight hundred thousand to a million dollars a year, in providing what was necessary for State roads and for maintenance.



Provision after that was made for the taking care of State Aid roads, because every man in the Legislature was interested that the State meet the demands of the towns under that State Aid law. The maintenance proposition seemed to be less urgent, and has not been taken care of.

Now I feel that if this bond issue program is accepted by this Legislature, we shall have a program that does not take care of the maintenance of the roads which we have built now. For the last six years we have probably run behind at least \$150,000 a year on maintenance. In other words, if we had appropriated \$150,000 more a year in the last six years, it would no more than have taken care of the situation. For the present year there is no program offered, and there would probably be a deficiency if we were considering taking care of the roads as they should be, of nearly a million dollars. Two years from now the deficiency will be more, and under this program which is proposed only a little over two million dollars, \$2,300,000, is set aside for a year from now for maintenance.

I submit that if we are able to put \$3,800,000 a year into State roads, and we have made provision so that we shall build probably close to 300 miles of State road, that we should make provision for the maintenance, proper provision; and I submit that at least \$700,000 more is needed for that which is suggested in these programs. It seems to me, and I feel that if this program is killed that the people interested in the road program will put one together and will provide for maintenance. I feel that they understand the situation and that they will demand that the maintenance proposition be taken care of in either proposition. For that reason I shall vote against the bond issue program.

The SPEAKER pro tem: The gentleman from Dover-Foxcroft, Mr. Merrill, moves the acceptance of the majority report, ought to pass in new draft. Is the House ready for the question.

The question was called for.

Mr. BLAISDELL of Franklin: Mr. Speaker, when the vote is taken, I move that it be taken by yeas and nays.

The SPEAKER pro tem: The gentleman from Franklin, Mr. Blaisdell, moves that when the vote is taken, it be by the yeas and nays. As many as are in favor of the motion will rise and stand in their places until counted and monitors have returned the count.

The SPEAKER pro tem: A sufficient number obviously having arisen, the yeas and nays are ordered. The question is on the acceptance of the majority report, ought to pass in new draft, on bill an act to authorize the Treasurer of State under the direction of the Governor and Council to issue bonds for State highway and bridge construction, conditional on the adoption by the people of a constitutional amendment authorizing such bonds, the new draft being House Document 801. Those in favor of the motion will answer yes when their name is called and those opposed will answer no. Is the question clear to the House?

Mr. ROUNDS of Portland: Mr. Speaker, is this the \$20,000,000 bond issue?

The SPEAKER pro tem: The Chair so understands. The question is on the acceptance of the majority report. The Clerk will call the roll.

YEA—Allen, Camden; Allen, Sanford; Bachelder, Bisbee, Bishop, Blissett, Blodgett, Boston, Bove, Burkett, Union; Butler, Carleton, Portland; Chase, Daigle, Day, Eaton, Farris, Ford, Foster, Friend, Gagne, Gay, Hamel, George; Hathaway, Hawkes, Standish; Holbrook, Jack, Jackson, Bath; Jacobs, Wells; Jones, Winthrop; Kane, King, Littlefield, Farmingdale; Littlefield, Monroe; Locke, Lombard, McLean, Melcher, Merrill, Morse, Rumford; O'Connell, Perham, Perkins, Rackliff, Roach, Robie, Rogers, Greenville; Rumill, St. Clair, Small, Freedom; Sterling, Kittery; Sterling, Caratunk Pl.; Sturtevant, Thatcher, Tucker, Varnum, Webster, Auburn; Webster, Buxton; Williamson, Wright—60.

NAY—Adams, Aldrich, Anderson, New Sweden; Anderson, South Portland; Angell, Bailey, Belleau, Blaisdell, Blanchard, Briggs, Burkett, Portland; Burns, Burr, Buzzell, Campbell, Carleton, Winterport; Clark, Clifford, Comins, Crawford, Dudley, Fogg, Folsom, Gillespie, Harrington, Hatch, Hawkes, Richmond; Heath, Hill, Holman, Hubbard, Hughes, Hunt, Hurd, Ingraham, Jackson, Portland; Jacobs, Auburn; Jones, Corinna; Jones, Waterville, Jones, Windsor; Kitchen, Laughlin, Lenfest, Leonard, Lewis, Libby, Lowell, MacKinnon, Mans-

field, McCart, McKnight, Milliken, Morin, Morse, Oakland; Palmer, Patterson, Picher, Potter, Powers, Pratt, Quint, Rea, Richardson, Rogers, Yarmouth; Rounds, Roy, Sargent, Seavey, Small, East Machias; Stanley, Stetson, Stone, Stuart, Sturgis, Taylor, Towne, Vose, Ward, White, Dyer Brook; Wight, Newry; Wing—81.

ABSENT—Ashby, Boynton, Couture, Hamel, Rudolphe; Hammond, Peacock, Pike, Saucier—8.

The SPEAKER pro tem: Sixty having voted in the affirmative and 81 in the negative, the motion does not prevail.

Thereupon, on motion by Mr. Kitchen, the House voted to accept the minority report ought not to pass.

On motion by Mr. Kitchen of Presque Isle,

The House recessed until 3 o'clock this afternoon.

#### After Recess—3 P. M.

The Speaker in the Chair.

Mr. LOCKE of Biddeford: Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER: The gentleman from Biddeford, Mr. Locke, rises to a personal privilege. The gentleman may state the question.

Mr. LOCKE: Mr. Speaker, it may or may not have any bearing on this body this afternoon, but pending legislation has disturbed my slumbers so much that the other night, after I did go to sleep I had a dream,—one of the queerest dreams, I think, that anybody ever had.

I saw ALDRICH CHASE DAY to BOSTON in a FORD of Brooklin to Save his FOSTER FRIEND from Skowhegan who was GAY. I saw the HAWKES of Richmond and Standish HUNT the PEACOCK to Presque Isle, where it was found on the WING in the KITCHEN. After going the ROUNDS they were stopped by theories of an ANGELL and BISHOP who came back to TOWNE and turned to STONE — that was WRIGHT. (Laughter)

Members of this House, who have read or have heard it exclaimed in small country churches and in great cathedrals the voice of one crying in the wilderness. There is a voice among the membership and the attaches of this House that if it were ever found in the wilder-

ness, it would frighten everything that was within hearing distance. (Laughter) It is a voice the tones of which are so stentorian that it can be heard from Kittery Point to Quoddy Head and from the St. John Valley to the sea. It is the voice that has taken the "bel" out of Belfast (Laughter), and that has taken the "Chap" out of Chapman. We feared, members of this House, that we would be unable to keep the genial Clerk with us, so we have decided to chain him; and, with the assistance of the Messenger, we, the members of this Eighty-fourth Legislature, desire to present to the Clerk of this House this chain as a token of our appreciation. (Applause, the members rising)

CLERK CHAPMAN: Mr. Speaker and members of the House: It is not often that I have an opportunity of speaking to you and saying just what I want to, (Laughter) and I think perhaps you are fortunate. (Laughter) I am overwhelmed with surprise at this present. When I approached one of the members the other day and suggested that it would be very appropriate to make a little surprise gift to the Clerk of the House (Laughter), they agreed with me and invited me to go down street and pick out the present and so I did. (Laughter) My only surprise is that when I picked it out there was a watch on it (Laughter), but I take it you must have given that to the Speaker yesterday. (Laughter).

I have enjoyed this session: I enjoy all sessions and this is my sixth. I do not believe there is any officer of the House who was here in 1919. There are several members who are here now who were here in 1919. Mike Burns was here in 1919, and if I can read the handwriting on the wall aright, I think perhaps I had better commence thinking about getting through, because I have noticed that you have legislated Mike out of office. (Laughter)

I have been constantly expecting a bill to come in from the other end of the hall consolidating the Clerkship of the House with the Superintendency of Pownal State School or something similar. (Laughter)

Yesterday the Speaker mentioned

an amendment. What he said was the truth but he did not tell all of the truth because he did not know it. As a matter of fact I knew all the time that was his amendment. (Laughter and applause) I get a good deal of credit for work that does not belong to me or the credit does not belong to me; the work does (Laughter). The work is done by others. My assistant, Harvey Pease, is a man who is specially well qualified for the position. He is not only qualified for the position but he is better qualified than I am. He has put in a great many hours here and rendered very efficient service. He has always been courteous to the members, I feel quite sure,—I know he is to me. Of the other two members of the office force, one, Mrs. Strout, has rendered very faithful service and the other, my stenographer, has also been faithful, (Laughter and applause)—and faithful in the face of some temptation. (Laughter) Not long ago one of the members, one of the older members, in one of his lighter moments apparently, came along and invited my wife to go out to supper and spend the evening with him. (Laughter) It so happened that I was standing quite close to her and she turned around and said: "Well, my husband and I were planning to go out to supper and to spend the evening; I am very sorry." The man appeared to be in considerable confusion and apologized to her at that time. The next day he came around and apologized to me but he made it all right with me and I bore no resentment because he explained that he had always supposed that the lady was my daughter. (Laughter and applause).

It has been very pleasant working with you. There is a fascination about meeting such splendid men and such splendid women and living in the association that we do here; and my only hope is that if I come back as Clerk again, you will all come back, and I suspect in your minds you are all candidates for Speaker of the House. I thank you for the gift. (Prolonged applause)

Miss LAUGHLIN of Portland: Mr. Speaker, I too, rise to a question of personal privilege.

The SPEAKER: The member may state the question.

Miss LAUGHLIN: Some time ago I heard somebody talk on the subject of service. That speaker referred to the mechanism of an automobile to illustrate the thoughts which he had of different individuals and the part they played in the scheme of life. He said some were like the engine that pulled the auto along, some were like the carburetor and some were like the ignition system. A short time after that I was out for an auto ride and the auto stopped. There was nothing the matter with the engine, the carburetor was all right and the ignition system was functioning, and after a while he discovered where the trouble was. There was a little nut loose. Now we may not all be like the engine or even like the carburetor or the ignition system, but we can all be nuts: (Laughter) and as one of the bits of this House I want to just pay a slight tribute to one of the important cogs in the machinery of the House, Mrs. Chapman; not in her capacity as the wife of the Clerk of the House, however faithful she may be. We perhaps can guess just how far she may be responsible for the Clerk's efficient work. You know that once a man got up at a meeting and said "I am the head of my house." Immediately afterward a little woman got up and said "That is true, he is the head of the house, but I am the neck and the neck turns the head." (Laughter) I do not know how much she is responsible for in her capacity as wife of the Clerk of the House, but as the stenographer to the Clerk of this House, her efficient service has had much to do with the smooth running of the affairs of this House, and her courtesy and helpfulness we have all experienced. I wasn't supposed to talk very much longer on this subject, and some time or other there was supposed to be some flowers coming along (At this point the Messenger appeared with a basket of flowers).

Now, Mrs. Chapman, on behalf of the members of this House, it is my privilege to present to you these flowers. They will fade but the thoughts and appreciation of the members of this House will endure.

(Prolonged applause, the members rising)

Papers from the Senate, out of

order, under suspension of the rules, disposed of in concurrence.

From the Senate: Final reports of the committees on Federal Relations Interior Waters State Lands and Forest Preservation

Comes from the Senate, read and accepted.

In the House, read and accepted in concurrence.

#### Senate Bill in First Reading

S. P. 786, S. D. 428: Resolve to provide a committee to investigate and recommend regarding sales tax.

From the Senate: Bill an act to create a Commissioner of Highways, S. P. 693, S. D. 363, which was referred to the Eighty-fifth Legislature in the House March 26th.

Comes from the Senate, indefinitely postponed in non-concurrence.

In the House, that body voted to recede and concur with the Senate in the indefinite postponement of this bill.

From the Senate: Bill an act relating to bounty on porcupines or hedgehogs, H. P. 135, H. D. 60, which was indefinitely postponed in the House April 9th.

Comes from the Senate, passed to be engrossed in non-concurrence.

In the House:

Mr. WING of Kingfield: Mr. Speaker, I move that the House adhere.

Mr. ANGELL of Saco: Mr. Speaker, I have some rather interesting figures here on this hedgehog bill, and I am wondering when I look over the vote that this House made on that question, if every member here understood exactly what it means. The bill in question is an act in relation to a bounty on porcupines or hedgehogs, and the question is whether or not this State shall continue in effect that bounty or whether it shall be repealed. A vote of yes meaning to eliminate the bounty and the vote of no to continue in effect that bounty.

Now a little history. In 1903 and '04, in the later days of the 1903 session, when we were in the

same position that we are here, a bounty was placed on hedgehogs of 25 cents, and in two years, 1903 and 1904, it cost the State \$20,000 a year. Just the minute the next Legislature got into session here it was repealed. From 1904 to the present time, practically 25 years, the hedgehog situation was taken care of apparently in a most satisfactory way. The game wardens and the forestry wardens, through the medium of ammunition issued by the Commissioner of Forestry, handled that situation at an expense to the State of about one hundred dollars' worth of ammunition. In 1927 a bounty was again placed on hedgehogs and in this past year there was presented to the State of Maine to pay the sum of \$40,000 in bounties on hedgehogs. To be sure it was spread over 330 towns, but the greater part of that \$40,000 came from mighty few towns. Twenty-nine towns out of that number received better than \$200 and in 11 towns it ran this way: The town of Albion put in a bill for \$2700, better than 10,000 hedgehogs; the town of Milford, \$225, and the town of Greenbush, \$324. Evidence sufficient has been found to cause those to be questioned and a case is now pending in court. Going on Cherryfield collected \$787, Columbia Falls, \$425, Cutler, \$440, East Machias \$590, Franklin \$341, Marshfield \$500, Cooper \$571, Princeton \$335, Steuben \$331, Vanceboro \$600 and Wesley \$446.

I do not want to be unfair in any matter that I speak on in this House, and I hope as long as I am here that I will never be accused of unfairness; but as I understand this proposition, when this State places a bounty on any species that runs in the woods—birds, beast or fish, it does so primarily to eliminate the necessity of paying damage claims; so that if it is necessary to have a bounty on the hedgehog, it would seem that first this State must be faced with severe damage claims. I will now offer you in that respect the evidence of the State Treasurer and Auditor that in this period of practically twenty-five years the State has not paid a dollar that it has a record of for damages by hedgehogs.

Going further than that, this bill came before the committee, and

any one having evidence to the effect that a bounty was necessary had an opportunity to present themselves. One or two came in, one man representing certain lumber interests. He testified that there was some damage. At the same time other lumber interests appeared and testified to the contrary, that while now and then they say evidence, it amounted to nothing in their estimation. The committee, not satisfied with the so-called tie-voting of the witnesses, called on the Forest Commissioner, who we felt, if anybody, was qualified to know what the condition might be and that man testified before our committee that apparently there was no occasion for a porcupine bounty; that he felt his department was perfectly capable of taking care of the situation, aided by the warden service of the Fish and Game Department. So our committee voted that that bill ought to pass to repeal that. Now I will tell you members that I have had it represented to me that if I had any interest in getting up a fish and game bill, I had better not talk against this matter. I will answer those fellows that as much as I would like to see the fish and game matter pass, not enough influence can be brought to bear to prevent me from telling you how I feel on this bill that is presented and I sincerely hope that this House will vote to the contrary with the Senate.

The SPEAKER: Is the House ready for the question?

Mr. KITCHEN of Presque Isle: Mr. Speaker, I must acknowledge a bit of neglect in this matter. I introduced this bill at the request of certain men, heads of departments, to repeal the bounty on hedgehogs. The bill went to the committee, a favorable report was had, and I supposed everything was working along in good shape for the repeal of the bill. Previous to that I had been told that those who favored the bounty on hedgehogs were willing that this bill should be indefinitely postponed and that they were drafting another bill which came in here and was tabled relative to the bounty on porcupines. I carelessly paid no attention to it. I was trusting to what others had told me as to what they were going

to do; in fact I was so deeply interested in other matters when this matter was brought up in the House the other day that I misunderstood the motion for indefinite postponement and it got by me. I acknowledge negligence on my part and I want to say right now that I heartily concur with the gentleman from Saco, Mr. Angell, that the House recede and concur in this matter.

Mr. WING of Kingfield: Mr. Speaker, I am sorry that the gentleman has been misinformed by those who were in favor of the bounty, and I am glad to know that there has been enough interested in the Legislature to make some effort to retain the bounty. I do not know that I approve of the objection of the gentleman that the fish and game bill is in danger if he opposed this small affair of the hedgehogs. I think we are looking at this more from the viewpoint of some of the departments of this State who cannot imagine that a porcupine is the property of the citizens of the State. The Forest Commissioner knows about the damage done by porcupines, and you eliminate from his mind the idea that his department is apt to pay a bounty on hedgehogs and I assure you that he will not be opposed to any bounty on them.

The Commissioner of Forestry told me that they spent \$600 at one time to eliminate the hedgehogs from their camps.

Now I am not going to say about whether it is possible for the State of Maine to put the small bounty of twenty-five cents upon the head of hedgehogs for the State of Maine to protect the farmers, timberland owners, small and large, in the danger which they are in from hedgehogs. I shall simply repeat, as I said before, that they are a menace to farm animals; they are a menace to the crops. A gentleman in this House who is interested in sweet corn packing has told me that in certain towns a great damage is done by these animals. Those who are interested in the sweet corn industry were those who were instrumental in having this bounty placed on hedgehogs in the first place. If some of you have had the experience, even as I myself have had, of pulling the quills out

of dogs and finding your cattle and horses in back pastures half dead from the effects of porcupines, you will realize better that the porcupine is a pest and a nuisance, and, furthermore, that he is worthless, so far as I know, to anyone.

Now the question is, what amount of money the State has had to pay for hedgehogs? I said that a year ago it was five or six thousand dollars. This year they paid \$40,000. I know people who have investigated would tell you that the most of them are claims that will not be paid. We have law enough in the State of Maine to prosecute criminally if the officials so desire. I am willing to leave this question to the good judgment of the people here. You are more or less acquainted with the situation. I understand that the motion of the gentleman from Saco (Mr. Angell) is that we recede and concur.

The SPEAKER: The gentleman is correct.

Mr. WING: I hope that the motion of the gentleman will not prevail, Mr. Speaker.

Mr. WHITE of Dyer Brook: Mr. Speaker and Members of this House: Being one of the committee that this porcupine bill was heard before, while we had before us many people from all over the State, I would have to agree with Mr. Angell that we could see no need for retaining the bounty on porcupines, and I wish to call the attention of the members of this House to one point that perhaps they have not looked at and that is if you leave the porcupine alone in his present state, it has been my experience, going through the woods, where I was born and brought up and have always lived, that most everyone travelling through the woods will kill a porcupine when he sees him; and for that reason I think that there would be nearly as many porcupines killed without the twenty-five cent bounty as there would with it, and I figure that all the extra porcupines that are killed by having that bounty over and above what would be killed without any bounty, we are paying three or four dollars apiece for.

I have not found anyone in my experience—and I was treasurer of my town when the bounty was on before—and I find that of those people who kill porcupines and

make a business of it there were one or two who did not wish to work, and we found instances where one man killed enough porcupines so that they came to eighteen or twenty dollars. During that time he neglected his work and the town had to help support his family. So I cannot see where we would gain very much, and I hope the motion of the gentleman from Saco (Mr. Angell) will prevail.

The SPEAKER: Is the House ready for the question?

The question was called for.

The SPEAKER: The question is whether the House will recede and concur with the Senate in passing House Paper 135, House Document 60, bill an act relative to bounty on porcupines or hedgehogs, to be engrossed. As many as are in favor of the House receding and concurring with the Senate will say aye; as many as are opposed will say no.

A viva voce vote being taken, the motion to recede and concur with the Senate prevailed. On motion by Mr. Angell the bill had its third reading and was passed to be engrossed in concurrence.

The following bills on their passage to be enacted were taken up out of order under suspension of the rules:

**Passed to be Enacted**

(S. P. 775) (S. D. 415) An act relating to rules of construction.

(S. P. 780) (S. D. 417) An act relative to appeals from trial justices and municipal courts.

(S. P. 781) (S. D. 418) An act abolishing the office of coroner.

(S. P. 783) (S. D. 421) An act to permit cities and towns to lay out bridle paths and bridle trails.

(H. P. 1403) (H. D. 465) An act relating to auxiliary State forests.

(H. P. 1559) (H. D. 807) An act naming the bridge at Bath.

The SPEAKER: Under the unfinished business of the morning the next matter in order is the third tabled and unassigned matter on Page 16 of the calendar, H. P. 1534, H. D. 555, an act relating to fishing in Kewayden Lake in the town of Stoneham, tabled by the gentleman from Winslow, Mr. Clark; and the Chair recognizes that gentleman.

On motion by Mr. Clark, the bill was retabbed.

The SPEAKER: Specially assigned for this afternoon, the House has before it the consideration of House Amendment A to H. P. 1758, offered by the gentleman from Limerick, Mr. Quint, which was tabled this morning for printing and is now back in the hands of the House, the document number being 829, which should be on the desks of the members; and the Chair recognizes that gentleman.

Mr. QUINT: Mr. Speaker, this amendment is very lengthy and many members are coming to me asking that it be tabled until tomorrow, and I ask the indulgence of the House to retable the amendment and that it be specially assigned for tomorrow morning.

A viva voce vote being taken, the motion to retable failed of passage.

Mr. MERRILL of Dover-Foxcroft: Mr. Speaker, I move the indefinite postponement of action on this amendment.

Mr. ROUNDS of Portland: Mr. Speaker, this is a matter that they are going to spend from twelve to fifteen million dollars a year on and here we are in a few minutes trying to legislate here on a Commission that we know nothing about and an amendment that we have not had time to read; and in due respect to the citizens of this State let's have twelve hours to read this bill in.

The SPEAKER: The motion before the House is the motion of the gentleman from Dover-Foxcroft, Mr. Merrill, that the amendment be indefinitely postponed.

Mr. ROUNDS: Is it not in order to table it until tomorrow morning?

The SPEAKER: The motion to table has just been made and has failed of passage. Does the gentleman from Portland, Mr. Rounds, move to table the motion for indefinite postponement?

Mr. ROUNDS: I do, sir.

The SPEAKER: Such a motion would be in order. As many as are in favor of tabling the motion for indefinite postponement will say aye; those opposed no.

A viva voce vote being doubted. A division was had,

Forty-four voting in the affirmative and 82 in the negative, the motion to table the motion for in-

definite postponement failed of passage.

The SPEAKER: The question before the House is the motion of the gentleman from Dover-Foxcroft, Mr. Merrill, that House Amendment A to H. P. 1758 be indefinitely postponed.

Mr. QUINT of Limerick: Is this question debatable now, Mr. Speaker?

The SPEAKER: The question is debatable.

Mr. QUINT: Mr. Speaker, I would like to present my side of this matter to you. I brought this bill down here when I came to the Legislature. Investigation started soon after I came down here and the papers came out with a headline in regard to Mr. Murray. At that time I took my bill up with some of the influential men of this Legislature and they asked me to defer action on it and not present my bill to the Legislature at that time. Later, you will all remember, the Governor came out and asked us not to do anything but to sit tight until we had received word from the Federal government. I did not present the bill. The result was that an order was introduced and passed that prevented any bills being presented. You will all remember I tried under suspension of the rules to introduce this measure and was turned down. At that time I was advised by the leaders of this House that I might present my bill as an amendment to the Gillespie bill and it would be given due consideration. What has been the result? The Gillespie bill has been held back until the last week of this Legislature and there has been no opportunity to present anything to this Legislature except the one bill which we now have before us. In presenting this amendment this morning I realized that it was a very late date to present it.

I want to say that I oppose the present method of handling the Highway Department. I do not oppose any member on the Highway Commission nor do I oppose the Governor of this State. My vote will bear out what I say; but I do oppose the system under which we are spending eleven million dollars annually. The Highway Department spends about eleven million dollars annually for mainte-

nance and construction, and I think we will all admit that that puts it in the class of big business. Now how does big business function? We must all admit that today the large corporations are successful. Even though we do not like the word "corporation," they are successful. Big corporations today elect a board of directors from its stockholders. We, sitting here today, are the stockholders of the State of Maine and we have the right to elect the Board of Directors. That Board of Directors can turn around and hire a General Manager to handle the operating end of our Highway Department, not the program of policies, but the operating end of the Highway Department. I firmly believe that if we people go home and the people back home say "What have you done with your highway situation," we will say to them "We have simply done the same thing that they have done for the last ten years, we have put the same system back only we have given them twenty-five hundred dollars a year more," and I think they are entitled to the \$2500. I make no question about the price.

You had an investigation in 1927 and you had another investigation this year. Both reports are the same that they did not find anything against any member of the Commission, but what did they say. They both referred to our system. Your present committee said "The committee is satisfied, however, that the present system, comprising a part time Highway Commission of three members, is imperfect and altogether inadequate for the important future needs of Maine. It appears to the committee that further to permit the same system to obtain, is to invite conditions which tend to minimize the benefits reasonably to be expected from such a Department properly constituted and managed.

To summarize—it is the opinion of the committee that the present form of commission has outlived its usefulness," not the present commission, but the present form of commission has outlived its usefulness "and that a new system should be inaugurated which can better cope with modern conditions and methods and adequately supervise the expenditures of many mil-

lions of dollars annually, and provide a greater benefit to the entire State than is reasonable to expect under the present system. The committee, therefore, definitely recommends a reconstitution of this system by legislation."

Now to go back to the Governor's address in his inaugural to us in which he said, taking up the highway situation: "Even when compared with the most successful industries in the State, the Highway Department represents a business of colossal proportions. Though a public business, it is a business and must be so regarded. How should such a business be conducted, in an ideal arrangements it does not appear to me advisable or necessary that supervisory powers over highway matters should be vested in the Governor and Council." That is exactly what the Gillespie bill is doing. I have not anything against the bill but you are simply putting it back in the hands of the Governor and Council. The Governor further says: "The administration must be entrusted to a few responsible men." "Their greatest responsibility would be to select and maintain an efficient executive force." My bill calls for an executive management exactly as the Governor recommended in his inaugural address. "Statutory charges relieving the Commission, not from responsibility." I do not relieve them of the responsibility. They outline the program and the policy, they assume full responsibility, they assume full responsibility for the general management. He operates under that as any general manager does. "But from the necessity of personal attention to some details, would render the office less exacting." He does not think the Commission should follow small details. He believes that he should have an executive to carry out that work. "We must have in these positions the best men that can be found." At the present time we appoint three members to this Commission, and I do not believe there is a member in this House, and I have been in politics a long while myself,—I do not believe there is a member in this House who can stand up and say that the appointment of any Commission in Maine are not political plums. They are. I hope that this



amendment will not be indefinitely postponed. I think you ought to give it consideration. I do not ask the members to adopt it, I simply ask that it be given consideration.

Mr. MERRILL of Dover-Foxcroft: Mr. Speaker, I have the utmost respect for any man's sincere opinion. I have the utmost sympathy for his desire to see his opinions carried into effect. The gentleman has said there has been little opportunity for consideration. I submit to you members of this House that in general terms various forms for the consideration of the Highway Commission have been considered and talked of all winter long. This proposition is not an unknown proposition, it was the proposition put in two years ago, that it almost seems to me that I can see all through the lines of it ideas of the father of this bill.

The bill has many inherent defects, to my mind. The bill, by the arranging for the allocation by this Legislature or future Legislatures of seven members of an Advisory Council to be allocated and selected all from Councilor Districts, provides a vehicle for more political trading than any method that could possibly be instituted, to my mind. It is a method that has been tried and abandoned in many states of this country. The cumbersomeness of the method of selection is the disadvantage in that method. This is a State-wide proposition. All question of highway matters should be considered by Commissions from the State as of a whole, not as localities within the State, and I say to you that in my opinion were the selection of members of the Advisory Board or Commission limited to the Councilor District, it might very well be possible that no man within that Councilor District who is competent might be available. A man in the next Councilor District already occupied by one member of the Board might be a perfectly fitting man, a very desirable man, to fill the vacancy existing, yet, because of his geographical location, he would not be available.

Then again, you have a provision in this bill for salaries of \$2,000 each to the seven members. You have a provision for a salary as manager limited only by the sum of \$12,000, increasing the pos-

sible expenditures of the Commission in their salaries alone \$26,000. That would be in addition to their travelling expenses and actual expenses incurred while in the performance of their duty. Furthermore, you have seven men that while they might represent geographically your State, would be just that much farther apart in agreeing upon State-wide policies. I am told by a man who has served in our present Commission that the whole time Commission is absolutely unnecessary; it is not needed. It is not understood very generally just what the duties are of the members of the Commission.

I was told by a member of the present Commission when I asked him to give me in his judgment an opinion as to whether the whole time Commission was necessary or not—he said “No, I have given conscientious effort to the details of the office since I have been Commissioner and it has taken about one-half of my time.” That corroborated the statement of Captain Edwards, until recently Chief Bridge Engineer of that Department, who told me, two years ago in discussing this question, that there was absolutely no need of a whole time Commission; they would be kicking their heels on their desks half of the time.

We have at the present time a whole time Chief Engineer of the Highway Department, a Division Engineer of the Department, the Chief of the Maintenance Division, and we have a Chief of the Bridge Engineering Department, for men all the time on the job. So much for any question that may arise as to a whole time Commission.

To my mind, the principal objections are the geographical distribution of the representation, the cumbersomeness of the membership composed of seven, the greater opportunity for the entrance of politics—and I agree that you cannot eliminate politics from a State Government or State Administration—you cannot eliminate politics from the transactions of this Legislature.

What are politics except the formulation of policies and the administration of government? But I claim that the less number of men you have on a Commission,

providing you have enough to perform the duties of that Commission, the more efficient that Commission will be and the less likelihood of unfair political influence. For these reasons and others I could enumerate if I cared to take your time further. I hope this House will agree to indefinitely postpone action on this amendment.

Mr. WING of Kingfield: Mr. Speaker, I oppose this motion for this reason. The main bill, as I understand it, is set for discussion tomorrow morning.

The SPEAKER: Does the gentleman refer to the bill to which this is offered as an amendment? The bill is in order at the present time; that is to say when the House has acted upon the amendment, the House will be ready to act on the bill.

Mr. WING: I had the impression that the bill was tabled this morning until tomorrow morning.

The SPEAKER: The situation was that the bill this morning, the ought to pass report of the committee on Ways and Bridges was accepted, the bill was given two readings and tabled and assigned for this afternoon.

Mr. WING: Mr. Speaker, I suppose that we were to have a discussion of the whole proposition tomorrow morning. Personally I would like a chance to read this bill over and I for one am not prepared to vote at this time without further reading and consideration and I hope for that reason the motion will not prevail.

The SPEAKER: Is the House ready for the question? The question is on the motion of the gentleman from Dover-Foxcroft, Mr. Merrill, that the House indefinitely postpone House Amendment A to H. P. 1758. As many as are in favor of the motion will say aye; those opposed no.

A viva voce vote being taken, the motion to indefinitely postpone prevailed.

Mr. MERRILL: Mr. Speaker, I now move, if in order, the progress of the bill in its regular order, under suspension of the rules, and that the bill receive its third reading at this time.

Mr. ALDRICH: Mr. Speaker, I am not going to say anything much on this bill, but I wish to join with the others who have protested

against this method of such rapid determination of this highway matter. In my judgment it is the most serious question this Legislature has had to consider. If there is a majority here who desire and are anxious to endeavor to press this matter to a conclusion, because it may feel that it has the votes, without giving a chance for proper and fair consideration, I am willing to abide by the result; but I wish to say to you that in my judgment if any of you here feel that possibly you may have an advantage and that you will gain by so persisting and not affording an opportunity for consideration of this matter, I believe that this House will make a mistake. So feeling as I do, I now move as I did this morning with respect to the amendment, in order that we may have it upon the record that this matter be tabled and specially assigned for tomorrow morning.

The SPEAKER: The gentleman from Topsham, Mr. Aldrich, has moved that the motion of the gentleman from Dover-Foxcroft, Mr. Merrill, that the bill receive its third reading at the present time, be tabled and specially assigned for tomorrow morning. As many as are in favor of that motion will say aye; opposed no.

A viva voce vote being taken, the motion failed of passage.

The SPEAKER: The question before the House is whether the rules be now suspended so that the bill may have its third reading at the present time.

Mr. LOCKE of Biddeford: Mr. Speaker, I wish to offer an amendment to H. P. 1758 and move its adoption.

The SPEAKER: The Chair is of the opinion that the gentleman's motion is not in order at present, the present question before the House being whether the bill shall receive its third reading at the present time. If the bill does not receive its third reading at the present time, the gentleman may offer his amendment then, and if the motion prevails and the bill is read a third time, the gentleman may offer his amendment then. The question now before the House is whether the rules be suspended and the bill receive its third reading at the present time.

Mr. LOCKE: I accede to the de-

cision of the Chair and withdraw the amendment for the present.

Miss LAUGHLIN of Portland: Mr. Speaker, am I correct in my understanding that it takes a two-thirds vote to give it its third reading at the present time?

The SPEAKER: The member is entirely correct. As many as are in favor of suspending the rules in giving this bill its third reading at the present time will rise and stand in their places until counted and the monitors have returned the count.

A division being had,

Eighty-six voting in the affirmative and 47 in the negative, the motion to suspend the rules and give the bill its third reading failed of passage.

Mr. LOCKE of Biddeford offered House Amendment B and moved its adoption as follows:

House Amendment B to H. P. 1758.

Section three of said act is hereby amended by inserting after the word "members" in the second line thereof the following: "One of whom shall be a member of the political party which cast the second highest number of votes in the last gubernatorial election."

The SPEAKER: Is it the pleasure of the House to adopt House Amendment B? As many as are in favor will say aye; those opposed no.

A viva voce vote was doubted.

Mr. LOCKE: Mr. Speaker, I ask for a division.

The SPEAKER: The gentleman from Biddeford, Mr. Locke, asks for a division. As many as are in favor of House Amendment B will rise and stand in their places until counted and the monitors have returned the count.

A division of the House being had,

Sixty-eight voting in the affirmative and 47 in the negative, the motion for the adoption of House Amendment B prevailed.

The SPEAKER: And tomorrow assigned for the third reading of this bill?

Mr. CHASE of Cape Elizabeth: Is the question of assignment for third reading debatable?

The SPEAKER: The question for assignment for third reading is debatable.

Mr. CHASE: Am I correct in be-

lieving that there is nothing in the rules to prevent us from assigning this bill for its third reading at 4.30, 5 o'clock or any other time today?

The SPEAKER: The Chair will inform the gentleman that to assign for third reading on the same day as the second reading requires suspension of the rules.

Thereupon tomorrow morning was assigned for the third reading of this bill.

On motion by Mr. Wight of Newry it was voted to take from the table the amendment offered by that gentleman this morning to the so-called fish and game bill, being in its new draft S. P. 767, S. D. 412.

Mr. WIGHT: Mr. Speaker, I wish to offer House Amendment A to Senate Amendment A and move its adoption.

The SPEAKER: The situation with respect to the so-called fish and game bill appears to be this: There are evidently a number of members who have amendments which they wish to offer to the bill. The Chair would suggest that such amendments be offered at the present time, that the reading of the amendments be dispensed with, and that all the amendments lie upon the table over night for printing; and the Chair will now receive any amendments which members may wish to offer to this bill.

Thereupon Mr. Wight of Newry offered House Amendment A to Senate Amendment A, and moved its adoption as follows:

Under Oxford County strike out the second paragraph and substitute the following:

"The following waters are closed to either bait or fly fishing, except Monday, Wednesday and Friday: Swift Cambridge River, Sunday River (Bethel, Newry and Riley Plantation) and its tributaries."

Mr. Jack of Lisbon Falls offered House Amendment B to Senate Amendment A and moved its adoption, as follows:

Amending said amendment by adding after the words "lower Richardson Lake" in the sixth line from the last on page one the following: "Long Pond, Sandy River Ponds and Crescent Lake."

Mr. Ingraham of Bangor offered House Amendment B to Senate

Amendment O and moved its adoption, as follows:

Amend said amendment by striking out therefrom the words "Amend section 62 of said act by striking out from line 2 of said section the word 'November' and inserting in place thereof the word 'October'."

Mr. Hawkes of Standish offered House Amendment A to the bill and moved its adoption, as follows:

Amend said Sec. 31, by adding at the end of said section the following: "Provided, however, that the provisions of this section, except as to oil, shall not apply to any person or corporation with reference to the operation of a sawmill having with its appurtenances an actual value of less than ten thousand dollars at a location where a sawmill has been in operation for a period of fifty years prior to the date of the approval of this act." so that said section as amended, shall read as follows:

Sec. 31. Deposit of slabs, edgings, sawdust, in streams, etc., prohibited. No person or corporation shall deposit in any of the inland waters of the state or on the banks thereof in such fashion that the same shall fall or be washed into said waters, any slabs, edgings, sawdust, chips, bark, mill waste, shavings or fibrous material created in the manufacture of lumber or other wood products; or to deposit any oil regardless of its source. Provided, however, that the provisions of this section, except as to oil, shall not apply to any person or corporation with reference to the operation of a sawmill having with its appurtenances an actual value of less than ten thousand dollars at a location where a sawmill has been in operation for a period of fifty years prior to the date of the approval of this act.

Mr. Hammond of Van Buren offered House Amendment C to Senate Amendment A, and moved its adoption, as follows:

Amend said Amendment by striking out all of the section relating to fishing in Aroostook County.

And the same gentleman offered House Amendment B to the bill and moved its adoption, as follows:

Amend Section 45 by adding at the end of the first sentence thereof the following, "except as may otherwise be provided by other laws passed at this session of the Legislature."

Mr. MERRILL of Dover-Foxcroft: Mr. Speaker, this is getting to be, it seems to me, a very complicated situation. We had all hoped and been given to understand that the fish and game laws were to be simplified. With all due respect and absolute sincerity in my expression—I am grateful for the services of the committee which has so arduously labored all winter long in producing the bill before these many amendments—our experience reminds me very much of the story of the Eastern Potentate of ancient times who was desirous of adding to his library a history of all the nations that had ever lived on earth. He sent his learned men out with a caravan of camels, ordering them not to return until they had completed the job. They came back in about a year leading a caravan of fifteen camels loaded with tablets covered with hieroglyphics. When he saw the caravan returning, he held up his hands and said "We never can wade through it. Go back and condense it." They returned several times, each time condensing it further. Finally they returned leading one camel bearing one tablet on which was written the complete history of all the nations that had ever lived on earth. That condensed history read "They respired, they aspired, they perspired, they expired." (Laughter.)

Now it is very reasonable to suppose that the members of this committee have a fondness for that bill. A fondness for a bill becomes almost that of a father for a child or the owner for a pet; but the length of time has something to do with that fondness, and that reminds me of the story of two boys passing along the street. One of them was crying and the other fellow said "What are you crying about?" The little fellow said "My dog died." The other said "What do you want to cry about that for? My grandmother died the other day and I didn't cry." And the other little fellow said "I guess you didn't

bring her up from a pup." (Laughter.)

Now to get back, I am reliably informed by the Secretary of State that the numerous amendments and the multiplicity of errors needing correction, calling absolutely for a new draft of this bill, will require that entire force a longer time than from now until Saturday night before it can be presented in proper form for action by this Legislature. I therefore, Mr. Speaker, move that the consideration of this matter be deferred until the next Legislature and that an interim committee be appointed by the Chair to take the matter under full consideration and report early in the session two years from now. (Applause.)

The SPEAKER: Will the gentleman be kind enough to put the motion in writing? If the gentleman requires a little time to do so, I am sure the House will be glad to give it to him.

Mr. KITCHEN of Presque Isle: Out of order and under suspension of the rules I move that when the Houses rises this afternoon, it be to recess until eight o'clock this evening.

A viva voce vote being doubted A division was had,

Eighty-eight having voted in the affirmative and one in the negative, the motion prevailed.

Mr. CARLETON of Portland: Mr. Speaker, would it be possible for Mr. Merrill's amendment to take effect at a special session which we are likely to have this summer?

The SPEAKER: The gentleman from Dover-Foxcroft (Mr. Merrill) may take that suggestion into consideration if he desires, in framing the motion.

Mr. WING of Kingfield: Mr. Speaker, I would like to inquire, if it is proper, if, at the end of this afternoon session those who are informed could tell the House the matters upon which we would probably be concerned this evening.

The SPEAKER: The Chair will state to the House that the Senate went into session at four o'clock this afternoon, and it is probable that there will be Senate Papers upon which the House can act in a session this evening. Such session would, in all probability, not be a long one, unless there arose

occasion for debate on some matter, in which event, of course, the debate, by taking place this evening instead of tomorrow, would relieve the calendar and assist us in handling the business tomorrow.

Mr. WING: My purpose was to inquire, after the session, if we happen to be in session after the Senate adjourns—whether we could know the possibilities, that is what bills we might possibly be called upon to consider.

The SPEAKER: If the afternoon session of the Senate adjourns before the present session of the House, the House may be able to ascertain the amount of business which may come to us from the Senate.

Mr. STURGIS of Auburn: Mr. Speaker, I would like to inquire if the Senate has not adjourned?

The SPEAKER: The Chair has sent a page to ascertain.

The Chair is informed that the Senate has adjourned until 10 o'clock tomorrow morning. The Chair is not yet advised what papers may come to the House from the Senate.

The SPEAKER: The gentleman from Dover-Foxcroft, Mr. Merrill, asks leave to present out of order, the following order:

Ordered, the Senate concurring, that consideration of the revision of the fish and game laws be referred to the next Legislature, and an interim joint committee, three from the Senate and seven from the House, be appointed by the President of the Senate and the Speaker of the House to take up a revision of said laws and report to the next Legislature upon its convening.

Is it the pleasure of the House that this order have passage?

Mr. ANGELL of Saco: Mr. Speaker, I move to place this order on the table.

A viva voce vote being taken, the motion prevailed and order was tabled.

Mr. ANGELL: Mr. Speaker, I regret that I am not more familiar with the parliamentary rules and more capable of—

The SPEAKER: Will the gentleman, before proceeding further, state the question? The situation is this: An order for referring this matter to an interim committee has been presented and has been

tabled, and will come from the table in the morning. There is nothing now before the House.

Mr. ANGELL: Mr. Speaker, I would like to make a motion, if I may.

The SPEAKER: The gentleman may state his motion.

Mr. ANGELL: Mr. Speaker, that under suspension of the rules, if necessary, all individuals in this House who have these twelfth-hour bright ideas be allowed to present them in the form of the amendments so that when it comes time to take the order from the table the committee who have put so much time on the job may have some intelligence of what they have confronting them and decide whether or not this is a judicious move.

The SPEAKER: The Chair will state to the gentleman that it is unnecessary to make a motion for this purpose. The Chair will receive at the present time any amendments to the bill which the members desire to offer.

Thereupon Mr. Peacock of Readfield offered House Amendment C to the bill and moved its adoption, as follows:

Amend Section 22 by adding the following sentence: "It shall be unlawful for any person to fish earlier than one and one-half hours before sunrise or later than one and one-half hours after sunset."

Mr. Harrington of Patten offered House Amendment D to the bill and moved its adoption, as follows:

Amend Section 85 by adding the following: "It shall be lawful to fish to the fifteenth day of September of each year in the tributaries to Upper Shin Pond and in the tributaries to Sebeois River, in the County of Penobscot."

Mr. McKnight of Poland offered House Amendment E and moved its adoption, as follows:

Amend said bill by adding after the word "clerk" in line 14 of subsection 2 of Section 34; and after the word "clerk" in line 16 of subsection 2 of Section 37 the following:

"Nothing in this act shall invalidate the present resident hunting and fishing licenses or registrations in force on May 1, 1929."

Mr. Roach of New Gloucester offered House Amendment D to Senate Amendment A and moved its adoption, as follows:

Amend said amendment by adding after the words "Special Provisions" in the tenth line of page one thereof the following paragraph:

"It shall be lawful to fish through the ice in the waters of Little Sebago Lake in the towns of Raymond and Windham on Tuesday of each week during the ice fishing season but not later than the first day of February of each year."

Mr. Holman of Farmington offered House Amendment E to Senate Amendment A and moved its adoption, as follows:

Amend Section 21 of said Senate Document 412, Senate Paper 767, by adding at the end of said section the following:

"In Clearwater Pond, in the towns of Farmington and Industry, in the county of Franklin, plug fishing shall be prohibited except from shore with lines not exceeding twenty (20) feet in length."

Mr. Jones of Waterville offered House Amendment F to the bill and moved its adoption, as follows:

Amend Section 35 of said bill by inserting after the word "age" in the second line of said section the words "and no non-resident of whatever age."

Mr. Foster of Ellsworth offered House Amendment G to the bill and moved its adoption, as follows:

Amend by striking out the word "dead" in the 9th line on page 47.

Mr. Heath of Guilford offered House Amendment H to the bill and moved its adoption, as follows:

Amend said bill by striking out the words "Whetstone Pond" where they appear on page seven of Section 1.

Mr. Burkett of Union offered House Amendment I to the bill and moved its adoption, as follows:

Amend S. D. 412, page 36, line 17, after the word "birds" by adding the words "except those legally taken before that date," and by adding in line twenty (20) after the words "closed season," "except those legally killed in open season."

Mr. Powers of Caribou offered House Amendment J to the bill and moved its adoption, as follows:

Amend Section 32 by adding after the word "nuisance" in the 13th line thereof the following:

"provided, however, that any person who, before the first day of January, nineteen hundred and twenty-nine, has enclosed the wa-

ters of a brook or stream for such purpose by the authority of the commissioner and has actually commenced the cultivation of fish therein, may so continue at the pleasure of the commissioner."

Mr. Kitchen of Presque Isle offered House Amendment K to the bill and moved its adoption, as follows:

Amend said bill by striking out all of Section 5.

Mr. WHITE of Dyer Brook: Mr. Speaker, if in order I would move that a sufficient number of trucks be engaged and that the bill and amendments be transported without the gates of the city and a bonfire be made. (Laughter and applause)

The SPEAKER: The gentleman's motion is not in order.

Mr. Wing of Kingfield offered House Amendment B to Senate Amendment G, and moved its adoption, as follows:

Amend Senate Amendment "G" to Senate Document No. 412, Senate Paper 767, by striking out, in paragraphs 6 and 7, the word "statutes" wherever it occurs and inserting in place thereof the words "laws and regulations."

Mr. CLIFFORD of Garland: Mr. Speaker, if a verbal amendment would be in order, I would move that we strike out the words in the title "and simplify." (Laughter)

The SPEAKER: The Chair believes that the gentleman will not insist on having his motion put.

Mr. ANGELL of Saco: Mr. Speaker, I rise to a point of personal privilege.

The SPEAKER: The gentleman may state his point.

Mr. ANGELL: Mr. Speaker, I simply want to warn the members of the House that you are still seven amendments behind the Senate.

The SPEAKER: The gentleman from Saco appears to underestimate the body of which he is a member. (Laughter) The gentleman from Saco, Mr. Angell, moves that all the amendments as offered lie upon the table.

Mr. ROY of Lewiston: Mr. Speaker, I just want to ask about these amendments. If a man has not written one today will he be permitted to introduce one tomorrow morning?

The SPEAKER: The bill will probably not be past its amendable form tomorrow morning.

(Laughter) The Chair is not endeavoring to be facetious.

Mr. ANGELL: Mr. Speaker, I would like for some information. Is it possible at this time to set a time beyond which no further amendments may be submitted?

The SPEAKER: Under the rules of the House amendments may be offered at any time up to the engrossing of the bill, and subsequent to the engrossing by reconsideration of the engrossing.

Mr. ANGELL: Under suspension of the rules I move that 4.45 be set as the last time that amendments may be added to this bill.

The SPEAKER: The hour named by the gentleman having passed, the Chair cannot put the motion.

On motion by Mr. Angell all the amendments offered to the so-called fish and game bill were tabled and 500 copies ordered printed in a single document.

On motion by Mr. Jack of Lisbon Falls, it was voted to take from the table H. P. 1743, H. D. 815, an act relating to fingerprints and photographs of criminals, tabled this morning.

On further motion by Mr. Jack the House voted to reconsider its action whereby said bill was passed to be engrossed; on further motion by the same gentleman the House adopted Senate amendment A in concurrence; and on further motion by the same gentleman the bill as amended by Senate Amendment A was passed to be engrossed in concurrence.

#### Passed to be Engrossed

(Out of order, under suspension of the rules)

(H. P. 1300) (H. D. 445) An act to authorize the Treasurer of State, under the direction of the Governor and Council, to issue bonds for bridge construction, conditional on the adoption by the people of a Constitutional Amendment authorizing such bonds.

(H. P. 1756) (H. D. 826) An act relative to acknowledgment and record of deeds and other instruments.

(H. P. 1301) (H. D. 446) Resolve proposing an Amendment to the Constitution to provide for an additional issue of bridge bonds.

(H. P. 1759) (H. D. 828) Resolve providing for a statue of Hannibal

Hamlin to be placed in the National Statuary Hall at Washington.

#### Report of Committee

The following report was taken up out of order under suspension of the rules:

Mr. THATCHER from the Committee on Appropriations and Financial Affairs reported Ought to pass on resolve in favor of a memorial for William Pitt Fessenden (H. P. 755)

Report read and accepted and the resolve ordered printed under the Joint Rules.

The following communication was taken up out of order under suspension of the rules:

STATE OF MAINE  
SENATE CHAMBER  
OFFICE OF THE SECRETARY

Augusta, April 11, 1929.

To the Clerk of the House of Representatives of the 84th Legislature:

Sir:

The Governor having returned to the Senate, without his approval and with his objection to the same, "Resolve appropriating money to pay claims allowed by the Committee on Claims," S. P. 766, S. D. 411, the Senate proceeded to vote on the question:

"Shall the Resolve become a law notwithstanding the objection of the Governor."

The Secretary called the roll. One Senator voted in the affirmative and twenty-eight in the negative, and accordingly the Resolve failed to become a law.

Respectfully,

(Signed) ROYDEN V. BROWN,  
Secretary of the Senate.

Read and ordered placed on file.

The following bills on their passage to be enacted and resolves on their final passage were taken up out of order, under suspension of the rules:

#### Passed to be Enacted

H. P. 1745, H. D. 817: An act to grant a new charter to the city of Belfast.

H. P. 1748, H. D. 820: An act to provide for the appointment of a Commission to recommend changes in the Sunday law.

Mr. INGRAHAM of Bangor: Mr. Speaker, I move that the bill be tabled.

A viva voce vote being doubted, A division of the House was had Twenty-eight voting in favor of the motion to table and 68 in opposition, the motion to table failed of passage.

Mr. INGRAHAM: Mr. Speaker, we are facing a tax rate of seven and one-half mills, if not eight or even nine mills. We do not know where we are going to stop. This bill calls for a provision of two thousand dollars. Now it is just a question of whether that is economy or not. I hope that it does not pass.

Mr. PERHAM of West Paris: Mr. Speaker, I should like to make a statement at this time. Mr. Carleton came to me at the beginning of the session and asked if the committee, or the men interested in this bill, would consider having the appropriation cut from two thousand dollars to one thousand dollars as a matter of cooperation in keeping the tax rate down. I talked with one or two members and I then told him that we would be glad to consider the matter and see if it could not be done. I think at this time Mr. Carleton has an amendment to cut this in two which brings it down to an amount that I would not think anyone would object to at this time. I yield the floor to Mr. Carleton.

The SPEAKER: The gentleman from West Paris, Mr. Perham, yields to the gentleman from Portland, Mr. Carleton.

On motion by Mr. Carleton the House voted to reconsider its action, a viva voce vote being taken, whereby this bill was passed to be engrossed, and that gentleman offered House Amendment A to H. P. 1748, and moved its adoption, as follows:

House Amendment A to H. P. 1748, H. D. 820.

Amend said resolve, Section three, by striking out the word "two" in the first line and inserting the word "one" that the section may read: The sum of one thousand dollars is hereby appropriated for the purpose of carrying out the provisions of this act."

The SPEAKER: Is it the pleasure of the House to adopt House Amendment A?

Mr. JACK of Lisbon Falls: Mr. Speaker, I move the indefinite



postponement of the bill. It carries one thousand dollars now.

The SPEAKER: The amendment has not yet been adopted.

Mr. JACK: Mr. Speaker, then I will not say anything about the one thousand dollars, but it carries some expense, nevertheless. The duties of this Commission, whoever they may be, will be to summons in from some portion of the State of Maine someone to act on this proposition. Now there are somewhere between seven and eight hundred thousand people in the State of Maine, and I am wondering from what particular profession they would try to decide as to what the citizenship of Maine wanted for a Sunday law. I see no necessity for it. I think if the next Legislature wants to act on it, it can do so intelligently. I signed the minority report, ought not to pass, and I move the indefinite postponement of the bill and amendment.

Mr. PERHAM: Mr. Speaker, is this question debatable?

The SPEAKER: The question is debatable.

Mr. PERHAM: Mr. Speaker, we have heard quite a bit this year in regard to changes, or proposed changes, in the Sunday law. We have had quite a lot of discussion both before the committee and outside the halls of the Legislature. I would like to say that the proposed redraft of the Perham Sunday Recreation bill has the o. k. of the Christian Civic League of Maine. Just simply mentioning that fact, I want to state that a bill on which you have their o. k. would have to be something that would be considered extra fair. I see no reason whatsoever for the indefinite postponement of this matter. We have started in and made more progress this year on getting a fair Sunday law in the State in regard to this subject than has ever been made before for years. If we are afraid to place before the public a matter like this, it seems to me it is time that somebody had some guts. That is all I have got to say in regard to the matter except that I am against the indefinite postponement of this matter, which will be upheld by eight of the committee of ten who drafted this, and it had my o. k. of the redraft because all felt that it was

the proper thing in order to give a chance to consider this matter.

You will understand that the committee of five who would look into this during the next two years is a committee who would represent the business and religious interests of the State, to be appointed by the Governor with the consent of the Council. We have cut the price down from two thousand dollars to one thousand dollars, and I will say at this time, with all of the trouble and bother that the five men who look into this matter will have, they will get no salary whatsoever. The one thousand dollars is merely for clerical expenses, sending out questionnaires or any other thing that the committee wish to do. I will say at this time that Mr. Jack and myself do not agree on this question and furthermore I do not agree on the indefinite postponement. (Applause)

The SPEAKER: Is the House ready for the question? The question is on the motion of the gentleman from Lisbon Falls, Mr. Jack—

Mr. JACK: Mr. Speaker, I ask for a ye and nay vote.

The SPEAKER: The gentleman has moved that when the vote is taken it be taken by the yeas and nays. As many as support the gentleman's motion for a ye and nay vote will rise and stand in their places until counted and the monitors have returned the count.

An insufficient number arose, and the motion for the yeas and nays failed of passage.

The SPEAKER: The question is on the motion of the gentleman from Lisbon Falls, Mr. Jack, that H. P. 1748, H. D. 820, an act to provide for the appointment of a Commission to recommend changes in the Sunday law, and House amendment A to said H. P. 1748, be indefinitely postponed. As many as are in favor will say aye, those opposed no.

A viva voce vote being taken, the motion to indefinitely postpone failed of passage.

Thereupon on motion by Mr. Carleton of Portland, a viva voce vote being taken, House Amendment A was adopted; and on motion by Mr. Perham of West Paris, the bill as amended by House Amend-

ment A was passed to be engrossed.

#### Finally Passed

(S. P. 265) (S. D. 141) Resolve in favor of D. B. Cornish to reimburse him for road construction in Phippsburg, Maine.

(S. P. 782) (S. D. 420) Resolve appropriating money to screen the outlet of Syladobsis Lake, commonly called Lower Dobsis Lake, in Township 5, North Division, in the county of Washington.

(H. P. 1658) (H. D. 797) Resolve in favor of poultry husbandry.

(H. P. 1746) (H. D. 818) Resolve to provide for the completion of the raised road between Deer Isle and Little Deer Isle.

(S. P. 774) (S. D. 414) Resolve in favor of several academies, institutes and seminaries.

(H. P. 1147) (H. D. 366) Resolve in favor of an appropriation for the promotion of the welfare and hygiene of maternity and childhood.

(H. P. 1747) (H. D. 819) Resolve in favor of the Townships of Township 1, Range 9, Township 2, Range 9, and Township 3, Range 9.

(H. P. 1690) (H. D. 750) Resolve in favor of screening Whetstone Pond, or Sylvan Lake.

#### Passed to be Enacted

(S. P. 310) (S. D. 413) An act authorizing the trustees of the charity fund of Hiram Lodge to file its certificate of incorporation in the office of the Secretary of State.

(S. P. 719) (S. D. 377) An act relating to deposits in the names of two or more persons in banks, institutions for savings, trust companies, or shares in Loan and Building Associations.

(S. P. 779) (S. D. 416) An act relative to malicious injuries to certain public property.

(S. P. 785) (S. D. 423) An act relative to certificates of incorporation.

(H. P. 1744) (H. D. 816) An act relating to taxes upon mortgaged real estate.

(H. P. 864) (H. D. 287) An act to make valid copies of records of instruments affecting or conveying title to real estate in the county of Knox and recorded in other counties.

#### Finally Passed

Resolve in favor of H. E. Houdlette, Administrator of the estate of Benjamin Owen Emmons, late

of Richmond, county of Sagadahoc, State of Maine, deceased (H. P. 1696) (H. D. 756)

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

(S. P. 806) Resolve in favor of Charles W. Davis, compensating him for loss of a cow.

(S. P. 807) Resolve in favor of Greenfield Maine Apple Growers of Greenfield, Penobscot County, compensating it for damages to apple trees by deer and fencing against deer.

(S. P. 808) Resolve appropriating money to pay pauper claims heretofore approved by the Committee on Claims.

(S. P. 809) Resolve appropriating money to pay claims heretofore approved by Committee on Claims.

(S. P. 810) Resolve in favor of William E. Brown.

(S. P. 811) Resolve in favor of Lewis Fitch.

(S. P. 812) Resolve in favor of Henry W. Sargent, compensating him for damages.

(S. P. 813) Resolve in favor of B. E. Lurchin, compensating him for storage of dynamite and exploders in his building.

(S. P. 814) Resolve in favor of E. F. Drew, compensating him for damages.

(S. P. 815) Resolve in favor of Henry Soucie, of Township No. 4, Range 6, Aroostook Co.

Comes from the Senate, introduced under suspension of the rules, and without reference to a committee given their several readings under suspension of the rules and passed to be engrossed.

In the House:

Mr. ROUNDS of Portland: Mr. Speaker, these are the same resolves that were taken out of the blanket. I see some of them are in the blanket. Is the blanket coming in tonight?

The SPEAKER: The Chair believes not. This is the only matter relating to claims which is coming in this afternoon.

Mr. KING of Orono: Mr. Speaker, both blankets are there now.

The SPEAKER: The gentleman from Orono, Mr. King, points out that the resolves as read include two blanket resolves, one with reference to payment of pauper claims and the other with reference to

payment of claims heretofore approved by the Committee on Claims.

Mr. ROUNDS: Mr. Speaker, they were all approved by the committee on Claim weren't they once in this House?

The SPEAKER: The Chair is informed that they were.

Mr. ROUNDS: Mr. Speaker, I don't know why there should be new bills come in after the committee has approved them all once. I understand that at the other end of this building there has been a conference with a part of the committee on Claims and the Governor and part of the Council and some others interested. The whole committee was not invited in, as it was said that it might take too long if they were. (Laughter) Now I understand that there is another blanket to come in.

The SPEAKER: The Chair thinks that is not correct. The gentleman from Portland (Mr. Rounds) is informed that the original blanket claim resolve was the subject of a veto message which has been sustained in the Senate, and the Chair believes that the several resolves, the names of which the Clerk has just read, are the result of some segregation of the resolves which were originally in the Claim resolve which was vetoed.

Mr. ROUNDS: Mr. Speaker, I hold in my hand something here that there was another blanket claim coming in that he did not kind of like the looks of—Millard E. Nickerson for reimbursement on damaged automobile, Raymond E. Hurd compensating him for injuries, Adam Maniste, compensating him for damages, Charles E. Merry for damage to a cow shot by hunter, Chester Dutch, compensating him for the loss of a cow, J. W. Hanson, for expenses for killing a child, town of Mattawamkeag for expense in care of Emery Gooch, Henry M. Salisbury, compensating him for damages, Anton R. Jordan, compensating him for damage by moose. I would like to ask the gentleman from Orono (Mr. King) if that is true.

The SPEAKER: The gentleman from Portland is informed that S. P. 809 providing money to pay claims heretofore approved by the committee on Claims appears to contain the particular matters to which the gentleman has referred.

Mr. ROUNDS: Mr. Speaker, then I move that \$191 be taken from the claims and be indefinitely postponed. This was a matter where a man very generously paid the expense of burial for a child but he could not pay for a girl who was carrying a bullet in her side; but he wants to be reimbursed for giving some money, although he is a good fellow to give money when he kills a child, then wants the State to reimburse him. I do not see why we should pay that money to him, and I move that that item be indefinitely postponed.

The SPEAKER: The question before the House is whether the House will suspend the rules and give a first reading without reference to a committee to resolve in favor of Charles W. Davis, compensating him for the loss of a cow.

Thereupon the resolve had its first reading.

Mr. ROUNDS of Portland: Mr. Speaker, this is a \$15 one. This is the one where the State sold the cow for \$26 and some cents and has not paid it. Now I want to state right here: How many of you people have eaten bologna sausage for the last year for which the State is stuck \$29,818.78 that they got for selling diseased cows to put into bologna sausage? Here is a matter of \$15 that has been kicked around this House for almost three months, and there has been more than \$50 worth of fun for that \$15; therefore I think we ought to pay that \$15, because one of the employees—I was going to have a letter telling the Legislature that the fellow had no business—the fellow employed by the State of Maine—to do anything different than what was said. I think it is right—we are over him—and he should be brought before this tribunal, if it was not too late, and find whether he is bigger than the Legislature—an employee of the State—or the Legislature is bigger than he is.

I, for one, would like to see that \$15 claim for that cow of that poor man paid. I don't know whether they have got anything for the hide, the head and the hooves—I haven't found that out yet, but I am trying to find it out, and if you will table it until tomorrow morning I think I can find out whether they got anything for

the head and tail and the hooves of that cow. (Laughter.)

The SPEAKER: The question before the House is the assignment of this resolve for second reading. If this resolve is assigned for second reading tomorrow morning the gentleman will perhaps have an opportunity to inform himself.

Thereupon tomorrow was assigned for the second reading of the resolve.

The SPEAKER: The question now before the House is whether the House under suspension of the rules will give first reading without reference to a committee to a resolve in favor of Greenfield Maine Apple Growers, Penobscot County, compensating it for damages to apple trees by deer and fencing against deer, S. P. 807.

Mr. ROUNDS: Mr. Speaker, I believe that self constituted committee has agreed to refer that to the Governor and Council to go up and see how many apples were raised there. It was thirty-nine thousand and some odd dollars.

Mr. KING of Orono: Mr. Speaker, this claim is somewhat different from the ordinary claims that have been presented here. The procedure pursued as to this claim is that of authorizing the Governor and Council to investigate and adjust the claim according to their findings. The money is not raised but will be paid from some funds that may be available at the time.

Thereupon the resolve had its first reading under suspension of the rules, without reference to any committee and tomorrow assigned.

The SPEAKER: The question now before the House is whether the House will give a first reading, under suspension of the rules, without reference to any committee to resolve appropriating money to pay pauper claims heretofore approved by the committee on Claims, S. P. 808.

Thereupon the resolve had its first reading, and on motion by Mr. King of Orono, the resolve had its second reading under suspension of the rules and was passed to be engrossed in concurrence.

The SPEAKER: The question now before the House is whether the House will give a first reading under suspension of the rules without reference to any committee to

resolve appropriating money to pay claims heretofore approved by committee on Claims, S. P. 809.

Thereupon the resolve had its first reading.

Mr. ROUNDS: Mr. Speaker, I move that we reconsider the vote whereby we passed S. P. 809.

The SPEAKER: The gentleman is offering an amendment to the resolve now under consideration?

Mr. ROUNDS: I move to amend S. P. 809 and offer an amendment as follows:

House Amendment A to S. P. 809.

Amend said resolve by striking out the following therefrom:

"J. W. Hanson for expenses in connection with death of Florence Rice, one hundred ninety-one dollars" and by striking out in the third and fourth lines the words "Four hundred and eighty-seven" and by inserting in place thereof the words "two hundred ninety-six."

Thereupon House Amendment A was adopted, and on further motion by Mr. Rounds the rules were suspended, the resolve had its second reading and was passed to be engrossed.

The SPEAKER: The question now before the House is whether the House under suspension of the rules, without reference to any committee, will give a first reading to resolve in favor of William E. Brown, being S. P. 810.

Thereupon the rules were suspended, the resolve had its two several readings and was passed to be engrossed in concurrence.

The SPEAKER: The question now before the House is whether under suspension of the rules the House will give a first reading without reference to any committee to resolve in favor of Lewis Fitch, being S. P. 811.

Thereupon the resolve had its two several readings under suspension of the rules and was passed to be engrossed in concurrence.

The SPEAKER: The question now before the House is whether under suspension of the rules the House will give a first reading without reference to any committee to a resolve in favor of Henry W. Sargent, compensating him for damages, being H. P. 812.

Thereupon the resolve had its two several readings under sus-

pension of the rules and was passed to be engrossed in concurrence.

The SPEAKER: The question now before the House, is whether under suspension of the rules and without reference to any committee the House will give a first reading to a resolve in favor of B. E. Lurchin, compensating him for storage of dynamite and exploders in his building, S. P. 813.

Thereupon the resolve had its two several readings under suspension of the rules and was passed to be engrossed in concurrence.

The SPEAKER: The question before the House is whether or not under suspension of the rules, without reference to any committee, the House will give a first reading to resolve in favor of E. F. Drew, compensating him for damages, S. P. 814.

Thereupon the resolve had its two several readings under suspension of the rules and was passed to be engrossed in concurrence.

The SPEAKER: The question now before the House is whether under suspension of the rules without reference to any committee, the House will give a first reading to resolve in favor of Henry Soucie of Township No. 4, Range 6, Aroostook county, S. P. 815.

Thereupon the resolve had its two several readings under suspension of the rules and was passed to be engrossed in concurrence.

From the Senate: Bill an act relating to investments in industrial bonds by savings banks, S. P. 816.

Comes from the Senate, introduced under suspension of the rules, and without reference to a committee, given its several readings under suspension of the rules and passed to be engrossed.

In the House, under suspension of the rules the bill was given its two several readings and tomorrow assigned.

On motion by Mr. Rounds of Portland, the House voted to reconsider its action whereby resolve in favor of Greenfield Maine Apple Growers of Greenfield was assigned for second reading tomorrow morning, and on further motion by the same gentleman the

rules were suspended, the resolve had its second reading and was passed to be engrossed in concurrence.

#### Further Papers From the Senate

(Out of order, under suspension of the rules.)

From the Senate: Bill an act to authorize the treasurer of State, under direction of the Governor and Council, to issue bonds for State highway and bridge construction, conditional on the adoption by the people of an amendment authorizing the said bonds.

The House this day having accepted the minority report, ought not to pass.

Comes from the Senate, the majority report ought to pass in new draft accepted and the new draft passed to be engrossed in non-concurrence.

In the House:

Mr. MERRILL of Dover-Foxcroft: Mr. Speaker, I move that the House recede and concur.

The SPEAKER: This is the bill proposing the twenty million dollar bond issue.

Mr. CLIFFORD of Garland: Mr. Speaker, if it would be in order I would move that the House adhere.

The SPEAKER: The motion to recede and concur is before the House and has precedence.

Mr. BELLEAU of Lewiston: There seem to be so many members absent that I think the matter should be tabled until tomorrow morning and I so move.

A viva voce vote being taken, the motion to table prevailed and the matter was specially assigned for tomorrow morning.

Mr. VARNUM of Westbrook: Mr. Speaker, I move that the House now recess until eight o'clock.

The SPEAKER: The motion before the House is that the House now recess until eight o'clock.

Mr. VARNUM: If there are one or two matters that can be attended to before we recess, Mr. Speaker, I will withdraw my motion.

Motion withdrawn.

Paper from the Senate, out of order, under suspension of the rules.

From the Senate: Report of the committee on Revision of Statutes

on bill an act to amend Section 6 of Chapter 83 of the Revised Statutes relative to Clerk of County Commissioners, S. P. 656, S. D. 315, reporting same in new draft under same title, S. P. 803, S. D. 430, and that it ought to pass.

Comes from the Senate report read and accepted, and the new draft passed to be engrossed.

In the House, report read and accepted in concurrence, the bill had its two readings and tomorrow assigned.

On motion by Mr. Aldrich of Topsham the House voted to reconsider its action whereby this bill was assigned for its third reading tomorrow morning; and on further motion by the same gentleman the rules were suspended and the bill had its third reading and was passed to be engrossed in concurrence.

From the Senate: Majority report of the Committee on Ways and Bridges on resolve proposing an Amendment to the Constitution to provide for an additional issue of highway and bridge bonds (S. P. 166) (S. D. 76) reporting same in a new draft (S. P. 740) (S. D. 394) under same title and that it ought to pass.

Report was signed by the following members:  
Messrs.

BOND of Lincoln  
LELAND of Piscataquis  
—of the Senate  
MERRILL of Dover-Foxcroft  
JONES of Winthrop  
BACHELDER of St. George  
HAWKES of Standish

—of the House  
Minority report of same Committee reporting ought not to pass on same resolve.

Report was signed by the following members:  
Messrs.

LOWELL of Lincoln  
KITCHEN of Presque Isle

—of the House  
Comes from the Senate the majority report read and accepted and the resolve passed to be engrossed as amended by Senate Amendment "B."

In the House, on motion by Mr. Kitchen, tabled and specially assigned for this evening.

At this point the House recessed until 8 P. M.

#### After Recess—8 P. M.

The Speaker in the Chair.

The SPEAKER: The Chair will announce the committees of Conference appointed on the two gas tax bills, so-called.

On H. P. 1224, H. D. 412, an act relating to a tax on gasoline, Messrs. Kitchen of Presque Isle, Gillespie of Meddybemps and Burkett of Portland.

On H. P. 1225, H. D. 409, an act to provide funds for the construction of State highways, the same gentlemen.

Paper, out of order, from the Senate.

From the Senate: Ordered, the House concurring, that all claims against the State presented to the Legislature, shall be submitted to the Attorney General, who shall forthwith cause to be investigated all the facts relating to the same; and shall represent the State at all hearings of said Claims by the Claims committee and make report of his findings.

Comes from the Senate, read and passed.

In the House:

Mr. JACK of Lisbon Falls: Mr. Speaker, I move that the order be indefinitely postponed in non-concurrence. As I understand it there will be no more meetings of our Claims committee and in the Joint Rules of the two Houses at this time, the next session will adopt the Joint Rules of this session. Therefore it has not been properly presented.

The SPEAKER: Is it the pleasure of the House that the order be indefinitely postponed in non-concurrence.

Mr. KITCHEN: Mr. Speaker, I move to table the order until tomorrow morning.

A viva voce vote being doubted,

A division of the House was had,

Sixty-four voting in favor of the motion to table and 27 in opposition thereto, the motion to table prevailed.

The SPEAKER: The Chair presents a matter assigned for this evening, Senate Paper 320, S. D. 425, resolve in favor of the State Park Commission, tabled earlier in the day by the gentleman from Portland, Mr. Carleton; and the Chair recognizes that gentleman.

On motion by Mr. Carleton, the

resolve was retabled until tomorrow morning.

The SPEAKER: The Chair presents a matter assigned for this evening, S. P. 740, S. D. 394, resolve proposing an amendment to the Constitution to provide for an additional issue of highway and bridge bonds, there being two reports thereon, the majority report signed by Senator Bond of Lincoln and Leland of Piscataquis and Representatives Merrill of Dover-Foxcroft, Jones of Winthrop, Bachelier of St. George and Hawkes of Standish, and the minority report of the same committee signed by Messrs. Lowell of Lincoln and Kitchen of Presque Isle, both reports having been tabled this afternoon by Mr. Kitchen; and the Chair recognizes that gentleman.

Mr. KITCHEN: I yield to the gentleman from Dover-Foxcroft, Mr. Merrill.

Mr. MERRILL: Mr. Speaker, I hesitate to do anything that will delay Legislative progress, but we have not a full representation of the members present tonight, and I would very much prefer to defer action on this matter until tomorrow morning. Therefore, I make the motion that this be retabled until that time.

A viva voce vote being taken, the motion prevailed.

The SPEAKER: Is there any further business to come before the House?

Mr. BLAISDELL of Franklin: Mr. Speaker, owing to the fact that we have been in session but a few minutes, and we may have a bit of time, I would like to ask a point of personal privilege for a few moments.

The SPEAKER: The gentleman from Franklin, Mr. Blaisdell, will state the point of personal privilege. The gentleman asks unanimous consent to make a few remarks. Is there any objection? The Chair hears none, and the gentleman will proceed.

Mr. BLAISDELL: Mr. Speaker and Members of the House: There is a little matter pertaining to a certain young man connected with this legislative session about whom I would like to make just a few remarks.

It is not very often that the people of the State of Maine or any

individual in the State of Maine gets something so-called for nothing, but one of the citizens of the State of Maine connected with this Legislature I find is an author, a photographer of considerable note, and a true sportsman. We have, walking up and down the corridors of this State House every day, more or less unnoticed, a young man who writes articles and who has contracts extending over a period of two years with the National Geographic Magazine, the Forest and Stream Magazine, The National Sportsman, Hunting and Fishing, Field and Stream, Nature Magazine, American Forestry and Forest Life, Outdoor Life, Outdoor Recreation, and the American Rifleman, and others.

These represent the typical magazines which vacationists search for when they start their annual outings.

This young man does not write fiction, he writes accurate facts based upon the travels of himself and his wife throughout the vast expanse of the State of Maine. In other words, he confines himself to the true details which he finds in Maine forests and upon Maine's fishing streams and brooks. Whenever he writes an article for any of the magazines which I have named, he gives the correct names of the places that he visits, the correct names of the guides and the people that he meets, so that any vacationist from the Mississippi River east can go to identically the same places and find the facts as they read them in the articles which he writes. Others may go where he has been and identify from the articles the subject matter which he has written. This, I claim, is true advertising.

I had hoped to bring this matter to the attention of the House this afternoon, for the reason that sitting down in front was that venerable old gentleman, an editor that we all admire, Arthur Staples.

In this National Geographic Magazine of April, I ask you all to either purchase a copy or run down to the Library and look at a copy and see the wonderful article that there is in here on the Allagash River and the beautiful wild life scenes that are in the National Geographic with a circulation of something over 350,000 copies. The National Geographic has an article in there

by a young man we meet every day in our corridors, and none of us have hardly realized the real work that he is doing in advertising the State of Maine.

So interesting is his article, that Arthur Staples saw fit, on April 10th, which was last night, to print in his "Common Talks" a full column upon the wonderful advertising features of the work of this young man. Briefly, and I will read just the first sentence or two, Mr. Staples starts out by saying: "An outstanding benefit to Maine is to be derived from the article in the National Geographic Magazine, by Kenneth Fuller Lee, on the Allagash Waters of Maine.

"For the first time, Maine's deeper woods are treated sympathetically and pictorially, by a nature-lover. Mr. Lee and his wife are not dilettante or amateur. They are true woodsmen, lovers of nature, dwellers in the silent places, and Mr. Lee is a photographer and writer of the truth."

And then he goes on at length dealing with the article which appears in this wonderful magazine.

I wish to call your attention to the letter which Mr. Lee received immediately upon the article being published. This is from Harrie B. Coe of Portland, Maine, who is the Secretary of the Maine Publicity Association. He says: "My dear Mr. Lee: I want to compliment you on the splendid story and pictures in the April National Geographic which I saw at the Portland Club yesterday. In my opinion it is one of the biggest pieces of advertising for the State of Maine that has ever come out."

And then he goes on further to congratulate this young man upon his efforts.

I wish to say, in closing, that Ken Lee, the Clerk of the Legal Affairs Committee, that we all know so well on that committee, showed me and gave me to read sixty letters from prominent people from Arizona to Maine on the article which he had written in this National Geographic and which will travel into foreign countries, explaining in detail the wonderful things we have in Maine, and its wild life. I

say, gentlemen, this is real advertising. Others have said it is more than real advertising, and I think this House should know it and express its appreciation so that the record may show it, that the young man may continue work on the outdoor advertising of Maine, and I ask that this House give a rising vote of thanks that we may give this fellow a pat on the back, as he told me this afternoon there are no limits to which a pat on the back from this Legislature would drive him, and so I say: Let us pat him on the back by rising in appreciation.

Thereupon, the House gave Kenneth Lee a rising vote of thanks for his work, the members applauding.

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Mr. Jackson of Portland, presented report of the committee on the Mock Session which was not made a part of the record.

Mr. JACKSON: Mr. Speaker, in behalf of the committee, I want to say that the committee expresses its appreciation to all those who helped to make our show a success, and the committee also wishes to take this opportunity to express its appreciation of one of its members who wrote the entire act, our genial and versatile newspaper reporter, Stan Atwood.

Mr. MERRILL of Dover-Foxcroft: Mr. Speaker, I had understood an order was to be introduced expressing appreciation and sincere thanks of this body for the entertainment furnished by the committee on that night, and having seen no such order, or having heard no such order read, I move that a rising vote of thanks be given in appreciation of the entertainment to the committee.

Thereupon, the House tendered a rising vote of thanks to this committee, the members applauding.

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The SPEAKER: Is there any further business to come before the House?

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On motion by Mr. Kitchen of Presque Isle,

The House adjourned until 9:30 tomorrow morning.