

# 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**

Friday, April 12, 1929.

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

Prayer by the Rev. Mr. Clark of Gardiner.

Journal of the previous session read and approved.

**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**

(H. P. 55) (H. D. ) Resolve in favor of a memorial for William Pitt Fessenden.

**Passed to be Engrossed**

(S. P. 742) (S. D. 399) An act relating to the use and operation of motor vehicles on the highways.

(H. P. 1758) (H. D. 827) An act to establish a State Highway Commission.

Mr. ALDRICH of Topsham: This is in reference to the act to establish a State Highway Commission?

The SPEAKER: It is. Does the gentleman desire to discuss this matter at some length?

Mr. ALDRICH: I should like to, Mr. Speaker.

The SPEAKER: It might perhaps facilitate business if the House might proceed with the uncontroverted matters and return to this matter immediately under orders of the day.

Thereupon, on motion by Mr. Aldrich of Topsham, the House voted to table this matter, to be specially assigned this morning ahead of the other matters today assigned.

(S. P. 816) An act relating to investments in industrial bonds by savings banks.

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

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

Mr. ROUNDS of Portland: Mr. Speaker, I move that this bill be indefinitely postponed, as it has

been taken care of in another way, so I won't have to report to this House what has become of the head and the tail and the hooves and the horns.

Thereupon the House voted to indefinitely postpone this resolve.

**Passed to be Enacted**

(S. P. 750) (S. D. 405) An act to amend Section 98 of Chapter 16 of the Revised Statutes of the State of Maine on State aid to academies.

(H. P. 15) (H. D. 822) An act relating to the pollution of the waters of Carleton Pond.

(H. P. 863) (H. D. 286) An act to provide for a Town Manager for the town of Winthrop, in the county of Kennebec.

(H. P. 1742) (H. D. 813) An act relating to interest charged by small loan agencies.

(On motion by Mr. Kitchen of Presque Isle, temporarily tabled, pending passage to be enacted)

**Orders of the Day**

The SPEAKER: Under orders of the day the first matter in order is the matter tabled a few moments ago by the gentleman from Topsham, Mr. Aldrich, (H. P. 1758) (H. D. 827) an act to establish a State Highway Commission, the pending question being the third reading of the bill; and the Chair recognizes the gentleman.

Mr. ALDRICH of Topsham: Mr. Speaker and Members of the House: I would call to your attention that the bill under consideration known as the Gillespie Bill is in all particulars, with the exception of the salary, a mere re-affirmation of the present law, and under it you will have a Highway Commission constituted as at present, receiving a salary, I believe, of \$3,500 apiece instead of \$1,000 apiece, as at present. The bill, of course, legislates out of office the present Highway Commission and in anything which I may say here this morning I am proceeding upon the assumption which I think is warranted that the sole purpose of this bill is to legislate from office the members of the present Highway Commission. That being so, it is of interest to us to know something about this Highway Commission which, I say now, has been slandered and vilified for a

period of more than two years.

I wish to make clear to you at this time that I am not presenting to you for the purpose of attempting to influence you in the slightest degree in your action what I shall present to you. I am offering what I shall say for the one purpose and the one purpose only that there shall be placed upon the record of this Legislature as a permanent document some of the facts concerning the Highway Commission which I assume, gentlemen, you are about to legislate out of office. I shall not plead with you not to legislate them out of office, but I do desire that after you legislate them out of office, when you go back home and when you have a little spare time, and the legislative record of this Legislature comes to you, and for the purpose of refreshing your recollection you read of what we have done here,—you will of course derive enjoyment from the memories of many things,—but that you may also, in the quiet of your home, read what have been the accomplishments of a Highway Commission which, if you pass this bill, you will have legislated out of office.

Now we might as well recognize the situation, and I am going to. There is only one man involved in this attempt to legislate, just as two years ago it was only one man whose removal was desired. So I say to you now that throughout the three months which have passed here, in my opinion and from my somewhat intimate knowledge of what has been going on here in Augusta, there has been the same sole desire to accomplish the elimination of Charles Murray from the Highway Commission; and in order that you may know what this means I desire to present to you some of the facts concerning Charles Murray, and some of the facts concerning his accomplishments as Highway Commissioner for the State of Maine. And again I wish to impress upon you that I am not presenting these facts with any desire to influence you, and I am not going to ask you to either support or defeat this bill. Each member, after I have finished, may decide for himself or herself what, in justice particularly to the State of Maine, should be done.

Who is this man Murray and what has he done? Charles Murray is, I will say, the leading road contractor in the State of Maine; who, in my judgment, knows more about the construction of roads than any other man in this State. At the age of 23 years, as an independent contractor, he built twenty miles of the railroad of the Washington County Railroad Company,—twenty-three years old. At the age of twenty-nine, in the town of Woodland, where the St. Croix Paper Company was established he built all the waterworks, sewers and streets in that town. He has at various times acted as contractor for the Bangor and Aroostook Railroad Company, for the Grand Trunk Railroad Company, for the Shelburne and Halifax Railroad Company of Canada, for the Canadian Pacific Railroad Company, for the Great Northern Paper Company; and at Lubeck, Maine, as a sub-contractor for Walter Wyman he built the waterworks in that town.

It is a man with this equipment, with this experience, who was induced, against his will, three or four years ago to become a member of the Highway Commission of this State. And it was upon the representation of his friends,—and I say to you, that I speak with the authority of those friends,—it was upon the recommendation of those friends that it was a public duty on his part because of his vast experience, that he give that experience to the State of Maine; and I say to you that he accepted that position from that viewpoint and solely for that reason, and so far as I have ever heard, up to the present moment Charles Murray has regarded that appointment as an honor for which in return he was obligated to give the State of Maine the best that was in him.

Now let us see what he has done. Charles Murray came on to this Commission, I think, in 1925, and at the time he came into that position, do you know how roads were being built in this State? Do you know that gravel was being taken out of the gravel pits by hand,—by shovels? Do you know that we were building roads with a pick and shovel? Do you know that we were drilling ledges by hand? Do you know this State had no equip-

ment whatever? And I will say to you that we built some forty-five million dollars' worth of roads under that antiquated procedure. Charles Murray came on to the Commission, and as the result of his experience immediately insisted that the Commission should get on to a business-like basis and handle its business as other large businesses were handled.

Up to that time the contracts for roads in this State had been let to people largely from this State, illy equipped to do the work—there had been bankruptcy on the part of the contractors who undertook the work, and Charles Murray said "That is no way to build highways." And so with his experience and with his influence he succeeded in securing some of the largest contractors in New England to bid on our roads, and during the last three years the highways of this State, built under his plan, have been built at a saving of \$457,405.98 under the estimated cost of the engineers of the Highway Department.

When Charles Murray came to this Commission the bridges were being constructed and cared for in the same manner as were our highways, and since Charles Murray's advent upon this Commission the past three years the bridges built in this State have been built at a saving of \$558,415.81 under the estimates of the Engineering Department of the Commission as to what they would cost. In those two classes of projects there has been a saving in three years to the State of Maine,—and I now claim that the credit for it is due this same Charles Murray—there has been a saving under the estimated prices of the Engineering Department of the Highway Commission of \$1,015,-821.79; and this, my friends, is the gentleman whom you are asking to legislate out of office.

This may be a basis for it, but let us see what further basis there may be for such action; let us see what further basis there may be that the State of Maine should be dissatisfied with this man. When Mr. Murray became a member of this Commission in 1925, the State of Maine was buying its crushed stone mostly in Massachusetts, and it cost the State of Maine to get that stone on the job within thirty-five miles of Portland, \$5.62 per cubic yard.

What did Murray do? Murray against the opposition of the Chief Engineer of the Highway Department, and I will speak of him later, insisted that the only business-like thing for the State of Maine to do was to get a crusher and crush its own stone, and in spite of the opposition, the crusher was purchased,—or crushers—and instead of costing the State of Maine \$5.62 per cubic yard paid to the State of Massachusetts for stone there, now it is costing the State of Maine \$1.75 per cubic yard, and the money is all spent in Maine. It goes to the farmers of Maine who take their waste time in the winter and deliver and sell it to the State. Now I have not the figures to show you what the possible total savings in that one matter has been within the past three years, but I will just call to your attention to that that represents a saving of nearly \$4.00 a cubic yard on crushed stone. Is this a basis or warrant for legislating this man out of office? If so, I will acquiesce in your decision.

What further do we know? As I told you, when Mr. Murray came to the Commission, gravel was handled by hand. Shovels were purchased by Murray in spite of the same opposition, and the saving has been on one shovel which handled a capacity of 400 yards a day—that 400 yards is handled at a cost of \$60.50 a day, where it formerly cost the State of Maine \$144 a day. In addition to this, two other shovels, gasoline shovels, were purchased with a capacity of 275 yards, and those shovels each cost the State \$33.50 a day as against a cost of \$98.50 by hand. I won't tire you with figures, but there was a saving from the use of those three shovels of the sum of \$1,414 a day to the State of Maine, and I am credibly informed that those shovels are used, conservatively estimated, on an average of 200 days a year. And based upon that, the saving in the handling of gravel alone, through the efforts of this man, amount to \$282,800 a year.

Now with respect to the drilling by hand, I told you that when Charles Murray came on the Commission,—think of it, they were drilling ledges by hand, and here again he insisted that there should be compressor drills, and they got fourteen of them I believe. I made

a mistake in my figures a moment ago. What I said as to the saving from shovels applied to the drilling machines. As a result, the average drilling of 150 feet of ledge a day is \$26 as against a total of \$127 a day, the old way, and these fourteen drilling machines, used on an average of 200 days a year, have netted a saving to the State of Maine over the old method of \$282,800 a year, or \$114 a day. I erred in saying that was the saving from the gasoline shovels. I have not estimated what that saving was, but any of you can see that with the use of these gasoline shovels in the handling of gravel, this saving must have run into many thousands of dollars.

Nor is this all. When this man came to the Highway Commission, the Engineering Department of the Highway Commission had adopted and was following a single definite policy of building the same type of bridge under all circumstances, and Murray said—he had a great deal of trouble about this—“It is foolish to build the same type of bridge in an out-of-the-way section where it is not much used as you would build on your State highways where the travel is tremendous,” and so at last there has been adopted in this State the policy of building bridges which would fit the conditions at the places where the bridges are built, and I say to you now that that will unquestionably save the State of Maine thousands and thousands of dollars.

Now on the matter of bridges, in order that you may appreciate in a concrete way one or two things that have been done: It was proposed by the Engineering Department to re-build a bridge up in Wallagrass, and their estimate of cost was \$62,000, and Mr. Murray took the position that the situation there warranted no such construction, with the result that a satisfactory bridge was placed there at a cost of somewhere around ten or twelve thousand dollars.

Down in Knox County, where the engineers, at a dead end of the road where there were only three families living, still adhering to the policy of building the same type of bridge, proposed to put in a bridge which would cost sixteen thousand odd dollars. Now I have not the

figures of what the actual bridge put in there did cost, but my recollection is that it was something less than \$5,000,—done at the direction of this same man Murray.

On the matter of roads, there was a definite policy that all roads should be twenty-four feet wide. From this man was an insistence that in out-of-the-way places where no such width of road was needed there should be a reduction to eighteen feet, and that has been put into operation, with the consequent resulting saving, as you can realize.

When this man came to the Commission, the specifications for roads called for corrugated iron culverts which would probably have a life of about ten years, and for over a year he endeavored to get that specification changed so that instead of corrugated iron culverts we might use reinforced concrete culverts which would last 100 years. Our roads have, all over the State, these corrugated iron culverts, and I wish to predict to you now that it will not be many years before your roads will settle where those culverts are, and you will then have the tremendous expense of tearing up that road, tearing out that culvert and putting in a proper one.

In this connection, permit me to say Mr. Murray was so interested in this matter that, being unable to get by letter, through his Chief Engineer, any satisfaction from Washington, he himself went down to see Mr. MacDonald of whom you have heard much lately, and after the greatest difficulty he succeeded in having an interview with that gentleman, who, although in our neighboring States reinforced concrete culverts were being permitted with the approval of the Federal Government, refused to change that specification, and insisted or stated that they would change it when they got ready. Now it may be only a coincidence, but I am credibly informed that our former Chief Engineer is a close, intimate friend of this same Mr. MacDonald; and I wish to say that until that Chief Engineer resigned the State of Maine was unable to get that specification of the culvert changed. Since his resignation the Department has succeeded in getting the Agricultural Depart-

ment, through Mr. MacDonald at Washington, to consent to the change and to the use of reinforced concrete culverts. Now it may be only a further coincidence, but it is nevertheless a fact, that since the Chief Engineer resigned and at the present time he is acting as General Manager or Treasurer or in some official position for the company which sold him corrugated iron culverts which are under our roads and which I predict to you you will be taking out in a few years.

Within a week, the Highway Commission received a bid on, I think, its year's supply of gasoline, and the large dealer who was able, —and who was the only one bidding,—to make prompt deliveries, made a bid of one cent a gallon more than any other dealer, and it was the opinion of two of the Commission that notwithstanding that bid, that extra cent, because of the ability for prompt delivery, the contract should be awarded to that large concern.

Charles Murray said "I believe that I can get that company to reduce its price by a cent a gallon." And I say to you, while this is going on, while you have had an investigation, he succeeded in getting that company to reduce its bid and thereby saved to the State of Maine on the gasoline for this year the sum of \$6000—six times what you are paying him.

Now has he worked on this job? In the three years and a half that he has been on this Commission he has never missed a single meeting of the Commission. During the last year, in going about, supervising the work under this Commission, he has travelled 32,000 miles, almost an average of 100 miles a day, and if any of you who drive cars stop to figure and realize what that means, you will appreciate that he has been travelling some. He has worked week days and Sundays. Now is it proposed, as a return for that service, that he be legislated out of office? I wish to offer the opportunity, and I pause, to allow any member of this House to rise, who is in a position to specify in any particular where this man Murray has ever cost the State of Maine a dollar, to specify in any particular wherein he has been inefficient, to

dispute in any particular the savings which I have indicated here that have been made under his regime, and due to him to so state—and I wait for anyone to rise. (Pause.) Apparently no one is able to point wherein Charles Murray has erred.

My friends, what is this all about? Whence did it start? What has kept it alive? I wish that it were not so late in the session, that I might ask your indulgence to talk to you for about two hours, and I will say to you that I believe that I could give you some information which would make you wish that you had held an investigation.

I have told you that this man did not want the office. He was urged into it. Two years ago I sat in this room and listened to the scurrilous attempts to blacken his character. The gentleman from Cape Elizabeth, (Mr. Chase) has been kind enough to suggest that by reason of the stand which I took, I am in some unexplained manner partly at least responsible for this present highway scandal. Permit me to say to this House that there is no act which I have ever done in my life of which I am prouder than the defense which I made of this much-abused, maligned and persecuted man two years ago. It was, I think, two years ago today, or tonight, that we came to a vote on a bill which was very similar to this, and which, like this, involved the question as to whether Charles Murray should be legislated out of office. Unlike today, although it was Friday, it was Good Friday. I have never known, and I do not know now, whether the significance of that particular day had any influence upon the members of this House; but I am happy to say here, and I am proud of the Eighty-third Legislature, that notwithstanding the contemptible attack which was made to besmirch the reputation of what I believe to be an honorable man, that Legislature refused to crucify him; and I wish to point out to you that what the Eighty-third Legislature refused to do, you, at the behest, I say now, of the same influences which were at work then, are asked to do what we then refused to do.

If this public servant is to be rewarded, if efficiency is to be re-

paid by being tossed out of the window, if honor and integrity in adherence to a public trust are to be answered by dismissal, then I wish to leave with you this one thought: If we do it, where, in the face of it, will you get anyone of any ability to take the place? Would you, any one of you in this House, after Charles Murray, in view of what I have told you, and in view of the fact that no member of this House arises to say a word against him—would any one of you take the position after his dismissal, after you dismissed him? If so, I am mistaken.

There is one other thought I want to leave with you. The passage of this bill will be the final culmination of our submission to the demands from Washington. We have submitted and submitted, for over a month, and we are being defied by this same man who is the head of a department of another Department in Washington. According to the press he says that it makes no difference what your Investigating Committee found, that his conditions have not been met by the State of Maine, and until they are met, his defy stands.

Pass the Gillespie Bill—grant to Mr. MacDonald all you want to—but I say to you that the day we pass it the Flag of the State of Maine will trail in the dust! And I am going to suggest to you that if we do this, that we pass a resolution, as I suggested the other day, that we change our shield and strike therefrom the word "Dirigo" and substitute the word "Abdico;" because we will become known as the "Abdicators of the Eighty-fourth Legislature."

Now I do not ask you to vote any way. All I ask of you is that you be guided by your conscience, that you be guided by your sense of justice, and if you feel, so guided, that you should legislate Charles Murray out of office, I of course shall abide by the results. But, in concluding, just let me say,—referring to a remark which was made the other day, "May God Save the State of Maine." (Applause)

Mr. MERRILL of Dover-Foxcroft: Mr. Speaker, I move the third reading of this bill and ask for a yea and nay vote.

Mr. ALDRICH: Mr. Speaker, if the motion is in order, I would

move the indefinite postponement of the bill.

The SPEAKER: The gentleman from Topsham, Mr. Aldrich, moves the indefinite postponement of the bill—

Mr. ALDRICH: I would ask also, Mr. Speaker, that it be taken by a yea and nay vote.

The SPEAKER: And the same gentleman asks that upon said motion the vote be by yeas and nays. Is the House ready for the question? As many as support the motion of the gentleman from Topsham, Mr. Aldrich, for the yea and nay vote, will rise and stand in their places until counted, and the monitors have returned the count.

A sufficient number having arisen, the yeas and nays were called for.

The SPEAKER: The question before the House is on the motion of the gentleman from Topsham, Mr. Aldrich, that this bill, which is H. P. 1758, H. D. 827, an act to establish a State Highway Commission, and is the so-called Gillespie bill, be indefinitely postponed. A vote of yes is a vote in support of the motion for indefinite postponement and a vote against the bill; a vote no is against the motion for indefinite postponement and a vote for the bill. Is the question clear to the House? The Clerk will call the roll.

YEA—Aldrich, Allen, Sanford; Angell, Belleau, Bisbee, Blaisdell, Carleton, Winterport; Clifford, Comins, Couture, Crawford, Hamel, Rodolphe; Harrington, Hubbard, Hurd, Ingraham, Jack, Jackson, Bath; Jackson, Portland; Jacobs, Auburn; Jones, Corinna; Laughlin, Leonard, McCart, McKnight, McLean, Milliken, Morin, Palmer, Potter, Powers, Pratt, Quint, Rea, Richardson, Robie, Rounds, Rumill, St. Clair, Sargent, Stone, Sturgis, Taylor—43.

NAY—Adams, Allen, Camden; Anderson, New Sweden; Anderson, South Portland; Bachelier, Bailey, Bissett, Blanchard, Blodgett, Boston, Bove, Briggs, Burkett, Portland; Burkett, Union; Burns, Burr, Butler, Buzzell, Campbell, Carleton, Portland; Chase, Clark, Daigle, Day, Dudley, Eaton, Farris, Fogg, Folsom, Ford, Foster, Friend, Gagne, Gay, Gillespie, Hamel, George; Hammond, Hatch, Hathaway, Hawkes, Richmond; Hawkes, Standish; Heath, Hill, Holbrook, Holman, Hughes, Hunt, Jacobs, Wells; Jones, Waterville; Jones, Windsor; Jones, Winthrop; Kane, King, Kitchen, Lenfest, Lewis, Libby, Littlefield, Farmingdale; Littlefield, Monroe; Locke, Lombard, Lowell, MacKinnon, Mansfield, Melcher,



Merrill, Morse, Oakland; Morse, Rumford; O'Connell, Patterson, Peacock, Perham, Perkins, Pike, Rackliff, Roach, Rogers, Greenville; Rogers, Yarmouth; Roy, Saucier, Seavey, Small, Freedom; Small, East Machias; Stanley, Sterling, Kittery; Sterling, Caratunk Plantation; Stetson, Stuart, Sturtevant, Thatcher, Towne, Tucker, Varnum, Vose, Ward, Webster, Auburn; Webster, Buxton; White, Dyer Brook; Wight, Newry; Williamson, Wing, Wright—102.

ABSENT—Ashby, Bishop, Boynton, Picher—4.

Forty-three having voted in favor of the motion for indefinite postponement and 102 in opposition thereto, the motion for indefinite postponement did not prevail.

On motion by Mr. Merrill of Dover-Foxcroft, the bill received its third reading and was passed to be engrossed.

The SPEAKER: The Chair presents the first matter tabled and today assigned, 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 yesterday afternoon by the gentleman from Lewiston, Mr. Belleau, the pending question being the motion of the gentleman from Dover-Foxcroft, Mr. Merrill to recede and concur; and the Chair recognizes the gentleman from Dover-Foxcroft, Mr. Merrill.

Mr. MERRILL: Do I understand, Mr. Speaker, the statement that this was the bill tabled by the gentleman from Lewiston, Mr. Belleau?

The SPEAKER: The gentleman is correct.

Mr. MERRILL: And this is House Paper—

The SPEAKER: These are the two reports on the bill which is founded upon a constitutional resolve for a bond issue, as the Chair understands.

Mr. MERRILL: And the pending motion?

The SPEAKER: The pending question is the gentleman's own motion to recede and concur. The gentleman will recall that this bill was denied a passage in the House

and subsequently received a passage in the Senate and is now before the House on the question of whether the House shall recede and concur with the Senate. The gentleman having made the motion to recede and concur.

Mr. MERRILL: Is a new motion necessary?

The SPEAKER: No new motion is necessary. The gentleman's own motion to recede and concur is sufficient. Is it the pleasure of the House to recede and concur with the Senate?

Mr. RODOLPHE HAMEL of Lewiston: Mr. Speaker, I am not any too well acquainted with this measure. Do I understand it received passage in the House and went to the Senate and was amended?

The SPEAKER: The Chair will state the situation again. This bill was debated in the House on April 11—that is yesterday morning—on the question of the acceptance of the two reports, the minority report being ought not to pass, and the majority report ought to pass. The House accepted the minority report, ought not to pass; the bill then went to the Senate, which accepted the majority report ought to pass. The bill then returned to the House and is now before the House on the question whether the House shall recede and concur with the Senate by accepting the majority report, ought to pass, or whether the House will insist upon or adhere to its former action in accepting the majority report.

Mr. HAMEL: Mr. Speaker, I understood that the bill had been amended in the Senate, and if so, I wanted the amendment read, if I am in order.

The SPEAKER: The Chair finds no amendment.

Mr. CHASE of Cape Elizabeth: Mr. Speaker, being in the Chair yesterday I voted for the acceptance of the majority report. I should like to state, however, that I did this hoping that the bill might be kept alive, as I am in favor of a modification of it. It seems to me that we all recognize the temporary impasse which exists between the House and the Senate in the Highway financial program. I should like to have all these bills maintained if with only a breath of life so that there may be a basis for some compromised agreement

which will result in a financial program for the highway. I shall, therefore, oppose the motion of Mr. Merrill to recede and concur at this time, as I believe that we would expedite legislation and not commit ourselves to any final action by passing a motion that the House insist and ask for a committee of conference, which motion I should make if this motion should be defeated.

Mr. KITCHEN of Presque Isle: Mr. Speaker, I simply wish to rise to concur with the gentleman from Cape Elizabeth, Mr. Chase, in his statement in order to expedite matters, and I hope that the House will adhere to its former action and will not accept the motion of the gentleman from Dover-Foxcroft, Mr. Merrill, to recede and concur in this matter.

The SPEAKER: Is the House ready for the question?

The question was called for.

The SPEAKER: As many as are in favor of the motion of the gentleman from Dover-Foxcroft, Mr. Merrill, that the House recede and concur will say aye; as many as are opposed will say no.

Thereupon, a viva voce vote being taken, the motion to recede and concur did not prevail.

On motion by Mr. Chase of Cape Elizabeth, a viva voce vote being taken, the House voted to insist and ask for a committee of conference.

The SPEAKER: The Chair will appoint upon the committee of conference, the gentleman from Presque Isle, Mr. Kitchen, the gentleman from Meddybemps, Mr. Gillespie, and the gentleman from Portland, Mr. Burkett.

The SPEAKER: The Chair presents the second matter today assigned, House Amendments A, B, C, etc, to bill an act to revise and simplify the Inland Fish and Game Laws of the State, S. P. 767, S. D. 412, tabled on April 11th, the pending question being adoption. The Chair will call the attention of the members to the fact that all the amendments offered yesterday in the House, together with the amendments heretofore offered and adopted in the Senate and adopted by the House in concurrence are printed and should be upon the desks of all members.

Mr. ANGELL of Saco: 'Mr.

Speaker and Members of the House: I was exceedingly gratified yesterday morning at the spirit demonstrated in this House, at the attitude manifested by these members toward Senate Document 412. For one and for one reason only,—that because I passed my word to a certain individual that I would not oppose the Senate Amendments after asking you to pass the bill as a whole,—I asked you to adopt the Senate Amendments as presented by the Senate.

At the afternoon session, when we witnessed the presentation to the various officials and others of this body, tokens of appreciation and gratitude, I and the committee who has worked so diligently on this bill trying to get somewhere for the State of Maine received from this House a glorious bouquet.

Now I cannot believe, I do not believe, that it is the intent of the members of this House to reward one of their committees who admittedly have worked and worked hard and long to get somewhere with the type of bouquet that was then handed to them. I appreciate in many instances the amendments offered were offered in sincerity, but I would like to call to the attention of the members here the fact that out of twenty amendments offered by this House there were just two that were vital to the welfare of fish and game in the State of Maine, and eighteen of that twenty were amendments that were offered simply because if they had been presented to the Fish and Game Committee that committee never would have endorsed them, and the only possible way to get them into this bill was to present them at this hour.

Referring to the Senate Amendments, out of sixteen amendments there were just three in the Senate Amendments that were vital to fish and game, and the rest were of exactly the same nature as the majority of the House Amendments.

Now I do not object to every man looking out for himself. That is a primary instinct. But I do not think there is a member here who will stand up in front of this body and say that he will look out for No. 1 to the disadvantage of the whole State of Maine.

Now I realize, and the committee realizes, in presenting this bill, and in particular the regulations refer-

ring to fish and game, that it is almost impossible at any time, this time, a year from now or ten years from now, to present a document that will cover the wishes and desires of every member here. It is a physical impossibility. But I do not want, and the committee do not want to see their work go by the board because of these personal inclinations, and I do not think the House cares to take that attitude on this bill.

To the end that we will get somewhere and that our work over this long period of time will amount to something, I am going to make a motion to eliminate from this document that section covering a revision of the fishing laws. In these thirty-six amendments presented, there are only three that pertain to other parts of that document, and I am going to ask this House, in the interests of fair play and square dealing, and a proper treatment of some of your members who have put their time against the best interests of the State of Maine and brought in a document that this body as a whole, without any dissension, sent back to the Senate this document so amended—and, Mr. Speaker, to that end I wish to move at this time that this body reconsider its vote taken on Senate Amendments B to L inclusive, and O, P and Q.

The SPEAKER: The Chair has this understanding of the situation, which the Chair would like to state to the gentleman in order that the House may understand the position. As the Chair understands the situation, the gentleman desires to reconsider the vote whereby the several Senate Amendments were adopted, and the gentleman desires that in the event that such motion prevails, to indefinitely postpone individually and severally, each amendment, and if the gentleman succeeds in so doing, the gentleman will offer a comprehensive amendment to the entire bill which would include the several amendments which have been offered in the House and Senate. Does the Chair correctly understand the gentleman's intentions?

Mr. ANGELL: With this correction, Mr. Speaker—that the amendment I propose to offer to the bill as a whole eliminates the necessity

of these amendments which I am asking you to reconsider.

The SPEAKER: The Chair so understands.

Mr. WING of Kingfield: Mr. Speaker, do I understand that that does away with all the revision of the laws pertaining to fishing, leaving the hunting part of the bill only?

The SPEAKER: Will the gentleman from Saco reply to the gentleman from Kingfield?

Mr. ANGELL: This eliminates from the bill every section pertaining to revision of the fishing laws only, and leaves in the bill the laws revising hunting and trapping licenses and the Commission.

Mr. WING: Mr. Speaker and Members of the House: I was not aware that the situation was as bad as perhaps it is. I was in hopes that part of the work of this Committee on the revising of the fish laws would be eventually accepted. It seems to me the situation, of course, confronts the House in dealing with all of these amendments, both House and Senate—but it would seem as though possibly if a Committee of Conference were asked of the Senate, with some seven members on the part of the House and three, possibly, of the Senate members who have not been directly connected with this matter, but who are interested in the result and can look at the whole situation from a slightly different angle—perhaps that committee could accomplish something within the next twenty-four hours. I do not know as I would be warranted in making the motion, if that is in order, but it seems too bad at this time to wipe out the meatiest part of this bill.

Mr. HOLMAN of Farmington: Mr. Speaker, I did not intend to enter into this matter in any way. I have listened with a great deal of pleasure to the gentleman's motion, Mr. Angell, relative to this matter. I think this committee has done wonders, made a wonderful progress here with the hunting part of this bill, and as far as my county is concerned, the fishing regulations are practically all satisfactory to the county; but I appreciate the fact that there are men from the other parts of this State who, because of the many pressing mat-

ters before this Legislature, did not get their fishing regulations properly adjusted, properly in the hands of the committee, so the committee could work on them.

I believe that by Mr. Angell's motion, if we adopt his motion, we have made progress in this bill, and I believe that by the motion he will make later, that the fishing regulations in all the sections of the State will be properly taken care of, and, if I am right in my premises, I heartily second his motion.

Mr. INGRAHAM of Bangor: Mr. Speaker, no one can appreciate any more than I the work done by this committee. There has been formed an association similar to other states. The interests of all of us are concerned with our fish and our game, and the trapping end of this is more than satisfactory. To my own knowledge, they have put in a lot of work and hard work. In the hunting it seems the same.

Now in the fishing end of it—one of my chief pleasures is fishing. There are many things I might object to, but I would not do it. I do not believe we will suffer much if we accept this bill as originally drafted, for two years. However, I will support his motion if he deems it best, but I do not want to see all this labor go for naught, and I would like to see first some concentrated action to perhaps keep in this bill the fishing, if it can be done.

Now I was one who offered an amendment here. I think the committee will bear me out in it—and in the amendment the month of October was substituted for the month of November. I was willing to go through with this bill in its entirety and take a chance. In two years I do not think we could suffer much, and I would still like to see this bill go through more or less as originally written, from a fishing standpoint.

Mr. PERHAM of West Paris: Mr. Speaker and Members of the Legislature: It seems rather too bad, after all the work that has been done this year by the Fish and Game Committee, that we should seriously think of referring this matter to the next Legislature. Further than that, we all understand that practically every Fish

and Game Association in the State of Maine has had this matter under consideration. I know it has been that way in Oxford County, from one end of the county to the other, and there has been a great deal of time, thought and consideration given to this matter. Now I know in Oxford County that they would like to see something started, a constructive method of bettering the fish and game conditions of the State of Maine, and I believe on general principles that this bill is something that will give us a basis to build on. As long as the majority of the trouble seems to originate around the fishing, the matter of fishing, and this is to be cut out, it looks to me like a wise policy and one that should not cause any trouble here, and I would like to say at this time I am very much in favor of the motion of Mr. Angell of Saco.

Miss LAUGHLIN of Portland: Mr. Speaker, I wish to speak in support of the motion of the gentleman from Saco, Mr. Angell. I have been looking over these amendments, and it certainly would seem to me that anybody would say that the most of them could not have been introduced with any idea that they would be adopted. There are a number of them here that could not be entertained; they are not amendments to the original bill at all and they could not apply to it. There are others which, obviously, must have been put in in a spirit of merriment rather than any intention to have them pass. There are some that, were they put in, would not apply at all. One, to an amendment of the Senate, that was offered to the original bill, did not refer to the words there at all. So it would seem to me that, on the merits alone, aside from any consideration of the work of the Committee, these amendments should not be considered by this House. But I have a reason other than any presented here for retaining, so far as possible, the work of the Committee. I would hope in fact that if we indefinitely postpone these amendments, we might pass the bill in its original form, for this reason: We have, as everyone here knows, appointed a Committee on Revision of Statutes. Its

report will come in at a special session of this Legislature. That committee has no power to change any laws and will bring in the laws exactly as they exist today, and all these various laws will be perpetuated there in our revision of statutes for another ten years at least, instead of having a codified fish and game law. It seems to me that, so far as any of the provisions of this law are concerned, we certainly would be better off to pass the bill as it is, and leave it for amendment in two years, instead of leaving on our statute books all this chaotic mass of laws that we now have pertaining to fish and game. Our last Legislature passed fifty-five separate laws having to do with fish and game. The Legislature before that passed over forty—I think forty-six or forty-seven—about the same number—referring to fish and game.

We have all this mass of disconnected laws, and it seems to me that there cannot be in this codified fish and game law, as brought here by this Committee, so many objectionable features as there are in the fifty to ninety laws which are now on our statute books, but in a separate way.

In looking over these proposed amendments, the whole purpose of them, it seems to me, relate to changes in ice fishing; and, as I have said, I think we would be better off to accept this codified form, just as it is, and make some of these changes in two years, rather than to leave on our statute books the laws as they are now and have them go into the new revision of the statutes and remain there in that form for the next ten years.

Therefore I hope that these amendments will be indefinitely postponed, and thus clear the way to accept a part or all of this code of fish and game laws that have been presented to us by the Committee on Fish and Game. (Applause)

Mr. ROY of Lewiston: Mr. Speaker, while I am in favor of the proposition of the gentleman from Saco, Mr. Angell, I am rather in favor of the one that Miss Laughlin and others here have spoken of. It seems to me that the original bill has been drafted by men who have taken into con-

sideration the general welfare and the protection of our fish; and I do not see why—I think the men who have proposed these amendments would do well to let them go.

Some objection has been made as to ice fishing. I do not doubt but that you men, as well as myself, are tired of this legislation, and I suggest that we all go fishing for the next two years, and go fishing in the month of January, and then in January just state how many fish were caught through the ice. You may catch a few trout now and then, but you will catch pickerel, and pickerel seem to be the fish that every one would like to clear out of the lakes. Then, if we all go fishing, you can probably tell a story to the world that will perhaps bring outside fishermen here. I will tell you how to tell the story without words. It makes no difference how large the fish is, or how small the fish is, you can make it look like a whale. I will tell you how to do that. You take that fish and when you take the photograph of it, don't hold it out that way (indicating) because when you compare the fish with the size of the person holding it, it will look small. Hold it out on the end of a stick and hold it right in front of the lens of the camera, and the fish in the picture will look like a whale compared with the man side of it. Then send those out and tell the people what big fish you are catching here and see how many you will bring in to the State.

Now about the fish license: Some object to a license of 50 cents a year. Do you believe that any one in this State would refuse to give one cent a week to propagate our fish in our waters, to increase our fishing? I do not believe they would for 50 cents a year seems too small a matter. As I say, it is only one cent a week and we must have funds to increase our fish in our lakes, because, as I have said, the breeding grounds of trout and salmon are destroyed and you cannot bring them back unless you allow the trees to grow as they did a thousand years ago. In these brooks in the Rangeley lake region it is not necessary to breed trout and salmon artificially. They will breed there in the brooks when they will not here. The fish

that are taken out of those lakes must be replaced by others that we breed here and rear in our hatcheries. It takes money for that. You must get the fish up to a year or a year and a half at least when they are five to eight inches long, or, better still, two years and a half when they are eight to twelve inches long. These trout are practically tame. The wild trout know how to take care of themselves and the little ones can take care of themselves better than the big ones and are not apt to be devoured by the other fish.

One gentleman remarked yesterday that I was not quite right in regard to pickerel eating trout. He said that he had seen them, but the trout that the pickerel catch are the trout that were reared in the hatcheries. Of course pickerel get some of them in the shallow water where they are looking for food. You put them in the deeper water and they cannot find food there. I think the Senate is willing to throw out all the amendments.

Mr. MERRILL of Dover-Foxcroft: Mr. Speaker, I wish to say to the members that the gentleman from Saco, Mr. Angell, explained to me prior to the session his wishes and what he would like to do and the method of procedure to accomplish his wishes. I am heartily in favor of what the gentleman from Saco desires to accomplish, and hope that the orderly procedure of his motions will prevail, and, when he has made his motions and they have passed, I shall be very pleased to ask leave to withdraw the order which I presented last evening.

Mr. BOVE of Naples: Mr. Speaker, I wish to say that I too represent a fish and game district, and my constituents are pleased with the original bill that was presented here, and it is with pleasure that I support the motion of the gentleman from Saco, Mr. Angell.

Mr. BURNS of Eagle Lake: Mr. Speaker, I come from a section of the State where considerable fishing and hunting are going on. I do not patronize them very much myself but some of my people do. I appreciate the work of the gentlemen of this committee and the author of the bill. The people, however, in my section of the State do

not understand this new bill in its present form, and I make the suggestion, Mr. Speaker and members of the House, of course not reflecting on the committee at all, that the whole matter be referred to the next Legislature, at which time we would be better prepared to act.

Mr. INGRAHAM of Bangor: Mr. Speaker, might I have the indulgence of the House to express one more thought? I think our present game laws provide for any changes upon petition, and if we should pass the original bill here we will not be hurt very much. If there are provisions in it which prove to be a hardship on certain sections, they can come before this commission and have them adjusted and not have to wait for two years.

Mr. FARRIS of Augusta: Mr. Speaker, I wish to go on record in support of the motion of the gentleman from Saco, Mr. Angell, and I move the previous question.

The SPEAKER: The gentleman from Augusta, Mr. Farris, moves the previous question. As many as are in favor of the Chair entertaining the motion for the previous question will rise and stand in their places until counted, and the monitors have returned the count.

A sufficient number obviously arose.

The SPEAKER: A sufficient number obviously having arisen the Chair will put the previous question. The question before the House is, shall the main question be now put? As many as are in favor will say aye; those opposed no.

A viva voce vote being taken, the motion for the previous question prevailed.

The SPEAKER: The question now before the House is on the motion of the gentleman from Saco, Mr. Angell, that the House reconsider its action of yesterday whereby it adopted in concurrence Senate Amendments B to L, inclusive, and Senate Amendments O, P and Q. The gentleman's motion is simply that the House reconsider the adoption of the Senate amendments named. For the sake of simplicity, unless there is objection, the Chair will put the motion comprehensively, although, of course, if the members desire to discuss these Senate Amendments now, they have a right to do so. The Chair hearing no objection, it will put the gentle-

man's motion as offered. As many as are in favor of the motion of the gentleman from Saco, Mr. Angell, to reconsider the action of the House of yesterday in adopting the Senate Amendments named will say aye; those opposed will say no.

A viva voce vote being taken, the motion for reconsideration prevailed.

Mr. ANGELL: Mr. Speaker, I now move that the House indefinitely postpone Senate Amendments A to L, O, P and Q.

The SPEAKER: The gentleman from Saco, Mr. Angell, moves that the House indefinitely postpone in non-concurrence Senate Amendments A to L, inclusive, and Senate Amendments O, P and Q. For the sake of simplicity the Chair will put the motion comprehensively, as before, unless there is objection and the desire to discuss the amendments severally. As many as are in favor of the motion of the gentleman from Saco, Mr. Angell, to indefinitely postpone the Senate Amendments named, will say aye; those opposed no.

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

Mr. ANGELL: Mr. Speaker, I now move that the House indefinitely postpone the House amendments offered to this bill.

Mr. BURKETT of Union: Mr. Speaker, may I ask through the Chair if Mr. Angell objects to the proposition of the member from Portland, Miss Laughlin?

The SPEAKER: The gentleman from Union, Mr. Burkett, desires to inquire of the gentleman from Saco, Mr. Angell, whether the gentleman from Saco would accede to the suggestion of the member from Portland, Miss Laughlin, that in the event the several House amendments are rejected, the bill be passed in its present form. Does the gentleman from Saco care to answer that question?

Mr. ANGELL: Mr. Speaker, I will answer that question in this respect. I have the most wholesome respect for the desire and inclination of every member of this House to get back to the farm, and I feel from information that I have that, if this bill is put through as a whole, we will simply have a repetition at the other end of the corridor of this farce that has now transpired; and to the end that we

may eliminate the necessity of such a repetition, clean this matter up and get out of here, I would like to see this motion pass, and that an amendment that I am about to offer, striking out the matter that has caused so much dissention, and passing the rest of the bill as it is.

Mr. JACK of Lisbon Falls: Mr. Speaker, when this matter started I had in mind a statement made by the gentleman from Saco, Mr. Angell, that he was going to move to indefinitely postpone that part of the bill that applied to fishing. Now I personally agree that we owe a debt of gratitude to any committee that has worked as faithfully as this one has, but the perfect man has not been found; neither has the perfect committee. In my judgment this was not because, perhaps, they did not do all that they wished to do, but simply because all the true facts were not presented to the committee for its consideration.

The fact has been alluded to here that some of us were tied up to the extent that we had no time to attend other hearings, and I was one of them.

Page three, line 43, says "a 'resident' is a person who has given up any residence outside the State, has established his home in the State with the intention of remaining in the State permanently, and has remained in the State for three months thereafter; all others are non-residents."

Well, now, I was born in the State of Maine, and as far as I have been able to reason legally, I am still a resident and expect to be unless something transpires to draw me to other parts of the country; so I do not see why that in the bill itself would have to be corrected in order to have this thing in proper form.

I was one of the gentlemen who put in an amendment, and I hoped that perhaps it was one of the three that he spoke of as being perhaps germane to the proposition itself. At the lower end of Rangeley lake is what is known as Long Pond, more recently named perhaps Crescent Lake. It is a part of the Rangeley Lake system. They have always been permitted to troll there and would like the opportunity to continue. Many people have bought property along that lake, built cottages and a good many of them are unaware of the proposed legislation

that is being tried to be put through here. At their own expense they have stocked the lake and at their own expense they have screened it, and they are as much interested in the welfare and conservation of the fish there as anyone else, perhaps living three hundred miles from the lake itself. My amendment read simply this: "Amend said amendment by adding after the words 'Lower Richardson Lake in the sixth line on Page one the following, 'Long Pond, Sandy River Ponds and Crescent Lake.' Now Long Pond and Crescent Lake I assume are the same thing. Relative to the Sandy River Ponds I was in consultation with Blaine Morrison, the President of the Senate, who lives in Franklin county, who is acquainted with the situation up there and who, like myself, was so busy that he did not know what was going on before the committee and at his request I put in my amendment "Sandy River Ponds."

It is not the large amount of fish that they take out of Long Pond or Crescent Lake, but the people who own those cottages have built them with the idea and understanding that they could fish there as they have been fishing. They are only up there during the summer months and at great expense they have stocked the ponds. They did so to protect them and preserve them as they should be, and it is only reasonable to suppose that they would like the opportunity to fish as they have been fishing. I think I previously called your attention to the fact that at their own expense they have screened the lake. Now personally I do not think that is an unreasonable proposition, and I personally think that had I had the knowledge that the committee was functioning, although I do not own a bit of property there—people in my town do—and it is for the purpose of protecting their interests that I offered the amendment. I do not think it is unreasonable, and I assume that perhaps some more are germane to the proposition. Therefore, I would like to see some of these amendments embodied in the bill itself, but as to the proposition as to what constitutes a "resident" I think that would have to be changed.

The SPEAKER: The Chair will

call the attention of the gentleman from Lisbon Falls, Mr. Jack, to the fact that the amendment offered by him yesterday was an amendment to Senate Amendment A, which was this morning indefinitely postponed.

Mr. JACK: Well, Mr. Speaker, I should wish the opportunity to make the proper amendment. I assumed at that time that that amendment had gone through.

Mr. PERHAM of West Paris: Mr. Speaker, I would like to say at this time that I believe the gentleman from Saco, Mr. Angell, has offered us a practical solution and a solution that the majority of the people in this House would like to follow; and as far as I can see from the previous speech by the gentleman from Lisbon Falls, Mr. Jack, that is merely another o. k. that we leave the fishing matters alone and carry on with the suggestion of the gentleman from Saco, Mr. Angell.

The question was called for.

The SPEAKER: The question before the House is the motion of the gentleman from Saco, Mr. Angell, that all the House Amendments be indefinitely postponed, and the Chair will entertain the motion comprehensively unless some members require individual amendments to be discussed.

Mr. DAIGLE of Madawaska: Mr. Speaker, I am rising for the purpose of information and I would like some gentleman to answer, if he knows. On page seven of the House Amendments to the bill, you will find this: "Fly fishing only is permitted in the tributaries to the St. John river above St. Francis and the Allagash river." That part I understand, but what I want to ask the gentleman is this: What is a tributary to another river? It is simply the river or the chain of lakes back of it.

The SPEAKER: The gentleman from Madawaska, Mr. Daigle, apparently is referring to a part of Senate Amendment A which was this morning indefinitely postponed.

Mr. DAIGLE: Well, I am asking for information anyway. (Laughter)

The question was called for.

The SPEAKER: As many as are in favor of the motion of the gentleman from Saco, (Mr. Angell) that all House amendments be postponed will say aye; those opposed will say no.

A viva voce vote being taken, the



motion to indefinitely postpone the House Amendments prevailed.

Mr. Angell offered House Amendment, the letter to be designated later, to S. P. 767, An act to revise and simplify the inland fish and game laws of the State, and moved its adoption, as follows:

"Amend said bill by striking out all of the title and inserting in place thereof the words 'An act relative to fishing and hunting' and by striking out all the first paragraph following the enacting clause, and all of section one and sections 15 to 34, both inclusive, and by renumbering the remaining sections of the bill consecutively and by adding at the end thereof the following section:

'All acts or parts of acts inconsistent with the foregoing are hereby repealed.'

Miss LAUGHLIN: Mr. Speaker, I would like to ask the gentleman from Saco, Mr. Angell, if the gentleman cares to answer, whether he is perfectly convinced that it would be impossible to persuade the Senate to be as reasonable as the House, and not insist on all these different amendments, but to let this code go through as presented by the committee, believing that it is better to have those laws than the chaotic ones we now have.

The SPEAKER: The Chair will caution the members that any comment or reflection upon the Senate, or the Senate's position will not be in order.

Miss LAUGHLIN: Mr. Speaker, I rise for information in the matter of how much time would be necessary in case we should not adopt this amendment but should adopt the original bill to be sent over to the Senate in order for them to act.

The SPEAKER: Does the gentleman from Saco desire to make a statement?

Mr. ANGELL: Mr. Speaker, that is too deep for me. I will say this in answer to that question that I feel we have demonstrated right here this morning an inclination on the part of certain individuals to still insist on personal privilege, to still insist on getting into this bill things that pertain to their individual desires, regardless of the welfare, progress and success of this bill.

Also there is another matter which has been taken up quite

thoroughly which cannot be compromised, and which, if offered in the Senate, will cause absolute recurrence of what has transpired.

Now in the interest of getting this off the calendar and in the interest of permitting these members to get away from here as soon as possible, I as one of that committee, and the rest of the committee agree with me, feel that we had rather sacrifice for the present moment this revision of the fish part that is incorporated in this bill. I will go further and say that it is the desire of the committee to ask this House to appoint a recess committee which may go to work on these fish laws and try, perhaps in a bit more intelligent manner, to bring in something at the next special session that may meet with the approval of this House.

Mr. BURNS of Eagle Lake: Mr. Speaker, I would like to inquire: As I understand it, if the matter goes to the special session of the Legislature, our laws in regard to fish and game will be just the same as they have been. Is the matter that Mr. Angell is speaking about, that bill, is that going back to the next Legislature?

The SPEAKER: If the Chair correctly understands the gentleman from Eagle Lake (Mr. Burns) if the amendment of the gentleman from Saco, Mr. Angell, is adopted the gentleman will ask for a further consideration of the fishing laws, and the result of such further consideration will be adopted in a revised and comprehensive fishing bill, which may be produced at a subsequent session of this or at a subsequent Legislature. It would presumably be too late to get such a revision into the general revision of the Statutes.

Mr. BURNS: As I understand, Mr. Speaker, the matter would be left as it is?

The SPEAKER: The effect of the adoption of the amendment offered by the gentleman from Saco, Mr. Angell, would be to leave this bill as it stands unimpaired with respect to all the parts of the bill relating to hunting and trapping, but would remove from the bill everything relating to fishing.

Mr. PEACOCK of Readfield: Mr. Speaker, I am not going to trespass upon your time only for a few minutes. I wish to say that I have been interested in hunting and fish-

ing all my life. It is common knowledge that our fish and game laws are in a chaotic condition, owing to the statutory enactments, special enactments and rules and regulations promulgated by the Department itself. I have been interested not only as an individual, but as keeping a summer place where people from out of the State come, and they have said to me so many times why does not the State of Maine make some change in its fish and game laws so that the average individual can understand what rights he has?

It seems to me too bad, after this Fish and Game Committee has labored so long and diligently, as it has, that all its labors should go into the discard. I offered an amendment here at the request of a friend. It did not concern me personally. It was not designed to destroy the bill. It was designed to prevent people from going to these camps and making themselves a nuisance. I assume that in the interests of this bill, although I am not authorized to say so, that he would be very glad to cooperate with this House, and I would like to see this House go on record in an attempt to pass the bill in the form in which it has been presented here. I would like to have constructive legislation along the lines of fish and game, and the fish are just as essential as the game part of it.

It is a matter of record that there are many people who are selfish about this matter, and I have noticed, since this bill came before the Senate, that there has been some very active lobbying against the bill for the sole purpose of promoting their own selfish interests. I would like to have this House go on record and see if we cannot pass some constructive legislation along this line and cooperate with the committee on the revision of statutes so that we may have constructive legislation in the Fish and Game Department, and go on record in the book which will be printed and which will not be printed again for a long period of years. I trust that in some way this can be worked out. I would not like to see this fish legislation fail entirely.

Mr. HOLMAN of Farmington: Mr. Speaker, I do not want to take the time of this House. I want to sec-

ond the motion that is before the House as made by the gentleman from Saco, Mr. Angell. I believe that if we follow him in this matter that we will be proceeding in an orderly manner and will get constructive legislation, and I heartily second the motion that he has made. (Applause.)

Mr. MERRILL of Dover-Foxcroft: Mr. Speaker, I wish to endorse what has just been said. It seems to me that if we accept the motion of the gentleman from Saco, Mr. Angell, we will be endorsing the action of the committee that has been sitting on this question this winter. They are agreed upon this program. Some of us who did not feel that the original bill quite protected us are now perfectly satisfied and agree with the motion that the gentleman from Saco, Mr. Angell, has made.

The question was called for.

The SPEAKER: The question before the House is on the motion of the gentleman from Saco, Mr. Angell, that the House adopt House Amendment L to Senate Paper 767. As many as are in favor of the gentleman's motion will say aye; those opposed no.

A viva voce vote being taken, the motion to adopt House Amendment L prevailed.

Mr. MERRILL: Mr. Speaker, it may help to clear the way for progress of the action proposed by the gentleman from Saco, Mr. Angell, if I ask leave to withdraw the order introduced by me last evening relative to an Interim Committee.

The SPEAKER: The Chair would suggest that the gentleman take this matter up when the order is reached on the calendar.

Mr. ANGELL: Mr. Speaker, would it be in order to move that the bill now have its several readings?

The SPEAKER: The endorsements on the bill are being studied. The exact status of the bill at the present moment is the object of research.

Mr. ANGELL: Mr. Speaker, I would like the unanimous consent of the House that if any of these members have further amendments to offer on the bill as it now stands, if they will extend the courtesy to the committee of submitting those amendments to me in order that they may be incorporated in one

amendment, and so presented, it will be appreciated.

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

The SPEAKER: The Chair presents the third matter today assigned, joint order relative to counsel for Claims Committee, tabled yesterday afternoon by the gentleman from Presque Isle, Mr. Kitchen, the pending question being the motion of the gentleman from Lisbon Falls, Mr. Jack, for indefinite postponement; and the Chair recognizes the gentleman from Presque Isle, Mr. Kitchen.

(At this point Representative Locke of Biddeford, assumed the Chair, the Members rising and applauding)

Mr. KITCHEN: Mr. Speaker, when I tabled this order last night, I thought perhaps it might contain something of value, but I have learned on further consideration that it does not. For that reason I wish to concur with the motion of the gentleman from Lisbon Falls, Mr. Jack, to indefinitely postpone the order.

Thereupon, the House voted to indefinitely postpone the order.

The SPEAKER pro tem: The Chair takes up the fourth matter today assigned, majority report ought to pass in new draft, minority report ought not to pass, from the committee on Ways and Bridges, on resolve proposing an amendment to the constitution for an additional issue of highway and bridge bonds, the new draft being numbered Senate Paper 700, Senate Document 394. This comes from the Senate, the majority report read and accepted and the new draft passed to be engrossed. It was tabled in the House April 11th by the gentleman from Dover-Foxcroft, Mr. Merrill, pending acceptance of either report; and the Chair recognizes that gentleman.

Mr. MERRILL: Mr. Speaker, this is an accompanying measure, and I move that the House concur with the Senate in the adoption of the majority report.

Mr. KITCHEN of Presque Isle: Mr. Speaker, I just want to call the attention of the House to the fact

that this is the \$20,000,000 mortgage, the real meat in the nut of the bond issue. It is the resolve proposing an amendment to the Constitution relative to issue of highway and bridge bonds. Your vote yesterday indicated that you were against a bond issue. For that reason I leave the matter entirely in your hands.

Mr. CHASE of Cape Elizabeth: Mr. Speaker, I pointed out to the House this morning, in connection with the bill which accompanies this resolve, that it would expedite legislation if the House would act so that we might devise some means for getting around the impasse which exists between the two branches of the Legislature. The situation with respect to this resolve appears to be somewhat different in that this resolve has not been before the House before while the bill has; so that in order for any Committee of Conference to be appointed, the House would have to act differently from the Senate with respect to this matter in order that it could be returned to the Senate where that body would presumably insist and ask for a Committee of Conference in which the House might want to join. And in order that all these measures may maintain the breath of life so that we may deal with them when the occasion arises and we know what we want to do, I believe that we should not accept the majority report even though some of us might want to do something in favor of the \$20,000,000 bond issue, but that we should accept the minority report in non-concurrence, so that the matter may go back to the Senate and that body may have an opportunity to ask for a Committee of Conference which it would not be in order for it to do at this time. Therefore I am opposed to the motion of the gentleman from Dover-Foxcroft (Mr. Merrill); and if that motion should not succeed, I would like to see the minority report accepted. I believe that would expedite legislation and that even those who are in favor of the \$20,000,000 bond issue, or even a part of it, will get farther along by voting for the minority report.

Mr. MERRILL: Mr. Speaker, for the purpose of expediting business, I ask leave of the House to with-

draw my motion for the acceptance of the majority report, making way for the motion of the gentleman from Cape Elizabeth, Mr. Chase.

Thereupon, a viva voce vote being taken, the gentleman from Dover-Foxcroft, Mr. Merrill, was granted consent to withdraw his motion for the acceptance of the majority report.

On motion by Mr. Chase of Cape Elizabeth, a viva voce vote being taken, the minority report ought not to pass in non-concurrence was accepted.

The SPEAKER pro tem: The House will now take up the fifth matter today assigned, resolve in favor of the State Park Commission, tabled April 11 by the gentleman from Portland, Mr. Carleton, pending third reading; and the Chair recognizes that gentleman.

Mr. Carleton then offered House Amendment A and moved its adoption, as follows:

House Amendment A to Senate Paper 320, Senate Document 425.

Amend said resolve by striking out the word "six" in the third and fifth lines and substituting in place thereof the word 'three' in both places.

Mr. WILLIAMSON of Augusta: Mr. Speaker and Members of the House: I dislike to disagree with the Appropriations Committee in a matter of this kind. I do think, however, that the facts should be brought to the attention of the House. The resolve as presented to the House carries an appropriation of \$6,000 for the next two years. Two thousand dollars of this each year is required to maintain the park which lies across State Street. The balance of \$4,000 for each year was desired by the State Park Commission to make needed improvements and to carry out plans for the extension and alteration of the park which have been passed upon by landscape architects and approved, I think, by all persons. Ultimately, the State Park Commissioners hope to develop the park into such a condition that it will be proper to place there War Memorials. If funds are not provided to make the extensions and alterations needed, the time will come at a later date, if the resolve is cut from \$6,000 to \$3,000 for each one of the years, which will leave but little

over what is necessary for the maintenance. For that reason, and in order that plans for the park may go forward, I wish to oppose the motion of the gentleman from Portland, Mr. Carleton.

Mr. CARLETON: Mr. Speaker and Members of the House: The budget for this Park Commission was \$5,000. One resolve after another has come in here changing this budget. For the previous two years this Park Commission spent \$3,175. If we allow them \$6,000, or \$12,000 in all, they will then be receiving \$8,175, more than they did before. At a conference last night with the Park Commission I think it was understood that they would accept \$3,000 each year. I hope the amendment will be adopted.

The SPEAKER pro tem: Is the House ready for the question?

Mr. JONES of Waterville: Mr. Speaker, as a member of that committee, if I am not mistaken, there was a unanimous report ought to pass and I would like to go on record as against this amendment.

The SPEAKER pro tem: Is the House ready for the question?

The question was called for.

The SPEAKER pro tem: The question is on the amendment offered by the gentleman from Portland, Mr. Carleton, to the resolve in favor of the State Park Commission, amending it by striking out the word "six" and substituting therefor the word 'three.' All those in favor of the adoption of the amendment will say aye; those opposed no.

A viva voce vote being doubted, A division of the House was had.

Sixty-two voting in favor of the adoption of the amendment and 27 against, the amendment was adopted.

Thereupon, the resolve had its second reading as amended, and was passed to be engrossed as so amended.

The SPEAKER pro tem: The Chair lays before the House the first tabled and unassigned matter, being House report ought to pass in new draft from the 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, the new draft being numbered House Paper 1699, tabled on April 9th by

the gentleman from Kingfield, Mr. Wing, pending acceptance of the report; and the Chair recognizes that gentleman.

Mr. WING: Mr. Speaker, I move that this matter be retabled.

A viva voce vote being taken, the motion to retable did not prevail.

Mr. WING: Mr. Speaker, I suppose the only thing to do is to move that the report of the committee be accepted and that this bill be printed. There is another bill not yet passed that has everything in it that this bill has. This bill has the report of the committee ought to pass.

The SPEAKER pro tem: The gentleman from Kingfield, Mr. Wing, moves the acceptance of the report of the committee.

Mr. HOLMAN of Farmington: Mr. Speaker, I move the indefinite postponement of the bill for two reasons: First, I think the law is sufficient without the passage of this bill; and, second, there is a prospect of another bill that will cover the situation and the merits of the two bills are so similar that I do not believe there is any necessity for its passage at this time.

Mr. WING: Mr. Speaker, I wish to say that I do not think the gentleman from Farmington, Mr. Holman, can have looked the bill over or can have in mind the amount of work done on these three sections during this Legislature. It revises the three sections which are now printed upon the license that you receive for driving an automobile in a very critical manner. The committee reported favorably on this bill and were in favor of its passing ahead of anything else in the revision; but in order not to have two bills before the Legislature, those interested in the other bill were willing to substitute our revision for theirs. It seems to me unfair, before the other bill has passed to reject this one, although I have very little question of the other passing. It is only a matter of a day or a day and a half until we know, and at that time it would be perfectly proper to indefinitely postpone this bill. It would seem to me that it would be courteous to myself and to the gentleman from Livermore whose idea is incorporated in this bill, and whose original bill was the starting of this matter, that the House should at least table this until tomorrow. I

hope the motion for indefinite postponement will not prevail.

The SPEAKER pro tem: The question is on the motion of the gentleman from Farmington, Mr. Holman, to postpone indefinitely an act relating to licensing operators of motor vehicles after their conviction of operating the same while under the influence of intoxicating liquor. Those in favor of its indefinite postponement will say aye; those opposed no.

A viva voce vote being taken, the motion to indefinitely postpone did not prevail.

The SPEAKER pro tem: We will now return to the motion of the gentleman from Kingfield, Mr. Wing, that the majority report ought to pass in new draft be accepted. Is the House ready for the question?

The question was called for.

The SPEAKER pro tem: All those in favor of accepting the report of the committee on Judiciary, the title of which has just been stated, will manifest it by saying aye; those opposed no.

A viva voce vote being taken, the report was accepted and the new draft ordered printed under the joint rules.

The SPEAKER pro tem: The Chair now presents the second matter today tabled and unassigned, an act relating to fishing in Kewayden Lake in the town of Stoneham, House Paper 1534, House Document 555, tabled on April 11th by the gentleman from Winslow, Mr. Clark, pending passage to be enacted; and the Chair recognizes that gentleman.

Mr. CLARK: Mr. Speaker, as this matter will not be taken care of by the general bill, I move that it now be passed to be enacted.

A viva voce vote being taken, the motion prevailed, and the bill was passed to be enacted.

The SPEAKER pro tem: The Chair now presents to the House the third tabled and unassigned matter, joint order relative to Recess Committee on General Revision of Fish and Game Law, tabled on April 11th by the gentleman from Saco, Mr. Angell, pending passage; and the Chair recognizes that gentleman.

Mr. ANGELL: Mr. Speaker, I

yield the floor to the gentleman from Dover-Foxcroft, Mr. Merrill.

The SPEAKER pro tem: The gentleman from Saco yields to the gentleman from Dover-Foxcroft, and the Chair recognizes the latter gentleman.

Mr. MERRILL: Mr. Speaker, I ask leave of the House to withdraw the joint order presented by me last night relative to this matter.

The SPEAKER pro tem: The gentleman from Dover-Foxcroft, Mr. Merrill, asks unanimous consent to withdraw the order presented by him last evening relative to a Recess Committee on general revision of the fish and game laws.

The House granted the gentleman permission to withdraw the joint order.

Papers from the Senate, out of order, disposed of in concurrence.

#### Passed to be Enacted

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

(S. P. 794) (S. D. 426) An act relative to resident attorneys for foreign corporations.

(H. P. 1736) (H. D. 808) An act to exempt certain non-resident motor vehicles from registration while in the State exclusively for display or demonstration purposes; also non-resident passenger busses chartered and used exclusively for private conveyance of non-residents.

(H. P. 1750) (H. D. 824) An act amendatory of, and additional to existing legislation relating to the State Park, and to the Superintendent of Public Buildings.

(H. P. 1752) (H. D. 823) An act with reference to the personnel of the State Budget Committee.

#### Finally Passed

(S. P. 414) (S. D. 166) Resolve in favor of State School for Girls.

#### Conference Committee Report

The SPEAKER pro tem: The Chair lays before the House at this time the report of the Committee of Conference, as follows:

The Committee of Conference on the disagreeing action of the two branches of the Legislature on bill an act to consolidate the general

superintendence, management and control of the State Prison, the Reformatory for Men and the Reformatory for Women into one Board of Trustees, and to provide for the temporary transfer of inmates, reports that the committee has been unable to agree, the report being signed by all the members of both committees.

The report was accepted.

On motion by Mr. Kitchen of Presque Isle,

The House recessed until 3 P. M., the Speaker pro tem retiring amid the applause and cheers of the House.

#### After Recess—3 P. M.

The Speaker in the Chair.

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

From the Senate: Bill an act to authorize the County Commissioners of Sagadahoc County to pay D. B. Cornish to reimburse him for road construction in Phippsburg, Maine. (S. P. 821)

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

In the House, introduced under suspension of the rules, and without reference to a committee, given its three several readings and passed to be engrossed in concurrence.

Papers from the Senate disposed of in concurrence.

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

which was passed to be engrossed as amended by House Amendment "A" in the House April 11th.

Comes from the Senate with House Amendment "A" indefinitely postponed in non-concurrence.

In the House, on motion by Mr. Rounds of Portland that body voted to reconsider its action whereby this resolve was passed to be engrossed; and on further motion by the same gentleman the House voted to reconsider its action whereby it adopted House Amendment A; and on further mo-

tion by the same gentleman the resolve was passed to be engrossed in concurrence.

From the Senate: Majority report of the Committee on Ways and Bridges reporting ought to pass on bill an act to amend Section 8 of Chapter 224 of the Public Laws of 1923, as amended, relating to the use of moneys received from the tax on gasoline, conditional on an amendment to the Constitution to authorize highway and bridge bonds. (S. P. 249) (H. D. 218)

Report was signed by the following members:

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

Minority report of same Committee reporting ought not to pass on same bill.

Report was signed by the following members:

Messrs. KITCHEN of Presque Isle  
LOWELL of Lincoln  
—Of the House

Comes from the Senate the majority report read and accepted and the bill passed to be engrossed.

In the House:

Mr. KITCHEN of Presque Isle: Mr. Speaker, I do not know as I am exactly clear on that.

The SPEAKER: The document in question is H. D. 218, an act to amend Section eight of Chapter 224 of the Public Laws of 1923, relating to the use of moneys received from the tax on gasoline conditional on an amendment to the Constitution to authorize highway and bridge bonds. The majority report is ought to pass, and the minority report is ought not to pass, the report being signed by the gentleman from Presque Isle, Mr. Kitchen, and the gentleman from Lincoln, Mr. Lowell. This bill, obviously, as indicated in the title is conditional on the passage of a Constitutional amendment with reference to a bond issue.

Mr. KITCHEN: The five million dollar bond issue?

Mr. MERRILL of Dover-Foxcroft: Mr. Speaker, may I inform the gentleman?

The SPEAKER: The House would be glad.

Mr. MERRILL: I think it simply relates to the readjustment of the gasoline tax to make it conform to the set-up under the bond measure.

Mr. KITCHEN: That would be the twenty million dollar bond issue.

Mr. MERRILL: Yes.

The SPEAKER: Does the gentleman from Presque Isle wish to make any motion with reference to the bill?

Mr. MERRILL: This is simply a bill which would become necessary were the twenty million dollar bond issue to receive passage, enabling the redistribution of the gas tax to conform to the new set-up as provided under the twenty million dollar bond issue solely. I understand that is reported from the Senate.

The SPEAKER: The bill comes from the Senate where the majority report was read and accepted, and the bill passed to be engrossed.

Mr. MERRILL: Mr. Speaker, I would like very much to take a little more time to speak on the bond question, but I will refrain because of the necessity for hurrying legislation. I will therefore simply move that the House concur with the Senate.

The SPEAKER: Might not the gentleman's purpose be furthered perhaps by the House accepting the minority report and sending this bill to a committee of conference along with the other measures.

Mr. MERRILL: That will be perfectly satisfactory, Mr. Speaker, and I withdraw my motion.

The SPEAKER: For the purpose merely of advancing the consideration of the road program by the committee of conference, the gentleman from Dover-Foxcroft will move the acceptance of the minority report.

Thereupon, on motion by Mr. Merrill of Dover-Foxcroft, the House voted to accept the minority report.

From the Senate: Resolve pertaining to the construction or

purchase of a new motor boat for the Sea and Shore Fisheries Commission which was indefinitely postponed in the House April 11th, in non-concurrence.

Comes from the Senate that body voting to insist upon its former action whereby the resolve was passed to be engrossed, and asking for a Committee of Conference with the following Conferees appointed on its part:

Messrs. SLOCUM of Cumberland  
CAMPBELL of Washing-  
ton

WHEELER of Oxford

In the House:

Mr. FORD of Brooklin: Mr. Speaker, I move that the House insist and join in the committee of conference.

The SPEAKER: The gentleman from Brooklin, Mr. Ford, moves that the House insist and join in the committee of conference.

A viva voce vote being doubted,

A division of the House was had,

Eighty-two having voted in favor of joining the committee of conference and 24 in opposition, the motion prevailed.

The SPEAKER: The Chair will announce the committee of conference before the end of the session this afternoon.

From the Senate: Resolve proposing an amendment to the Constitution to provide for an additional issue of bridge bonds, H. P. 1301, H. D. 446, on which the House accepted the minority report of the committee ought to pass and on April 11th passed the resolve to be engrossed.

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

In the House, on motion by Mr. Kitchen of Presque Isle a viva voce vote being taken that body voted to insist on its former action and ask for a committee of conference.

The SPEAKER: The Chair will appoint upon the committee of conference the gentleman from Presque Isle, Mr. Kitchen, the gentleman from Meddybemps, Mr. Gillespie, and the gentleman from Portland, Mr. Burkett.

From the Senate: Bill an act to authorize the Treasurer of State under 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, 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 ought not to pass accepted in non-concurrence.

In the House, on motion by Mr. Kitchen of Presque Isle, a viva voce vote being taken, that body voted to insist on its former action and ask for a committee of conference.

The SPEAKER: The Chair will appoint on the committee of conference, the gentleman from Presque Isle, Mr. Kitchen, the gentleman from Meddybemps, Mr. Gillespie, and the gentleman from Portland, Mr. Burkett.

The SPEAKER: On the committee of conference on the disagreeing action of the two Houses with reference to the motor boat for the Sea and Shore Fisheries Commissioner, the Chair will appoint the gentleman from Brooklin, Mr. Ford, the gentleman from Rockland, Mr. St. Clair, and the gentleman from Vanceboro, Mr. Holbrook.

#### Passed to be Engrossed

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

(H. P. 755, H. D. 830: Resolve in favor of a memorial for William Pitt Fessenden.)

Mr. PERHAM of West Paris: Mr. Speaker, I rise to a point of personal privilege at any time that it becomes convenient for the House. I shall not take more than a moment.

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

Mr. PERHAM: Yesterday, in the heat of discussion, I used a phrase that seemed to annoy a few people in the Legislature, that is, I used the expression "had some guts." I would like to say at this time that practically all of my life has been spent in out of door work. I swung an axe two years in the woods, summer and winter, and also have spent five years in quarrying. A good many times in the heat of discussion we are apt to drop back to our every day expressions that are used for work-



aday life, so at this time I would like to state to any members of the Legislature that if you felt any resentment towards the use of that expression, you will kindly lay it to my previous training and not as any matter of discourtesy to any gentleman or any lady here, and I hope you will forgive me if I have caused any feeling by the use of any certain expression. (Applause.)

Mr. FORD of Brooklin: Mr. Speaker, I had a claim in the Claims committee for Henry W. Sargent, compensating him for damages to shore property, for land taken for a ferry. I find that that claim was not to be paid by the State but by the County Commissioners of Hancock county; therefore I have a bill authorizing the county commissioners of Hancock to pay Henry W. Sargent for damages for land and land taken for a ferry, and I would like to ask, under suspension of the rules, that I be permitted to introduce this act to authorize the county commissioners to pay him for land taken.

The SPEAKER: The gentleman may introduce the bill without suspension of the rules, but if he desires action by the present Legislature the rules must be suspended. Does the gentleman wish to have the bill referred to a committee?

Mr. ROUNDS of Portland: Mr. Speaker, we heard, this committee on Claims, this resolve, and we put it into the blanket. This is one of the bills that was left out of the bills that were put in separate, therefore, I feel, in justice to this gentleman, who is an old gentleman, that it should go in, and therefore I move that the rules be suspended and that it be passed without going to any committee.

Thereupon on motion by Mr. Rounds of Portland, the rules were suspended, and the bill was given its three several readings and passed to be engrossed, without reference to a committee.

The following resolve was received and upon recommendation of the committee on reference of bills was referred to the committee on Appropriations and Financial Affairs:

By Mr. BLAISDELL of Franklin: Resolve in favor of Paul N.

Devine, Messenger of the Legal Affairs committee. (H. P. 1760.)

The SPEAKER: Is there any further business to come before the House under Orders of the Day?

Miss LAUGHLIN of Portland: Mr. Speaker and Members of the House: This morning we had a report from the Committee on Conference on House Paper 1675, House Document 729, that the committee were unable to agree. There is a possibility that through an amendment of the bill the two Houses might agree on this measure, and in order that we might consider that possibility I move that another Committee be appointed.

Thereupon, a viva voce vote being taken, the House voted to appoint a new committee of conference.

The SPEAKER: The Chair will announce the committee later.

#### Report of Committee

(Out of order, under suspension of the rules)

Mr. Foster from the committee on Appropriations and Financial Affairs on resolve for the payment of legal services rendered to the committee on Inland Fisheries and Game, S. P. 819, reported that the same be referred to the committee on Inland Fisheries and Game.

The SPEAKER: The Chair will make the following announcements with reference to the time of final adjournment of the session. Final adjournment seems at present to be possible at some time tomorrow, provided the members are willing to attend diligently to business at almost all hours of the day and night. It is absolutely essential that all members of the House remain in attendance closely upon the House. No member will be excused, and the members will not receive pay in full until the House has finally adjourned. (Laughter) Is there any further business?

Mr. MERRILL of Dover-Foxcroft: Mr. Speaker, I would like to make an inquiry if the treasury will keep open Sunday?

The SPEAKER: The Chair is of the opinion that no injustice will be done any member.

Mr. KITCHEN of Presque Isle: May I inquire, through the Chair, as to the advisability of an evening session, whether we could accomplish anything tonight?

The SPEAKER: It is impossible to answer the gentleman's question definitely at the moment, but in all probability it will be possible to expedite business this evening. Is there any matter now which any member can take up?

Mr. CHASE of Cape Elizabeth: There is on the table an act relating to rate of interest charged by small loan agencies, tabled this morning by the gentleman from Presque Isle (Mr Kitchen) and I would like to inquire if any time was assigned for its consideration.

The SPEAKER: There was not.

Mr. KITCHEN of Presque Isle: Mr. Speaker, in reference to that matter, I will say that I have been so busy since I tabled that that I have not been able to get the information I wanted, and I thought that if you would permit me to keep that on the table until tomorrow morning I could dispose of it. That is, of course, for the House to decide. You have a perfect right to deny me that privilege if you see fit.

The SPEAKER: The bill is now upon the table.

Mr. INGRAHAM of Bangor: Mr. Speaker, without doubt this bill will call for quite a lot of discussion, and I wish to ask of Mr. Kitchen if he is in favor of letting this bill come off the table and be threshed out right now. It might as well come one time as another.

The SPEAKER: Does the gentleman, Mr. Ingraham, move to take the bill from the table?

Mr. INGRAHAM: I do, Mr. Speaker.

The SPEAKER: The gentleman from Bangor, Mr. Ingraham, moves to take from the table bill with reference to interest charged by small loan agencies. As many as are in favor of the motion will say aye; as many as are opposed will say no.

A viva voce vote being doubted, a division of the House was had, and so many voted in the affirmative that the Chair was no longer in doubt, and the motion to take the bill from the table prevailed.

Mr. KITCHEN: Mr. Speaker,

may I inquire the present status of the bill?

The SPEAKER: The bill was tabled this morning upon its passage to be enacted.

Thereupon, on motion by Mr. Kitchen, the bill was passed to be enacted.

The SPEAKER: If there is no further business under orders of the day the House may be at ease to respond to the sound of the gavel and the blast of the horn.

#### After Recess 4.45 P. M.

The Speaker in the Chair.

The SPEAKER: The Chair will announce the committee of conference on the Prison and Reformatory consolidation bill, so-called, the member from Portland, Miss Laughlin, the member from Waldoboro, Mrs. Gay and the gentleman from Bath, Mr. Jackson.

(Out of order, under suspension of the rules)

The SPEAKER: The Chair lays before the House veto message from the Governor.

#### STATE OF MAINE Office of the Governor

Augusta, April 12, 1929.

To the Honorable Senate and House of Representatives:

I return without approval "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."

There is no obligation on the part of the State to reimburse a ferryman or his estate for such judgments as were recovered in Court against Mr. Emmons personally. There are in the State many appealing instances of families in distress, but it seems unwise to adopt this extraordinary form of relief for a particular case.

Respectfully submitted  
(Signed)

WM. TUDOR GARDINER,  
Governor.

The SPEAKER: The question before the House is shall this resolve be finally passed notwithstanding the objection of the Governor.

Mr. WILLIAMSON of Augusta: Mr. Speaker, my law partner, Mr. Perkins, represented this estate. I wish, for that purpose, to be excused from voting.

Thereupon Mr. Williamson of Au-

gusta was excused from voting for the reason given.

The SPEAKER: Is the House ready for the question? A vote of yes is a vote in favor of the passage of the resolve notwithstanding the objection of the Governor, a vote of no is against the final passage. Is the question clear to the House?

Mr. ROUNDS of Portland: Mr. Speaker, I do not rise here to defend this case at all, but it is a pretty good trade to give two thousand dollars when they will get four thousand if they are under the mother's aid act.

I have been down to see the Secretary of the Department of Public Welfare, Grube Cornish, and he tells me the first four years it will take forty-five dollars a month and the next four will take over twenty dollars a month, and after that there will some more come on, so there is in the neighborhood of four thousand dollars and this resolve calls for two thousand dollars. I think you will be better off, because if the woman loses her home over her head, the selectmen of Richmond will petition right away for forty-five dollars a month for the widow and children.

Mr. PATTERSON of Freeport: Mr. Speaker and members of the House: I appeared against that bill when it came up, feeling that the State was not justified in paying it. If they get it under the act that the gentleman from Portland says, I have not any objection. In the first place I had no objection; I wanted the woman to have the money and offered to pay my proportional part or more. I think we should sustain the Governor in that veto because I think it was a justified veto.

The SPEAKER: Is the House ready for the question?

Mr. ADAMS of Linneus: Mr. Speaker, I did not understand the question.

The SPEAKER: The Chair will endeavor to explain the matter. The question before the House is: Shall this resolve be finally passed notwithstanding the objection of the Governor. A vote of yes is a vote in favor of the resolve and against the veto; a vote of no is a vote against the resolve and a vote to sustain the Governor's veto. The members who agree with the position of the Governor will note no;

those who disagree will vote yes. The Clerk will call the roll.

YEA—Aldrich, Anderson, South Portland; Blodgett, Dudley, Hawkes, Richmond; Ingraham, King, Littlefield, Monroe; Mansfield, McKnight, Perkins, Rounds, Stone—13.

NAY—Adams, Allen, Camden; Allen, Sanford; Anderson, New Sweden; Angell, Bachelder, Bailey, Belleau, Bisbee, Bishop, Bissett, Blaisdell, Blanchard, Boston, Bove, Boynton, Briggs, Burkett, Portland; Burkett, Union; Burns, Burr, Butler, Buzzell, Campbell, Carleton, Portland; Carleton, Winterport; Chase, Clark, Clifford, Comins, Couture, Crawford, Daigle, Day, Eaton, Fogg, Folsom, Ford, Friend, Gagne, Gay, Gillespie, Hamel, George; Hamel, Rodolphe; Hammond, Harrington, Hatch, Hathaway, Hawkes, Standish; Heath, Hill, Holbrook, Holman, Hubbard, Hughes, Hunt, Hurd, Jack, Jackson, Bath; Jackson, Portland; Jacobs, Auburn; Jacobs, Wells; Jones, Corinna; Jones, Waterville; Jones, Windsor; Jones, Winthrop; Kane, Kitchen, Laughlin, Lenfest, Leonard, Lewis, Libby, Littlefield, Farmingdale; Locke, Lombard, Lowell, McCart, McLean, Melcher, Merrill, Milliken, Morin, Morse, Oakland; Morse, Rumford; O'Connell, Palmer, Patterson, Peacock, Perham, Potter, Powers, Pratt, Quint, Rackliff, Rea, Richardson, Roach, Robie, Rogers, Greenville; Rogers, Yarmouth; Roy, Rumill, St. Clair, Sargent, Saucier, Seavey, Small, Freedom; Small, East Machias; Stanley, Sterling, Kittery; Sterling, Caratunk Plantation; Stetson, Stuart, Sturgis, Sturtevant, Taylor, Thatcher, Towne, Tucker, Varnum, Vose, Ward, Webster, Auburn; Webster, Buxton; White, Dyer Brook; Wight, Newry; Wing, Wright—129.

ABSENT—Ashby, Farris, Foster, MacKinnon, Picher, Pike—6.

EXCUSED—Williamson—1.

The SPEAKER: Thirteen having voted in the affirmative and 129 in the negative, the resolve fails of final passage.

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

Emergency act to authorize the promulgation of rules and regulations of the Commissioner of Inland Fisheries and Game (S. P. 822)

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

In the House, under suspension of the rules and without reference to a committee, this bill had its three several readings and was

passed to be engrossed in concurrence.

Report of the Committee on Appropriations and Financial Affairs on resolve to provide for a Memorial to Harold Andrews, the first Maine Man to lost his life in the World War (S. P. 262) (S. D. 133) reporting same in a new draft (S. P. 805) (S. D. 431) under same title and that it ought to pass.

Comes from the Senate report read and accepted and the resolve passed to be engrossed.

In the House, report read and accepted in concurrence, the resolve had its two several readings and was passed to be engrossed in concurrence.

From the Senate: Resolve proposing an Amendment to the Constitution to provide for an additional issue of highway and bridge bonds (S. P. 740) (S. D. 394) on which the House accepted the minority report of the Committee ought not to pass in non-concurrence.

Comes from the Senate that body insisting on its former action whereby the majority report of the Committee reporting a new draft and that it ought to pass was accepted, and the resolve passed to be engrossed as amended by Senate Amendment "B" and asking for a Committee of Conference, with the following conferees appointed on its part:

Messrs. BOND of Lincoln  
LELAND of Piscataquis  
DUNBAR of Hancock

In the House, on motion by Mr. Kitchen of Presque Isle, that body voted to insist and join in the Committee of Conference.

The Chair appointed as conferees on the part of the House Messrs. Kitchen of Presque Isle, Gillespie of Meddybemps and Burkett of Portland.

From the Senate: Bill an act to revise and simplify the Inland Fish and Game Laws of the State (S. P. 767) (S. D. 412) which was passed to be engrossed as amended by House Amendment "L" in non-concurrence, earlier in the day.

Comes from the Senate passed to be engrossed as amended by House Amendment "L", and Senate

Amendment "R" as amended by Senate Amendment "A" to Senate Amendment R in non-concurrence.

In the House:

On motion by Mr. Angell of Saco, the House voted to reconsider its action whereby this bill was passed to be engrossed earlier today.

The Clerk read Senate Amendment R and Senate Amendment A to Senate Amendment R.

Mr. CLIFFORD of Garland: Mr. Speaker, it seems to me that this is too important a matter to take up this late in the session. We cannot act intelligently upon the matter. It would require, in my judgment, at least two weeks for us to take intelligent action upon this matter, therefore I move the indefinitely postponement of the amendments and bill.

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

Thereupon, the House adopted Senate Amendment R and Senate Amendment A to Senate Amendment R in concurrence.

On motion by Mr. Angell of Saco, the bill as amended by Senate Amendment R and Senate Amendment A to Senate Amendment R was passed to be engrossed in concurrence.

#### Report of Conference Committee

The Committee of Conference on the disagreeing action of the two branches on bill an act relative to declarations upon a contract in writing, House Paper 1680, House Document 732.

Reports that both Houses recede from their former actions and adopt the accompanying amendment, the report being signed by all of the members of both committees.

The SPEAKER: The Clerk will read the amendment.

House Amendment A to bill an act relative to declarations upon a contract in writing.

Amend House Paper 1680 by striking out the words at the beginning thereof as follows: "Chapter 87 of the Revised Statutes is hereby amended by striking out all of Section 38 thereof and substituting therefor the following:

And House Paper 1680 is also amended by striking out all after the words "is thereby damaged at

the end of the first complete sentence thereof."

The report was accepted.

Thereupon the vote was reconsidered whereby said bill was passed to be engrossed, House Amendment A was adopted and the bill as so amended was passed to be engrossed.

#### Senate Paper Out of Order

From the Senate: Senate Paper 249, House Document 218, bill an act to amend Section 8 of Chapter 224 of the Public Laws of 1923, as amended relating to the use of monies received from the tax on gasoline, conditional on an amendment to the Constitution to authorize highway and bridge bonds, the House having accepted the minority report of the committee ought not to pass in non-concurrence with the Senate, and the Senate having accepted the majority re-

port ought to pass, and passed the bill to be engrossed.

The bill now comes from the Senate, that body insisting on its former action whereby that bill was passed to be engrossed and asking for a Committee of Conference with the following conferees on its part: Senators Bond of Lincoln, Leland of Piscataquis and Dunbar of Hancock.

In the House, on motion by Mr. Kitchen of Presque Isle, that body voted to insist on its former action and join in the Committee of Conference.

The Chair appointed upon such committee Messrs. Kitchen of Presque Isle, Gillespie of Meddybemps and Burkett of Portland.

On motion by Mr. Kitchen of Presque Isle,

Adjourned until 9.30 tomorrow morning.