

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Sixth Legislature

OF THE

STATE OF MAINE

1933

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Thursday, March 9, 1933.

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

Prayer by the Rev. Mr. Akeley of Gardiner.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

Senate Bills in First Reading

S. P. 552, L. D. 817: An act relative to the apportionment of State aid to agricultural societies.

S. P. 553, L. D. 813: An act relating to transportation of poultry.

S. P. 551, L. D. 814: An act to revise the Municipal Court Chapter of the Revised Statutes.

S. P. 550, L. D. 815: An act to revise the laws relating to Sea and Shore Fisheries.

S. P. 549, L. D. 816: An act relating to the War Bond Sinking Fund.

From the Senate: Report of the committee on Taxation reporting ought to pass on bill an act relative to collection of taxes, S. P. 353, L. D. 511.

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

In the House, on motion by Mr. Blanchard of Wilton, tabled pending acceptance of the report in concurrence.

From the Senate: Report of the committee on Taxation reporting ought to pass on bill an act relative to rate of interest on taxes, S. P. 352, L. D. 510.

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

In the House, on motion by Mr. Blanchard of Wilton, tabled pending acceptance of the report in concurrence.

The following petitions and remonstrances were received and upon recommendation of the committee on reference of bills were referred to the following committees:

Legal Affairs

Remonstrance of Victory Grange

No. 538 against Legalizing Sunday Commercial Sports and Sunday Hunting (H. P. No. 1539) (Presented by Mr. Devereux of Penobscot)

Taxation

Petition of H. A. Blackstone and 13 others of Perham in favor of Repeal of Auxiliary Forest Law (H. P. No. 1540) (Presented by Mr. Thomas of Woodland)

Petition of Axel W. Larson and 13 others of New Sweden in favor of same (H. P. No. 1541) (Presented by same gentleman)

Remonstrance of Chester Grover and 34 others of Canton against L. D. 687, 688 and 160 Motor Truck Bills (H. P. No. 1542) (Presented by Mr. Boyle of West Sumner)

Remonstrance of Roger D. Holman and 18 others of Dixfield against same (H. P. No. 1543) (Presented by Mr. Goodwin of Mexico)

Remonstrance of Bernard Putnam and 6 others of Dixfield against same (H. P. No. 1544) (Presented by same gentleman)

Remonstrance of Burns Loggie and 24 others of Dixfield against same (H. P. No. 1545) (Presented by same gentleman)

Remonstrance of Philip Pollard and 30 others against same (H. P. No. 1546) (Presented by same gentleman)

Remonstrance of Stanley Swan and 18 others of Dixfield against same (H. P. No. 1547) (Presented by same gentleman)

Remonstrance of John Eberhart and 14 others against same (H. P. No. 1548) (Presented by same gentleman)

Orders

Mr. Flanders of Auburn presented the following order and moved its passage:

Ordered, the Senate concurring, that H. P. 693, L. D. 362, bill an act closing Middle Range Pond to ice fishing be recalled to the House from the committee on Inland Fisheries and Game.

The order received passage and was sent up for concurrence.

Reports of Committees

Mr. Crowell from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act relative to Closed Time, Daily Bag Limits and Transportation of Wild Hares and Rabbits" (H. P. No. 375) (L. D. No. 137) as legislation is inexpedient.

(Tabled by Mr. Plouff of Dexter pending acceptance of report).

Mr. Crowell from the Committee on Inland Fisheries and Game reported ought not to pass on Bill "An Act relating to Hunting of Skunks and Raccoons" (H. P. No. 1028) (L. D. No. 437) as legislation is inexpedient.

Mr. Bussey from same Committee reported same on Bill "An Act relating to Killing of Wild Rabbits" (H. P. No. 736) (L. D. No. 405) as legislation is inexpedient.

Mr. Smith from same Committee reported same on Bill "An Act relating to Shooting of Wild Hares or Rabbits in Various Counties" (H. P. No. 602) (L. D. No. 177) as legislation is inexpedient.

Mr. Young from the Committee on Salaries and Fees reported same on Bill "An Act fixing the Compensation of Legislative Officers and Employees for Special Sessions" (H. P. No. 925)

Mr. Mack from the Committee on Taxation reported same on Bill "An Act relating to a Poll Tax" (H. P. No. 1168) (L. D. No. 613)

Mr. Graves from the Committee on Ways and Bridges reported same on Bill "An Act permitting Towns to Contract for Road Work" (H. P. No. 1134) (L. D. No. 656)

Mr. Ellis from same Committee reported same on Bill "An Act relating to the Construction and Maintenance of Roads within 500 feet of State Institutions" (H. P. No. 669) (L. D. No. 300)

Same gentleman from same Committee reported same on Bill "An Act relating to the Recommendations and Acceptance of Roads for Construction and Improvement" (H. P. No. 1072) (L. D. No. 456)

Mr. Peacock from same Committee reported same on Bill "An Act relating to Tolls of Maine Kennebec Bridge" (H. P. No. 667) (L. D. No. 199)

(Tabled by Mr. Hawkes of Richmond pending acceptance of report)

Mr. Jones from Committee on Ways and Bridges reported ought not to pass on Resolve in favor of Jefferson-Washington (H. P. No. 956) as the matter is already taken care of in another way.

Same gentleman from same Committee reported same on Bill "An Act relating to a State Aid Road in the town of Standish" (H. P. No. 673) as it is covered in another bill.

Reports read and accepted and sent up for concurrence.

Mr. Crowell from the Committee

on Inland Fisheries and Game on Bill "An Act relating to Closing of Attean Pond to Ice Fishing" (H. P. No. 699) (L. D. No. 266) reported a Resolve (H. P. No. 1549) under title of "Resolve relating to Closing of Attean Pond to Ice Fishing" and that it "Ought to pass."

Mr. Hescoek from same Committee on Bill "An Act relating to Hunting of Skunks and Raccoons" (H. P. No. 1030) (L. D. No. 438) reported same in a new draft (H. P. No. 1550) under same title and that it "Ought to pass."

Mr. Sargent from the Committee on Legal Affairs on Bill "An Act to establish a Board of Finance of the city of Waterville" (H. P. No. 629) (L. D. No. 204) reported same in a new draft (H. P. No. 1551) under same title and that it "Ought to pass."

Reports read and accepted and the new drafts ordered printed under the Joint Rules.

Mr. Jones from the Committee on Ways and Bridges reported "Ought to pass" on Bill "An Act relating to the Construction and Maintenance of Bridges on State Highways" (H. P. No. 167) (L. D. No. 84)

Mr. Ellis from same Committee reported same on Bill "An Act relating to Roads in Unincorporated Places" (H. P. No. 1071) (L. D. No. 455)

Reports read and accepted and the Bills having already been printed were read twice under suspension of the rules and tomorrow assigned.

Majority Report of the Committee on Sea and Shore Fisheries reporting "Ought to pass" on Bill "An Act relating to the Legal Size of Lobsters and Method of Measurement" (H. P. No. 110) (L. D. No. 54).

Report was signed by the following members:

Messrs. McLOON of Knox
LITTLEFIELD of York
—of the Senate.
WENTWORTH of Kenne-
bunk
NEWCOMB of Scarboro
LEWIS of Boothbay
RICHARDSON of South
Portland
—of the House.

Minority Report of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following members:

Messrs. BLAISDELL of Hancock
 —of the Senate.
 SMITH of Vinalhaven
 SHAW of Milbridge
 PEACOCK of Lubec
 —of the House.

Mr. WENTWORTH of Kenne-
 bunk: Mr. Speaker, I move the ac-
 ceptance of the majority report
 ought to pass, and when this vote
 is taken I ask for a division of
 the House. Now, Mr. Speaker and
 members of the House, it was by
 mutual consent of the proponents
 and opponents of this bill that when
 this came into the House we would
 go right to bat on it, so we did not
 care to have it tabled.

Today we are dealing with a busi-
 ness that means much to the State
 of Maine, and it means much the
 way we act upon it. Today the busi-
 ness is going to other states, be-
 cause the State of Maine is out of
 step. The present law, ten and a
 quarter inches, has been on the
 statute books now for thirty-seven
 years, and any law affected by
 economic conditions should be re-
 pealed. Economic conditions are de-
 pression and Canadian competition.
 The proponents have tried to go
 half way with the opponents. We
 have offered to compromise in
 double-gauge bill, and have also
 tried to get them to go half way
 with us, and allow us to try this
 nine-inch law two years, but with
 no success.

The proponents of this bill are
 interested in it from the standpoint
 of the fishermen, the dealers and
 the State.

I must first discuss this measure
 from the standpoint of the dealers.
 For the past few years the dealers
 in the State of Maine have been
 up against competition from Massa-
 chusetts and New Hampshire in
 that those states have had a nine-
 inch law for a number of years.
 Because of this competition our
 dealers have dwindled down in
 numbers to a very few. The reason
 for this is the fact that they are
 not able to fill their orders for nine-
 inch lobsters, hence the dealers in
 Massachusetts and other states get
 most of the business because they
 can fill their orders with Canadian
 lobsters. Economic conditions in the
 country have changed the demand
 for the different sizes of lobsters
 somewhat. For instance, customers
 who once preferred a large now
 prefer a chicken lobster, so-called,

or a lobster from nine inches to
 ten inches in length, weighing from
 one pound to a pound and a quar-
 ter. This demand has become so
 great that at least the demand is
 for thirty-three and a third per
 cent of this size. If the dealers in
 this State cannot fill their orders
 for this size, it will be necessary
 for them either to go out of busi-
 ness or go elsewhere.

The Maine dealers prefer to sell
 Maine lobsters because they are
 recognized to be the best in flavor,
 cleanliness and firmness. The nine-
 inch lobster is popular in American-
 plan hotels, restaurants, and with
 families who cannot afford to buy
 the larger size.

Canadian competition, depression
 and the fact that Maine dealers
 cannot fill complete orders for
 Maine lobsters has caused a drop
 in licensed fishermen from four
 thousand to around twenty-eight
 hundred. Does it not seem to you
 members of the Legislature that it
 would be for the best interests of
 all concerned for Maine to get in
 line with the rest of the country?
 It is not from a political stand-
 point that the proponents of this
 bill are advising its passage. They
 believe it to be for the best interests
 of all concerned. In fact U. S. Sen-
 ator Copeland stated before a Maine
 gathering who appeared in Wash-
 ington before a committee in the
 interests of protection of our lob-
 sters against importation of Cana-
 dian lobsters, that you people up
 in Maine better go home and get
 in step with the rest of the coun-
 try.

The chances of getting protection
 through Congress for New England
 lobsters is about as good as an ice-
 berg would have living in the Gulf
 Stream. The West wants lobsters
 as cheaply as they can get them,
 so will not support a tariff on Cana-
 dian lobsters. Maine has only one
 choice in the matter and that is
 to enact a nine-inch law, thereby
 giving its dealers and fishermen a
 chance to compete.

Now what about this great buga-
 boo of conservation that the op-
 ponents to this bill have told you
 about? They say that nine and
 ten-inch lobsters are just beginning
 to bear seed at this size, but no
 fisherman will tell you that he ever
 catches many bearing seed at this
 age in their career. Those that do
 only bear about five thousand seed,
 while the thirteen to fourteen-inch

lobster bear from seventy to one hundred thousand seed. At any rate, these seed lobsters are supposed to be punched and thrown overboard. If this idea of not catching nine-inch lobsters from the standpoint of conservation should hold true, we had better enact laws to prevent shooting young partridge and deer.

You have probably been told that a nine-inch law would mean the extermination of lobsters. Why is it then that they have not been exterminated before this? It is a known fact that nine-inch lobsters have been taken all along the coast of Maine and in some cases even the smaller ones. There are large quantities of lobsters left and always will be as long as the floor of the ocean covers as large an area as it does now.

The law as it is now makes for bootleggers and dishonest fishermen. In order to make a living the fisherman has to save his nine-inch lobsters, but he has to bootleg them, thus receiving a lower price. In the eastern part of our State they are bootlegged into Canada in smacks, where they are sold to dealers to go to Massachusetts. In the south-western part they are either sold along the shore or taken over into New Hampshire. If a nine-inch law is enacted, the fishermen will throw the small ones back, which will make for conservation and will allow them to receive a full price for their nine-inch lobsters, which will make honest fishermen and happier homes. At any rate, the difference is only one and quarter inch—not so much when you stop to think it over.

Now I have a little exhibit here. Just for curiosity, I had this seed lobster brought up here. I have lived on the seacoast all my life, and this is the first one I have ever seen. A lobster of this size is practically a Jumbo lobster. It is not possible, in the over-the-counter trade today, to sell these lobsters, because they cost too much. The average American family can not afford to buy them. I will leave this here, and anyone who wants to see it may.

Here are the two sizes of lobsters we are fighting about. (Exhibits two lobsters) You do not see much difference in size, do you? This is a ten and a quarter inch lobster, this is a nine-inch lobster, and this is what we call a snapper. Most

of you fellows who have been around the coast have bought these for seventy-five cents or a dollar and a half a dozen. But the fishermen down in my part of the State, if you legalize this lobster, are going to throw this overboard, and it is going to grow to be a larger lobster. I thank you.

Mr. PEACOCK of Lubec: Mr. Speaker, I move that the majority report be not accepted, and for the following reasons: If you accept the majority report, you are going to legalize a nine-inch lobster, and from a conservation standpoint it cuts out any possible chance of the lobster reproducing. According to the best authority, no lobster reproduces, or, that is, the average lobster does not reproduce, until it is ten inches long. That gives, under our present law, one chance of the lobster reproducing. Now if we have a nine-inch law we are taking even that chance away.

They say "Try the law for two years." If we try the law for two years and should want to go back to our present law, we would have to wait two or three years in order for the lobsters to grow from nine to ten and a half inch size before we could start in fishing for them again. Our opponents say we should get in step with the rest of the country. I do not believe our fishermen want to get in step with the rest of the country because the catch of the rest of the country is dropping off whereas the Maine catch is holding its own, in fact increasing. In view of these things I hope the motion of the gentleman from Kennebunk (Mr. Wentworth), will not prevail.

Mr. GRAVES of Mt. Desert: Mr. Speaker, we have on our desk just one more of these articles of propaganda which we have had constantly ever since we started this lobster fight. We have heard from the gentleman from Kennebunk (Mr. Wentworth) that this was not a proposition of the dealers and the lobstermen, but I cannot understand anyone who is not taking a great direct interest in this putting out so much propaganda as we have got almost every day. I refer to one of these pamphlets of the Maine Lobster Dealers Association. When I go home, I find one at home, from the Maine Lobster Dealers Association. I feel that the dealers are going to benefit greatly by this nine-inch law if it goes through. I know in my own coun-

ty, Hancock, we have about 700 lobster fishermen out of a total of 2800 in the State. I think Washington County has about the same. Practically half of the lobster fishermen in the State of Maine are from Hancock and Washington counties.

Now they have a great interest down there in this matter. At one time, I should imagine about three weeks ago, a questionnaire was put out by the Sea and Shore Fisheries Committee among the fishermen. When this questionnaire came in it was worded for the nine-inch lobster law—those in favor of the nine-inch law, those in favor of the ten and a half, and those in favor of double-gauge. The result showed in my county and Washington county, conclusively, better than two to one in Hancock county, very nearly two to one in Washington county in favor of the present law.

Now I feel these fishermen have a right to say a great deal in this matter, and they expressed it in that questionnaire. Previous to that, the Commissioner of Sea and Shore Fisheries and his deputy held thirteen meetings up and down the coast, from Lubec, I think it was, to Kennebunk, and nine of those meetings voted for the present ten and a half or ten and a quarter inch law, and this is the sentiment of the majority of the fishermen, and I feel that their sentiment should be upheld rather than the sentiment of the dealers.

I sympathize greatly with the dealers in this time of stress. They are being run out of business. So is everyone else—I am—we are hit pretty hard right now. The dealers have had several good years, and the fishermen have had some very poor years. I do not want the dealers to think I am knocking them at all in this matter, but I feel the majority of fishermen, as expressed by this questionnaire and these meetings that have been held, that their sentiments should be upheld.

Mr. SMITH of Vinalhaven: Mr. Speaker and members of the House: After listening to the eloquence that we heard here Tuesday, I feel myself wholly inadequate to approach this subject, but I do feel, representing as I do, more fishermen than there are in the whole of York county and nearly as many as there are in Hancock and Cumberland counties combined, that it

is my duty to stand here and defend those fishermen. And, gentlemen, believe me it is no pleasure for me in some ways.

The gentleman from Kennebunk (Mr. Wentworth) says "Consider this matter first from the standpoint of the dealer and the fisherman and the State," but he considers it first from the standpoint of the dealer; he seems to forget the fisherman and the State. He says one-third of the demand for lobsters is for small lobsters. Now if this is true, why is it that the price of small lobsters and chicken lobsters, so-called, is less than the price of lobsters of legal size? I cannot answer it. It is a fact, as we find from the market quotations in the daily papers. He says the ten and a quarter inch law makes bootleggers. Now, ladies and gentlemen, if a man will not be honest with a ten and a quarter inch law, will he be honest with a nine-inch law? Will one inch on the length of lobsters make an honest man? If you make the law nine inches, he will sell eight-inch lobsters. If you make the law eight inches, he will sell seven-inch lobsters if he is so inclined, but most of the fishermen are not so inclined on the coast of Maine.

Now this question is not only sectional, but it is periodical. The history of lobster legislation extends back, in New England, to a very early time. The first lobster legislation was made by the Massachusetts Bay Colony, and from that time to this it has been constantly before our law-making bodies. To substantiate this, I want to quote you from the legislative record for 1919. I will quote from what the people who heard it tell us was one of the finest speeches they ever heard in the House of Representatives, people qualified to judge. I will only quote a very small part: "Every time a lobster sheds its shell, he grows an inch and a half in size, and if you take that lobster before that time comes, you are losing all that, and besides, you are taking the small lobsters that will never mature, that never will hatch any young, and the lobster business on the coast of Maine is going to die. And the horny-handed sons of toil, the fishermen down on the coast of Maine that voted for me to come up here and stand for their rights have got to go out of business to please a

few people that want to get a bunch of money."

That, ladies and gentlemen, is from the speech of Charles Thomas, of Harpswell, and I wish I could talk like he can.

Here is Honorable Frederick Hinckley, of South Portland. Part of this is unfavorable to my case, but I quote to show you the same argument was used in 1919 as is being used today: "It is a fact that the law of Massachusetts provides for the catching and sale of the nine-inch lobster. The New Hampshire law provides for the same. The law of New Brunswick and the law of Nova Scotia provides the same, so that our dealers are absolutely handicapped and have been practically put out of business for this reason" (The very same things they are telling you today). "And that is the reason and the only reason why the lobster dealers in Portland have decreased in the last few years from sixteen to two." That is what they told us at the committee hearing.

Now ladies and gentlemen, let me quote you from the 1925 record, the speech of Hon. Mr. Sargent of Sedgwick: "If all lobsters down to nine inches were taken, it would not be very many years before all lobsters capable of bearing eggs were destroyed."

Here is what Hon. Rodney Thompson of Rockland, says: "Massachusetts has and has had for some time the nine-inch law. We, during the same time, have had the ten-inch law. In spite of all her efforts to promote the nine-inch law, the catches of the fishermen have been steadily diminishing, almost to the point where it is impossible for them to gain a livelihood. The individual catch has decreased from about seven hundred down to about one hundred, and even less than that, while the average catch of the fishermen of Maine has gone beyond the one thousand mark." That was in 1925.

I will quote from a remonstrance read by Honorable Charles Boman, of Vinalhaven, from the 1925 record: "Any change in legal length of lobsters spells ruin to our valuable industry. Nine-inch lobsters are too small to breed, and if they are caught before they are ten inches, the present legal length will mean extermination. We have followed the lobster business all our

lives, and believe we know what is best for the industry." Now this is significant to me: "If we were in the Legislature, we would not vote to change the law that nine-tenths of the farmers wanted to keep as it is now. We are asking you to protect us by voting against the nine-inch bill."

So much for the history of it. I have a letter here which you had on your desk yesterday morning signed by the Penobscot Bay Lobster Fishermen's Association. I have lived in Penobscot Bay all my life, and until yesterday morning I never heard of any such organization, and until within one week no such organization ever existed. Now is it not significant that that comes from Rockland?

Then finding they did not have names enough on the petition, what do they do? They send out a card. They tried to prepare the petition so as to have a majority of fishermen on the petition. I do not know what the cards sent out said, but here is the reply card: "As a lobster fisherman, I am heartily in favor of changing the present Maine lobster law to an eyesocket measure to approximate nine inches in length and I herewith affix my signature in support thereof." Underneath the place for the signature, in small type, it says "Your signature will not conflict with Mr. Crie's questionnaire." Undue pressure has been brought to bear. The card says further "If already signed a petition, do not sign this but return card with information. IMPORTANT: Please sign and send back 'return card' QUICK."

I do not consider that as a petition. I do not consider they have fourteen hundred names on the petition. A man called me from Harpswell and said, in regard to one of these petitions, that he knew nothing about it, never had seen any such petition. I do not believe the petition is of any importance.

This letter from the Penobscot Bay Fishermen's Association says:

"We understand that the impression has got around in the State House that this nine-inch lobster law is a fight of the dealers against the fishermen." That is right, it is. This letter comes from Rockland, the same place the card comes from. How does the address read on the card? It reads "Committee for Change in Lobster Law, c/o Ameri-

can Lobster Co., Rockland, Maine." It does not say "Care of the Fishermen," but "Care of the American Lobster Company." So much for that. If that is not proof that it is a dealers' proposition, what is it?

Furthermore, the letter states: "As lobster fishermen of the Coast of Maine we want to forcibly state that such is not the case. It is a fight of the majority of the fishermen who favor a nine-inch law against a stubborn minority who profess to believe that they can get along all right with the present law." A gross mis-statement of facts. It is not the majority of the fishermen that want the law; the majority of dealers.

Further it says: "We could, under a nine-inch law, increase our earnings twenty-five per cent without one single cent extra expense and that would enable us to get by for the next two years." Now that statement is fallacious, as I will show you if you will follow me closely enough. The average weight of one hundred lobsters is one hundred and forty pounds. If this law goes through and you take your size down to nine inches, the average weight of one hundred lobsters would be just one hundred pounds. They claim they get twenty-five per cent extra, but if they shrink over thirty-three and a third per cent, and they get twenty-five per cent extra in value, they have lost. Anyone can see that.

"In the meantime a Commission might be appointed to study the needs of the lobster industry and report to the next Legislature." If this law goes through, it will take as long to get it back as it did to try to repeal it.

Professor Young of the University of Maine, is making a biological survey. He goes every summer to the coast of Mount Desert. Let us wait and see what he finds out before we change this.

"There would be no more breeders caught than before, as lobsters in Maine rarely spawn before they are eleven inches long."

Now, ladies and gentlemen, you have heard so much at these legislative hearings about Dr. Herrick. He is the greatest authority on lobsters in the United States or in the world. He says: "Very few lobsters under nine inches in length have external eggs while only few have attained the length of ten and a

half inches without having them,"—direct contradiction of the statement in the letter.

Now here is a letter from a fisherman that was passed to me this morning:

"I have been in favor of the nine-inch lobster bill ever since it was first advocated and have worked for same, but at the meeting held February 23rd I saw the true significance of a nine-inch law if it should be passed.

"One statement made by an opponent of this bill decided me that I had been working against my own interest instead of for it. Following is the statement that showed me right from wrong: 'If the State of Maine should adopt the nine-inch lobster law, and later it proved a failure, how could we go back to the ten and one-half inch law, without having to cease fishing for at least two years?'

"Everyone knows that if we have a nine-inch law for two years and then change to ten and one-half inches, that the only lobsters left to catch are those below nine inches. It would take those lobsters two years to get to a ten and one-half inch length, and during that two years what would the fisherman of Maine do for a living? * * *

It takes the lobster five years to reach maturity, a thing which I think is significant. I had a beautiful speech all prepared here, but I have started on another one. I realize, of course, ladies and gentlemen, that debate seldom changes anyone's mind, but it does seem to me that we should consider the scientific and economic questions presented here. Now lobsters do not migrate up and down the coast from north to south. It is true that they do migrate from shore to the deep water, and from the deep water back to the shore. As I said before, it takes a lobster five years to reach maturity. A lobster is nearly ten inches long before it reproduces, but the important thing is that nine-inch lobsters can never reproduce, but a lobster between nine and ten and a quarter inches does reproduce once, and in all probability can reproduce twice, although that is not always the case.

Dr. Herrick said that a female lobster must be allowed to reproduce at least once if the industry is to be maintained. As Uncle Charles Thomas says, "Let's use common sense and reason."

Have we any data to work from to find out what this proposed law would do to our industry? I think we have.

In 1906 Massachusetts had a ten and one-half inch lobster law; the catch that year was 487,322 pounds. I am taking these figures, gentlemen, from a report made to the seventy-eighth legislature of Maine, in 1917, by J. C. Harmon for the Sea and Shore Fisheries Commission, showing again this fight is periodic. In 1907 Massachusetts enacted a nine-inch law; in 1907, 1908 and 1909 their catch increased to 1,326,219 pounds, or over three hundred per cent. But here is the catch: In four years they dropped back to their original catch.

The proponents of the bill say because other states have this law we should have it. I tell you, ladies and gentlemen, the other states that have this law are negligible, in amounts caught and in the quality of lobsters. There is a fisherman in my town whose son-in-law is a yacht captain and he goes with him in the winter. From December 12th to January 12th they brought in 3,000 pounds of lobsters; not so bad. In York County 30 pounds is an average catch.

These gentlemen brought in 3,000 pounds in one month, and happened to be fortunate enough to receive a good price for them; they got twenty-five cents a pound.

Now I feel that many of you are interested in the inland fisheries and game. How many of you would stand for a law permitting the taking of six-inch trout? There is not one of you who would. It is the same thing with the lobsters, if you get them down to a small size.

Now there are a lot more things to be said, but I fear of tiring you, and I wish right now to thank you for the very courteous treatment you have given me. I want to quote from an article by Director Crie in the *Courier-Gazette* of January 3rd, and, ladies and gentlemen, there is no man in the State of Maine who knows more about lobsters, the economic side of it, the biological side of it—he has fished in the waters, almost, in the middle of the Atlantic ocean; he knows every angle of it. Now what does Director Crie say? He does not mention the size of lobsters, the amount of production of lobsters. What does he say? "For the past fifteen years I have done all I could to improve the lobster situation

with the amount of money available for this department, and I believe we were making progress until within the last two years when business in all branches took a severe set-back. Every commodity has fallen way below normal in price, but the price of lobsters has received more of a shock than almost any other article because our markets have been flooded with lobsters from another country so that the business has been hit from two angles, one caused by business conditions throughout the country, and the other from the influx of lobsters from Canada." He says nothing about production.

Now what will happen if this nine-inch law is enacted? It is a conservative estimate to say that it will put two million pounds more of American lobsters on the markets, and if it is enacted, which another law which goes along with it, it will allow three to five million pounds more of Canadian lobsters to fill Maine pounds, and there is no place on the coast so suited to the pounding of lobsters as Maine. When you have got from five to seven million more pounds of lobsters on the market, what is going to happen to the price?

These are figures from the office of H. A. Johnson, a buyer at Swan's Island, and are the average prices paid for lobsters in the years 1929, 30, 31 and 32. I will leave off the decimal. 1929, 32c; 1930, 29c; 1931, 23c; 1932, 17c per pound. Now this is the significant point: A decline in price of forty-seven per cent from 1929 to 1932. As I said what will happen if you dump from five to seven million more pounds of lobsters on the market? Evidently we have a law which is working well, a law which is enforced, at least, as well as any law, and a law which the majority of people whom it governs believe in. Why should we tamper with it?

Now, members of the Legislature, everything I have told you is the honest truth, to the best of my knowledge and belief, and I will say further it is my honest opinion, based on a lifetime spent on the coast of Maine, and a winter of intensive study of the question, that if this law is enacted it will be the ruination of the industry. Now can we afford to lose another Maine industry? I do not believe we can.

Ladies and gentlemen, this industry directly affects 20,000 people,

and brings into the State of Maine \$4,000,000.

Now I would like to quote from an editorial from the Bangor Daily News of March 8th: "History records no single instance of any good coming to anybody through a change made merely for the sake of change. Many people, however, are periodically afflicted with an itch for upsetting the established order, just for the sake of trying something new." This is what has been happening in this Legislature for the past twenty years. Certain people are trying to change this law so as to make illegal doings legal. "On the witness stand, and under oath, these people would not be able to give any sound or important reason for the change they advocate—but still they hunger for an upset." That is the whole story right there, ladies and gentlemen.

I want to quote you from a letter from Sydney H. Davis to the Courier-Gazette under date of February 2, 1933. Mr. Davis is a fisherman who has earned his living lobster fishing since he was thirteen years old. "Regardless of what they tell us, a nine-inch law will be disastrous to the fishermen of Maine. It's a foregone conclusion that when we increase our supply we will reduce our price. It isn't the supply that we are finding fault with, it is the price. We are in the same boat as the western farmer. He finds no fault with his production but does find fault with the price, and has a perfect right to. "Some people tell us if we have a nine-inch law the dealers will pay us a better price—that there will be more competition, and so forth. Don't be misled.

"The dealers have one price for us now. If a nine-inch law is passed, they'll have two, as the nine-inch lobster is a bargain lobster and sells at a lower price than our good old ten and a quarter inch.

"Things are bad for the fishermen and they need a break. If anyone thinks they will get that break by adopting a nine-inch law they are only fooling themselves."

Of course things are bad for the fishermen and for every one else. As I heard a gentleman say the other day, so euphoniouly, during these tremendously troublesome times it is a poor time to change laws.

Now, gentlemen, let me put it this way, and I have finished. If this bill read in the following words, would there be any question how

you would vote: "Shall the Eighty-sixth Legislature enact a law to ruin the lobster industry of Maine?" Every last one of you would vote "No." Ladies and gentlemen, as a matter of fact, that is the proposition only in other words. A vote to accept the majority report is a vote to end an industry. I thank you, ladies and gentlemen, for your very courteous attention.

Mr. WENTWORTH: Mr. Speaker, I think my friend from Vinalhaven (Mr. Smith) is sincere when he tells you that if this nine inch law is enacted, the world is coming to an end. I cannot agree with him on that. What Mr. Crie wants is a doublegauge law and I will explain that. That means that the minimum measure is started at nine inches and you perhaps would go up to fourteen or fifteen inches according to what is agreed upon and those over fourteen or fifteen inches would be thrown back into the water; but you cannot get the fishermen to agree to that because they do not want to bother to measure these large lobsters.

The gentleman brought up the question of the Association. I want to tell you right here that there is an association which was formed because they saw what they were up against.

My friend from Lubec, Mr. Peacock tells you that the nine inch law, if enacted here, and we fish for two years, it will take two or three years before we are going to get any lobsters. I have lived on the coast all my life and there are probably four or five hundred traps every spring out in front of my place. They have taken there nine inch lobsters and snapper lobsters for years and there are still lobsters there and there always will be.

Mr. WALKER of Rockland: Mr. Speaker, while I am not a lobster man, I am interested in all this welter of argument and conflict of statistics. I began to be troubled about how I should vote on this important question, and I just want to say a few words to tell you, Mr. Speaker, how I arrived at my decision in favor of the nine inch law.

In the first place I made up my mind that if this law was to interfere with the conservation of lobsters, that would end the matter for me. The lobster must be conserved. I went down into the Library and began to read Francis Herrick, and

one paragraph I would like to lay before this House as follows:

"The average 10½-inch berried lobster is from five to seven years old; and assuming that it has borne eggs once before, it has lived to produce 23,000 eggs. On the other hand, an egg-bearer 16 inches in length which according to Hadley's estimate is nearly eighteen years old, has had a succession of eight broods and has produced 210,000 eggs. The larger animal is thus worth nine times as much as the smaller; in other words, in the course of twelve years its value to the fishery has been increased 800 per cent."

Now it would appear that if the large lobsters were conserved, of course the fishermen can never catch all the small ones and the large lobsters will take care of the problem of conservation. The gentleman from Kennebunk (Mr. Wentworth) has one of these large seed-bearing lobsters here which I was much interested to observe, with thousands and thousands of eggs upon it, carried for a period of from ten to eleven months. The question of conservation will be taken care of in the future probably by Federal legislation, a uniform double-gauge law, and then the question is ready to be examined on its merits. To my mind it should be considered solely for its effect upon lobster fishermen, the dealer and the consuming public.

The question of conservation really does not seem to enter into the consideration of this measure at this time but must be decided at another time, in another place and in another way.

I deprecate the inference that the interests of the lobster fishermen and lobster dealers are at variance here. They may be, but I do not know. If I thought that the lobster dealers were attempting to crush the fishermen my stand would be with the fishermen; but granted decent and honorable relations between the dealers and the fishermen it appears to my mind that their interests are identical. Unless you have prosperous dealers you cannot have prosperous fishermen. They must make money in order to be able to pay the fishermen, and if they can increase their market, as they are apparently trying to do, by being able to sell nine-inch lobsters, I cannot see how it is going to

hurt the fishermen. If at all the summer hotels in Maine these lobsters could be legally served, there would be a large extension of the market. So until a Federal double-gauge law can be had I hope that this industry will not be placed at a disadvantage with the rest of the country. Fishermen are leaving the business, dealers are leaving the business, and I should hate to see one more great industry crushed out of Maine.

I just want to say a word to those who represent the farming districts. It appears that these fishermen and the dealers who cooperate with them are suffering as the farmers have suffered. The fishermen have to renew their gear twice a year at great expense. If we on the coast can be told what to do to help the farmer, we would be glad to reach out a helping hand to him and the fishermen and dealers have asked me to come here in behalf of this bill and they reach out their hands to the farmers of the State of Maine and ask for their help.

Miss LAUGHLIN of Portland, Mr. Speaker, not having come in contact with this question, this definite problem, until last week, and having up to that time no definite opinion, I have made some study of the matter and I now want to support the motion for the adoption of the majority report, not only because I come from a coast county and, on inquiry, have learned that the majority of the fishermen in my county, as well as the dealers, are in favor of this law, but because I am convinced that it is for the benefit of the lobster industry of Maine. That is my only interest that we should take such action as will benefit the industry and promote the prosperity of the State.

When I was talking with those interested on the one side and the other, the first and most important question I asked was "What will be the effect of this law on the supply of lobsters, on the propagation of lobsters? Is it going to interfere with their increase?" I learned, and I think it is admitted by both the opponents of this measure, as well as claimed by the proponents of it, that very, very rarely does any lobster under the size of 10½ inches reach the breeding age; so that by the change of this law we are not affecting that, which is the great thing concerning the increase of the lobster supply. We have begun

at the wrong end in our limitation. Where we should have begun, and where we should now be at the other end, limiting the size on the upper end or taking some other measure which will serve to protect the propagation,—possibly a closed time during the breeding season, or other thing. But certainly there is the place where we should begin and the adoption of this law. I think, by all the facts presented on either side, shows it does not interfere with the propagation and breeding of lobsters, which is a great thing to be considered. That being so, why should we change the size? To my mind the size would be of little consequence, if it were not for the laws of all the states around us and in Canada. In Canada, Massachusetts and Connecticut they permit the taking of lobsters down to nine inches. Now what does that mean? It means a disastrous competition not only to the dealers, as claimed, but a disastrous competition to the lobster fishermen, in that they are prevented legally from taking lobsters under 10½ inches, while the Canadian and Massachusetts fishermen can all take them at nine inches with the result that they cannot take them except by bootlegging them, and there is a good deal of that going on, but the lobster fisherman who is obeying the law cannot compete with these other fishermen on all sides of him. The result is that a great proportion of our lobsters go to other markets than Maine. The result is that the dealer in Massachusetts can impound lobsters as low as nine inches. When the lobsterman in Canada can sell him any size of lobster, the dealer buys from him instead of from the Maine fisherman who says "I can only sell you lobsters above 10½ inches. So he had rather deal with the Canadian lobsterman and that is not only a disadvantage to the dealer but to the Maine lobster fisherman who sees the dealer prefers to deal with the Canadian fishermen.

Further than that we have seen the last two years by the report from the Commissioner of Sea and Shore Fisheries that the number of lobster fishermen in this State has decreased from 5,000 to 3,000. Now it certainly looks as if we need to do something different in order to save this industry. Therefore, because I believe that the present restriction in view of the conditions

all around us means a disastrous competition for the lobster fisherman, who will get my first consideration, and a restricted business for the lobster dealer, and a restricted industry for Maine, I am in favor of this law which will put us on a level in competition with Canada and the states about us.

Mr. GOUDY of South Portland: Mr. Speaker and members of the House, I introduced this bill in the Legislature because I felt in this time of economic distress that the lobster fishermen of my city and my county and the State of Maine as a whole were entitled to protection at this time.

For years the States outside of Maine have allowed their fishermen to get nine inch lobsters. They also ship them into the states from Canada. As the law stands today, a fisherman in Kittery, Maine cannot catch a nine-inch lobster, and he has to sit on the banks and watch that lobster crawl over into New Hampshire and the fisherman over in New Hampshire can get Mr. Lobster and sell it, which is unfair competition with the fishermen of our State.

They talk about conservation. These lobsters are not something like a stick out in the mud or anchored; they move and go from one place to another, and a lobster off of Portland Head today may be off Canada next week or down in New Hampshire. It only happens to be a kind of sanctuary in the State of Maine for nine-inch lobsters, where the lobster fishermen cannot get them and sell them to the retail market. Of course we know in the State of Maine a lot of nine-inch lobsters are caught, but the fisherman has to sneak them up over the bank or over the wharf in a burlap bag, and gets about a dollar a dozen for them where if they were legalized the fishermen would be able to sell them legally and get a fair market price for them.

I believe if you wanted to know something about the grocery business you would ask the grocer, if you wanted to know something about medicine, you would ask a doctor, and the same way with the law, you would ask a lawyer. Now who is better able to determine what is better for their business than the fishermen themselves? The lobster fishermen of the State of Maine, not unanimously, but to a large extent, favor this bill. The

dealers favor it, because they feel that this is the time when they cannot allow this competition any longer. We are simply shutting the door to our local fishermen to compete with fishermen in the other states and Canada. It seems to me that in justice to our own neighbors in the State, we should give them the same privilege as these other fishermen have.

There is one other side to this question perhaps some of you have not thought of. In order to uphold the law, and to see that nine-inch lobsters are not caught and sold, it is necessary for the State to have a large corps, a large crew of wardens. These wardens cost the State of Maine a good many thousand dollars every year. With the nine-inch law in force there would be absolutely no object for the fishermen of Maine to catch lobsters any smaller than nine inches, therefore you would be able to eliminate a great number of your wardens, and also, along with that, some expense for enforcing the law. It seems to me that in these times we should weigh these things carefully, and if the fishermen and dealers of Maine want a nine-inch law—I think they should know what they want. I do not think we know much about the lobster business, but they have been in it all their life. Fishermen who have always made a living and have done well, at this time have their boats and traps on the bank, cannot pay their bills, they are destitute, and they say to me that the only salvation they have is that this bill receive passage. If that is the situation, I think we should do whatever we can to relieve the economic conditions, to allow them to get the lobsters which, if they do not get will simply crawl over into some other state, and the fishermen there will catch them and they will sell them in competition with our fishermen, while our fishermen have to stay at home and call on some city or charitable institution for aid.

I think the majority report of this committee should be accepted, and if in two or three years we find out we have made a mistake, then it will be very easy for the next Legislature to rectify. I think it is an experiment we should try.

Mr. GRAY of Brooksville: Mr. Speaker and members of the House: I do not agree with the gentleman from Mt. Desert (Mr.

Graves) or the gentleman from Vinalhaven (Mr. Smith) and on behalf of my constituents in my section I wish to explain my position in regard to this lobster question.

I received this morning a letter from the secretary of the Deer Isle Fishermen's Association, addressed to me, which reads as follows: "As Secretary of Stonington and Deer Isle Fishermen's Association, under the present conditions we are not making our expenses, and want a straight nine inch law, feeling that this law would greatly benefit us. We feel that all that signed a nine-inch petition still feel the same, and that we do not catch any egg-bearing lobsters under the present measure (10½ inches). Trusting you will do all you can to help pass this bill.

Respectfully,

(Signed) D. T. THURLOW,
Secretary."

I do not intend to take any active part in this discussion in regard to the lobster question. However, I do feel that it is a matter of great importance to our fishermen of this State and that it requires our most serious consideration.

According to some remarks which I have heard, it is the belief of many that the fishermen who formerly favored the present law, and are now favoring the nine-inch law, were induced to do so by one-sided arguments and the lack of giving the matter their full consideration. Now it seems to me that the fishermen who have made this their business for years and have had the experience of trying to make a living at lobstering for the past two or three years, have a very good idea as to how they feel in regard to this matter, and in most instances they did not come to a hasty conclusion.

To be sure, there are differences of opinion among the fishermen just as there are with other groups on important subjects, but I believe those who have registered their sentiments favoring this lobster bill did so because it is their true opinion.

I represent a group of approximately one hundred fishermen in the western part of Hancock county, the larger percentage being in the town of Stonington. These fishermen filed a petition containing the signatures of approximately eighty per cent favoring a nine-inch law. These fishermen have been in ac-

tive continuous contact with the lobster industry, and I have every reason to believe their opinion is sincere and practical. Therefore I favor the majority report.

Mr. STERN of Biddeford: Mr. Speaker, I move the previous question.

The SPEAKER: In order for the previous question to be ordered, one-third of the members present must consent to the putting of the motion.

All those in favor of the motion for the previous question at this time will rise and stand in their places until counted and the monitors will make and return the count.

A division of the House was had. A sufficient number arose.

The SPEAKER: All those in favor of the motion of the gentleman from Biddeford, Mr. Stern, shall the main question be now put, which means without any further debate, will rise and stand in their places until counted and the monitors will make and return the count.

A division of the House was had. Seventy-five voting in the affirmative and that being obviously more than one-half the members present, the motion prevailed that the main question be now put.

The SPEAKER: The pending question is on the motion of the gentleman from Kennebunk, Mr. Wentworth, that the majority report of the committee on Sea and Shore Fisheries, on H. P. 110, L. D. 54, an act relating to the legal size of lobsters and method of measurement, ought to pass, be accepted. The gentleman asks for a division. All those in favor of the motion of the gentleman from Kennebunk, Mr. Wentworth, to accept the majority report, which was ought to pass will rise and stand in their places until counted and the monitors will make and return the count.

A division of the House was had. Sixty-seven voting in the affirmative and 74 in the negative, the motion to accept the majority report failed of passage.

The SPEAKER: The Chair recognizes the gentleman from Lubec, Mr. Peacock.

On motion by Mr. Peacock, a viva voce vote being taken, it was voted to accept the minority report, ought not to pass.

Out of order and under suspen-

sion of the rules a bill on its passage to be enacted, S. P. 457, L. D. 727, an act to create and allocate a General Highway Fund for State aid and Third Class highway construction, and to temporarily suspend certain Statutes.

The SPEAKER: This being an emergency measure, it is necessary that it have the affirmative vote of two-thirds of the entire membership of this body. All those in favor of the passage of the bill to be enacted will rise and stand in their places until counted and the monitors have returned the count.

A division being had,

One hundred and forty-two voting in the affirmative and none in the negative, the bill was passed to be enacted.

Mr. FARRIS of Augusta: Mr. Speaker, I move that we reconsider our vote whereby we passed this bill to be enacted and I hope that my motion does not prevail.

Mr. SCATES of Westbrook: Mr. Speaker, for once, if never before, I agree with the gentleman from Augusta (Mr. Farris) when he says that he hopes that his motion to reconsider will not prevail. I am going to vote no.

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

Recess

Reports of Committees (Continued)

Majority Report of the Committee on State Lands and Forest Preservation reporting "Ought not to pass" on Bill "An Act to authorize the town of Cooper to Withdraw from the Maine Forestry District" (H. P. No. 659).

Report was signed by the following members:

Messrs. Page of Somerset, Story of Aroostook, Viles of Kennebec—of the Senate. Rush of Millinocket, Friend of Skowhegan, Williams of Dover-Foxcroft, Jones of Winthrop, Littlefield of Alfred, Sanborn of Weld—of the House.

Minority report of same committee reporting ought to pass on same bill.

Report was signed by the following member:

Mr. Clarke of Cooper—of the House.

On motion by Mr. Clarke of Cooper, both reports and accompanying bill were tabled, pending acceptance of either report.

First Reading of Printed Bills and Resolves

(H. P. No. 1521) (L. D. No. 833) An act relating to State aid to academies.

(H. P. No. 1523) (L. D. No. 834) An act relating to the open season on beaver and muskrat; transportation and sale of beaver prohibited.

(H. P. No. 1524) (L. L. No. 835) An act establishing a game sanctuary in Piscataquis and Somerset counties.

(H. P. No. 1527) (L. D. No. 836) An act relating to apothecaries and the sale of poisons.

(H. P. No. 801) (L. D. No. 837) Resolve in favor of General Contracting Company, Inc., of Bath, Maine.

(H. P. No. 894) (L. D. No. 838) Resolve providing for a State pension for Archibald Mullen of Washington.

(Tabled by Mr. Carleton of Portland pending assignment for second reading).

(H. P. No. 904) (L. D. 839) Resolve providing for an increase in State pension for William S. Smith of Alna.

(Tabled by Mr. Carleton of Portland, pending assignment for second reading.)

(H. P. No. 907) (L. D. No. 840) Resolve providing for a State pension for Anna Foley of Lewiston.

(Tabled by Mr. Carleton of Portland, pending assignment for second reading).

(H. P. No. 1519) (L. D. No. 841) Resolve in favor of Mary E. Rogers of Carmel.

(H. P. No. 1520) (L. D. No. 842) Resolve in favor of Frederick A. Furbush of Mt. Vernon.

(Tabled by Mr. Fenlason of Anson, pending assignment for second reading).

(H. P. No. 1525) (L. D. No. 843) Resolve Closing Pleasant Pond Stream.

(H. P. No. 1526) (L. D. No. 844) Resolve regulating fishing in Libby Brook in Fort Fairfield.

(H. P. No. 660) (L. D. No. 847) Resolve authorizing release of State's interest in certain land.

(H. P. No. 807) (L. D. No. 848) Resolve in favor of Charles Hadley of West Sumner

(H. P. No. 928) (L. D. No. 849) Resolve authorizing the Forest Commissioner to lease an island.

(H. P. No. 1532) (L. D. No. 850) Resolve relating to fishing in Great Pond in Belgrade Chain of Lakes.

(H. P. No. 1533) (L. D. No. 851)

Resolve regulating fishing in Day Mountain Pond in the town of Temple.

(On motion by Mr. Ellis of Rangeley, the resolve was recommitted to the Committee on Inland Fisheries and Game to correct an error in printing).

(H. P. No. 1534) (L. D. No. 852) Resolve authorizing the sale and conveyance of State's interest in certain lands.

Passed to be Engrossed

(S. P. No. 43) (L. D. No. 27) An act to prevent the maintaining of a black list in industry.

(S. P. No. 154) (L. D. No. 166) An act to increase the legal speed of commercial vehicles.

(S. P. No. 159) (L. D. No. 209) An act relative to nuisances.

(S. P. No. 219) (L. D. No. 701) An act to incorporate Sandy River Log Driving Company.

(S. P. No. 278) (L. D. No. 804) An act relative to State aid to academies.

(S. P. No. 287) (L. D. No. 464) An act relating to disclosure proceedings.

(Tabled by Mr. Tompkins of Houlton, pending third reading).

(S. P. No. 534) (L. D. No. 800) An act defining certain powers of industrial banks.

(H. P. No. 551) (L. D. No. 142) An act relating to trapping muskrats in Sourdabscook Stream.

(H. P. No. 628) (L. D. No. 294) An act to change the time for holding the annual town meeting of the Town of Sanford, York County, Maine, and for other purposes.

(H. P. No. 689) (L. D. No. 359) An act relative to partridge or ruffed grouse.

(S. P. No. 286) (L. D. No. 463) Resolve proposing amendment to the Constitution to authorize the use of voting machines in elections.

(S. P. No. 535) (L. D. No. 799) Resolve providing for a pension for Laura Witham of Lisbon.

(Tabled by Mr. Carleton of Portland, pending second reading).

(H. P. No. 1513) (L. D. No. 823) An act for the regulation of the practice of hairdressing and beauty culture.

On motion by Mr. Sterling of Caratunk, the House voted to reconsider its action of yesterday whereby it adopted House Amendment A to this bill; and the same gentleman offers House Amendment A to House Amendment A, which

was read by the Clerk as follows:

House Amendment A to House Amendment A bill an act for the regulation of the practice of hair-dressing and beauty culture, H. P. 1513. L. D. 823.

Amend said amendment by striking out in the fourth and fifth lines thereof, the following words:

"All cosmetic preparations shall have their formula attached to each container." and inserting in place thereof the following: "Each container of cosmetic preparations shall have attached thereto the formula thereof."

Thereupon the House voted to adopt House Amendment A to House Amendment A and the bill as so amended had its third reading and was passed to be engrossed.

Mr. WRIGHT of Bath: Mr. Speaker, do I understand that Amendment A brings the bill into its original form?

The SPEAKER: Answering the inquiry of the gentleman from Bath, Mr. Wright, the purport of House Amendment A to House Amendment A, offered by the gentleman from Caratunk, Mr. Sterling, is only to correct a misquotation of the words stricken out of the original bill by House Amendment A to the bill offered by Mr. Sterling yesterday.

Passed to be Enacted

(S. P. No. 151) (L. D. No. 212)
An act revising sundry sections of the Revised Statutes.

(S. P. No. 175) (L. D. No. 665)
An act relative to the visiting and setting of traps.

(S. P. No. 176) (L. D. No. 668)
An act relating to fur farms.

(S. P. No. 177) (L. D. No. 667)
An act relative to falsely assuming to be a game warden.

(S. P. No. 190) (L. D. No. 725)
An act relating to the West Bath Game Preserve.

(S. P. No. 215) (L. D. No. 717)
An act to authorize the Old Town Herbert Gray School District to refund any of its bonds falling due in the years 1933 and 1934.

(S. P. No. 233) (L. D. No. 771)
An act relating to Police pensions in the city of Portland.

(S. P. No. 327) (L. D. No. 533)
An act relating to partition of real estate.

(S. P. No. 334) (L. D. No. 540)
An act relating to autopsies on unclaimed bodies.

(S. P. No. 337) (L. D. No. 541)
An act relating to abolishment of grade crossings.

(S. P. No. 440) (L. D. No. 718)
An act relating to admission to Normal Schools.

(H. P. No. 610) (L. D. No. 241)
An act relating to sterilization in certain cases.

(H. P. No. 638) (L. D. No. 296)
An act authorizing the town of Bristol to raise money for the purpose of helping keep in repair the cemeteries in said town.

(H. P. No. 662) (L. D. No. 205)
An act relating to prepayment of taxes.

(H. P. No. 697) (L. D. No. 308)
An act relative to licenses for dealers in deer skins and heads.

(H. P. No. 712) (L. D. No. 373)
An act relative to search and seizure of fish and game and equipment used in hunting, trapping and fishing.

(H. P. No. 714) (L. D. No. 324)
An act relative to night hunting.

(H. P. No. 716) (L. D. No. 326)
An act relative to the taking of salmon in certain waters.

(H. P. No. 718) (L. D. No. 307)
An act relative to the revocation of licenses after violation of the fish and game laws.

(H. P. No. 719) (L. D. No. 328)
An act prohibiting the use of partridge as bait for trapping.

(H. P. No. 722) (L. D. No. 330)
An act relating to the penalties for violations of the fish and game laws.

(H. P. No. 724) (L. D. No. 332)
An act relative to the use of live decoys and boats in hunting waterfowl.

(H. P. No. 731) (L. D. No. 338)
An act relating to ice fishing in Sandy Pond, in Freedom and Montville, in the county of Waldo.

(H. P. No. 732) (L. D. No. 339)
An act relative to non-residents kindling fires and employment of guides.

(H. P. No. 733) (L. D. No. 340)
An act prohibiting the horning of deer.

(H. P. No. 734) (L. D. No. 403)
An act relative to fees for trapping licenses, resident and non-resident.

(H. P. No. 738) (L. D. No. 407)
An act relating to definitions under fish and game laws.

(H. P. No. 873) (L. D. No. 311)
An act relating to employers of labor.

(H. P. No. 877) (L. D. No. 313)
An act to incorporate the Maine Reinsurance Company.

(H. P. No. 1047) (L. D. No. 443)
An act relative to speed of passenger busses.

(H. P. No. 1075) (L. D. No. 458)
An act relating to tuition in secondary schools.

(H. P. No. 1082) (L. D. No. 558) An act relating to milk containers.

(H. P. 1085) (L. D. No. 573) An act relating to testing of live stock for tuberculosis.

(H. P. No. 1149) (L. D. No. 599) An act relating to protection at grade crossings.

(H. P. No. 1420) (L. D. No. 732) An act relative to the use of power-boats in hunting waterfowl.

(H. P. No. 1467) (L. D. No. 746) An act to provide for the regulation of the practice of podiatry and for the examination and licensing of podiatrists.

Finally Passed

(S. P. No. 63) (L. D. No. 731) Resolve authorizing payment of accident compensation to Leon P. Shepard.

(S. P. No. 163) (L. D. No. 730) Resolve authorizing the Governor to convey certain land in Petersburg, Virginia, to the United States.

(S. P. No. 191) (L. D. No. 722) Resolve providing for a survey of proposed game preserve in Hancock County.

(S. P. No. 433) (L. D. No. 723) Resolve in favor of Fort Knox.

(S. P. No. 447) (L. D. No. 722) Resolve relative to opening of Dole's Pond and Boyd's Pond in the town of Limington in the county of York.

(S. P. No. 458) (L. D. No. 762) Resolve providing for a State pension for Melissa M. Bailey, of Portland.

(Tabled by Mr. Carleton of Portland, pending final passage).

(S. P. No. 459) (L. D. No. 775) Resolve providing State pension for Hattie A. Harris, of Auburn.

(Tabled by Mr. Carleton of Portland, pending final passage).

(H. P. No. 394) (L. D. No. 747) Resolve providing for a State pension for Hannah L. Batchelor of Belfast.

(Tabled by Mr. Carleton of Portland, pending final passage).

(H. P. No. 396) (L. D. No. 748) Resolve providing for a State pension for George L. Harvey of Belfast.

(Tabled by Mr. Carleton of Portland, pending final passage).

(H. P. No. 398) (L. D. No. 733) Resolve for State pension in favor of Mary Barton Reddon of Augusta.

(Tabled by Mr. Carleton of Portland, pending final passage).

(H. P. No. 399) (L. D. No. 734) Resolve providing for an increase in State pension for Mary J. French of Carmel.

(Tabled by Mr. Carleton of Portland, pending final passage).

(H. P. No. 553) (L. D. No. 222) Re-

solve opening Crystal Lake to ice fishing.

(H. P. No. 564) (L. D. No. 230) Resolve relating to fishing in tributaries of Sturtevant Pond.

(H. P. No. 567) (L. D. No. 735) Resolve providing for a State pension for Oscar Lund of East Machias.

(Tabled by Mr. Carleton of Portland, pending final passage).

(H. P. No. 569) (L. D. No. 736) Resolve providing for a State pension for Susie May Harding of Hampden.

(Tabled by Mr. Carleton of Portland, pending final passage).

(H. P. No. 645) (L. D. No. 737) Resolve providing for a State pension for Leland Palmer of Carmel.

(Tabled by Mr. Carleton of Portland, pending final passage).

(H. P. No. 746) (L. D. No. 412) Resolve in favor of Bernard Andrews of Canton.

(H. P. No. 834) (L. D. No. 749) Resolve granting teachers pension to Miss Nancy Rankin of Hiram.

(H. P. No. 988) (L. D. No. 751) Resolve providing for an increase in State pension for Ellen Bird of Farmingdale.

(Tabled by Mr. Carleton of Portland, pending final passage).

(H. P. No. 1419) (L. D. No. 742) Resolve in favor of George Mawhinney of Jonesboro.

(H. P. No. 1423) (L. D. No. 745) Resolve providing for a State pension for Alida Jackson of Waldo.

(Tabled by Mr. Carleton of Portland pending final passage.)

(H. P. No. 1460) (L. D. No. 752) Resolve relating to fishing in Pleasant Pond in the town of Turner.

(H. P. No. 1466) (L. D. No. 757) Resolve providing for a State pension for Frank G. Downer of Palermo.

(Tabled by Mr. Carleton of Portland pending final passage.)

On motion by Mr. Sterling of Caratunk the House, under suspension of the rules, voted to reconsider its action whereby bill an act relating to closed seasons in the several waters of the State H. P. 710, L. D. 371, was passed to be engrossed.

On further motion by the same gentleman House Amendment A was offered as follows:

House Amendment A to H. P. 710, L. D. 371, bill an act relating to closed seasons in the several waters of the State,

Amend said bill by striking out all after the enacting clause and substituting in place thereof the following:

Sec. 1, R. S., c. 38, Sec. 21, Par. 1, amended. Paragraph 1 of section 21 of chapter 38 of the revised statutes as amended by chapter 52 of the public laws of 1931 is hereby repealed and the following enacted in place thereof:

All pools connected with state fish hatcheries and feeding stations shall be closed to all fishing at all times. There shall be a closed season on all fish, of every kind, in all waters that are closed to fishing for salmon, trout or togue for the same period that the same waters are closed to fishing for salmon, trout or togue, and during such closed period it shall be unlawful for any person to fish, take, catch, kill or have in possession any fish of any kind in or from such waters. Except as hereinafter provided, there shall be an annual closed season on the particular kind of fish specified, in all lakes and ponds of the state as follows:

Sec. 2, R. S., c. 38, Sec. 21, Par. 4, amended. That part of section 21 of chapter 38 of the revised statutes, as amended, designated as paragraph 4 of section 21 of the first biennial revision of the fish and game laws is hereby repealed and the following enacted in place thereof:

Except as hereinafter provided, there shall be an annual closed season on the particular kind of fish hereinafter specified in all the rivers of the state, above tide waters.

Sec. 3, R. S., c. 38, Sec. 21, Par. 18, repealed. That part of section 21 of chapter 38 of the revised statutes, as amended, designated as paragraph 18 of section 21 of the first biennial revision of the fish and game laws is hereby repealed.

Thereupon House Amendment A was adopted.

On motion by Mr. Sargent of Brewer, the House voted to reconsider its action whereby it adopted House Amendment A; and on further motion by the same gentleman, the bill and amendment were tabled, pending adoption of the amendment.

Orders of The Day

On motion by Mr. Scates of Westbrook, it was voted to take from the table the third unassigned matter, Senate report, ought to pass in new draft, of the committee on Banks and Banking on bill an act to amend the banking laws by amending section 57 of the Revised

Statutes, S. P. 306, L. D. 518, new draft S. P. 548, L. D. 805, tabled by that gentleman on March 8, pending acceptance in concurrence.

On further motion by the same gentleman the report, ought to pass in new draft, was accepted in concurrence; and on further motion by the same gentleman the rules were suspended, the bill had its three several readings and was passed to be engrossed in concurrence.

On motion by Mr. Walker of Rockland the House under suspension of the rules voted to reconsider its action of February 22 whereby H. P. 875, L. D. 312, bill an act authorizing Knox County to issue bonds, was passed to be engrossed.

Mr. WALKER: I offer House Amendment A as follows:

House Amendment A to H. P. 875, L. D. 312, bill an act authorizing Knox County to issue bonds.

Amend said bill by adding at the end thereof the following: "Section 6, Emergence Clause. In view of the emergency cited in this preamble this act shall take effect when approved."

Thereupon the House adopted House Amendment and the bill as so amended was passed to be engrossed.

On motion by Mr. Cook of Pittsfield, the House voted to reconsider its action of yesterday whereby it passed to be engrossed, S. P. 208, L. D. 277, an act relative to the conveyance of pupils.

That gentleman offered House Amendment A as follows:

House Amendment A to S. P. 208, L. D. 277, bill an act relative to the conveyance of pupils.

"Amend said bill by striking out in the twenty-ninth and thirtieth lines the words 'by a superintending school committee,' and also amend said bill by striking in the thirtieth line thereof the words 'of time.'"

Thereupon Amendment A was adopted and the bill as amended was passed to be engrossed.

On motion by Mr. Carleton of Portland, it was voted to take from the table the sixth unassigned matter being House Report ought not to pass of the committee on Legal Affairs on bill an act relating to the tenure of office of the Chief Engineer of the Fire Department of the City of Portland, H. P. 863, L. D. 381, tabled by that gentleman,

March 8, pending acceptance of the report.

Mr. CARLETON: Mr. Speaker, I move that this bill be recommitted to the committee on Legal Affairs.

Mr. SARGENT of Brewer: Mr. Speaker, this bill came before the committee on Legal Affairs and that committee reported it out unanimously ought not to pass, and I see no reason why it should be recommitted. I hope the motion of the gentleman from Portland (Mr. Carleton) will not prevail.

Mr. CARLETON: Mr. Speaker, I was not able to attend the hearing. I think that I have data that I will show the committee which would change their minds if I could have about five minutes to explain it to them. This is a measure that directly concerns Portland alone, and I trust that my motion to recommit will prevail, if for no other

reason than that of courtesy, and that I may have an opportunity to appear before the committee. When this matter came up in the Legal Affairs committee I was occupied in my own committee. I left notice with them to send for me when the matter was reached.

The SPEAKER: The pending question is the motion of the gentleman from Portland, Mr. Carleton, that this bill and the accompanying report be recommitted to the committee on Legal Affairs. All in favor will say aye, contrary minded no.

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

On motion by Mr. Tillson of Belgrade,

Adjourned until ten o'clock tomorrow morning.