

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Second Legislature

OF THE

STATE OF MAINE

1945

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

SENATE

Tuesday, March 27, 1945.

The Senate was called to order by the President.

Prayer by the Rev. Lewis Sanford of Augusta.

Journal of yesterday read and approved.

House Committee Reports

The Committee on Agriculture on Bill "An Act Relating to Veterinary Surgery," (H. P. 916) (L. D. 524) reported that the same ought to pass.

The Committee on Claims on "Resolve in Favor of Irving Crockett of Durham," (H. P. 630) (L. D. 1011) reported that the same ought to pass.

The same Committee on "Resolve in Favor of Cornelius E. Conley of Lewiston," (H. P. 1054) (L. D. 659) reported that the same ought to pass.

(Tabled by Mr. Dorr of Oxford pending adoption of the report in concurrence.)

The Committee on Education on "Resolve in Favor of Cora Porter of Mapleton," (H. P. 1287) (L. D. 1010) reported that the same ought to pass.

The Committee on Federal Relations on Bill "An Act Amending the Unemployment Compensation Law as to Collection of Contributions," (H. P. 1254) (L. D. 879) reported that the same ought to pass.

The same Committee on Bill "An Act Amending the Unemployment Compensation Law as to Appeal to Courts," (H. P. 1246) (L. D. 871) reported that the same ought to pass.

The same Committee on Bill "An Act Amending the Unemployment Compensation Law as to Appeals," (H. P. 1245) (L. D. 870) reported that the same ought to pass.

The same Committee on Bill "An Act Amending the Unemployment Compensation Law as to Claims for Benefits," (H. P. 1244) (L. D. 869) reported that the same ought to pass.

The same Committee on Bill "An Act Amending the Unemployment Compensation Law as to Benefit Eligibility Conditions," (H. P. 1237) (L. D. 863) reported that the same ought to pass.

The Committee on Motor Vehicles on Bill "An Act Relating to Registration of Truck, Tractor, and Semi-Trailer," (H. P. 1204) (L. D. 705) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Registration of Motor Vehicles," (H. P. 1208) (L. D. 709) reported that the same ought to pass.

The Committee on Salaries and Fees on Bill "An Act to Increase the Salary of the County Attorney of Oxford County," (H. P. 1278) (L. D. 921) reported that the same ought to pass.

The same Committee on Bill "An Act to Increase the Salaries of Certain Oxford County Officials," (H. P. 1263) (L. D. 886) reported that the same ought to pass.

At this point the Senator from Hancock, Senator Noyes, was conducted by the Sergeant-at-Arms to the Rostrum and assumed the Chair, the President retiring.)

The same Committee on Bill "An Act Relating to the Salaries of Various Officers of Franklin County," (H. P. 1092) (L. D. 779) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to the Salary of the Judge of the Franklin Municipal Court," (H. P. 1091) (L. D. 778) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Salary of County Treasurer of Penobscot County," (H. P. 992) (L. D. 592) reported that the same ought to pass.

The same Committee on Bill "An Act to Increase the Salary of the County Attorney of Aroostook County," (H. P. 675) (L. D. 323) reported that the same ought to pass.

The same Committee on Bill "An Act Relating to Clerk Hire in the Office of County Attorney and Register of Deeds, Southern District, Aroostook County," (H. P. 676) (L. D. 324) reported that the same ought to pass.

Which reports were severally read and adopted in concurrence, the bills and resolves read once and tomorrow assigned for second reading.

The Committee on Claims on "Resolve in Favor of Harold Harvey and Henry Marsh, of Corinth," (H.

P. 1120) (L. D. 671) reported the same in a new draft (H. P. 1351) (L. D. 1012) under the same title, and that it ought to pass.

The Committee on Inland Fisheries and Game on Bill "An Act Relative to Use of Live Decoys and Blinds," (H. P. 878) (L. D. 498) reported the same in a new draft, (H. P. 1354) (L. D. 1005) under the same title, and that it ought to pass.

(Tabled by Mr. Bishop of Sagadahoc pending adoption of the report in concurrence.)

The same Committee on "Resolve Providing for a Fish Screen at Foot of Echo Lake in the Town of Fayette," (H. P. 1132) (L. D. 679) reported the same in a new draft (H. P. 1355) (L. D. 1014) under the same title, and that it ought to pass.

The same Committee on "Resolve Appropriating Money to Repair Fish Way at Aroostook Falls," (H. P. 323) (L. D. 144) reported the same in a new draft (H. P. 1352) (L. D. 1013) under the same title, and that it ought to pass.

The Committee on Salaries and Fees on Bill "An Act Relating to Fees for Jurors," (H. P. 193) (L. D. 59) reported the same in a new draft (H. P. 1359) (L. D. 1009) under the same title and that it ought to pass.

The same Committee on Bill "An Act Relating to the Salary of the Sheriff of Androscoggin County," (H. P. 989) (L. D. 589) reported the same in a new draft (H. P. 1358) (L. D. 1007) under the same title, and that it ought to pass.

The same Committee on Bill "An Act Relating to Salary of the Treasurer of Androscoggin County," (H. P. 1280) (L. D. 923) reported the same in a new draft (H. P. 1357) (L. D. 1008) under the same title, and that it ought to pass.

The same Committee on Bill "An Act Relating to the Salary of the Clerk of Courts of Androscoggin County," (H. P. 1281) (L. D. 924) reported the same in a new draft (H. P. 1356) (L. D. 1006) under the same title, and that it ought to pass.

The same Committee on Bill "An Act Relating to the Wells and Kennebunk Game Preserve," (H. P. 727) (L. D. 398) reported the same in a new draft (H. P. 1353) (L. D. 1004) under a new title, Bill "An Act Relating to the Bragdon Wild

Life Sanctuary, and the Wells and Kennebunk Game Preserve," and that it ought to pass.

Which reports were severally read and adopted in concurrence, and the bills and resolves in new draft read once, and tomorrow assigned for second reading.

The Committee on Agriculture on Bill "An Act Imposing a Tax of One and One-quarter Mills per Pound on Blueberries for Conducting Research and Extension Work and Otherwise Improving the Blueberry Industry of the State," (H. P. 304) (L. D. 112) reported that the same ought to pass as amended by Committee Amendment "A".

The Committee on Federal Relations on Bill "An Act Amending the Unemployment Compensation Law as to Reciprocal Benefit Arrangements," (H. P. 1248) (L. D. 873) reported that the same ought to pass as amended by Committee Amendment "A".

The same Committee on Bill "An Act Amending the Unemployment Compensation Law as to Unemployment Compensation Fund," (H. P. 1253) (L. D. 878) reported that the same ought to pass as amended by Committee Amendment "A".

The Committee on Legal Affairs on Bill "An Act Relating to Issuance of a Receipt for Payment of Pool Taxes," (H. P. 1142) (L. D. 791) reported that the same ought to pass as amended by Committee Amendment "A".

The Committee on State Lands and Forest Preservation on "Resolve Authorizing the Forest Commissioner to Convey Certain Interest of the State in Lands in Penobscot County to John Sharpe, of Argyle," (H. P. 443) (L. D. 195) reported that the same ought to pass as amended by Committee Amendment "A".

(Tabled by Mr. Good of Aroostook pending adoption of the report in concurrence.)

The same Committee on "Resolve Authorizing the Forest Commissioner to Grant Right-of-Way to Construct an Access Road Across the Public Lots in Township D, Range 2," (H. P. 857) (L. D. 457) reported that the same ought to pass as amended by Committee Amendment "A".

The same Committee on "Resolve Authorizing the Forest Commissioner to Convey Argyle Grange Hall in Penobscot County to Alton

Grange No. 411," (H. P. 858) (L. D. 458) reported that the same ought to pass as amended by Committee Amendment "A".

(Tabled by Mr. Good of Aroostook pending consideration.)

The same Committee on "Resolve Authorizing the Forest Commissioner to Convey Certain Land to Herbert R. Dow, of Argyle," (H. P. 859) (L. D. 516) reported that the same ought to pass as amended by Committee Amendment "A".

The same Committee on "Resolve for Location of Lookout Station of Picked Mountain in the Town of Clifton, Penobscot County," (H. P. 1098) (L. D. 785) reported that the same ought to pass as amended by Committee Amendment "A".

The Committee on Temperance on Bill "An Act Relating to the Sale of Liquor to Minors," (H. P. 1013) (L. D. 653) reported that the same ought to pass as amended by Committee Amendment "A".

Which reports were severally read and adopted in concurrence, and the bills and resolves read once; Committee Amendments "A" were read and adopted in concurrence, and the bills and resolves as amended tomorrow assigned for second reading.

Order

On motion by Mr. Brown of Aroostook, it was

ORDERED, that the Secretary of the Senate be directed to invite the Rev. David Hickman of Oakland to officiate as Chaplain of the Senate on Thursday, March 29th, 1945, at ten o'clock in the forenoon.

First Reading of a Printed Bill

"Resolve Providing for Purchase of Land for the Maine State Prison." (S. P. 396) (L. D. 1023)

Which bill was read once, and tomorrow assigned for second reading.

Senate Committee Reports

Mr. Noyes from the Committee on Taxation on Bill "An Act Relating to Inheritance Taxes," (S. P. 98) (L. D. 140) reported that the same ought not to pass as it is covered by other legislation.

Which report was read and adopted.

Sent down for concurrence.

Mr. Smith from the Committee on Salaries and Fees on Bill "An Act to Increase Salaries of Somerset County Officers," (S. P. 267) (L. D. 620) reported that the same ought to pass as amended by Committee Amendment "A".

Which report was read and adopted, and the bill read once; Committee Amendment "A" was read:

"Committee Amendment A. Amend said bill by changing line 10 to read as follows: 'Somerset, \$2,800.'"

Thereupon, on motion by Mr. Savage of Somerset, the report and accompanying papers were laid upon the table pending adoption of the amendment.

The same Senator from the same Committee on Bill "An Act Relating to the Salaries of the Judge and the Recorder of the Bangor Municipal Court," (S. P. 94) (L. D. 136) reported the same in a new draft (S. P. 399) under the same title, and that it ought to pass.

Mr. Hall from the same Committee on Bill "An Act to Increase the Salary of the Register of Probate in Penobscot County," (S. P. 122) (L. D. 221) reported the same in a new draft, (S. P. 400) under the same title, and that it ought to pass.

Which reports were severally read and adopted and the bills in new draft, laid upon the table for printing under the joint rules.

Passed to be Engrossed

"Resolve Regulating Fly Fishing in Tributaries of Richardson Lake." (H. P. 324) (L. D. 145)

(Tabled by Mr. Dorr of Oxford pending passage to be engrossed in concurrence.)

"Resolve to Reimburse the Town of Salem for Forest Fires." (H. P. 501) (L. D. 999)

Bill "An Act Relating to Game Preserve in York County." (H. P. 508) (L. D. 245)

Bill "An Act Increasing the Salary of the Recorder of the Gardiner Municipal Court." (H. P. 673) (L. D. 276)

"Resolve Closing Tributaries of Kennebago Stream to all Fishing." (H. P. 695) (L. D. 288)

Bill "An Act Relating to Reimbursement to Towns for Tuition." (H. P. 724) (L. D. 499)

Bill "An Act Relating to Hunting in Merrymeeting Bay." (H. P. 729) (L. D. 399)

(Tabled by Mr. Bishop of Sagadahoc pending passage to be engrossed.)

Bill "An Act Relating to Clerk Hire in Probation Office in Androscoggin County." (H. P. 740) (L. D. 408)

Bill "An Act Relating to Clerk Hire in Office of Register of Deeds in Kennebec County." (H. P. 850) (L. D. 451)

Bill "An Act Relating to Salary of Recorder of the Waterville Municipal Court." (H. P. 853) (L. D. 454)

Bill "An Act Relating to Licenses for the Sale of Malt Beverages." (H. P. 862) (L. D. 438)

Bill "An Act Relating to Dog Licenses." (H. P. 917) (L. D. 558)

Bill "An Act Relating to Marking of Sheep." (H. P. 918) (L. D. 559)

Bill "An Act Relating to the Salary of Register of Deeds of Kennebec County." (H. P. 995) (L. D. 595)

Bill "An Act Relating to Sale of Liquor to be Consumed on the Premises." (H. P. 1012) (L. D. 532)

Bill "An Act Relating to Dancing and Entertainment on Premises Where Malt Liquor is Consumed." (H. P. 1014) (L. D. 533)

Bill "An Act Relating to Use of Gill Net in Taking White Fish in Junior Lake, Washington County." (H. P. 1129) (L. D. 676)

Bill "An Act Relating to the Salary of the Clerk of the Lewiston Municipal Court." (H. P. 1262) (L. D. 885)

Bill "An Act Relating to Requirement for Restaurant Licenses." (H. P. 1265) (L. D. 888)

Bill "An Act Relating to Filling Congressional Vacancies." (H. P. 1343) (L. D. 995)

Bill "An Act to Create an Airport Commission for the Town of Sanford." (H. P. 1344) (L. D. 994)

Bill "An Act Relating to the Maine Development Commission." (H. P. 1346) (L. D. 1002)

"Resolve in Favor of the Estate of R. Byron Flewelling, Late of West Gardiner, Deceased; for Damage to Property." (H. P. 1347) (L. D. 1000)

"Resolve in Favor of Henry K. Morey of Deer Isle." (H. P. 1348) (L. D. 1001)

Which bills and resolves were severally read a second time and passed to be engrossed in concurrence.

Bill "An Act Amending the Unemployment Compensation Law as to Employer Coverage." (H. P. 1339) (L. D. 970)

Which was read a second time and passed to be engrossed as previously amended by Senate Amendment A, in non-concurrence.

Sent down for concurrence.

"Resolve Opening Pennesseewassee Lake to Smelt Fishing." (S. P. 113) (L. D. 230)

Bill "An Act Relating to Authority of State Tax Assessor in Deorganized Towns." (S. P. 184) (L. D. 378)

Bill "An Act Relating to Pre-marital Medical Examinations." (S. P. 214) (L. D. 470)

Bill "An Act Relating to Prenatal Examinations." (S. P. 216) (L. D. 468)

Bill "An Act Relating to Prevention of Blindness." (S. P. 217) (L. D. 467)

Bill "An Act Relating to Penalty for Obstructing Commissioner of Agriculture in Performance of Duty." (S. P. 392) (L. D. 1015)

Bill "An Act Governing the Production of Milk and Cream." (S. P. 393) (L. D. 1016)

Bill "An Act Authorizing Municipalities to Establish, Maintain, Conduct and Finance Recreational Facilities." (S. P. 394) (L. D. 1017)

(Tabled by Mrs. Cleaves of Cumberland pending passage to be engrossed.)

Which bills and resolve were severally read a second time and passed to be engrossed.

Sent down for concurrence.

At this point the President resumed the Chair, Mr. Noyes of Hancock retiring amid the applause of the Senate.

Orders of the Day

On motion by Mr. Dow of Oxford the Senate voted to take from the table bill, An Act to Increase the Salary of the Judge of the Norway Municipal Court (S. P. 219) (L. D. 465) tabled by that Senator on

March 23rd pending assignment for second reading; and that Senator yielded to the Senator from Franklin, Senator Hall.

Mr. Hall of Franklin presented Senate Amendment A and moved its adoption.

The Secretary read the amendment:—

“Senate Amendment A to Senate Paper 219, Legislative Document 465. Amend said bill by striking out the figure 1500 in the 7th line and inserting in place thereof the figure 1300.”

Senate Amendment A was adopted and the bill as so amended was tomorrow assigned for second reading.

On motion by Mr. Dow of Oxford the Senate voted to take from the table, Resolve Creating an Interim Committee to Study the Tribal Rights and Needs of the Indians (S. P. 135) (L. D. 340) tabled by that Senator on March 23rd pending passage to be engrossed.

Mr. DOW of Oxford: Mr. President and members of the Senate, I move the indefinite postponement of this resolve. I have seen a measure similar to this before, in a number of sessions, and I would like to have some discussion on it before it becomes a law. I do not feel it is necessary. That is all I have to say on it. I move its indefinite postponement.

Mr. BISHOP of Sagadahoc: Mr. President and members of the Senate, this bill has had similar treatment before, and I am not surprised. I do, however, wish to take a few moments to explain the situation, and then it may live or die on its merits.

The original treaties with the Indians provided that the State of Maine would supply so many barrels of molasses, so many barrels of rum and so many yards of cloth, annually, as their compensation for their rights in the State of Maine which they gave up to the state. The present value of those commodities, if you could get the molasses, rum and cloth, would be about \$3,000. But instead of complying with the treaty provisions, we have, year after year, increased the cost of our support of the Indians to the tune of over a hundred thousand dollars annually. That cost continues to rise every year. I know not where the final figure will stop.

During these many, many years, it so happens that we, by our special treatment, or lack of treatment, have created among the Indians a group of illiterate, dependent citizens, or poor citizens, who depend upon the State almost entirely for their support. By our treatment we have destroyed among the Indians any initiative that they might have had. Now, it seems to me that it is time we did something to attempt to cut down this ever-increasing cost of supporting the Indians. The United States Government has recognized, in every other state, the right of the Indian to vote and they have been given that right. They have been made citizens. We have given the negroes the same right. But in the State of Maine, we have withheld that right from the Indian. Instead, we have made them dependent paupers.

Now, I feel that something should be done. I realize that four years ago a very careful study was made of the Indians, but that study did not go far enough. We continue, year after year, to dole out this money and make the Indians poorer people, poorer citizens. The United States government many years ago, took over the custody of the Filipinos, and attempted to build them up to the point where they would be self-supporting and eventually get their independence.

Now, if we have done that for the negroes in the United States and for the other Indians in the United States, and for the Filipinos thousands of miles away from the United States, then it seems to me that we are following a poor policy with our Indians in the State of Maine.

This committee is designed to sit down with the Indians, study their treaties and attempt to work out some sort of a solution. I believe that such a study would determine whether or not these reservations have any value. This same expenditure that we dole out every year I believe could be used to create some sort of industry on those reservations. It might be that they could be made into townships, and I believe that by training and teaching the youths who grow up in the Indian tribes—and I assure you there are a lot of them—that we might eventually do the same as we have done for the Filipinos, and the others; that is, teach them to be self-supporting, respectable citizens.

I think these reservations should be made into townships and then after a generation or two they can be made independent and self-supporting. I believe we owe it to the Indians, and to the State of Maine, to study this matter carefully, something that has not been done yet. We could go on from where the past committee left the study, take their findings—which were very valuable—and with a very little expense work out some satisfactory solution. I believe that this committee should be appointed. I believe this resolve ought to pass, and I hope the motion of my friend, the Senator from Oxford (Senator Dow) does not prevail.

Mr. HOWES of Penobscot: Mr. President, members of the Senate, we have made quite a study in our committee of the Indians this winter and we do feel that they should have a better education. They should have a bridge to go back and forth on. They should have a factory of some kind to make baskets, and we do feel that we are paying out too much. That is the way the committee all feel.

The way we are handling this situation we are simply making paupers of them and we feel that something should be done for them. Personally, I feel they have the same rights as the rest of us to earn their own living. When I go down there and see these people, these able-bodied fellows, sitting around and doing nothing I think that something should be done. I am not in favor of a five-man committee and I never have been. I believe that the Senator from Sagadahoc, Senator Bishop, is very sincere in this matter and I know he would make a good man on such a committee but I would not vote for a committee of five because I do not think it is necessary. I would like to see a committee appointed to cut down the expense. I believe in the end it would save us a lot of money.

Mr. BROWN of Aroostook: Mr. President, I realize fully all that has been said in favor of the Indians. For a long time I have wondered what was going to be the ultimate solution. Certainly, in this civilized time, it doesn't seem as though we could go on forever maintaining them as paupers in the State of Maine. I recognize all that Senator Bishop has said on this matter but, as he mentioned, we did have an interim committee

which made a very exhaustive study, only four years ago, I believe, and the result of their study was finally printed and all the members of the Legislature were given copies, and there are copies in the State Library which may now be obtained. The Senator from Sagadahoc, Senator Bishop, says that study does not go far enough but as I read it, it went back to the beginning of the settlement of Maine and the original treaties made with the Indians. One of the tribes objected to being taken over by Maine and they are still living under their treaty with Massachusetts. I believe the Indian should be given the right to vote and should be made self-sustaining but I wonder if this bill is going to get us any further along.

It seems to me that the men who are interested in the welfare of the Indians should have brought in some bill making a change in the method of handling them. It seems to me we have all the information that is necessary, and as a rule I am not much in favor of setting up interim committees except in cases of emergency, and this certainly is not an emergency because the situation has existed since Maine became a state. I therefore hope that the motion of the Senator from Oxford, Senator Dow, will be sustained.

Mr. BISHOP: Mr. President, the study made by the research committee was somewhat exhaustive but very much one-sided. Mr. Proctor from Auburn apparently spent a lot of time on this but except for one Indian, on any of the three reservations, none of the other Indians ever laid eyes on Mr. Proctor.*

Now, if you are going to do anything with the Indians you have got to do it in conference with them. They are a type of people who are suspicious. They have been made dole receivers for so long that they hesitate to give up that dole. I am in favor of a three-man committee, too; but, there was some opposition to that in the committee. If we go through with this and go down there and study their conditions with them, live with them, eat with them, and let them feel that we really have an interest in them and that something will be done for them, we will accomplish something of benefit both to the Indians and to the State. Now, the reason nothing has been presented

to date is because the exhaustive study wasn't exhaustive enough; it didn't go far enough to analyze the needs and problems.

The bill to build a bridge from Old Town to the Penobscot Indian Reservation will cost in the neighborhood of \$140,000. That is three times the value of the island to which it is proposed in the bill to build the bridge. It seems to me before we consider making any such appropriation as that, that there are a lot of other angles which should be studied further. To propose any legislation without further studying the situation financially is very poor business. We have been practising that way too long already.

So, I feel that the only solution to this problem, whether it is a three-man committee, or a one-man committee, or what have you, is to study every angle of the case before-hand. What has already been done will be helpful, but it is only the beginning of what could, should and must be done. Otherwise, we will go on increasing our annual budget from \$106,000 to \$110,000 and I know not how much further.

There is a proposition to go onto this reservation and build new homes for the Indians. I tell you, the Penobscot Reservation is so polluted, so filthy, and the soil is in such a mess that the whole place there isn't fit for humans to live on. We might spend half a million dollars to build homes there but it would be like pouring water down a rat-hole. It isn't sound. I believe that before anything is done, a careful study could and must be made.

Mr. WASHBURN of Washington: Mr. President and Senators, I desire to support the motion of my good friend, Senator Dow. I believe with him that this is an unnecessary expense, that the matter has already been thoroughly studied. If the Indians need a new bridge I am entirely willing that they should have it. If their conditions are unsanitary I assume that there are agencies within the borders of our state in that county that could clean them up. I cannot conceive of any qualified group having time right now to go thoroughly into this study and I believe we have already done all that is necessary. I hope that the

motion of the Senator from Oxford, Senator Dow, will prevail.

Mr. HOWES: Mr. President, I want to take exception to one thing that Senator Bishop said. I am not in favor of a two-way bridge and I never was. They don't need it and probably will never get it. There isn't enough business over there to warrant a two-way bridge. It has been surveyed and the estimated cost of a one-way bridge is \$60,000. I have been over to Indian Island and I know there is some agitation to move them off. I am not in favor of it at all. They have a nice little church there, a town hall, school houses and quite a few nice houses. Some of them are good for nothing but I believe it is a nice place for them right where they are. There are fifty or fifty-five scholars going to the Old Town schools and the Indian people tell me it has been a wonderful thing for them. They have to get up in the morning and wash their ears and doil up and try to look like the children over across. Certainly we had some Indian children at the hearing and I am sure that no white children could have presented a case any better than they did after they have had a chance to be educated. I am in favor of fixing up their houses and tearing down some of them. I believe with all the potato baskets we use in Aroostook County and over the State of Maine they can work up quite a nice business.

They do quite a lot of other things too. I wish to say that the bridge can be built for \$60,000. That is the estimated cost. I say give them a bridge. The conditions over there are terrible. At the time the committee went over there on the 29th day of January, there was a foot of water over the ice. There was a light on each end. It was fifty or sixty feet across there and when you got out there to the middle you couldn't see anything. They have their troubles in the spring and in the fall and I am sure there isn't anybody in this Senate who would put up with any such condition for their own children.

It is a wonder we haven't had a terrible accident there. Just imagine those kids going across to school. You know what children are. I have been under the ice and they have been across there when it wasn't safe for anybody to go across. And the same thing happens now.

They brought it up in the hearing. There were some children who started out for school across the river and a cake of ice floated down and it was a miracle it didn't go over the dam with four or five children on it.

I hope you leave them there where they are and that you build them a bridge. They need it terribly. The gentleman who has charge of the advertising for Maine said that he would see what he could do. I believe we could build up a big tourist business there in normal times. The way things have been in the past two or three years, they have built a bateau that cost four or five thousand dollars and the tourists go down there and there are a lot of people afraid to go across in the bateau, and only a few ever did go across.

We go down and visit the Desert of Maine and pay twenty-five cents for a little bottle of sand to take home and all such things as that and when we go off sporting we spend money. You heard yesterday that I was a show man and I attend shows a lot of times and I go to fairs and attend to business. And once in a while my wife and I go to a fair and spend \$25 or so and have a good time, take a day off. That is what people do, and if there is something on Indian Island that people can read about and hear about, they will want to go and see it. I still believe that if it could be properly worked out it would be quite an attraction.

Mr. BISHOP: Mr. President, I realize that any bill can be talked out of existence. I believe that everything said so far is conclusive proof that we are in a fog on this whole question and need to study it further.

The Indians are a people who like to be out in the open. There is plenty of wild territory, and there are many unorganized townships, all over this state, that would make a wonderful lay-out for the Indians. That would prevent any need for a bridge or for a bateau. Hence, there would be no danger involved. They could be moved into some other area that would be clean and with much less expense. They could become the people they are supposed to be. They could be kept away from the whites — the further away the better. So, I feel that the motion of the Senator from Oxford, Senator Dow, should not prevail

and that the situation should be studied further if we have any interest in the expenses of the State of Maine, if for no other reason.

Mr. BOUCHER of Androscoggin: Mr. President, as the Democratic Indian of this Senate and being one of the three Senators on that committee, I feel it my duty to say a word on this question this morning.

The fact has been brought out that an exhaustive study of this situation was made four years ago, but the fact remains that the State of Maine is still spending a hundred thousand dollars or more per year to take care of the Indians who, to my mind, are not mainly Indians but white Indians. You will find that nintey per cent of those Indians are not real Indians. They have more white blood in them than Indian blood, in many cases, and I am wondering what this state is going to keep on doing in years to come.

We have gone from a few thousand dollars a year to a hundred thousand dollars a year. Their population is increasing yearly and I believe that this bill that has been introduced has merits, and if passed, ways and means could be found to provide for the further expense to the State of Maine for taking care of these white Indians. There is no question in my mind that these people can be educated and taught ways and means of earning their own living. There is no question in my mind that they should be given the right to vote and that they should not be taught that they are state wards and paupers. That is what the State of Maine has done for the last hundred years, taught these Indians that they were paupers and wards of the State. They have had no responsibility. I think this committee could bring back to the next Legislature some ways and means of preventing the increased expense to the State from now on rather than letting it increase forever. I think the few thousand dollars that might be spent on that would be well spent. Therefore, I hope that the motion of my good friend, Senator Dow, does not prevail.

Mr. LEAVITT of Cumberland: Mr. President, I want to go along with my friend, Senator Dow on this bill. Pardon me, I mean Senator Bishop. Mr. Dow is, of course, also a good friend of mine and I have debated with him many

times it is no wonder his name came to my mind. Just because we have tried to solve this problem once or twice before doesn't mean it can not be solved.

Of course, in Cumberland County we do not have Indians, but I have visited Indians up there and I have been shocked at what I have seen. We think of them being picturesque but when we go there we find they are far from it.

This bill, according to this letter which is put out by the Senator from Kennebec, Senator Owen, says that this experiment will cost one thousand dollars. While we are here in the legislature we are all so busy we can not put in the study we should put in. When we are through with the hectic days we spend here we could have a group of men come in and study this and try to solve a problem that has been plaguing us for over a hundred years.

I hope the motion of the Senator from Oxford, Senator Dow, does not prevail.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Oxford, Senator Dow, that the Resolve be indefinitely postponed.

A viva voce vote being doubted.

A division of the Senate was had.

Nineteen having voted in the affirmative and eleven opposed, the resolve was indefinitely postponed.

Sent down for concurrence.

On motion by Mr. Good of Aroostook, the Senate voted to take from the table, House Report "Ought to Pass in New Draft" from the Committee on State Lands and Forest Preservation on Bill, An Act Relating to Bounty on Porcupines (H. P. 549) (L. D. 217) tabled by that Senator on March 22nd pending acceptance of the report.

Mr. GOOD: Mr. President, knowing that Senator Welch was called to the telephone and wanted this bill tabled, I tabled it and I now yield to the Senator from Aroostook, Senator Welch.

Mr. WELCH of Aroostook: Mr. President and members of the Senate. We are now going to have a little chapter on porcupines. I am going to move indefinite postponement of this bill. I don't think it is just right anyway because it says in one place porcupines and further

on in the bill it refers to hedgehogs. I do think the members of the Senate should have a little information on this thing as to what the cost will be if we pass this measure. Now, we had a law similar to this in 1930 and in 1939 which cost the State over \$82,000.

Now this bill calls for the payment of a bounty of twenty-five cents for each porcupine killed. I think the twenty-five cents which the State will pay for the bounty is the smaller item of expense because the way this thing is to be handled it has to be paid by the treasurer of the town; that is the bounty has to be paid by the treasurer of the town. Before the treasurer of the town has the right to pay out money he must have a warrant from the selectmen. Now, when the young fellow comes in and has a porcupine he has killed, or he may have four or five he has killed, the town treasurer must hunt up the selectmen and have the item put in the warrant, and then the treasurer can draw a check and then he must fill out three forms of certificate. These certificates are very much the same in length as those used in making out a hunting or fishing license which they are asking twenty-five cents for now—a measure before this legislature to pay twenty-five cents for making out fishing licenses—so if you figure this on that basis it would be seventy-five cents for making out the receipts plus the cost of making out warrants, the checks, and bookkeeping for a year. I think that while it cost the State an average for the years it was in effect, \$14,641 average for a year, it will cost the towns at least four times that amount to administer it.

Mr. President, I move the indefinite postponement of the bill.

Mr. CLEMENT of Waldo: Mr. President, from the report that came to the Committee, I believe the porcupine is doing a tremendous amount of damage to the corn grower. They may not be doing great damage in Aroostook County for they cannot dig out the potatoes in Aroostook, but they are creating a great deal of damage to corn. It came to our attention that they were doing damage of over thirty per cent. Sweet corn growing is one of our great producing industries, and I think some method should be devised to take care of the porcupines. A boy told me

today that he killed a female and found in her five small ones. How long would it take if at the present time we have damage of thirty per cent, to have enough to clean out all of it?

I hope the motion of the Senator from Aroostook, Senator Welch, does not prevail.

Mr. McCUSICK of Piscataquis: Mr. President, I can not quite agree with some of the Senator from Aroostook, Senator Welch's figures as to the cost of administering this. I don't know why the town treasurer should not have a petty cash account to handle this, and at the end of the year have it inserted in the warrant by the selectmen. I also call attention to the fact most town treasurers draw an annual salary, and I think this was the way it was handled before.

I also call attention to the fact that after doing away of the other bounty on hedgehogs or porcupines—I supposed they were the same,—both villains — the population of hedgehogs increased by leaps and bounds.

They are doing great damage to the young hemlock and it is getting serious. The good Senator from Aroostook, Senator Welch, is very much interested in the State of Maine as a recreation center. The porcupine is doing an immense amount of damage around camps, gnawing at the camp, paddles, boats, or anything that is attacked by porcupines. It is a very serious amount of damage.

There is another angle in which I am interested as a breeder of pure-bred cattle. I have found when my cattle are turned out to pasture some heifers will come up with their noses full of porcupine quills. If you are able to find them the day it happens it is a comparatively easy matter to pull them out, but if they are in a back pasture and you don't see them for a week and they are allowed to stay there a week it is a serious matter and may entail loss of the animal.

I think this bill should receive very serious consideration.

Mr. HOWES of Penobscot: Mr. President, I am very much interested in this bill. In my county where they raise sweet corn and everything else, the porcupines do enormous damage. I think they can do more damage in one night than any other animal. There is

a man in my town who had five acres of sweet corn and he had boys going through it and they killed 16 hedgehogs in one night. They are doing considerable damage.

It was an awful mistake when they took off the bounty and I think I have the figures about right. The last time the bounty was on hedgehogs for four years it amounted to over \$30,000. It was back in the depression and I think a lot of people got their living and didn't do anything but hunt hedgehogs,—but that was not the point I wanted to bring out. Anyway, there was just enough left for seed. It would not have cost very much to have continued the program at that time. Of course, I kill every hedgehog I see and I never collected any bounty and probably never will.

As the Senator from Piscataquis, Senator McCusick has said, the damage to cattle last summer was tremendous. At two different times I had to go to the back pasture and get a heifer and hitch her to a tree and take the hired man and pull quills out, and really spoil half a day's work when I didn't have half a day to fool around. I have had pastures away from home and frequently someone would call me and say that I had a heifer there that was covered with hedgehog quills. There are a lot you never can get out. It is especially hard after three or four days. They also do terrible damage to dogs. I can tell you about damage they have done to dogs but I will not take the time. The last time I had a dog who was full of quills, I took him to Bangor to Dr. Murch and he had to chloroform the dog and get under the teeth to get the quills out. He was a valuable dog and I needed him, or thought I did, because it was coon hunting season and he was a good hunter.

Porcupines do a lot of damage to camps and they will even eat up a harness if they can get it. They do a lot of damage in the State of Maine.

The way I understand the law, if you cut off the feet and nose and go to the town clerk with it you get a quarter, and as far as I know, that is all the expense there is to it. The town clerk may make something. I know the boys do get a quarter out of it.

I believe the game clubs we have all over the State would be interest-

ed to help out and I believe they would if it was called to their attention. There is a great amount of damage they do. The small amount we would pay out compared to the damage they do is nothing. As thick as hedgehogs are now I do not hesitate to say they cost the State of Maine a hundred thousand dollars a year.

I am in favor of this bill and I think everyone is who understands it. I told a fellow last night after you killed my Fair bill, "With the number of farmers we have in the Senate and House I don't see we are accomplishing much. All we have is the hedgehog bill." He said, "Well, we haven't got that yet."

Mr. NOYES of Hancock: Mr. President, I appeared at the hearing on this bill as a proponent, and to be consistent I appear here now in opposition to the motion to indefinitely postpone. I have heard everything mentioned as to the damage they do to sweet corn, harnesses, tents, hemlock and spruce, but one thing I have not heard mentioned is blueberries.

We have before us in this legislature, two bills, the intent of which is to assist the blueberry industry to get on its feet, organizing and finding out about how they are supposed to grow, and how to cultivate blueberries. This porcupine bill is another blueberry bill to me.

As some of you know, I happen to be a blueberry farmer. Some may wonder why I am listed as a farmer in the Legislative Register. It is simply because I earn my livelihood principally by raising blueberries. Most of you know how blueberries grow. I do not have to do any explaining on that subject. You have also seen and I do not think there is need of describing a porcupine. You consider a good stand of berries, growing to a height of six to eight inches from the ground—it is not the damage done by the porcupine eating the berries that we are concerned with so much as it is the berries he knocks off the bushes, or the bushes he knocks down so we can not rake under them in order to rake them into baskets.

The blueberry industry in Maine brings several million dollars to Maine farmers and it is a growing industry, and I have had, in the last month, more people back in my county speak to me about this bill than any other bill before the legislature.

Hedgehogs do a great deal of damage especially to land which is surrounded by woodland. I have had certain sportsmen say to me, that we should not clear up this land and burn it over, knowing that porcupine and deer are coming to stop part of the crop. I say to you that we own this land and the state and county and town expects us to pay a tax on it, and if we have industriously worked to clear it up to raise blueberries and the porcupines come and destroy the work we have done, it is not much inducement for the Maine farmer to go out and extend the blueberry land that is under cultivation. If you want to assist the farmer in the State of Maine, pass this porcupine bill. It will help them.

There are two schools of thought — one, the tourists and sportsmen who like to see the porcupine; and two, our Maine farmers who like to get a living. I want to legislate for the Maine farmer. My friends from Aroostook are not interested because the porcupines don't dig potatoes, as the Senator from Waldo, Senator Clement, mentioned; at least, they don't to my knowledge.

The only reason I have heard presented why you should not kill them was if you happened to be lost in the Maine woods without any sort of weapon, the porcupine is the only animal which you would be able to kill and eat. Several people have been lost in the Maine woods. I have been lost, myself, but as yet I have never known anyone to eat a porcupine.

Mr. WELCH: Mr. President and Members of the Senate, I hope the Senate will not get the impression I am trying to protect the porcupine. They can kill them all for all I care but I can not see the point of paying twenty-five cents bounty and costing the town a lot of expense in handling them. That is the point I wish to stress. If there is some means by which the municipal officer when he gets the porcupine's nose and paws, pays it out of his own pocket, it is all right. If I am in the field half a mile away and a fellow comes along with three or four porcupine snouts, it would be money in my pocket to pay it out myself rather than go to the house and make out the warrant and checks. If they want to include sufficient fees for making out the necessary papers I would be willing to go along with it.

The bill says, "The town treasurer shall immediately make upon the same paper a certificate, under oath, addressed to the treasurer of state, that he first destroyed said nose and feet by burning, and then paid said bounty to the claimant. Said certificates and receipts shall annually, in December, be transferred to the state controller, who shall audit the same"—I do not know whether it is the receipts or noses he is going to audit—"and for those found correct and proper shall issue his certificate to the governor and council to that effect."

I think it is a lot of red tape for very little good. Anyone can kill them that wants to and I do not believe they will increase the kill very much with the twenty-five cent bounty.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Aroostook, Senator Welch, that the bill be indefinitely postponed.

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

Thereupon, the "Ought to Pass in New Draft" report of the Committee was accepted, and the bill was given its first reading.

House Amendment "A" was read and adopted in concurrence, and the bill as so amended was tomorrow assigned for second reading.

On motion by Mr. Noyes of Hancock, the Senate voted to reconsider its action taken earlier in today's session whereby Bill, An Act Governing the Production of Milk and Cream (S. P. 393) (L. D. 1016) was passed to be engrossed; and upon further motion by the same Senator, the bill was laid upon the table pending passage to be engrossed.

On motion by Mr. Morrill of Cumberland

Adjourned until tomorrow morning at ten o'clock.