

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Ninth Legislature

OF THE

STATE OF MAINE

1919

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HOUSE

Wednesday, April 2, 1919.

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

Prayer by the Rev. Mr. Boothby of Augusta.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Bill, An Act to appropriate money for the expenditure of government for the year 1920.

Comes from the Senate, in that branch read twice under suspension of the rules and passed to be engrossed.

In the House the rules were suspended and the bill given its three several readings and passed to be engrossed in concurrence.

From the Senate: Report of the committee on judiciary, on bill, An Act to amend Section 87 of Chapter 2 of the Revised Statutes, relating to the State auditor, reporting the same in a new draft under same title and that it ought to pass.

Report was accepted in concurrence, and the rules were suspended and the bill given its three several readings and passed to be engrossed in concurrence.

From the Senate: Report of the committee on salaries and fees on the following bills:

Bill, An Act to amend Paragraph 2 of Section 40 of Chapter 117 of the Revised Statutes, increasing the salary of clerk of courts of Androscoggin county.

Bill, An Act to amend Paragraph 2 of Section 45 of Chapter 117 of the Revised Statutes, as amended by Chapter 153 of the Public Laws of 1917, increasing the amount of clerk hire in the offices of the register of probate and clerk of courts of Androscoggin county.

Bill, An Act to amend Paragraph 2 of Section 39 of Chapter 117 of the Revised Statutes, increasing the salary of register of probate of Androscoggin county.

Bill, An Act to amend Section 43 of Chapter 117 of the Revised Statutes, increasing the salary of the register of deeds for the county of Androscoggin.

Resolve, to amend Section 38 of Chapter 117 to increase the compensation of the judge of probate of Aroostook county. (House No. 92.)

Bill, An Act to amend Section 45 of Chapter 117 of the Revised Statutes, to increase the clerk hire in certain county offices in Aroostook county. (House No. 60.)

Bill, An Act to amend Section 45 of Chapter 117 of the Revised Statutes, relative to clerk hire in the office of the register of deeds of the northern district.

Bill, An Act to increase the annual salary of the register of deeds for Aroostook county, southern registry. (House No. 62.)

Bill, An Act to amend Section 44 of Chapter 117 of the Revised Statutes, relating to county treasurers.

Bill, An Act to amend Section 45 of Chapter 117 of the Revised Statutes, relating to clerk hire in county offices, as amended by Chapter 194 and Chapter 242 of the Public Laws of 1917.

Bill, An Act to amend Section 45, Chapter 117, Revised Statutes 1916, relating to the salaries of clerks in the office of register of probate for Cumberland county.

Bill, An Act to amend 4th Paragraph of Section 45 of Chapter 117 of the Revised Statutes, as amended by Section 2 of Chapter 194 of the Public Laws of 1917, and as amended by Chapter 242 of the Public Laws of 1917, relating to clerk hire in the county offices in Cumberland county.

Bill, An Act to amend Section 42 of Chapter 117 of the Revised Statutes, relating to compensation of county commissioners. (Cumberland.)

Bill, An Act to amend the 5th Paragraph of Section 45 of Chapter 117 of the Revised Statutes, increasing the amount of clerk hire in the Franklin county registry of deeds.

Bill, An Act to amend Section 43 of Chapter 117 of the Revised Statutes, to increase the compensation of the register of deeds of Hancock county. (House No. 75.)

Bill, An Act relative to the salary of the judge of probate of Kennebec county.

Bill, An Act to increase temporarily the salary of the clerk of courts of Kennebec county.

Bill, An Act to increase temporarily the allowance for clerk hire in the office of the clerk of courts of Kennebec county.

Bill, An Act relative to the salary of the register of probate of Kennebec county.

Bill An Act relative to the allowance for clerk hire in the office of register of probate of Kennebec county.

Bill An Act relative to the salary of the county treasurer of Kennebec county.

Bill An Act to amend Section 43 of Chapter 117 of the Revised Statutes relating to the salary of the register of deeds for Kennebec county.

Bill An Act to amend Section 45 of Chapter 117 of the Revised Statutes, increasing the clerk hire in the office of register of deeds of Kennebec county.

Bill An Act to amend Section 39 of Chapter 117 of the Revised Statutes increasing the salary of the register of probate for Knox county.

Bill An Act to amend Section 38 of Chapter 152 of the Public Laws of 1917, relating to the compensation of judges of probate. (Knox county.)

Bill An Act to amend Section 45 of Chapter 117 of the Revised Statutes of Maine, 1916, relating to clerk hire in county offices. (Knox county.)

Bill An Act to amend Section 40 of Chapter 117 of the Revised Statutes of Maine, 1916, relating to the compensation of clerks of courts. (Knox county.)

Bill An Act to amend Section 43 of Chapter 117 of the Revised Statutes of Maine, 1916, relating to the compensation of registers of deeds. (Knox.)

Bill An Act to amend Section 39 of Chapter 117 of the Revised Statutes, increasing the salary of the register of probate for the county of Lincoln.

Bill An Act to increase the salaries of the register of deeds, regis-

ter of probate and clerk of courts for two years. (House No. 76.) (Lincoln county.)

Bill An Act to amend the ninth paragraph of Section 45 of Chapter 117 of the Revised Statutes, and Chapter 223 of the Laws of 1917, increasing the amounts to be paid for clerk hire in the county offices of Lincoln county.

Bill An Act to amend Section 40 of Chapter 117 of the Revised Statutes relating to salaries. (Clerk of courts, Penobscot county.)

Bill An Act to amend Section 45 of Chapter 117 of the Revised Statutes, relating to salaries (clerk hire in the office of clerk of courts in Penobscot county.)

Bill An Act to amend Section 37 of Chapter 117 of the Revised Statutes, in relation to the salary of the county attorney of Penobscot county.

Bill An Act to determine the amount to be paid for clerk hire in the county of Penobscot.

Bill An Act to increase the salary of the register of probate of Piscataquis county and to increase the apportionment for clerk hire in the office of said register of probate.

Bill An Act to increase the salary of the clerk of courts of Piscataquis county, and to increase the apportionment for clerk hire in the office of said clerk of courts.

Bill An Act to increase the salary of the register of deeds of Piscataquis county, and to increase the apportionment for clerk hire in the office of said register of deeds.

Bill An Act to increase the salary of the judge of probate of Piscataquis county.

Bill An Act to increase the salary of the county attorney of Piscataquis county.

Bill An Act to increase the salary of the treasurer of Piscataquis county.

Bill An Act to increase temporarily the salaries of the county officials of the county of Sagadahoc.

Bill An Act to amend Section 45 of Chapter 117 of the Revised Statutes relating to clerk hire in county offices. (Sagadahoc)

Bill An Act to amend Section 38 of Chapter 117 of the Revised Statutes as amended by Chapter 292 of the Public Laws of 1917, relating to salary of judge of probate of Somerset county.

Bill An Act to amend Section 45 of Chapter 117 of the Revised Statutes, relative to clerk hire in the office of the register of deeds. (Waldo county.)

Bill An Act to amend Paragraph 15, Section 45 of Chapter 117 of the Revised Statutes relative to clerk hire in the office of register of probate in Waldo county. (House No. 77.)

Bill An Act to increase the salary of the clerk of courts of Washington county.

Bill An Act to amend Section 45 of Chapter 117 of the Revised Statutes relative to the salaries of clerks in the office of the register of deeds, register of probate and clerk of courts of Washington county.

Bill An Act to increase the salary of the register of deeds in Washington county.

Bill An Act to amend Section 44 of Chapter 117 of the Revised Statutes, temporarily increasing the salary of the treasurer of the county of Washington.

Bill An Act to amend Section 41 of Chapter 117 of the Revised Statutes increasing the salary of the sheriff of Washington county.

Bill An Act to amend Sections 40 of Chapter 117 of the Revised Statutes, relating to compensation of the clerk of courts of York county.

Bill An Act to amend the last paragraph of Section 45 of Chapter 117 of the Revised Statutes relating to clerk hire in York county.

Bill An Act to amend Section 45 of Chapter 117 of the Revised Statutes increasing the amount for clerk hire in the registry of deeds of York county.

Bill An Act increasing the salary of the judge of probate of York county.

Reporting the same in a new draft under the title of bill An Act to increase salaries of certain county officers and amount of money allowed

for clerk hire in certain county offices and that it ought to pass.

On motion by Mr. Pattee of Harmony, the report was temporarily tabled for the purpose of investigating bill relative to the judge of probate of Somerset county.

From the Senate: Report of the committee on appropriations and financial affairs, reporting ought to pass on bill, An Act to authorize the director of sea and shore fisheries to employ necessary clerks.

Came from the Senate, report accepted, bill read twice, Senate Amendment A adopted, bill passed to be engrossed as amended by Senate Amendment A.

On motion by Mr. Mitchell of Kittery, a viva voce vote being taken, tabled pending first reading.

From the Senate: Bill, An Act to amend Section 21 of Chapter 83 of the Revised Statutes, as amended by Chapter 86 of the Public Laws of 1917, relating to temporary loans by the county commissioners.

This was by the House indefinitely postponed, and it comes back from the Senate, that body insisting on its action of March 14 whereby the bill was passed to be engrossed and asking for a committee of conference, the President having appointed as conferees on the part of the Senate, Messrs. Walker, Davies and Deering.

On motion by Mr. Rounds of Portland, the House voted to insist on its former action and join the conference on this bill.

The SPEAKER: The Chair will appoint as conferees on the part of the House Messrs. Allan of Portland, Wilson of Portland, and Cochrane of Monmouth.

On motion by Mr. Allan of Portland, the House voted to reconsider its action whereby it voted to insist and join the conference on this bill; and on further motion by the same gentleman, a viva voce vote being taken, the House voted to adhere to its former action.

The SPEAKER: The committee appointed will not need to serve.

Reports of Committees

Mr. Holley, from the committee on appropriations and financial affairs,

on Resolve in favor of the official reporter of the House for additional compensation, and for services of assistant reporter and typists, in the preparation and completion of the Legislative Record, reported that the same ought not to pass, as the same has been provided for by the House pay roll.

Majority report of the committee on judiciary, on bill, An Act in relation to the duties of the State auditor, reporting that the same ought not to pass.

(Signed) Messrs. CHAPLIN,
CONARY,
DEERING,
DAVIES,
BUZZELL,
BARNES,
DEARTH.

Minority report of same committee, on same subject matter, reporting that the same ought to pass.

(Signed) Messrs. BAXTER,
MAHER,
MURCHIE.

(On motion by Mr. Chaplin of Bridgton, a viva voce vote being taken, the House voted to accept the majority report, ought not to pass.)

Majority report of same committee, on bill, An Act to amend Chapter 42 of the Revised Statutes as amended by Chapter 139 of the Public Laws of 1917, relating to intelligence officers, reporting ought not to pass.

(Signed) Messrs. DAVIES,
MURCHIE,
BUZZELL,
CONARY,
DEERING,
BARNES,
CHAPLIN,
DEARTH.

Minority report of same committee, on same subject matter, reporting same in a new draft, under title of bill, An Act to amend Chapter 42 of the Revised Statutes as amended by Chapter 139 of the Public Laws of 1917, relating to intelligence offices, and that it ought to pass.

(Signed) Messrs. MAHER,
BAXTER.

(On motion by Mr. Colcord of Searsport, a viva voce vote being taken, it was voted to accept the majority report, ought not to pass.)

Majority report of same committee, on bill, An Act to amend Section 4 of Chapter 60 of the Revised Statutes of 1916, repealing the monopoly law in regard to the sale of electricity, and permitting its sale for mechanical and manufacturing purposes, reporting that it ought not to pass.

(Signed) Messrs. CHAPLIN,
DEERING,
DAVIES,
BARNES,
CONARY,
BUZZELL,
MURCHIE,
MAHER,
DEARTH.

Minority report of same committee, on same subject matter, reporting that the same be referred to the next Legislature.

(Signed) BAXTER.

(On motion by Mr. Chaplin of Bridgton, a viva voce vote being taken, it was voted to accept the majority report, ought not to pass.)

Report "A" of the committee on labor, on bill "An Act amending the Public Laws of 1915, Chapter 350, entitled 'An Act relative to the hours of employment of women and children,'" reporting same in a new draft, under same title, and that it ought to pass.

(Signed) MESSRS. O'CONNELL,
ARTHUR,
SMITH,
COBB,
PIKE.

Report "B" of same committee, on same subject matter, reporting that the same ought not to pass.

(Signed) MESSRS. CREIGHTON,
STANLEY,
McLEARY,
LEONARD,
LEATHERS.

(On motion by Mr. Doyle of Biddeford, a viva voce vote being taken, the reports were tabled pending acceptance of either, and specially assigned for tomorrow morning.)

On motion by Mr. Granville of Parsonsfield the two reports and accompanying bill were ordered printed.

Mr. ALLAN, from the committee on taxation, on bill "An Act relating to

exemption from poll taxes," reported the same in a new draft, under same title, and that it ought to pass.

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

Passed to Be Engrossed

Senate 271: "An Act to Provide for upkeep, equipment and extensions for the several normal schools and the Madawaska Training school."

Passed to Be Enacted

An Act to amend Section 32 of Chapter 33, of the Revised Statutes, as amended by Chapter 219 of the Public Laws of 1917, relating to the pollution of the waters of the State by sawdust and other mill waste.

An Act to amend the Charter of the city of South Portland.

An Act to incorporate the Belfast water district.

An Act to amend Section 78 of Chapter 52 of the Revised Statutes, relating to the loans made by Trust Companies.

An Act to amend Section 14 of Chapter 92 of the Revised Statutes, as amended by Section seven of Chapter 133 of the Public Laws of 1917, and Sections 17 and 19 of Chapter 92 of the Revised Statutes, all relating to the filing of claims against estates of deceased persons.

An Act to amend Sections three and six of Chapter 260 of the Public Laws of 1917, entitled "An Act to establish a Superior Court in the county of Androscoggin.

An Act to amend Section three of Chapter 84 of the Revised Statutes, relating to Clerks of the Judicial Courts.

An Act to establish a State Reformatory for men.

An Act to assist in the commercial utilization of dogfish.

An Act amending the Charter of the People's Ferry Company.

An Act additional to Chapter eight of the Revised Statutes, relating to the burning of brush.

An Act to amend Chapter 32 of the Revised Statutes relating to cinematograph and moving pictures.

An Act to amend Chapter 39 of the Private and Special Laws of 1915, increasing the salary of the Recorder of the Sanford Municipal Court.

An Act relating to the Surety Bond business of Trust Companies and Domestic Corporations and amending Section 90 of Chapter 52 of the Revised Statutes.

An Act to amend Section one of Chapter 69 of the Revised Statutes, relating to the assessment and collection of inheritance tax.

An Act to enable towns or cities to procure State aid in the construction of armories.

An Act to regulate the practice of the system, method or science of healing known as Osteopathy, creating a board of examination and registration for those desiring to practice the same, and providing penalties for violation of this act.

Finally Passed

Resolve in favor of the Fidelity Mutual Life Insurance Company of Philadelphia, Pennsylvania, for a tax credit.

Resolve continuing unexpended balance of appropriation provided by Chapter 310 of the Resolves of 1915, entitled Resolve appropriating money to aid in the construction of substructure of a highway bridge across the St. John river between the town of Madawaska, Maine, and the city of Edmundston, New Brunswick.

Resolve to appropriate money for the purchase of history of York.

Resolve authorizing and instructing the Governor and Council to make such alterations and improvements of the residence of the late James G. Blaine, recently given to the State by Mrs. Harriet Blaine Beale, as may be necessary and to furnish it suitably, to serve the purpose of an executive mansion and to acquire by purchase such contiguous property as may be needed for said purpose.

Resolve for the laying of the county taxes for the year 1920.

Resolve to amend a resolve in favor of the Augusta State hospital for the construction of a new building for patients.

Resolve in favor of the town of Porter for school purposes.

Resolve authorizing construction of a building for the care of tubercular soldiers, sailors and marines.

Resolve in favor of Harry A. Fowles, secretary of the committee on school for feeble-minded.

On motion by Mr. Pattee of Harmony, it was voted to take from the table report of the committee on salaries and fees on the various county offices.

The report was accepted in concurrence.

The bill then received its two several readings.

Mr. PATTEE of Harmony: Mr. Speaker, I move that the rules be suspended and the bill given its third reading at the present time.

The SPEAKER: There are two amendments on this bill which should have properly followed the first reading. Senate Amendment A is as follows:

Senate Amendment A to Senate Document 288.

Amend the paragraph relating to York county on Page 14 of S. D. 288 in the fourth line of said paragraph by inserting after the word "thousand" the word "forty," so that said paragraph as amended shall read as follows:

"York county: For clerks in the office of register of deeds, eighteen hundred dollars; for clerks in the office of register of probate, twelve hundred forty eight dollars; for clerks in the office of the clerk of court one thousand forty dollars."

Thereupon the House voted to adopt Senate Amendment A in concurrence.

Senate Amendment B to the same document.

Amend Section 1 of Senate Document 288 by inserting after the word "them" in the line numbered 5 on Page 5 of the printed bill the following: "and the sum provided for the clerk in Lincoln county shall be in full for all such services, and also in full for services as clerk of Lincoln municipal court."

Thereupon the House voted to adopt Senate Amendment B in con-

currence; and the bill then had its third reading and was passed to be engrossed as amended by Senate Amendment A and Senate Amendment B in concurrence.

Orders of the Day

The SPEAKER: Under orders of the day the Chair will announce as the committee on the order relating to investigation of tax matters, Messrs. Pike of Eastport, Maher of Augusta and Wilson of Portland.

The SPEAKER: The first matter under consideration for today is where we left off under orders of the day yesterday, and we were considering the report of the committee on agriculture on House Document No. 428; and the pending question is the motion of the gentleman from Minot, Mr. Bean, that the bill be substituted for the report.

Mr. BEAN of Minot: Mr. Speaker and gentlemen of the House: Owing to the presence of our honored guest of yesterday, this discussion was more or less broken into, and I hardly know myself where it ended. I desire to say, however, in summing up my remarks that while I admit the report of the committee to be generally accepted, it would appear to me that the committee must have considered the chief objection to this bill to be the fact that there were no funds provided; in fact, some of the committee has since told me so. As against this proposition, I have the Governor's assurance that the matter is of sufficient importance to become law and he will guarantee that it will be financed. All other objections come from the Livestock Breeders' Association and I think it must now be admitted that this was for no other than purely selfish motives. Mr. Speaker, I would ask that when the vote is taken on this matter, it be taken by the yeas and nays.

Mr. WASHBURN of Perry: Mr. Speaker, I would say that the committee on agriculture had this matter under consideration and the proposition is that all cattle in the State, young and old, shall be sub-

jected to the tuberculin test. The committee considered the matter and we did not discover any great demand for such legislation. We felt that the expense would eventually be very great. This was a unanimous report, ought not to pass, and I believe none of the committee have seen any occasion for changing their opinion.

Mr. BUZZELL of Belfast: Mr. Speaker, I hope that the motion will not prevail to take the yea and nay vote. I feel that many of us would like to get home in the near future, and many of us must get home if we expect to exist very much longer. There cannot be any very great contest over this matter, and the taking of the yea and nay vote simply means time wasted.

The SPEAKER: All those who are in favor of calling for the yeas and nays will rise.

A sufficient number did not arise.

The SPEAKER: The question is the substitution of the bill for the report. All those in favor of the motion to substitute the bill for the report will say aye; those opposed no.

A viva voce vote being taken, the motion to substitute the bill for the report failed of passage.

The SPEAKER: The pending question is the acceptance of the report, ought not to pass.

On motion by Mr. Case of Lubec, a viva voce vote being taken, the House voted to accept the report, ought not to pass.

The Chair lays before the House An Act to increase the salary of the deputy treasurer of State, House Document No. 411.

The SPEAKER: The gentleman from Houlton, Mr. Barnes, not being in his seat, with the unanimous consent of the House we will pass that matter.

The Chair lays before the House An Act to provide for the jurisdiction of the Public Utilities Commission over certain motor vehicles, Senate Document No. 256, tabled by the gentleman from South Portland, Mr. Hinckley, pending third reading.

Mr. HINCKLEY: Mr. Speaker, I do not know whether the House realizes what the bill in new draft means. Therefore I would like to read the first section of the original bill, and then call your attention to the bill in new draft.

"The Public Utilities Commission shall have jurisdiction over every person, firm or corporation operating any motor vehicle upon any public street or highway for the carrying of passengers for hire and in such manner as to afford a means of transportation similar to that offered by street railways, and commonly known as jitneys."

Now, gentlemen, there might be some oral argument in favor of this bill; there probably is in relation to jitneys which are operating paralleling street railways, as well as those having regularly designated locations where they operate. But, for some reason, there has been a new draft of this bill, and the new draft is Senate Document 256; and I want to read you Section 1 of this draft.

"The Public Utilities Commission shall, upon written complaint made against any person, firm or corporation operating any motor vehicle upon any public street or way for the carriage of passengers or freight or both, for hire, by ten persons, firms, corporations or associations aggrieved thereby, after reasonable notice and hearing determine and fix the terms and conditions and make all rules and regulations under which said motor vehicles may be so operated."

It further provides that all motor vehicles so licensed by the Public Utilities Commission must file a bond of \$2500. Now this bill in the form we have got it here today provides, in a word, that every public automobile—all your public automobiles in the city of Augusta, every one of them—must come under the Public Utilities Commission and file a bond of \$2500. This means those who are taking people to and from the State House, the Augusta Hospital to their homes, not operating on any fixed line whatever. Every taxicab and every public automobile in this State that is used for

either freight or passengers must come under the Public Utilities Commission. It is the most ridiculous proposition I have seen before the Legislature this winter, and I move its indefinite postponement.

A viva voce vote being taken, the House voted to indefinitely postpone the bill.

The Chair will now lay before the House, House Document No. 411, an Act to increase the salary of the Deputy Treasurer of State; and the Chair recognizes the gentleman from Houlton, Mr. Barnes.

Mr. BARNES: Mr. Speaker, I move that the House accept the report.

The SPEAKER: The Chair will state that the House passed this bill to be engrossed as amended by a House amendment, and the Senate indefinitely postponed it. It comes back in that shape.

Mr. BARNES: The matter having been practically settled by a report of the committee of conference, which may or may not have been reported, but which is to be passed as I am informed, I move we reconsider the last vote taken by the House.

The SPEAKER: The Chair will inquire what further motion the gentleman intends to make.

Mr. BARNES: It is my purpose to move that the bill be passed.

Mr. SPEAKER: The Chair will state again the status of the bill. We have already passed it to be engrossed as amended by a House amendment, and the Senate has indefinitely postponed it. Is it the pleasure of the House that we reconsider the vote whereby we passed this bill to be engrossed?

The motion prevailed.

On motion by Mr. Barnes, a viva voce vote being taken, the bill was indefinitely postponed in concurrence with the Senate.

The Chair lays before the House bill an Act to require a fee for registration of milk dealers, House Document No. 515 tabled by the gentle-

man from Paris, Mr. Forbes, pending first reading.

Mr. FORBES of Paris: Mr. Speaker, I was not present at the hearing before the committee on this bill, and I did not know that the bill was pending until a few days ago. If I failed to know that, I think it fair to assume that a good many milk dealers in the State did not know it. Since it was reported I have had talks with a number of those interested in its passage. I have been told that the milk dealers will be benefited by this bill and that they are in favor of it. Gentlemen, if I felt satisfied that that fact had been established, it might remove the objections that I had to the bill itself, or, at least, it might cause me to vote in favor of it. I do not think it is exactly fair for us to assume that a bill which came in just before the bars were put up, and about which there was so little public agitation,—I do not think it fair to assume that the four thousand milk dealers of this State have had a fair chance to become acquainted with its provisions. Even if the milk dealers generally approved this bill, or if the majority of them approved it, it would not remove the essential objection that I have to it. To insure the purity and cleanliness of milk and its product, a universally used food, the Commissioner of Agriculture is given full authority to inspect all places where milk is produced, handled or dispensed. That is the proper exercise of the police duty of the State. To facilitate that work of inspection, all milk dealers delivering milk from any depot or store are requested to register with the Commissioner of Agriculture. As the law stands now this is without fee. This act proposes to lay upon them a fee of one dollar for registration for every depot or store. In my section of the State a large part of those who would be affected are farmers who get up in the morning three or four hours before we assemble here for what we call the sunrise session, drive to the village and there deliver the milk which they had produced themselves to their own customers. I cannot agree with the principle of

laying a tax of even a dollar a year upon a Maine farmer for selling his own product to a consumer. It is only a dollar a year—a small amount; and I come back to that same objection that I cannot believe in charging the farmer for the legitimate business of selling his own product, produced in Maine to the citizens of Maine. Mr. Speaker, I move the indefinite postponement of the bill.

Mr. GRINNELL of Exeter: Mr. Speaker, I will say the purpose of this bill is peculiar. People years ago used to look at the top of the bottle to see what was there. Now they look at the bottom of the bottle to see what is there and that is the end we want to protect, and insure pure milk for the people. The dealers are in favor of this bill for the reason that they are protected by it. It eliminates the dealer who puts in the water and it makes for good milk production. I hope the motion of the gentleman will not prevail.

Mr. RICKER of Poland: Mr. Speaker and gentlemen of the House: Maine is an agricultural State. Nine-tenths of the farmers of the State are having hard work to make both ends meet. There was a time a few years ago when a farmer could make a good living even if he was a small farmer; but today he cannot do it. If a man on a farm has any money so that he can pay his bills when he buys his phosphate and seed and get the discount, it helps him out just so much. Now here is a bill that was put in the box just about the last day, and I think the Agricultural department had their minds all made up when the Legislature first met, and I cannot see why a bill like this is presented at this late day, when by presenting it earlier there would have been a chance to advertise it and for people all over the State to become acquainted with it. This calls for one dollar for registration of all milk dealers who have a depot, vehicle, or place from which the milk is taken. A dollar is not very much to a lot of us; but you take the ordinary farmer and a dol-

lar comes harder to him than a five-dollar bill does to us. They have not the money to come down here and oppose a bill like this; but they already are protected because they have inspection. Last year I think there were between four and five thousand registered here in the Agricultural department, but the Agricultural department wants to give them more inspection. I think that was brought out at the meeting. Now if that was the case why did they not ask for a larger appropriation? I do not believe that it should all come out of the farmer. The farmers today are becoming discouraged, particularly those having the small farms, and they are going to the cities where they can earn three, four or five dollars a day, work their nine hours, and they are done until the next day. What does a man have to do on a farm? He has to get up early in the morning, work until he goes to bed at night, not only he but his wife has to work—and hard work with long hours; and when he gets a dollar he earns it more than any man who works in a factory in a city, I believe, or in a shipyard. All he owns is what is invested in that farm, and continually, year in and year out, he has to keep at it in order to make any money and make both ends meet. If they want more inspection, I believe that the department should have asked for more money to carry it out; and if the people of the State of Maine are demanding it, they should all pay their proportional part, and not the farmer. I hope that the gentleman's motion to indefinitely postpone the bill will prevail.

Mr. STORM of Westmanland Plantation: Mr. Speaker, I introduced this bill. There were plenty of funds available for the Department of Agriculture for this work, but I think most of you gentlemen of the House know about how easy it is to get appropriations for various purposes this year. They have cut the appropriations in every conceivable way and in every branch. We have heard in the House here that we have

plenty of law and ample protection for the milk dealers and for the public in general. We have law enough, but we do not have the means to enforce it. We have a man down here in Augusta who has this under his supervision, and it is just about enough to keep one man on the job. The people around here get some little protection because they live handy and a man here can go out and sample their milk, and test it and report on it; so that around here you get a little protection. But the farther north you go—I am going to say north of Bangor—if a milk dealer there is found with impure milk, he is fined and he does not have any means of proving his innocence because he has bought it from eight or ten different sources; and when he communicates with the Department of Agriculture about it, they have no funds or no men to send to investigate it. Therefore, we put in this bill to provide more funds for this work; and if at another session of the Legislature they should see fit to appropriate more money for this work, I would certainly be in favor of it. But now I wish to have this passed for the reason that I think those of us who live far away from the great centers, are entitled to the protection that you get here, and which we cannot get where there is no money with which to carry on the work. What is the use of passing laws for inspection and protection if there are no funds to bring it about? I wish that this bill might have a passage.

Mr. RICKER of Poland: Mr. Speaker, I think when this bill came before the committee of agriculture, they asked for an appropriation of more money to carry out this inspection, and the Agricultural department failed to put that in their appropriation so that they would have more funds. A man who is going to be in the milk business and trying to stay in, in order to protect himself, has got to keep his cans and bottles clean, because I do not believe there is anyone who will buy dirty milk from any farmer more than once. You have got to

keep your place of business clean or the people will not come to you and you lose a customer; and I believe if they had tried to get more money they would have gotten it. I do not think it ought to come out of the farmer.

Mr. BRAGDON of Perham: Mr. Speaker, I think that we all of us here understand that if we are ever to get home in time for our summer work, we have got to keep the vials of our eloquence cocked up a little better than we have been doing in the past. I only wish to say in regard to this that I am opposed to the extension of this license system, and I hope the motion of the gentleman from Paris (Mr. Forbes) will prevail.

Mr. LANPHER of Sebec: Mr. Speaker, we ought not to get this matter confused. Everything like this that comes up here, somebody makes an appeal for the farmer and tries to show in some way that the farmer is going to be injured by the passage of the bill. Now in the first place I want to call your attention to the fact that a majority of the dealers in milk are not farmers. They make a business of dealing in milk—the majority of them. They either have their own herds and manufacture their own milk, and that is about all they do in farming—dairying—or they buy their milk from producers and peddle it from house to house. In doing that they are not farmers.

Now when this State inspection of milk was started in 1909, there was an appropriation of four thousand dollars a year paid for carrying on that work. At first its use was more or less doubtful, but later it has entirely justified its service, and I have heard no one on the floor of this House, and shall hear no one, get up and say that State inspection of milk and tests of milk are not good things, both from the standpoint of the consumer and from the standpoint of the dealer who gets the protection. Now during the years since 1909 this milk business has almost doubled. At that time there were about 2000 of dealers; now there are about 4000; so that, with that appropriation, it is impossible to carry on the work of

individual inspection and milk testing adequately. It has already been mentioned how hard it is to get an increased appropriation where there is such an endeavor to keep our expenses and tax rate down. It was conceived that the dealers themselves, who are getting a great amount of protection and who are very anxious to have these tests made regularly so that their milk may be kept up to the standard, would be perfectly willing to pay a license fee of one dollar a year for that purpose. One dollar a year for such protection when they are selling the milk at twelve and fourteen cents a quart, only means that they have to sell seven or eight quarts to get back their dollar. The milk dealers themselves are not the ones who are opposing this bill. It is the people who are not in the milk business; for instance, hotel men and others who are trying to protect the poor farmers and the poor milk dealers from something they do not want to be protected from. In the last few days I have heard, directly or indirectly, from all the milk dealers in my district that I represent, asking me to vote for and to work for the passage of this bill, because they perceive that they will get the protection. This bill simply states that this license fee money shall be used for carrying out the provisions of the milk inspection law of this State.

It has been stated here that this matter was heard without being properly advertised. I have the word of the members of the committee that that bill was advertised and that there was quite a full hearing upon it, and every milk dealer who appeared before that hearing stated that he was in favor of it and would like to see it go through.

As far as the small dealer is concerned, the man who has one or two cows, this matter does not hit him at all, for there is another bill, House Bill 117, which specifically states as amended that licenses shall not be required except of those who are in the milk business as a business and who are carrying it on as a regular occupation and business. Therefore, I hope that this bill will go through

and that the motion of the gentleman to indefinitely postpone will not prevail. This is something for the benefit of the State, something for the benefit of all the people who use milk, and something especially for the benefit of the milk dealers who will get their regular tests and can thereby keep their milk up to the standard; something that they desire and are willing to pay for. I hope the bill will pass.

Mr. PHILLIPS of Bar Harbor: Mr. Speaker, I want simply to make one scientific statement on this, and that is that the filthiest food that we put into our system is milk. Every protection should be given the public that can be given.

Mr. EEAN of Minot: Mr. Speaker, I cannot agree with one of the last speakers. I see no reason why the milk producers of the State of Maine should be assessed an additional tax of \$4,000 to do a work that is for the benefit of all the citizens of Maine. I happened to be before the committee on agriculture at the time of the hearing, and I happened to know that there were but two milk men appeared there; one was in favor and one opposed. I happened to know that this bill was recommended by the department of agriculture and they admitted that they had neglected to attend to their duty and asked for the appropriation before the budget committee. I hope the motion of the gentleman from Paris (Mr. Forbes) will prevail.

Mr. FLINT of Monson: Mr. Speaker, we had lobsters yesterday, and milk today. I move the previous question.

The SPEAKER: All those who are in favor of the previous question will rise.

A sufficient number having arisen, the previous question was ordered.

The SPEAKER: Shall the main question be put now? All those in favor will say aye.

Thereupon the main question was ordered.

The SPEAKER: The question is on the motion of the gentleman from Paris, Mr. Forbes, that the bill be indefinitely postponed.

A viva voce vote being doubted,

A division of the House was had.

Eighty-seven having voted in the affirmative, and 33 having voted in the negative, the motion to indefinitely postpone prevailed.

On motion by Mr. Clason of Lisbon, unanimous consent was given to take up out of order House Document No. 400, An Act to provide for the registration of resident hunters.

The SPEAKER: When the matter was tabled, the motion of the gentleman from Bangor, Mr. Reed, was pending, that when the vote be taken, it be taken by yeas and nays. As many as are in favor of taking the vote by yeas and nays, will rise.

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

The SPEAKER: This is an act to provide for the registration of resident hunters. This bill having had its two several readings in the Senate and having been passed to be engrossed; having had its three several readings in the House and having been passed to be engrossed, and having been reported by the committee on engrossed bills as truly and strictly engrossed, is it now the pleasure of the House that it be passed to be enacted? On this the yeas and nays have been ordered. All those in favor of its passage to be enacted will say yes when their names are called; all those opposed will say no. The clerk will call the roll.

YEA—Adams, Aiden, Allen of Sanford, Arthur, Austin of South Berwick, Barnes, Baxter, Berry, Bowie, Brackett, Bradford, Brann, Brewster, Brown, Burns of Madison, Buzzell, Carey, Carlton, Chamberlin of Lebanon, Chamberlain of Winslow, Chaplin, Chellis, Clason, Clifford, Cochrane, Colcord, Cole, Conary, Cowan, Crabtree, Daigle, Dain, Davis of Freeport, Dolloff, Eaton, Fagan, Flint, Forbes, Furbish, Garcelon, Gray, Granville, Greeley, Hanson, Hinckley, Houghton, Hussey, Jillson, Jordan of Cape Elizabeth, Jordan of New Gloucester, Langelier, Lanpher, Leonard, Love, Macomber, Maher, Marr, Mason, Mathews, McLeary, Miller, Mitchell, Murray, Nelson, O'Connell, Overlock, Phillips, Plummer, Ricker, Roberts, Rowe, Sanborn, Savage, Simons, Stacey, Stanley, Sweatt, Swift, Thomas of Harpswell, Tilden, Varney of Windham, Warren, Williams of Auburn, Williams of Wells, Wilson of Presque Isle—85.

NAY—Allan of Portland, Audibert, Austin of Milford, Bean, Bragdon, Burns of Eagle Lake, Case, Cates, Corliss, Coulombe, Cunningham, Doyle, Dunn, Dunning, Farnsworth, Foss, Fowles, Fuller, Gilmour, Grinnell, Hammond, Hatch, Holley, Jones, Lausier, Leathers, Millett, Morin, Mulligan, Murch, Murchie, O'Leary, Orif, Owen, Pattee, Perkins of Orono, Porter, Reed, Ridlon, Rounds, Rowell, Sawyer, Small, Smith, Storm, Varney of Jonesboro, Washburn, Weatherbee, Wilson of Portland, Wyman—50.

ABSENT—Anderson, Casey, Crane, Davis of Old Town, Dutton, Hisler, Mace, Peabody, Perkins of Boothbay Harbor, Pike, Putnam, Ring, Stevens, Sullivan, Thomas of South Portland—15.

The SPEAKER: Eighty-five having voted in the affirmative, and fifty in the negative, the bill was passed to be enacted.

The SPEAKER: Is it the pleasure of the House at this time to give unanimous consent to taking up one emergency matter and one constitutional amendment? It requires a two-thirds vote. Resolve for laying the county taxes for the year 1919, and Resolve, amending Article IX of the Constitution, as amended by Article XXXV of the Constitution, increasing the amount of bonds to be issued for the purpose of building and maintaining of state highways and providing for the building and maintaining of intrastate, interstate and international bridges. These resolves having had their two several readings in the Senate, and having been passed to be engrossed; having had their two several readings in the House, and having been passed to be engrossed; and having been reported by the committee on engrossed bills as truly and strictly engrossed, is it the pleasure of the House that resolve for laying the county taxes for the year 1919 be finally passed? All those in favor that the resolve be finally passed will rise and stand until counted.

A division being had,

One hundred and twenty-five voting in favor and none against, the resolve was finally passed.

The SPEAKER: Resolve, amending Article IX of the Constitution, as amended by Article XXXV of the Constitution, increasing the amount of

bonds to be issued for the purpose of building and maintaining of state highways and providing for the building and maintaining of intrastate, interstate and international bridges. All those in favor of the final passage of this resolve will rise and stand until counted.

A division being had,

One hundred and eighteen voted in favor, and none against, the resolve was finally passed.

On motion by Mr. Barnes of Houlton, unanimous consent was given, and that gentleman introduced out of order, under suspension of the rules, bill, An Act to extend the time within which the provisions of Chapter 136 of the Private and Special Laws of 1915, as amended by Chapter 167 of the Private and Special Laws of 1917, providing for the reorganization or consolidation of the railroad companies constituting the Boston and Maine railroad system, may be exercised.

Mr. BARNES of Houlton: Mr. Speaker, all members of the House know that the Boston and Maine railroad, which is a public service corporation, serving Maine and three other New England states, is in the process of readjustment under the law. Congress adjourned without making the appropriation for this and similar cases which it was assumed congress would make, and before the readjustment can be affected, and the new mortgages written, which is to be, as I remember it, about the first day, if not the first day, of July, should congress not assemble and make these provisions then it is deemed necessary that our state, with the other states, should continue the enabling act which we passed in 1915 and continued by Chapter 167 of Private and Special Laws of 1917. Should Congress assemble and act, making provision for this and railroads in similar condition prior to the first day of July, it would not be necessary for Maine to take this action. The bill has a long title which I will not read. It merely provides that the prescribed time within which any action may be taken by the Boston and Maine

railroad, under Section 4 of Chapter 136, of the Private and Special Laws of 1915, and the time prescribed for the exercise by it of special powers under Section 8 of said act, and the time within which a new corporation may be organized under Section 9 and subsequent sections of said act, all as extended by Chapter 167 of the Private and Special Laws of 1917, are hereby further extended respectively to July 1st, 1921.

On further motion by Mr. Barnes, under a suspension of the rules, the bill received its three several readings and was passed to be engrossed.

The Chair lays before the House Majority report, ought not to pass, minority report, ought to pass, new draft, of committee on State lands and forest preservation on bill, An Act for the preservation, perpetuation and increase of the forests of the State of Maine, House Document No. 514, tabled by the gentleman from Parsonsfield, Mr. Granville, pending acceptance of either report.

Mr. GRANVILLE of Parsonsfield: Mr. Speaker, I move you that the majority report be accepted, and that a committee of five be appointed to consist of the forest commissioner and four other members appointed by him, to investigate the subject matter and report to the next Legislature by bill or otherwise.

The SPEAKER: The Chair would state that there are two reports before the House for action, one of which must be accepted, and is of the opinion that the motion to have a committee appointed would not be in order until some definite action has been taken on the report, and that it would have to be by joint order of the Legislature.

On motion by Mr. Granville of Parsonsfield, a viva voce vote being taken, the majority report, ought to pass, was accepted.

On motion by Mr. Barnes of Houlton it was voted to take from the table Report of committee on salaries and fees, ought not to pass, on bill, An Act to increase the salary of the deputy bank commissioner and one examin-

er, tabled pending acceptance; and on further motion by the same gentleman, a viva voce vote being taken, the report, ought not to pass, was accepted.

On motion by Mr. Barnes of Houlton it was voted to take from the table Report of committee on legal affairs, ought not to pass, on bill, An Act prohibiting untrue, deceptive, misleading assertions, representations or statements in advertisements, House Document No. 316, tabled pending acceptance; and on further motion by the same gentleman, a viva voce vote being taken, the report, ought not to pass, was accepted.

The Chair lays before the House Report of committee on salaries and fees, ought not to pass, on bill, An Act relating to salaries of sheriffs, tabled by the gentleman from Houlton, Mr. Barnes, pending acceptance.

Mr. BARNES of Houlton: Mr. Speaker, my recollection is that there was some uncertainty or misunderstanding in the delegation from the county of Cumberland relative to this bill.

Mr. ALLAN of Portland: Mr. Speaker, I have an amendment I would like to offer.

The SPEAKER: The Chair will state that the report of the committee is ought not to pass, and the pending question is the acceptance of the report.

Mr. BARNES: Mr. Speaker, I think that delegation is still mixed. I move the acceptance of the report.

A viva voce vote being taken, the report, ought not to pass, was accepted.

Mr. BERRY of Waterville: Mr. Speaker, I would like to inquire, through the Chair, if it would be in order to move for reconsideration of the vote whereby we gave women the chance to vote for presidential electors?

The SPEAKER: The Chair will be obliged to rule that the papers not being before the House, the motion will not be in order.

Mr. BERRY of Waterville: Mr. Speaker, the gentleman from Waterville feels that he will be obliged to appeal from the decision of the Chair, and ask unanimous consent of this

House to address them at this time, if there be no objection.

The SPEAKER: There is none.

Mr. BERRY: Gentlemen of the House, we are fast approaching the closing hours of the 79th Legislature, and soon we will dissolve and go to our homes to take up our respective vocations. I recall the night before this session assembled how most of us assembled in the Augusta House, many of you strangers; how you viewed the other fellow with suspicion and doubt. You wondered of what political party he was and how he would fit in. You wondered who he was and what he was. I was rather amused, as I stood in the Augusta House that evening, when one new member approached me and asked this question: "Who is that portly, large gentleman with the red face standing over there by the door?" And said, "No one seems to speak to him, and he seems to have no friends." I, having served one term before in this honorable body, replied, "Why, that is Mr. Rounds of Portland. I supposed everyone knew him." Again I was approached and a gentleman wanted to know who that gentleman was that persisted in hanging near the cigarette case. I was at a loss. I made some inquiry and I found that it was the gentleman from Minot. Again we assembled in this hall the next morning for organization. We wondered at that time who our seat mates were to be. We drew our numbers and we soon found out. I was fortunate in drawing 23—"skidoo"—and it has been "skidoo" all the way through. We started the deliberations in this body and the hours lengthened into days, the days into weeks and the weeks into months. We have been fed on lobsters and near beer. We have smoked our cigarettes. We have formed associations, we have formed friendships—friendships that will last through the years that are to come. Through this all there has been one figure that has loomed up, conspicuous to us all. It was my proud honor and distinction to conduct to the Chair of this House a gentleman well known to the older members, new to

many of the new members. How well he has proven his worth I will leave to you. No words of eulogy of mine as to his courteous treatment would avail. You all know well in what esteem you hold him. Now, Mr. Speaker, in behalf of the members of this House, I desire to present to you some token of their esteem and friendship for your many deeds of kindness and for your courteous presiding that has characterized every procedure of this House—not for its intrinsic value, although gold of the finest alloy. As you look upon its face and the minutes lengthen into hours and the hours into days, may it ever remind you of the love and esteem that this House bears for you, as you go down life's broad stairway. (Prolonged applause; the members rising and cheering.)

(Mr. Berry then presented the Speaker with a gold watch.)

The SPEAKER: Fellow representatives: It is impossible for me to fittingly or adequately express my appreciation of this splendid gift. It is equally impossible for me to tell you how my heart has been touched by this expression of your confidence and your good will. I am sure of one thing, that there never was a finer body of men, a more conscientious and more intelligent body, making up a House of Representatives in the State of Maine than the members of the House of the 79th Legislature; and whatever success has attended the work of the session has been due to you more than to your Speaker. I want to thank you from my heart for your constant co-operation with me and your courtesy to me. If I have been able in any way, even so small, to help you, I can assure you that it has afforded me the keenest of pleasure to do it.

I want to thank this veteran messenger and his corps of assistants, our Clerk and the assistant, and those who work in his office, for their constant attention to the business of this Legislature. I want to say to you that any Legislature that has the good fortune to keep as its clerk the young man who has come in here, a new man, and who has made good,

will be indeed fortunate. (Applause.)

Above all things, I want to express my personal appreciation, and I know I voice your sentiments when I say it, of the tremendous amount of work and the great help that has been given to this House by our floor leader, my good brother Barnes. (Prolonged applause; the members rising.)

I know, fellow representatives, that it is a matter of keenest pleasure to us all to realize the friendly relations and the cooperation we have had with the upper branch at the other end of the corridor. Personally, I want to say how pleasant my relations have been with their presiding officer, one of the finest fellows in the world. (Applause.)

Now men cannot associate together as closely as we all have during the months of this session without forming pleasant acquaintances and friendships that will last as long as we live. Life, at its best, does not consist of wealth or power or position. Those things in themselves never satisfy the heart of man; but the voice of a friend, the clasp of his hand, and the consciousness that real friendship is something that wealth, power or position can neither give nor take away, brings to the heart of us all a solace, an uplift, and a strength in time of need. I believe that the friendships we form here will go with us as a sustaining power when we come to the valley of the shadow, and I believe that they will be able to pierce some of the gloom and make the passing easier. I believe we will take them with us into the Beyond, where perhaps they may be transformed into that after whose likeness they were fashioned, the love of God.

This watch, while the hand and the dial mark the decreasing limit of days, will but serve to increase and to sanctify the affection and the love that I feel for every one of you. (Prolonged applause; the members rising.)

Mr. ALLEN of Sanford: Let us all rise and give three cheers for Speaker Farrington. (The members arose and gave three cheers.)

Mr. PHILLIPS of Bar Harbor: Mr. Speaker, I arise to the question of personal privilege.

The SPEAKER: Will the gentleman state his personal privilege?

Mr. PHILLIPS: I have written a little poem which I will read:

SQUARE AND ROUND.

There's a man in among us that can never be square

No matter how hard he tries;
But so far as I know no man ever lived
Who accused him of stealing or lies.

He's ready for fight at the drop of the hat,

He's ready at once for more rounds,
But whatever he does or whatever he says,
We all of us love to hear Rounds.

His weapons of war are big and are square

But have in them the roar of a hound;
But whatever he does and whatever he says

We all of us love to hear Rounds.

But I think we shall find when the books are all signed

That the watchdog that's been hanging around
Has saved us a lot of questionable rot,
This man that is square and is Round.

He will take sides with right with all his might,

As sure as the sun on its rounds;
But whatever he says and whatever he does

We all of us love to hear Rounds.

When sometime in the future there steals to our door

That taker of life on his rounds,
How glad we shall be wherever we go
To hear that big voice of old Rounds.

He'll growl for us all, he'll fight to the line,

He never will yield them a pound;
Too cold or too hot, whichever it is,
You will hear the big voice of our Rounds.

Whichever the gate we shall enter at last,

Be it hot as the scorching of old,
Or the place where the music of angels appear,

To open the way to the fold, how glad we shall be

To hear the deep roar of our watchdog
—our sterling old hound—

That splendid old big-hearted Rounds;
For whatever he does or whatever he says,

We all of us love to hear Rounds.

We have measured our man with a yardstick that's sound,

We have hunted the wool just as square,

And when we had finished with Honest Old Rounds

The yard and the wool were all there.

And still it is true, between me and you,
No matter how queerly it sounds,
That whatever he does and whatever he say

We all of us love to hear Rounds.

(Prolonged applause; the members rising and cheering.)

The Chair lays before the House, majority report, ought not to pass, minority report, ought to pass, of committee on sea and shore fisheries on bill, An Act relating to maximum and minimum length of lobsters, House Document No. 421 tabled by the gentleman from Wells, Mr. Williams, pending acceptance of either report.

Mr. WILLIAMS of Wells: Mr. Speaker, I yield to the gentleman from Kittery, Mr. Mitchell.

Mr. MITCHELL of Kittery: Mr. Speaker and gentlemen of the House: By a unique procedure, to say the least, of the committee on sea and shore fisheries, friends of the nine inch lobster, of which we had a demonstration yesterday, are unable to come before you in a straight bill. It was understood that the committee on sea and shore fisheries decided that no other bill could be considered except the one before them, which is known as a double-gauge law. This comes before you on a minority report. It is understood that the majority of the committee were in favor of the nine-inch law, and did not sign this report; so that the friends of the nine inch law are under the necessity of making a motion to have the report of the committee accepted and the bill brought before you so that we can offer several amendments. With that in view, I move that the minority report of the committee be accepted.

A viva voce vote being taken, the minority report, ought to pass, was accepted.

Mr. MITCHELL of Kittery: Mr. Speaker, I present there amendments A, B and C, and move their adoption:

The SPEAKER: The Chair will state that in order to get at the wording of the bill the rules will have to be suspended, as it would automatically lie upon the table for printing.

On motion by Mr. Mitchell of Kit-

tery, the rules were suspended, and the bill given its first reading.

The SPEAKER: Pending second reading, the same gentleman presents House Amendment A to House Document No. 421, which is as follows:

Section 1 of House Document No. 421 is hereby amended, by striking out after the word "length" in the third line the following words "or more than 4 3-4 inches in length," and by striking out the words "or longer" in the 8th line, so that said section as amended shall read as follows:

Section 1. No person shall buy or sell, give away or expose for sale or possess for any purpose any lobster less than 3 1-8 inches in length alive or dead, cooked or uncooked, measured in manner as follows: Taking the length of the back of the lobster measured from eye socket to the nearest point of the rear end of the body shell. Any lobster shorter than the prescribed length when caught shall be immediately liberated alive at the risk and cost of the person taking it under a penalty of \$5 for each lobster so caught, bought, sold, given away, or exposed for sale, or in possession. The possession of mutilated lobsters, cooked or uncooked shall be prima facie evidence that they are not of the required length. All lobsters or parts of lobsters sold for use in this state or for export therefrom must be sold and delivered in the shell, under a penalty of \$20 for each offense; and whoever ships, transports, carries, buys, gives away, sells or exposes for sale lobster meat after the same shall have been taken from the shell shall be liable to a penalty of \$1 for each pound of meat so shipped, transported, carried, bought, given away, sold, or exposed for sale. Any person or corporation in the business of a common carrier or merchandies, who shall knowingly carry or transport from place to place lobster meat after the same shall have been taken from the shell shall be liable to a penalty of \$50 upon conviction thereof. All lobster meat so illegally shipped, transported, carried, bought, given away, sold, or exposed for sale shall be liable to seizure and may be con-

fiscated. Nothing contained herein shall be held to prohibit the sale of lobsters that have been legally canned.

A viva voce vote being taken, Amendment A was adopted.

The SPEAKER: The same gentleman presents House Amendment B to House Document No. 421, as follows:

"Section 2 of House Document No. 421 is hereby amended by striking out after the word 'inches' in the second line the following words: 'or more than four and three-quarters inches in length', so that said section as amended shall read as follows:

'Section 2. No person shall can lobsters less than three and one-eighths inches, alive or dead, measured in accordance with Section 35; and for every lobster canned contrary to the provisions of this section, every person, firm, association or corporation so canning shall be liable to a penalty of five dollars for every lobster so canned, and a further penalty of three hundred dollars for every day on which such unlawful canning is carried on.'

A viva voce vote being taken, Amendment B was adopted.

The SPEAKER: The same gentleman presents House Amendment C to House Document No. 421, as follows:

"The title of House Document No. 421, is hereby amended by striking out the following words after the word 'Lobsters', 'and establishing a maximum and minimum length', so that said title as amended shall read as follows:

'An Act to amend Sections 35 and 38 of Chapter 45 of the Revised Statutes determining the measurement of lobsters.'

On motion by Mr. Mitchell of Kittery, the matter was temporarily tabled.

The Chair lays before the House, majority report, ought not to pass, minority report, ought to pass, of committee on sea and shore fisheries on bill, An Act to establish the legal length of lobsters in York county, House No. 73, tabled by the gentlo-

man from Wells, Mr. Williams, pending acceptance of either report.

On motion by Mr. Williams of Wells, the matter was re-tabled.

The Chair lays before the House, majority report referring bill to next legislature with accompanying order, minority report ought to pass, of committee on education on bill, An Act to provide for distribution of state school funds available for the support of common schools, New Draft, House No. 529, tabled by the gentleman from Perry, Mr. Washburn, pending acceptance of either report.

Mr. WASHBURN of Perry: Mr. Speaker, I wish to move the acceptance of the minority report, and I would say to the House that this act provides for a change in the method of distributing the state school funds. It has been presented in the hope of relieving somewhat the excessive educational burdens in some localities and providing for more equal opportunities for education among all the children in the state. The fact that this matter is recurrent and that it comes back to us for a considerable amount of attention each Legislature, is sufficient evidence that the present system of distribution is not entirely satisfactory. This system is well known to all of you. It consists briefly of a three mill tax upon all the property of the state, which is distributed two mills according to the school census and one mill according to valuation paid. Both these methods are open to criticism. The census method is not entirely satisfactory, because it provides no educational incentive, a certain amount of money being guaranteed to every town and city by reason of so many names upon the census list. The fact that those scholars are not in school becomes of no importance. Every town and every city is stimulated to get just as many names upon the census roll as possible, and there the stimulation ends. But from an educational point of view, the valuation system is even more objectionable. It is the actual number of scholars being educated in the schools rather than the wealth and possessions of their par-

ents that ought to be made the foundation of any state wide plan for distribution. There can be no justification for any system that gives to one municipality more money than it can profitably expend, while the people of a near-by town are compelled to burden themselves almost beyond endurance in order to provide the most primitive educational facilities.

Under our present system or combination of systems, certain inequalities have arisen which we are endeavoring to improve. In Lewiston, for example, every child has an educational value of \$25.65; while in nearby Leeds this value is reduced to \$8.18. Augusta draws for each child in the common schools \$25.65; while nearby Hallowell must content itself with \$5.03; and these inequalities extend even to the smallest and most remote plantations. There are municipalities in the state that have absolutely no local rate of taxation for common schools, and yet it was acknowledged at the hearing upon this question that in one of those municipalities there was an unexpended balance of school money amounting to over \$25,000. Let us compare that situation with the situation in the town of Whiting, represented by my colleague, Mr. Crane, whose citizens on Monday of last week voted to assess themselves for school purposes only at a rate of 15 mills on the dollar; and in some Aroostook county towns the situation is even more serious. Believing that something could be done to improve this situation, certain agencies interested in the rural welfare of Maine and backed by the Maine State Grange, have introduced what is known as the aggregate attendance bill. This measure provides that instead of distributing school money according to the census and valuation, the entire amount shall be distributed among the towns and cities of the state according to the actual number of days attendance of all the scholars in the common schools. Certain provisions are made in the bill for the erection of buildings and for epidemics, and the minimum of 150 days is specified for any school. Before going into the

discussion of the effects and merits of this act, I want to speak briefly of its history. As I look around the hall this morning and notice the friendly faces of those who are interested in this proposition, and the not unfriendly faces of those who, while they may not agree with me, are still willing that we should have a patient hearing, I cannot help contrasting my position with that of the first men who introduced this measure six years ago. My memory goes back to that session of 1913, when the aggregate attendance proposition made its first appearance. It was laughed at by the committee. It was refused even a discussion in the upper branch, and 40 men in the House of Representatives voted for it after having had it intimated to them that by so doing they would jeopardize the success of any measure in which they were interested. Two years later, the bill was again presented, under the leadership of a certain gentleman from Oxford county who never knew what it was to show the white feather; never knew when he was beaten; and 63 men in the House of Representatives voted with him. Two years ago, the measure passed the House and obtained a very respectable vote in the Senate. It has grown steadily in favor with its friends and in the respect of its enemies; and we are not entirely disappointed or discouraged that the opponents of the measure have thus far seen fit to dodge the issue and not to meet it squarely. It is not my purpose to go at any length into a discussion of the figures involved in this question. They have been fully and accurately placed before you in Senate Document No. 167 which shows to every man exactly how his town and county are affected. Briefly there are 347 towns and cities in the State that are benefited by this legislation financially, and 173 that lose. But the significant point in regard to the figures is that in those 347 towns that gain, the local tax rate for school purposes is practically 5 mills; while in the towns that lose it is a trifle over 3 mills. That is

to say, the towns benefited by this proposition are those which are already taxing themselves 60 per cent. more than the towns that are losing. But we ought not to look at the matter entirely from the point of view of loss or gain of a few dollars or cents. I believe this to be an educational measure. Consider the advantage, if towns could receive a direct, financial reward for their efforts to increase their attendance and to increase the length of their school year. There are four principal classes of municipalities that lose under this act. First, the cities; then the summer resorts, and the wild land plantations, and finally all towns where there is a low standard of education, and this class always comes in for a great deal of attention in a discussion of this kind. A careful study of the figures and records will convince anyone that absolutely no small, poor town can lose under the provisions of this aggregate attendance measure, providing their children are in school where they ought to be. There is so much money to be distributed and a certain state-wide average would be established. The moment any town or city is above that average in attendance or length of school year, that town or city will gain, and the moment it drops below, it will lose. I want to go further than this and say that instead of losing under the provisions of this act, this class of towns are the very ones who gain most, because it will supply them with the educational support and incentive which they evidently need.

I want to consider one or two of the arguments that are usually presented in opposition to this measure. We have been told that this 3 mill tax, now distributed according to valuation, and which we consider the most objectionable feature of the present system, was never intended as a school fund; that it was some sort of a taxation measure designed to get at the wild lands of the State. That argument was pretty thoroughly broken down in dis-

cussion two years ago. The two years that have intervened have strengthened our position, and this one has now had ten years of active operation as one of the school resources of this State. It is also true that in that 10 years the cost of running the common schools has increased 50 per cent, and it is fair to assume had not that extra mill been granted at that time, it would have ere this been asked for. We are told also that the cities have other heavy burdens than those of education to carry. We shall hear of their taxes for high schools, for street improvement, for fire and police protection. I know how the fellow in the small town pays his school tax. He pays it in transportation and board for his children in the nearby large town or city. Young boys and girls from 12 to 14 never should be sent away from home at all. He pays his sidewalk tax when his children trudge through miles of mud to school. He pays his fire protection tax when he buys a policy at the present rates upon country property; and if he wants police protection he gets it the best way he can. I want to say for the proponents of this measure that the proposition contemplated in the majority report, to refer this matter to a commission to report to the next Legislature is entirely distasteful to us. It may serve its purpose; but it will never satisfy the people of rural Maine or the great organization which represents them. I cannot conceive of any such committee or commission arriving at any valuable, impartial conclusion, unswayed by local interests or outside pressure. I apprehend that the agents of the large schools will be just as active around the deliberations of that commission as they are about the halls of the State, and the same towns will have their usual feeble representation. In 1912, we had just such a committee appointed to consider this matter. It was composed of men, honorable and well qualified. They considered the question from all its angles. They weighed the evidence, held meetings in various sections of the State and reported. What became of

the report? It was ordered placed on file and it is still on file, somewhere among the archives, absolutely worthless, because the varied interests on that committee could not arrive at anything but a few harmless, inoffensive recommendations. They were agreed in condemning both the present methods of distribution, and a new commission will hardly go further than that. But we have gone further, and we have suggested in this bill a specific remedy for some of the evils which now exist. This is not presented as the panacea for all the ills of the country school. They are too many. It is not presented as the ideal method of distribution because those who have studied the matter, and best know, have told me that there is no ideal method; but it is presented in the belief that it will relieve some of the conditions which exist, and that it will afford some help where it is sorely needed; that it will provide an educational spur and incentive, too, where it is sorely needed. The great State of Maine will never be satisfied with any attempt to evade this question. We believe that the educational needs of rural Maine are immediate, not something which may come to pass at some future date. They demand attention now. In a few years it will be too late. Within 30 years the urban population of this State has increased 100,000, and the rural population has fallen off. The flocks and herds are disappearing from our hillsides, and our production is being reduced. The Maine farmer stands today with his back to the wall. War-time profits in common with all other industries have passed him by. Every newspaper that comes to hand presents its columns of farms for sale, and every produce train that rumbles westward through this capital city tells the story of loss and discouragement. Rural migration no longer means the drifting of a few brilliant sons to the city, but it now involves the uprooting and transplanting of whole families, representing the best citizenship and the highest culture of the country towns. I doubt if any young man has the right to bring up a family of children and subject them to the educational dis-

advantages that exist in the average country town in Maine today. The result is that rural leadership has disappeared, agriculture is declining and country life is lessened socially and economically, and the chief cause of it has been the decline of the country school. I do not wish to detract from the work of the little red schoolhouse. It has dear associations for all of us. It has had its part in the making of our country, but it has served its day. The strong young man teacher and college graduate of 50 years ago no longer finds it profitable, and the little red schoolhouse with its precious inmates is left to the tender mercies of some high school girl, whose only recommendation may be that she comes within the financial requirements of the town.

The small towns of Maine, with the exception of a few that have a high non-resident valuation, and some where the educational conditions have reached a low ebb, are demanding this legislation as a matter of state-wide benefit; and the small town representatives of this Legislature have not been inconsistent. We have voted with our brethren from the cities for practically every matter of state-wide benefit. We have approved their projects for city armories. No voice has been raised against their proposition for a State pier, although we were not entirely ignorant that the title of the act might have been more specific. We have stood with them for any legislation tending to make improved conditions in the State among its business men, its professional men and its laboring men; and yet above all these I set the humble sacrifices of toiling men who cent by cent accumulate a sum sufficient to put within the reach of their boys that education which is the magic wand that puts power within his eager grasp and sends him forth a man. No person interested in the success of this act has any desire to interfere with the institutions of our cities. We are proud of them. Over in the eastern part of the state we have some pride in the city of Bangor. Bangor is the hub of the universe to us, and yet I read with

anything but pride an editorial that appeared in one of their great dailies less than eight months ago, in which the writer congratulated Bangor and its inhabitants upon the fact that they had so far developed their public school system that they were drawing in all of the inhabitants from the surrounding towns. What a vain cause for felicitation! What a mistaken idea of progress! How much better it would have been could they have blazoned across the entire front page of their publication the startling news that out of the towns of Howland, Kenduskeag and Hudson the people were so well satisfied and supplied with good schools that their children had gone happily to school and their farmers happily to the fields which they loved and which they were fitted to work in.

Mr. Speaker, I have not the right to take more of your time upon a question upon which so many will desire to be heard. But I do believe that the time has come when all sections of Maine should be drawn together in a common interest, and that this cooperation should extend to educational as well as to all other activities in which we are interested; and I predict that the time will come very soon when the result of this cooperation will make itself felt most happily in these very centers which are opposing it today. (Applause.)

Mr. PHILLIPS of Bar Harbor: Mr. Speaker, this is not the time nor is the hour fitting to enter into an oration or argument on what we need. What I purpose to give you is a few facts as to the working of this law in Hancock county. I shall be obliged to ask the House to take my word when I say that in the towns for which I am speaking I am thoroughly acquainted. For the most part they are towns in which I have practiced medicine for many years. I simply wish to show you exactly how this law will work, compared with other laws, in some of the other towns in Hancock county. It is true that the town which I represent loses about one third if this law is passed; but, on the other hand, here is the little town of Aurora which loses under

this act from \$143 to \$116.36. This town has been practically ruined on account of the loss of lumber and the lumbering interests in their section. The town of Brooksville is not a rich town; it loses \$150; Castine loses nearly one-half. Dedham, a little back town, this new law would take from her—she is now getting \$588 and she would get under the new law \$471. Deer Isle gains from \$2000 to \$4000. The town of Lamoine is the richest town in Hancock county, both as a town and individually according to its inhabitants. The little town of Mariaville up in the backwoods, with one or two schoolhouses in it at the present time, now getting \$196, would get under this new law \$124, with the schoolhouses miles away oftentimes from the people, where the children cannot possibly get to them in such a winter as it was a year ago. Lamoine gains, on the other hand, and I think they have not a town pauper nor a dollar of debt. They are now getting \$639, and under the new law would get \$726. Penobscot cannot be called a rich town and she loses nearly \$100. The little island of Verona is certainly not a rich town. She now gets \$277; she would then get \$230. Waltham, another up-river town ruined by the lumber interests! When I first began life in the city of Ellsworth there were 18 mills on the river. There is now one. All these towns depend upon the lumber interests. Waltham now gets \$287 and she would get under the new law \$219. But poor little Moose Hill, way up in the woods, now gets practically \$100. She will get under the new law \$65.78. Certainly the new law does not benefit the smaller and poorer towns in the county in which I live.

Mr. HINCKLEY of South Portland: Mr. Speaker, I hope that the members of this House will listen to me for about three minutes, and I will try to get through in that time. I hope that the members will not consider this matter from a selfish standpoint—from the standpoint from what "my town" or "my community" gets out of this matter. The city of South Portland which I have the honor to represent in this body, if this bill be-

comes a law, will become enriched approximately \$6,000 every year. Regardless of that fact, I am going to vote against the bill, and I believe when my constituents realize and understand the situation as I do, they will stand by me in the matter. Selfishness or expediency never changes that which is unfair to that which is fair. Selfishness or expediency never make a wrong right. I have studied the history of this matter, and I ascertain that it originated from a proposition or attempt in behalf of the Legislature and the citizens of this state to impose a tax upon the wild lands of this state; and I have discovered that the most feasible way that this could be done, realizing that it would be illegal to impose a direct tax or a special tax upon the wild lands—the only feasible way it could be worked out was to impose a mill tax upon all the property in this entire state. Now with that in mind, and having come to that conclusion, the next step was, how are we going to dispose of this matter properly, or to the best advantage and to the best interests of the entire State? And it was then decided that the mill tax which should be imposed and must be imposed on all the property of the State in order to impose this special tax upon the wild lands of the State, should be turned over to the schools. It might just as well have been turned over to the Sea and Shore Fisheries Commission, or to the Inland Fish and Game Commission, or to any other Department of the State; but it was deemed best to turn it over for school purposes. Now bear in mind, gentlemen, that the only reason under Heavens for imposing this mill tax upon the people of this State was simply to get at the wild lands and tax them, and it was agreed to turn it over to the schools.

Now it was further understood and agreed—and you can all see that it was in absolute fairness an equitable proposition—that this money that was taxed to the various cities and towns in this State in order to get this tax upon the wild lands, should be returned to them, and every dol-

lar of it in all fairness should go back to the city or town which has given it to the State in order to get on this special tax on wild lands. It was worked out and figured out that the best and fairest way, the most honest, honorable and equitable way, to return this was by the bill which has been a law for several years in this State. Now certain cities and towns have conceived the idea after this has been working for several years that they would get more money for their towns by proposing and enacting into law an aggregate attendance bill.

Now that is the situation and that is all there is to it, men. The aggregate attendance bill would give to certain cities and towns more money than they are getting now; but I say to you that in all fairness and honesty no city or town—my city has no right to take \$6000 from the city of Portland under these circumstances. I am opposed to it and I will not stand for it. Under this bill Portland is now paying many thousands of dollars more than she is getting out of it, but it is as fair as it could be worked out. Under the proposed bill they are going to add an additional \$57,000 on to the city of Portland. I say to you, men, this Legislature has no right to do it, and I am astonished that this body of men should seriously consider, knowing the history of the bill and those who are interested most under it, would seriously consider—and I use the word advisedly—stealing this money that their own city or town might get the advantage. That is the fact of the matter. Yes, my town would be benefited \$6000; but, men, we would lose our self respect if we did it. I am opposed to the bill and I hope a commission will be appointed to work this matter out without fear or favor, and when it is worked out, simply say to those cities and towns who are willing to join in order to get this special tax that the money which you pay will come back to you because it is only yours, it is your right.

Mr. CLASON of Lisbon: Mr. Speaker, I wish to say a few words on this proposition. I will say in the

beginning that I agree with the gentleman from South Portland (Mr. Hinckley) that a commission is the only proper way to work out this proposition. School work has been my life work and I am interested in anything that pertains to schools. It is my belief that both the proponents and the opponents of this measure realize that it is not entirely satisfactory. They also realize that the present method is not entirely satisfactory. My town gains under this proposed bill, but I think that is not a sufficient reason why I should vote for this proposition. I believe that the experiences of the last three Legislatures in reference to this bill will aid a committee in bringing about a more satisfactory solution than the present bill now before us.

I can say from my own knowledge that school conditions in rural towns have improved a great deal in the past ten years under the present law. No doubt in some sections they would be improved by this proposed method; but I think now a mistake would be made unless a fair committee could be selected that would finally settle this solution. If this solution is not settled by means of a committee, I feel very sure that every legislature from now to eternity will be discussing this proposition either one way or the other. If this bill passes, the opponents of the bill will appear before the Legislature two years from now, presenting another bill. A fair committee in my mind would settle the whole question.

Mr. VARNEY of Jonesboro: Mr. Speaker, this subject now under discussion is a very broad and important one, involving the entire common school activities of the State of Maine; and if it is passed to become a law, it will be one of the foremost steps along the lines of education and reconstruction that the State of Maine has yet taken. In discussing this question, I shall confine my remarks chiefly to the divided report of the committee on education. Now it must be assumed that this report of the committee on education directly indicates that all the members

agreed that the present method of distributing the State school funds is absolutely wrong; and I am basing my reasons for this statement on the nature of the reports which this committee have submitted.

1st. A report "ought to pass" on the proposed aggregate attendance method.

2nd. A report—to refer the question to a recess committee to report to the next Legislature. And

3rd. We have no report supporting the present method of distributing the State school funds. Therefore we must all admit that by their reports the committee on education has conceded the fact that the present method is absolutely wrong; if not, why then did they not submit a report "ought not to pass" which would be in support of the present method?

Accepting the above conclusion—that the present method is neither just, equitable, nor receiving support, there are two courses open for adjustment.

1st. To accept the unjust arrangement proposed by the majority report and continue with the present law, for another two years pending the report of a committee. And

2nd. To immediately remedy this injustice and accept the report "ought to pass" and enact the aggregate attendance law.

The order accompanying the majority report is in substance as follows:

Ordered, that whereas the 79th Legislature has under consideration a bill to provide for the distribution of State school funds for which there is little time to give the proper amount of investigation and consideration, therefore,

Ordered, the Senate concurring, that a special committee of seven be appointed, two by the President of the Senate, three by the Speaker of the House and two by the Governor, and that said committee be directed to investigate the present and proposed methods of distribution of school funds, and private schools and academies with their relation to the public school system.

To accept such an unjust arrangement is unfair and unnecessary for five reasons.

1st. Because it will be practically impossible to have a committee appointed in compliance with the requirements of this order, that can and will give this matter half the study and consideration that the various members of this Legislature, who have been and who are now actively interested in the matter have given it for the past six years.

2nd. Because this Legislature is capable of solving its own problems. The people expects it to solve its own problems and not to shirk the duties imposed upon it by turning such matters of importance over to committees or commissions.

3rd. Because this Legislature has a knowledge of this problem as great, if not greater, than of many other problems which have been before it, and upon which it has not hesitated to act.

It has been discussed on exactly the same basis for three terms of the Legislature.

Included in the membership of the present Legislature are many with service in previous Legislatures as well as many others who have made a careful study of the problem, because of local interest in the schools.

4th. Because members of the committee on education have a knowledge of the problem and have little excuse for asking to be relieved of the responsibility of reporting definitely. They have had prepared a report of 43 pages giving figures showing the effect of the proposed method, which in my opinion is a much fairer and more impartial and unbiased statement of facts than could be expected from any committee appointed in compliance with the requirements of the order accompanying the majority report.

Five members have previously served on the committee and have studied this same problem on the committee. One of the five members has served six terms, one four terms, one three terms, two two terms and two other members of the committee were members of the 78th Legislature and actively interested in this particular bill.

5th. My last reason is because the committee proposed by the majority report is a camouflage, devised by big city opponents of the bill and erected

with the hope that it may shield them from a change in the method of distribution for another two years' period. Realizing the support which the proposed law gained in the 78th Legislature, the opponents have not the moral courage to fight it out at this session on the previously clearly defined lines of aggregate attendance against census and valuation.

I believe that in the interests of the federal and state reconstruction program, that immediate action is desirable and absolutely necessary.

We cannot expect those honored soldiers of Maine who fought overseas in the great world war for Democracy to reclaim those abandoned farms in rural Maine of which we hear and read so much; and settle down to the task of gaining a livelihood for themselves and their families without some thought and consideration for the future welfare and education of their children. Surely the educational advantages (or disadvantages) offered by these rural communities should be taken into consideration as well as the opportunities which they offer for earning a living.

These poor towns which are struggling with the rural school problem are now facing a most critical period. In the period between 1910-11 and 1917-18, local common school support has had to be made three times as great, and the local school tax rate is over three times as large, the state average being 1 3-10 mills in 1910-11 against 4 3-10 mills in 1917-18.

These figures demonstrate the fact that these towns are seriously in need of assistance.

Many of the opponents of the bill agree that in considering its merits it is far more just and equitable than the present method of handling the state school funds and admit that they are basing their opposition on the financial effect which it will have on their communities, rather than on the educational effect which it will have on the state at large.

This act relating to the distribution of all state school funds available for the support of common schools according to aggregate at-

tendance, which is now before us for our consideration, is, I believe, the fairest, the most equitable, and will produce the best results for the children of the state of Maine along educational lines of any method which can be devised.

Because it distributes the state school funds equally among the different cities and towns for the education of the children who are actually in the public schools, and not for the children who are working in factories or on the farms or attending private schools.

While our compulsory school law is sufficiently stringent to compel all children of compulsory school age to be in school, yet school authorities have been somewhat lax in enforcing it. The proposed bill will provide an incentive toward the enforcement of our truancy law, which in the past has been so carelessly handled.

It will place a premium on the cities and towns to encourage its children to attend school.

The figures which your committee on education has had prepared show in a number of instances where some small towns will lose by the proposed method.

This is brought about through the failure of these towns to maintain a school year of average length. The aggregate attendance law will also provide an incentive for these towns which have hitherto been obliged to maintain a short school year through a lack of funds, to increase the length of its school year.

Aside from the fact that the proposed aggregate attendance bill is fairer, more just and equitable, than the present law, the incentive which it will produce for the strict enforcement of our truancy law and in encouraging our children to attend school and to maintain the longest possible school year in all communities, is sufficient recommendation to warrant its passage. Therefore, I hope that this House will vote to accept the minority report, ought to pass. Let us forget for a moment the awful agony through

which the world has just passed and look forward to the future when tyranny shall be overthrown and the people come into their own—when Peace reigns and Justice governs. (Applause.)

Mr. WARREN of Portland: Mr. Speaker, this subject is one that has come before every Legislature for a great many years. It is evident that the law as it now stands is not as it should be. I have learned since the speaking began here that this proposed law is unfavorable and unjust, not only to a great many of the cities, but also to many of the small towns. Now it seems to me that in order to get this thing right and get a just and equitable law, we should not pass this bill as proposed here, because it does not seem satisfactory in any respect; but it should be referred to this commission as has been suggested for them to make such investigation as is necessary and bring in a bill that will be just, equitable and right in every particular, and not pass this bill as it is now. It does not seem to be either fair or just.

Mr. BOWIE of Falmouth: Mr. Speaker, the problem of providing an exact and equal distribution of a common school fund is one of great difficulty. I do not believe that we have any reason in the State of Maine to be ashamed of our educational institutions. Are you ashamed of the educational institutions of the State of Maine? Am I ashamed of the educational institutions of the State of Maine? I do not think we are. We are proud to know that the State of Maine in the performance of its educational duties has always acted liberally, generously, and in accordance with the principles of equality and justice insofar as that has been possible so to do. It would be useless to state that there are not inequalities or defects in our present method of distribution; but I will state that to my mind there has been absolutely no bill presented to this Legislature which aids with any degree of certainty and due relief the present inequalities and defects as they now exist. I do not feel that I could vote to support this proposed meth-

od of distribution of the common school fund of this State unless I was led to believe, by strong and appealing evidence, that by so doing I was best protecting the taxpayers and the educational institutions of this State.

Now there is a great tendency to line up the towns in opposition to the cities on this proposition. The gentleman from Perry, Mr. Washburn, has referred to the hard times that the towns are having in bearing their burdens of taxation; and to my mind this is a proposition of taxation. It is to relieve the burdens of taxation and not impose burdens of taxation. He states that one of the chief causes of the young man and the young woman leaving the country town is because of the neglect of those towns, or the inability of those towns to give to those young men and those young women and those school pupils advantages for education. I could hardly believe that to be a fact, and I could hardly believe that the abandoned farms in the State of Maine are due to neglect of education. Of course when we get down to the fundamental and chief causes for farm abandonment, we have got to go into questions of economics which I believe are equally as dangerous as the question of distribution of school funds.

Now there are some towns and cities that are receiving more under this school distribution than they pay into the State treasury; there are some that are receiving less than they pay into the State treasury in support of common schools; and inasmuch as the cities are referred to, let us take into account the largest city in the State of Maine—Portland. Portland pays into the State treasury for common school purposes \$226,545.37 and receives back from the State by our present method of distribution the sum of \$170,269.97, or \$56,275.40 less than it pays. Now adding to this \$56,275.40 the sum of \$56,393.83, which it loses by this proposed change of distribution the sum of \$170,269.97, or \$112,668.23 which Portland stands to lose. Now are the burdens of taxation confined absolutely to the towns? I will ask you to go with me into our large

cities, and there you will find men working hard days, nights and Sundays in order that they may provide their families with the necessities of life. You will find men working hard and toiling in order that they may buy and pay for their own homes in which to support their families. You will find men working and toiling and living under conditions that are far worse than those to be found in our towns. In our cities they do not have the privilege of roaming through the fields and forests and enjoying the many things that they enjoy in the towns, and they have to pay one hundred cents on the dollar for everything that they receive in those cities, and it is hard work for many of them to make both ends meet. Neither are the burdens of taxation confined alone to the towns. With Portland it means an increased tax of \$112,668.23. This bill should be for the purpose of relieving the burdens of taxation and not increasing them; and what is true of the cities is also true of some of the towns. Take my own town of Falmouth, for instance. It pays into the State treasury for common school purposes the sum of \$5385.77, and gets back \$3609.58, or \$1776.09 less than it pays; and by the proposed method loses \$597.97, which added to the \$1776.09 makes \$2374.06 which Falmouth stands to lose, again increasing the burdens of taxation; and in my town there are many men who have hard work to pay their taxes.

This question has been before prior legislatures for the last six years, and yet do we find the superintendents of our schools throughout our State who are directly engaged in school work coming here and asking us to adopt this proposed change. Do we find municipal officers of our towns and municipalities, who have to deal directly with our town finances, coming in here and asking us to make this change? And notwithstanding the fact that it has been before these past legislatures, there is absolutely no evidence that can be produced that there is throughout this State any general intelligent agitation in any important

degree in regard to this proposed measure.

Again admitting that there are some defects and inequalities in our present system, are any precedents introduced to prove that these proposed changes will eliminate those defects? You find cases where they will not. Take Fort Kent in Aroostook county, which stands in a way to gain \$3,703.80 by this proposed change, and we find that Fort Kent pays into the state treasury \$2,379.64, and gets back \$6,834.52, or \$4,454.88 more than it pays in, and by this proposed change would get back \$10,538.32. Is that eliminating inequalities? Is that eliminating defects? Again Madawaska in Aroostook now received back over three times what it pays into the state treasury, and by this proposed bill will receive back over four times what it pays into the state treasury.

Now we have an equalization fund under our present laws. That equalization fund provides that these small towns are not receiving the benefits they should because of the present defects and inequalities in the method of distribution will be relieved from those inequalities. Does this committee which advances this new proposed theory in support of it, and recommending that it ought to pass, do they advise eliminating the equalization fund? No, not at all, because it is going to be just as necessary for the equalization fund if this new proposed method of distribution is put into practice as it now is.

Gentlemen, I believe that we are going to continue the policy of this state in representing justice and inequality in the school distribution of funds, and I believe that we are not going to vote to change our present method of distribution, involving over three million dollars in the next two years, unless we are strongly convinced that by that change we best serve the citizens and educational institutions of this state.

Mr. PATTEE of Harmony: Mr. Speaker, it was my purpose several days ago to speak to the House at some length upon this subject; but the hour is getting late, statements

have been made much better than I could make them and I simply wish to call your attention to **just a few facts that have been placed before this House here and misrepresented**—not wilfully I do not wish to say, but simply through ignorance of the actual facts.

The gentleman from Bar Harbor (Mr. Phillips) has told you the situation in Hancock county. He has told you of the poor little town of Aurora, and right here I wish to remark, gentlemen, that I do not suppose Aurora ever thought she would attain the prominence that she has in the past four years in the state of Maine Legislature. You are told of bleeding Aurora; that was the term used here two years ago. In the town of Aurora the aggregate attendance is somewhere between eight and nine hundred. She receives approximately \$143 from the state, and that by this proposed bill will be cut to \$116 or \$117 or something of the sort.

The gentleman has entirely lost sight of the fact that this bill limits the aggregate attendance to 1500, and the facts of the case are that Aurora will receive more than she ever has before. The same reason applies to Mariaville, Verona and Waltham—everyone in like situation, and everyone will receive more than they do at the present time, under the terms of this bill. It is true that Bar Harbor, Castine, and Mt. Desert lose under this—also Sorrento—from the fact that they have been obtaining for years a proportionately larger amount than the other and smaller towns of the county and of the State, and it is right and just that they should lose. They have not been taxing themselves locally. Let us see what the figures say, and gentlemen, I wish to say to you that the figures that I am going to quote here are absolutely correct, and you can verify them in 10 minutes from the sworn statement of the school officials and the municipal officers of the various towns and cities throughout the State of Maine in the State department, if you wish to.

Lewiston strenuously objects to

the passage of this bill. Lewiston has a large enrollment of children, and the figures show that 24 per cent of the children of Lewiston are attending their common schools, which simply means, gentlemen, that 24 children out of 100 are attending school and Lewiston receives from those 24 children—gets the benefit of the money that should be expended on 100; and by reason of this fact the city of Lewiston has been able since July 1, 1915, to have unexpended school funds carried upon their books of approximately \$39,000. I do not imagine that they had that money in the treasury. I imagine that that money has been spent on the roads and bridges and the municipal courts, and things of that sort. I imagine it is simply a paper balance; but Lewiston, if required to do so, must record it. Is this right? Is it just to the children of the State of Maine? I believe you will say that it is not. Biddeford has 19 per cent of her children in school, and up to July 1st, 1915, Lewiston and Biddeford were, through a lapse in the law, unable to spend their balances for any municipal purposes that were voted; but I will say in the case of Biddeford that she did apply this excess balance to building a new \$40,000 schoolhouse. Nineteen per cent of the children in school receiving the funds that should be expended on 100 children! Sanford, 36 per cent in school; Augusta 48 per cent in school; Brunswick 33 per cent; Portland 48 per cent. We hear a great deal about Portland, gentlemen, and there are some misstatements about Portland. But in connection with this percentage in school, first. I wish for you to compare the percentage of attendance of the cities with the towns, and I will select these at random. I will take my own town first because I know the conditions there, and I am proud to say, gentlemen, that Harmony has 82 per cent of her children in school, so far as I know the highest percentage in the State; Bingham 81 per cent, Lisbon 80 per cent, Windham 75 per cent and Monmouth 65 per cent. So it goes, gentlemen. Throughout the State in the country towns the percentage of their children in schools

is largely in excess of that of the city and perhaps reasonably so.

We are told of the immense amount of money that the city of Portland pays into the State treasury. I do not see that that has anything to do with the question at all. The facts of the case when you get right down to cases are that the city of Portland pays for her schooling the money assessed for legally defined school purposes 90 cents for every dollar that she receives from the State, other statements to the contrary notwithstanding. In the case of Lewiston, owing to the small percentage of children attending school, every child has a school valuation of \$25 in excess; Biddeford \$31.85; while the town of Harmony, which is just about an average of the towns throughout the State receives something like \$7 per scholar. The entire State average is \$11.19. Portland assesses herself for local school purposes as defined by law—I do not mean for building schoolhouses or anything of that sort—the magnificent tax rate of four-tenths of one mill. Scores of towns in the State, gentlemen, assess themselves ten mills, quite a good many twelve mills, and in exceptional cases 15, 16 and 20 mills.

I believe, gentlemen, that there is but one logical conclusion, and that is that the present method is entirely unjust, and that is admitted by school officials throughout the State. I have talked with superintendents of schools in private, and they have admitted to me that the principle of aggregate attendance is absolutely correct. We know, gentlemen, that it is very hard for man or a corporation or a municipality to give up that which they have, no matter how they may have attained it. We expect the cities and large towns to be lined up against the rural districts from the nature of the situation. Your committee of education, gentlemen, is lined up practically along those same lines and the vote in this House today will be lined up practically along those same lines. If the proposed committee of investigation is an accomplished fact, their report will be along those lines, and your committee on education two years hence will

be placed in the same position that it is now and that House will be placed in the same position as is this House at the present time. It is simply an easy way of dodging the issue; it is an acknowledgment of weakness. The aggregate attendance idea is constantly growing and it will obtain sooner or later; the committee simply puts off the fatal day. Remember this, gentlemen, some of you who return to this House, remember what I tell you in regard to this and see if my prophecy does not fall true.

Mr. LANPHER of Sebec: Mr. Speaker, this question has already been pretty fully discussed and I cannot add much to the discussion. I will only take a minute to put myself on record as favoring the passage of this bill. I am speaking now not only for myself but for my county. Piscataquis county is in favor of the passage of this aggregate attendance bill and the passage of it now. If this were a new matter, a matter which were coming up before this Legislature now at this session for the first time, I would be in favor of the appointment of a commission to investigate and report to the next Legislature; but, gentlemen, this is not a new matter. This is a matter that has been talked of for the last ten years in every country church, every grange hall, and in every teacher's meeting where people have gathered together in this State. It has been discussed pro and con, and already we have our minds made up for or against this measure, and we are qualified to vote on it today. This matter of appointing a commission, in the light of all the discussion this matter has had for the last ten years, is simply for delay, simply stalling for time; and I claim that we ought to vote on it and vote in favor of it and pass it now for the benefit of the rural portions of this State. If the cities and large towns would realize more closely how their welfare is bound up in the welfare of rural Maine, they would look on this in a different light.

On motion by Mr. Reed of Bangor, a viva voce vote being taken, the House recessed until 2 P. M.

After Recess

The SPEAKER: The House is considering the Grange bill.

Mr. BUZZELL of Belfast: Mr. Speaker, I move the previous question.

The SPEAKER: The gentleman from Belfast, Mr. Buzzell, moves the previous question. As many as are in favor of that question will rise.

A sufficient number having arisen, the previous question was ordered.

The SPEAKER: Shall the main question be put now? All those in favor will say yes; those opposed no.

A viva voce vote being taken, the main question was ordered.

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

The SPEAKER: All those who are in favor of the yeas and nays, will rise.

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

The SPEAKER: The question is on the motion of the gentleman from Perry, Mr. Washburn, that the minority report, ought to pass, be accepted. All those who are in favor of accepting the minority report will say yes when their names are called; and all those opposed will say no. The Clerk will call the roll.

YEA—Adams, Alden, Arthur, Audibert, Austin, Millford; Austin, South Berwick; Barnes, Bragdon, Brown, Buzzell, Case, Cates, Chamberlin, Lebanon; Chaplin, Chellis, Clifford, Colcord, Cole, Corliss, Cowan, Crane, Cunningham, Daigle, Davis, Freeport; Dolloff, Dunning, Farnsworth, Flint, Foss, Forbes, Fowles, Fuller, Furbish, Gray, Granville, Greelev, Grinnell, Hatch, Holley, Houghton, Hussey, Jillson, Lanpher, Leathers, Macomber, Mathews, McLeary, Miller, Millett, Mitchell, Murchie, O'Connell, Orff, Overlock, Owen, Pattee, Peabody, Perkins, Orono; Pike, Plummer, Porter, Putnam, Rowe, Rowell, Sanborn, Sawyer, Stacey, Stanley, Storm, Swift, Thomas, Harpswell; Tilden, Varney, Jonesboro; Washburn, Weatherbee, Wilson, Presque Isle; Wyman.

NAY—Allan, Portland; Allen, Sanford; Faxter, Bean, Berry, Bowie, Brackett, Bragdon, Brann, Brewster, Carey, Carleton, Casey, Chamberlain, Winlow; Clason, Cochrane, Conary, Coulombe, Dein, Doyle, Dunn, Eaton, Fagan, Gilmore, Hanson, Hinckley, Jones, Jordan, Cape Elizabeth; Jordan, New Gloucester; Langelier, Lauzier, Leonard, Love, Maher, Morin, Mulligan, Murch, Murray, Nelson, O'Leary, Perkins, Boothbay Harbor; Phillips, Reed, Ridlon, Roberts, Rounds, Savage, Simons,

Small, Smith, Sullivan, Varney, Windham; Warren, Williams, Auburn; Williams, Wells; Wilson, Portland.

ABSENT—Anderson, Burns, Eagle Lake; Burns, Madison; Davis, Old Town; Dutton, Hammond, Hisler, Mace, Marr, Mason, Ricker, Ring, Stevens, Sweatt, Thomas, South Portland.

Yes—77.

No—56.

Absent—15.

Paired—Crabtree (Yes); Garcelon (No).

The SPEAKER: Seventy-seven having voted in the affirmative, and 56 in the negative, the motion that the minority report ought to pass, be accepted, prevails.

On further motion by Mr. Washburn, under suspension of the rules, the bill received its three several readings and was passed to be engrossed.

On motion by Mr. Pattee of Harmony, unanimous consent was given, and that gentleman introduced out of order, under suspension of the rules, the following order:

Ordered, that 500 copies of Dr. Phillips' poem be printed for the use of the House.

The order received a passage.

On motion by Mr. Holley of North Anson, unanimous consent was given and that gentleman introduced out of order, under suspension of the rules, Resolve in favor of the pay roll of the House of the 79th Legislature; and on further motion by the same gentleman, under suspension of the rules, the resolve was given its two several readings without reference to a committee and was passed to be engrossed.

The SPEAKER: The Chair lays before the House, the reports on the maximum and minimum length of lobsters. Before recess we were discussing certain House amendments. Senate Amendment B was not acted upon by the House this morning. It was read at the time but another paper accompanied it, also marked B which had nothing to do with it. Now is it the pleasure of the House, having already adopted House Amendments A and C to adopt House Amendment B. If it is desired, the Chair will read it again; otherwise put the vote.

A viva voce vote being taken, House Amendment B was adopted.

Mr. MITCHELL of Kittery: Mr. Speaker, I move that the rules be suspended and the bill be given its third reading.

Mr. THOMAS of Harpswell: Mr. Speaker, I move that the bill with the amendment be indefinitely postponed. I have not consumed a great deal of the time of this Legislature this winter and I ask your indulgence for a few moments. I am opposed to this bill in toto, absolutely, and I will state my reasons to this Legislature. I have sat in this chair this winter and listened to arguments pro and con and in some instances at the end of the argument I have failed to understand on which side of the question some of the gentlemen were speaking. Now in order that the members of this House may understand the position which I take on this question, it is necessary for me to tell you who I am, and where I come from. When I was a young boy, 13 years of age, I went to the city of Gloucester,—went fishing out of the city of Gloucester. I came home and went to school in the winter, and the following spring I did the same thing. I followed the water for 12 years previous to my marriage. I have sailed the coast from Block Island to Newfoundland. I do not say this in a boastful way, gentlemen of the House of Representatives, but I do it so that you can more fully understand that I am acquainted with this question before you today. I do it because I want the good people of the State of Maine and especially the members of the House of Representatives, to know that I understand this question that is before you. Now I live way down on the jumping-off place, down here in Harpswell; down where I can see the ocean steamers from England going to Portland. I have a wharf down there and a boat house where I do work. I can go out any time and stand on the capstan of the wharf and see the fishermen when they come in with their nets and dispose of the lobsters to the smackmen. I can go down on the deck of that smack and see those lobsters. I can

stand there and so can the fish warden, and so can any other man if he wishes to do so. Those people down there do their work open and above-board. Now one day some years ago, someone,—I do not know who,—conceived the idea that in order to conserve the lobsters along the coast of Maine, they had to form some kind of an organization, and some gentleman in my district said to someone else, it is necessary for us to form a union. They invited me to join that union, Mr. Speaker and gentlemen, and I gladly accepted the invitation. I joined that union. I was a member of that union then and I am a member of that union now, and may my right hand fall to my side and my tongue cleave to the roof of my mouth if ever I will go back on that proposition. Now, Mr. Speaker, what were the by-laws of that union? The by-laws of that union were the laws of the State of Maine; and that is what I am here representing today, Mr. Speaker, on the floor of the House of Representatives. Uneducated and uncouth, I stand before you. I have no lobsters to treat the House of Representatives to. I am too poor to buy lobsters to treat the House of Representatives to. I have no constituents to come up here when the House of Representatives is in session and stand along side of our Honorable Speaker and lobby in the House,—unprecedented in the State of Maine, Mr. Speaker. Mr. Speaker, go home to your house tonight, and as the shades of night are falling, you discover a man about to break and enter into your house. All you have got to do is to say, "Hold on there, mister, I will go back to the House of Representatives and get a law passed to make that thing legal, and then you can steal according to law." Mr. Speaker, that is what that bill means exactly. I have been criticized and called the honest gentleman from Harpswell. Is there any dishonor in claiming to be honest? Is there any dishonor in claiming that your constituents are honest? I am up here trying to be an honest man, to represent an honest constituency, and I am not ashamed of it. That bill

simply means this, that the House of Representatives is asked to make legal the doings of people who are doing their work illegally. That is exactly what that means. Now I say to you, those people that are doing an honest business, living up to the letter of the law, are you going to cut the cords that bind them, and let them go drifting down the river until they are stranded on the rocks of time,—and it will be but a very short time at that if this bill passes this Legislature. Are we here to do our duty? Are we here to live up according to the law, as we said we would do when we came here? No; we do the things that suit our convenience best. It will be said on this floor that the Boston smacks are getting lobsters which Maine ought to have. How are they getting them? They are doing it by men in an illegal business. I am not here representing the men doing an illegal business. I am representing men doing a legal business, and every dealer on the coast of Maine knows it. It will be said, I have no doubt, that if this bill passes, you will get your lobsters cheaper, and you will get more of them. Mr. Speaker and gentlemen of the House of Representatives, as a man who knows, I say that thing is not a fact, and you will find it out to your sorrow; and if you pass this bill through the House of Representatives, you will repent in sack cloth and ashes. Mr. Speaker, I have been around to the members of this House and I depend on their honesty, their integrity and their uprightness to support me in this contention, and to support the laws of the State of Maine. As I said before, when I became a member of that lobster union, I said to some of those people there, perhaps it would be well to have a banquet, and we had a little banquet down there. The people down there came to that banquet,—the fishermen from all over our town came, the young, the middle-aged and the old, and right there they took their oath to live up to the laws of the State of Maine. No doubt I will be asked here if I do not know of some people down

in Harpswell who are not living up to the law. Mr. Speaker and gentlemen of the House of Representatives, how am I to know everything that is going on there?

I do know this, and I proclaim it to the State of Maine today, that the people down there are living up to the letter of the law so far as I know. Now, is not that enough, Mr. Speaker? If you people that live down on the coast go home to your constituents and say to them, let us live up to the laws of the State of Maine. Let us have a banquet. Let us get the people together. Let us ask them to live up to the law, and by so doing we will conserve the lobster industry of the State of Maine. Does not that solve the problem? Ah, Mr. Speaker, if you pass this bill because you had lobsters upstairs yesterday, is the House going to be so small as that? No, sir; the gentleman from Harpswell does not believe it.

Why were not the dealers up here before that committee the other day to make known their wants? Not one of the Portland dealers showed up. Why did they not come before this committee? Because they thought they could do their work otherwise. But, Mr. Speaker and gentlemen, I do my work open and aboveboard. I say to you that I hope you will indefinitely postpone this measure, and if you do, you will perform a duty to the State of Maine that you will never be ashamed of. I went down home the other day, and a man came up to me the first thing and said: "Charles, what have you done with the lobster law up there?" I said: "It lies on the table in the House of Representatives." He said: "I hope that bill will never pass." On that steamboat I met people from Long Island, Chebeague Island and South Harpswell. I met people from Bailey's Island and from Orr's Island, and none of those fishermen ever expressed a desire to have a nine-inch lobster law in Maine. Mr. Speaker and gentlemen of the House of Representatives, I beg of you, if you do not do anything else, to vote to indefinitely postpone this measure. Must I go back to my constituents and say to them, they

passed that bill through the House of Representatives regardless of anything that I might say? They will ride over me roughshod. While you people of Portland may think you are going to get a lot out of it, you will be woefully deceived. Perhaps the hotel keepers can serve a small lobster to their guests. Mr. Speaker, excuse me, I have not taken up much of the time of this Legislature, and I know you will give me two or three more minutes. 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. I met Mr. Willard down street in Portland a short time ago, and he said to me: "Charles, how do you stand on this lobster law?" I said: "Mr. Willard, you know how I stand on it, I stand squarely where I always stood. I stand for the law as it is. I stand for the laws of the State of Maine." That is what I said to him, and that is what I say to you. I said: "Mr. Willard, do you not believe that the law that we have on the statute books today is a good law?" And he said to me, it is the best law that ever was on the statute books in the State of Maine. Then I said: "Mr. Willard, you propose to repeal the best law ever on the statute books, because you think you cannot compete with Massachusetts?" Ah, Mr. Speaker and gentlemen, I say to you this bill means nothing, only destruction and death. That is all this bill means. They say to you that Massachusetts is getting something that we ought to have. Yes, Mr. Speaker, they are getting part of it now, and if that bill passes, they will get it all. That is the outcome of that bill. Mark my words. I have no doubt but what some legal gentleman

will rise up and say that the gentleman from Harpswell is all wrong. Well, Mr. Speaker, I can go down to my little humble home by the sea; I can go up to my bed chamber and I think I can see myself turning down the coverlets and those sheets are saying to me: "Get on the outside; you have been on the outside all winter, now you can lie on the outside all summer." (Applause)

Mr. Speaker and gentlemen of the House, I will go down with the Revised Statutes; I will go up to my little bed chamber; I will read the riot act to those sheets; I will open to page somewhere, plus something, blindly—I do not know what—and I will read the riot act to those sheets until I bring them into subjection, and then with the Revised Statutes for my pillow, I will lay myself down and sleep the sweet sleep of the returned politician. (Applause) If you have got to be dishonest to be a politician, then, Mr. Speaker and gentlemen of the House, I refuse to be a politician, and shall have to lay on the outside all summer. (Applause)

Mr. ROUNDS of Portland: Mr. Speaker, the gentleman from Harpswell (Mr. Thomas) told us about the fishermen at Long Island, Chebeague Island and all the way down as far as Harpswell. Now I have not been connected with the lobster business exactly, but I have been approached by the horny-handed fishermen, that he tells about, to buy short lobsters. Men of the same union that he refers to, have been to me and asked me to break the laws of the State of Maine by buying short lobsters. Now, as the gentleman from Portland stated yesterday, eight or ten years ago, there were only 30 smacks and eight lobster dealers in Boston, while today there are 60 smacks and 30 lobster dealers, and in Portland today there are only two dealers, where a few years ago there were 15. Gentlemen, it is time we were giving the people of the State of Maine their own. We have spent thousands and thousands of dollars trying to protect the lobsters and bring them up so we could have lobsters to eat in Maine, and we are

seeing them go, not only to Massachusetts, but to all New England states but Maine. All we ask of you gentlemen is to give us a chance so we can legally see that you people back in the country can have a lobster as well as your cousins in Massachusetts. Now I can get all the lobsters I want. If I was down in the town of Harpswell today, where the gentleman comes from, I bet I could buy 500 lobsters of illegal length. Now, gentlemen, it is time that when you buy a lobster to eat you get something besides a lobster that was almost dead before it was boiled, with the tail out straight, and perhaps only one claw. The Massachusetts people are getting the good lobsters. I say, let us have a law so we can have a few lobsters ourselves. (Applause)

Mr. THOMAS of Harpswell: Mr. Speaker, I simply wish to say this. I do not wish to be misunderstood in connection with this proposition. The people of Peaks Island are not in my district. I am not representing them. The people that I met on the boat from Long Island and Chebeague are not in my district. I simply stated what those people told me, that they hoped that this bill would not pass. If the gentleman knows of anybody down in Harpswell that he can buy short lobsters of, I do not know how he found it out. You can judge for yourselves. I never found it out that way. When I say to you that I have not had a mess of lobsters in my family since I can remember, I tell you truth, the whole truth and nothing but the truth. I do not ask those people to break the law, and I cannot afford to buy the large lobsters. As I said before, I am a poor unfortunate cuss that lives down on the coast of Maine, and I am on the outside in Augusta; but will you please, gentlemen of the House of Representatives, vote to indefinitely postpone that proposition—the worst bill that was ever presented to a legislature of Maine. Now go ahead, and do what you have a mind to with it. (Applause)

Mr. HINCKLEY of South Portland: Mr. Speaker, I think it is only fair to say a word. I rather dislike

to interfere with the debate between these two gentlemen, but it seems to me this is a question of fact and not of theory. We know there is absolutely no argument about the question that at least 90 per cent of all the lobsters between nine and ten and one-half inches that are caught by the fishermen along the coast of Maine, are kept and never get back into the water, and a very large percentage go to Massachusetts. I can see no reason, and I do not believe that the members of this House can see any good reason, why lobsters caught on the shores of the State of Maine between nine and ten and a half inches should be used exclusively in the restaurants and on the cabaret tables of the large cities. We are entitled to some of them here in the State of Maine. 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. If our dealers in the State of Maine who have hundreds of thousands of dollars invested in this business, desire to compete they must make a deal with Boston dealers and buy the lobsters from nine to ten and one half inches from them and pay them a bonus of several cents a pound in order to supply their trade in New York. Is it a square deal? Is it fair to the dealers? Is it fair to the citizens of the State of Maine? I say it is not, and that is the reason, and the only reason, why the lobster dealers in Portland have decreased in the last few years from 16 to two, and one of those dealers handles lobsters as a side line; only one exclusively dealing in lobsters. That is why the number of smacks going out of Portland, engaged in the lobster business, have decreased, in round numbers, from 40 to 5; and it is the reason why the lobster dealers in Boston have increased from 6 to 30 and their smacks from 12 to 60. Now it is a question of State of Maine business. It is a State of

Maine proposition. When these smacks from Portland go to Nova Scotia to buy lobsters, the dealers say, if we are going to cull these lobsters for you, and sell you only from ten and one half inches up, you have got to pay us five, six or seven cents a pound more than we charge the Boston dealer, because he gets them down to nine inches. Is that treating our own dealers right? You all know that you can go to Boston today and you can get broiled, live lobster for fifty cents; and you pay \$1.75 in the State of Maine for one, and you get a State of Maine lobster in Boston. It is not a square deal. I predict that if this Legislature passes a nine inch law, Massachusetts, in order to do business, and I am referring to dealers of course, inside of two years will change the law and make a ten and one half inch law with us. That is what we could force them to do, but as long as we keep a ten and one half inch law, we cannot get them to do it. It is a business proposition for them to do otherwise. Two years cannot hurt the State of Maine. Let us try it out and see what happens, and then we will know two years from now just what to do.

Mr. JORDAN of Cape Elizabeth: Mr. Speaker, I was appointed on the sea and shore fisheries committee and I guess the committee found out that I knew very little about it, but the one thing that I have talked in the committee in season and out is changing the lobster law to nine inches. The gentleman from Harpswell, Mr. Thomas, has spoken about why the dealers from Portland did not come before the committee in favor of this bill. They were opposed to the bill as presented by the committee. They were opposed to the double gauge law, but I think they had some assurance from some of the committee, I among one of them, that we would try and get the nine inch law. That is the reason why they did not come. He also referred to the dealers from Portland as being responsible for the lobsters we had here. I think the gentleman from Portland, Mr. Rounds, and perhaps myself included had as much to do with it as the dealers in Portland,

and I do not think we are ashamed of it. I think there is one big thing here that has not been touched on at all, and that is the economical part of the proposition. It looks to me as though it would save this State from \$30,000 to \$40,000 in money to cut out the patrol boats and the wardens. I have been told, since I came here, that last year they had two patrol boats and one of them was specially assigned to chase these so-called Boston smacks, and she chased them all summer and never caught one. It cost \$5,000 or \$6,000 for just this one boat. I do not see why we should not eliminate that expense and conform to the laws of Massachusetts.

The SPEAKER: The question before the House is the motion of the gentleman from Harpswell, Mr. Thomas, that the bill be indefinitely postponed.

A viva voce vote being taken, the motion that the bill be indefinitely postponed, was lost.

The SPEAKER: It recurs to the motion of the gentleman from Kittery, Mr. Mitchell, that the bill be given its third reading.

Thereupon the bill received its third reading and was passed to be engrossed, as amended by House Amendments A, B and C.

The Chair lays before the House, majority report, ought not to pass, minority report, ought to pass, of committee on sea and shore fisheries on bill, An Act to establish the legal length of lobsters in York county, House Document No. 73, tabled earlier in the session.

Mr. WILLIAMS of Wells: Mr. Speaker, there is no particular reason just at present why this bill is on the calendar. If it would not make any particular difference, I would like to have this tabled again to be taken up some time tomorrow.

A viva voce vote being taken, the bill was re-tabled and specially assigned for tomorrow.

The Chair lays before the House, bill, An Act relating to the water supply of Boothbay Harbor, House Document No. 463, tabled by the gen-

tleman from Houlton, Mr. Barnes, pending concurrence.

Mr. BARNES of Houlton: Mr. Speaker, may I inquire what the action of the Senate was?

The SPEAKER: The Chair will state that this bill was passed to be engrossed by the House and the Senate non-concurred in the action and accepted the report, ought not to pass.

Mr. Barnes of Houlton moved that the vote be reconsidered whereby this bill was passed to be engrossed. The motion was lost.

On motion by Mr. Perkins of Boothbay Harbor, the House voted to insist on its former action and ask for a committee of conference.

The SPEAKER: The Chair will appoint the committee a little later.

The Chair lays before the House, bill, An Act relating to indexes in registries of deeds, Senate Document No. 252, tabled by the gentleman from Houlton, Mr. Barnes, pending concurrence.

Mr. BARNES of Houlton: May I inquire, Mr. Speaker, as to the situation of the bill?

The SPEAKER: The papers came from the Senate with the report, ought to pass, in new draft, accepted; and later the Senate indefinitely postponed the bill, in which situation it comes to the House.

On motion by Mr. Barnes of Houlton, the House voted to concur with the Senate in the indefinite postponement of the bill and the report.

The Chair lays before the House, bill, An Act relating to the appointment of assistants and deputies to the attorney general, Senate Document No. 251, tabled by the gentleman from North Anson, Mr. Holley, pending third reading.

On motion by Mr. Holley of North Anson, the bill received its third reading and was passed to be engrossed in concurrence with the Senate.

The Chair lays before the House, bill, An Act relating to the fees of sheriffs and their deputies, House Document No. 452 tabled by the gen-

tleman from Houlton, Mr. Barnes, pending third reading.

Mr. BARNES of Houlton: Mr. Speaker, I tabled this bill awaiting agreement by the Cumberland county delegation upon an amendment.

Mr. HINCKLEY of South Portland: Mr. Speaker, I have an amendment which I wish to offer.

The SPEAKER: The gentleman from South Portland presents the following amendment:

House Amendment B

House Bill No. 452 is amended by inserting after the word "sheriff" in the first line of the twenty-third paragraph, the following words: 'and court messengers.'

Mr. HINCKLEY: Mr. Speaker, I will just explain that there was some question in our minds whether the words "court officers" applied to court messengers, and these words are added so that court messengers can go in as court officers.

A viva voce vote being taken, House Amendment B to House Document No. 452 was adopted.

Mr. ROWELL of South Thomaston: Mr. Speaker, I wish to offer Amendment C. This simply includes the words "Knox county."

The SPEAKER: The gentleman from South Thomaston: Mr. Rowell, present the following amendment:

House Amendment C

Said act is hereby further amended by inserting after the word "Kennebec," as appears in line 2 of the first paragraph commencing on page 6, in House Document number 452, the word 'Knox;' so that said section as amended shall read:

'Every deputy sheriff in Androscoggin, Aroostook, Cumberland, Kennebec, Knox, Penobscot, Piscataquis, Sagadahoc, Somerset, or York county while in attendance upon the supreme judicial court or the superior court in their several counties shall receive for said attendance and service four dollars a day; and in all other counties of the State a deputy sheriff so serving shall receive for such attendance and service three dollars a day, and the sheriff at its opening, shall present to the court, a

list of the officers attending, with a statement of the duties of each, and the court shall determine the number necessary, and disallow charges for others.'

Is it the pleasure of the House to adopt House Amendment C?

A viva voce vote being taken, House Amendment C was adopted.

Mr. MURCHIE of Calais: I offer House Amendment D.

The SPEAKER: The gentleman from Calais, Mr. Murchie, presents House Amendment D to House Document No. 452, as follows:

"Amend House Document No. 452 by inserting after the word 'Waldo' in said bill as amended by House Amendment A, the word 'Washington.'"

Is it the pleasure of the House to adopt the amendment?

A viva voce vote being taken, House Amendment C was adopted.

On motion by Mr. Hinckley of South Portland, the bill received its third reading and was passed to be engrossed as amended by House Amendments A, B, C and D.

The Chair lays before the House bill an Act to incorporate the Western Maine Branch of the Woman's Board of Missions, Senate Document No. 281, tabled by Mr. Barnes of Houlton, pending third reading.

Mr. BARNES: Mr. Speaker, I yield to the gentleman from Portland, Mr. Wilson.

On motion by Mr. Wilson the bill received its third reading and was passed to be engrossed.

The Chair lays before the House bill an Act relative to unclaimed shares or estates in any savings bank or like institution deposited by direction of the probate court, House Document No. 520, tabled by Mr. Pike of Eastport, pending commitment to committee on bills in third reading.

Mr. PIKE: I offer House amendment A and move its adoption.

House amendment A to House Document No. 520.

House Document 520 is hereby amended by striking out the word

"may" in the eighth line in Section one and inserting therein the word "shall."

A viva voce vote being taken, the House voted to adopt House amendment A. On further motion by Mr. Pike, the rules were suspended and the bill given its third reading and passed to be engrossed as amended by House amendment A.

The Chair lays before the House bill an Act relating to Sea and Shore Fisheries. House Document No. 517, tabled by Mr. Perkins of Boothbay Harbor, pending second reading.

Mr. PERKINS: Mr. Speaker and gentlemen of the House: This bill is a bill which requires "every person, firm or corporation who during the preceding calendar year engaged in the business of fishing in the tidal waters of the State shall on or before the first day of February of each year register his or its name and address with the Commission of Sea and Shore Fisheries. Such person, firm or corporation shall also between the first and fifteenth day of each month file with the commission a report stating such facts within their knowledge concerning this industry, including their own participation therein as may be required by the commission." This is under a penalty of a fine of from five to ten dollars.

I move, Mr. Speaker, that this bill be indefinitely postponed for the reason that the people along the coast of Maine are in no mood at the present time for any more regulatory statutes. This statute, as I interpret it, requires every fisherman to register with this Department of Sea and Shore Fisheries and make a report once a month between the first and fifteenth days thereof—make a report of all the fish they have caught, or of such things as may be required by the commission. Those of you who know the coast of Maine and these hardy men of ours who fish along our coast, know that they cannot take with them a stenographer and keep track of all the fish that they catch and make up this report. A great many would be absolutely unable to do it and they would be unwilling to

do it. If the object is to obtain statistics for the department, I most respectfully suggest that by going around where the product is sold along the coast of Maine, much more reliable statistics can be obtained than in this manner; because the fishermen if they are compelled to make this report will have to make it by guesswork at the end of the month. I believe that the law is unnecessary and works a hardship on the fishermen, and I move its indefinite postponement.

A viva voce vote being taken the bill was indefinitely postponed.

The Chair lays before the House bill An Act fixing the salaries of the probation officers and the assistant probation officer for the county of Cumberland, House Document No. 513, tabled by Mr. Rounds of Portland, pending second reading.

On motion by Mr. Rounds, the bill received its second reading; and on further motion by the same gentleman the bill was given its third reading under suspension of the rules and passed to be engrossed.

The Chair lays before the House bill An Act to create a commission of sea and shore fisheries, House Document No. 437, tabled by Mr. Perkins of Boothbay Harbor, pending commitment to committee on bills in third reading.

Mr. PERKINS: Mr. Speaker, this bill is a bill to increase the salary of one member of the commission of sea and shore fisheries, five dollars per diem to \$4,000 a year. Two years ago this commission was created with the director receiving \$2,000, and three members were to act in an advisory capacity to receive \$5.00 per diem and actual expenses. This bill purports to give one man, to be designated by the governor as chairman, the salary of \$4,000 per year, the other two advisory members receiving \$5.00 per diem and actual expenses. That is more salary than is paid any other head of department in this State House, I think; and, Mr. Speaker, I move you that this bill be indefinitely postponed.

A viva voce vote being taken, the bill was indefinitely postponed.

The Chair lays before the House bill An Act relative to compensation of judges of probate, House Document No. 507, tabled by Mr. Lanpher of Sebec, pending second reading.

Mr. LANPHER: Mr. Speaker, this bill and the next bill on the calendar, House Document 508, go together; and these bills provide that the salaries of registers and judges of probate in the several counties shall hereafter be paid from the state treasurer instead of by the several counties as at present. The proponents of this bill have in mind the fact that the probate offices in the several counties are bringing into the state treasury every year thousands of dollars in the form of inheritance taxes, and that therefore the state should pay their salaries instead of the counties, and I am in favor of that proposition. It seems reasonable and just to relieve a county of such an expense while the state is deriving so much benefit from their offices. If that can be done without interfering with our budget and our financial program, I am heartily in favor of doing it. I now yield to the gentleman from North Anson, Mr. Holley, who will speak on the subject.

Mr. HOLLEY: Mr. Speaker and gentlemen: The time seems to have come when it is necessary to tell you the truth and nothing else. We may as well face the financial situation today as tomorrow. We made up a budget and we have lived up to it very closely. There has been, however, several things get by which it seemed absolutely necessary to let by; and only yesterday the governor signed the banking bill which took away from the budget committee nearly \$100,000 or more than \$60,000 at least of our estimated income. With the things that you have passed outside the budget, we have had an enormous task to keep within our seven mill rate. Then yesterday there was this reduction in the income because of the banking law. We just had to scrape the bottom of the flour barrel, and I say to you now,

gentlemen, that there is nothing left, and if you pass this bill, your appropriation committee will not be responsible, because we cannot take care of it. This will create an increased expense of approximately \$68,000 in the two years. The argument has been advanced that that will be more than overcome from inheritance taxes. That may be true, but I want to call your attention to the fact that in the budget we have already estimated an increase of \$71,000 in the two years on the inheritance tax, and we have spent it too. If this bill passes here today, while I have no objection to it from a personal standpoint, yet I think it is no more than right that you should know if this bill passes here today that your appropriation committee will feel that they must add it to the tax rate, and the tax bill is being drawn this afternoon.

Mr. CONARY of Bucksport: Mr. Speaker, I offer House Amendment A to House bill 507 and move its adoption.

House Amendment A to House Bill 507.

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

Sec. 1. The salaries of the judges of probate of the several counties shall be paid in equal monthly payments from the state treasury on the last day of each month.

Sec. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Mr. CONARY: Mr. Speaker, the situation is this: The salaries of the several judges of probate and registers of probate are now paid by their counties. The respective counties are turning into the state treasury over \$200,000 a year in inheritance taxes. We do not want to touch the budget system at all. This came along at the hearing of the judiciary committee and a great many appeared against it; but when the hearing came around they found out what the bill was and they all withdrew their objections. There was no one opposed at the time of the hear-

ing, and it was reported out of the committee, ought to pass unanimously. Now the inheritance taxes are coming in each year on the increase, and I will say that from my county alone this year we will pay one inheritance tax of over \$70,000, and that will more than take care of the salaries mentioned by the budget committee for the next two years. The principle is right, and I think, gentlemen, that we have a reputation this winter for voting for what we think is right. I hope the amendment will be adopted.

Mr. HOLLEY: Mr. Speaker, if in order, I move the indefinite postponement of the bills.

The SPEAKER: Does the gentleman from North Anson (Mr. Holley) wish his motion to apply to the amendment and the bill?

Mr. HOLLEY: I do, Mr. Speaker.

Mr. HINCKLEY of South Portland: Mr. Speaker, without discussing the merits of this bill, it seems to me that the statements made by our chairman of the appropriations committee would be sufficient for this House. These matters have been left in the hands of our appropriations committee to work out a tax bill not exceeding seven mills, and he reports to us that if this goes through, it will mean more than that. Now having in mind further that the county estimates are all in,—the county estimates provide for the payment in every county in this state of the registers of probate and the judges of probate; and it seems to me there can be no reason why, at this late stage, a bill should be enacted providing that the state shall pay the salaries of these officers. I certainly hope that these bills will not become a law for the two reasons stated.

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

Mr. CONARY of Bucksport: Mr. Speaker, the next bill, House Document No. 508, An Act relative to the compensation of registers of probate, I move that that be indefinitely postponed.

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

The Chair lays before the House, House Amendment A to bill An Act relating to the observance of Sunday, tabled by Mr. Rounds of Portland, pending commitment to committee on bills in third reading.

Mr. ROUNDS of Portland: Mr. Speaker, we have in Portland—and I suppose other cities in the state have them—people who work six days out of the week. I was going to have an amendment prepared to this bill, but I have not done so. No doubt there will be one prepared in the Senate, so I will not stop the bill here. I do want to say, gentlemen of the House, that this bill is very drastic. It was drawn by a few cranks in this state and has been put in here. I think we have law enough as it is. We do not want to go back to the Puritanical days that we used to have where everybody went to church on Sunday. Down in the city where they work for a living they have band concerts. Even the city of Portland is furnishing music against the laws of the state every year having band concerts, and most of us who have automobiles take a ride on Sunday,—not to church, but a pleasure ride, and therefore you are breaking the law. I for one perhaps like to break the law. I like to ride and I like to see folks enjoy themselves. Perhaps we can afford to pay ten dollars, but when you come to pay one hundred dollars it is getting a little bit expensive. Therefore, I move that the bill be indefinitely postponed.

Mr. BARNES of Houlton: Mr. Speaker, House Document No. 527 is under discussion, and that Document changes the Statute of Maine only to this extent: The Statute as it now stands punishes those who break its provisions by a fine not exceeding ten dollars. The amendment provides that a person who breaks the provisions of Section 35. on conviction may be punished by a fine not exceeding one hundred dollars. It also provides that the Municipal Courts

and trial justices shall have jurisdiction under the section.

There have come into Maine within the last generation men who on the Lord's Day, for gain and profit carry on entertainments of such sort that the noise and confusion caused by them is disagreeable to those who do not profit thereby; and, if I am correctly informed, this amendment is suggested because it is possible that they will, in spite of the law, when arrested, pay a fine of ten dollars or less, since their business is so profitable that they can easily afford to do that. It seems to me that that is argument enough to cause us to enact this Statute.

Mr. ALLAN of Portland: Mr. Speaker, I have not troubled the gentlemen of the House very much lately on account of my voice perhaps; but I do want to speak for a moment on this little law that seems to produce so much consternation. While I am not the father of this law, I introduced it and endorsed it, and am in favor of its passage. As the gentleman from Houlton (Mr. Barnes) has said, it does not change the State law in regard to Sunday amusements in any particular whatever. Whatever that law now is, it will so remain, and it will not be enforced in any different manner in the future than it has been in the past. I know you all believe in local self-government. Why this may not apply to you, it may apply to me; it may apply to the conditions under which I live. The purpose of the bill is to strike those cases where people from outside our State that come into our watering places and establish games and amusements for gain only—that are very noisy and troublesome. I need not go into the particular case that I have in mind, but in that particular case when enforcement was attempted, they paid their fine of ten dollars, and the next Sunday when the arrest was made, they paid a fine of ten dollars and so on. We do not want it. It only stopped when the Governor of our State threatened to use the entire power of the State, coupled with the aid of the good sheriff of York coun-

ty, to stop these infringements of the law. I cannot believe for a moment that you gentlemen will be willing to go on record as saying that we do not favor in such cases as this the enforcement of the law, at least if the public sentiment of the community demands it. I hope the bill will not be indefinitely postponed.

Mr. ROUNDS: Mr. Speaker, I would ask the gentleman from Portland (Mr. Allan) one question through the Chair.

The SPEAKER: The gentleman from Portland, Mr. Rounds, may make the inquiry.

Mr. ROUNDS: I would like to ask the gentleman (Mr. Allan) if he is willing to cut out that word "travel" in there.

The SPEAKER: The gentleman from Portland, Mr. Allan, may answer through the Chair.

Mr. ALLAN: Mr. Speaker, so far as I am personally concerned, I have no objection if the gentleman wants the word "travel" cut out. I will admit to you as I admitted to the committee at the hearing on this bill that I probably violate the Sunday law in this particular as much as anybody else. I do like to go to church Sunday morning, but I do like to go to Old Orchard Sunday afternoon and also Sunday evening; but I will say this, that the noise of the roller coaster and its accompaniments that is now run at Old Orchard is obnoxious, not only to the people who go there from Portland, but to everyone within a radius of a half mile, and it should be stopped and that is the purpose of the bill.

Mr. ROUNDS: Mr. Speaker and gentlemen of the House: I want to say this. I am not defending Old Orchard and I have not Old Orchard in my mind; but it seems that the gentleman from Portland (Mr. Allan) likes to run out to Old Orchard on Sunday and break the law, although he is a law-abiding citizen. I would like to see this amendment made here as to travel and band concerts, so that the city of Portland will not be a violator of the law and so that the gentleman from Portland, being one of the vio-

lators, can go out to Old Orchard and see them run down on the roller coaster, for which he thinks they should pay one hundred dollars. He says he likes to go, but he goes to church on Sunday morning. In the afternoon and evening, however, he likes to go to Old Orchard. Therefore, I move that it be tabled until I can make an amendment so that he can go to Old Orchard without breaking the law, see them ride on the roller coaster and go to camp meeting and hear them holler for prohibition. (Laughter and applause.)

The SPEAKER: Does the gentleman from Portland (Mr. Rounds) withdraw his motion to indefinitely postpone?

Mr. ROUNDS: Yes, Mr. Speaker.

The SPEAKER: Is it the pleasure of the House that the bill be laid on the table for amendment?

The motion by Mr. Rounds to table prevailed.

The Chair lays before the House bill An Act relating to inspection of creameries, cheese factories, condensaries or receiving stations for milk or cream, Senate Document No. 104, tabled by Mr. Storm of New Sweden, pending passage to be enacted.

On motion by Mr. Storm, the bill was passed to be enacted.

The Chair lays before the House report of committee on taxation, ought not to pass, on bill An Act establishing a uniform tax on certain personal property, House Document No. 435, tabled by Mr. Pike of Eastport, pending acceptance of report and specially assigned for today.

Mr. PIKE: Mr. Speaker: I move the substitution of the bill for the report. I am going to move that when the vote is taken it be taken by the yeas and nays. In order that I may not speak with my back to half of the members of the House, I ask permission at this time to stand in front of the members.

The SPEAKER: The House grants the privilege and the gentleman may take his position in front of the House.

Mr. PIKE: Mr. Speaker and gentlemen of the House: We are

nearing the end of this Legislature without having passed one single measure which in a large way will benefit the people of Maine. We have passed a great deal of legislation of minor importance. We have increased the salaries of many of our county and State officers, but I challenge you to show me one single law that in a large way benefits our people.

The message that I bring to you today, gentlemen, has to do with the sovereign power of taxation. I desire to preface my remarks upon this measure by briefly stating to you the history of that part of our Constitution as now amended which gives the Legislature of Maine authority to enact such a law as I propose.

From 1820, the year in which our Constitution was adopted, down to the year 1915, it contained a section in reference to taxation which reads as follows: "All taxes upon real and personal property assessed by authority of this State shall be apportioned and assessed equally according to the just value thereof."

In the early years of the history of our State, Maine had not the large business financial interests which it has today. It had a very small percentage of the intangible wealth which it now has; but as the years progressed and the intangible wealth of our State increased to a point where today in my judgment it is one-third of the wealth of our State, so that a sentiment began to be aroused in our State for some provision to tax cash, stocks and bonds and other evidences of wealth in a manner which would do no injustice, because, as you will see, under the provision of the Constitution which I have read, all property, whether it be real estate or intangible property, had to be taxed at an equal rate. The tax of two and one-half per cent, which is the average rate in Maine today upon real estate, you had to apply to a stock worth one hundred dollars and produce it at four per cent dividend, taking two-thirds of it for taxation purposes. The injustice of that readily appeals to all of you. The sentiment to have our Constitution changed in order that we might reach that class of property, culmi-

nated in the Legislature of 1913, when a resolve was introduced to amend our Constitution. A full hearing was given before the committee, and the following amendment was reported ought to pass.

"The Legislature shall have power to classify property for purposes of taxation, and all taxes assessed by authority of the State upon property of like classification shall be apportioned and assessed equally according to the just value thereof."

A resolve containing that amendment was submitted to the Legislature of 1913. In the Senate of that Legislature this resolve had passed to be enacted when a distinguished senator from one of our counties, a member of the banks and banking committee, arose in his seat and offered an amendment striking out the provision I have just named and inserting the following:

"All taxes assessed upon real and personal estate, assessed by authority of this State shall be apportioned and assessed equally according to the just value thereof; but the Legislature shall have power to levy a tax upon intangible personal property at such rate as it deems wise and equitable without regard to the rate applied to other classes of property."

The purpose of that amendment was simply this: That you must tax intangible property at a certain Pacific rate; that is, you could not tax bonds at a four mill rate, and stocks at a three mill rate, but the rate must be equal. The resolve further provided that the amendment when it passed should be reported to the Legislature and the Legislature should declare the vote. The amendment in the form that I have stated, offered in the closing days of that Legislature hurriedly, as many amendments have been adopted in this House of late, so that now that is the Constitutional law of our State under which we are acting.

It has been the custom and the practice for an amendment to the constitution, after it has been adopted by the people, to be declared by the Governor, and had that resolve been

declared by the Governor, it would have been in effect on the first day of January, 1913, and that Legislature would have then had authority to pass legislation under it. Do you see, gentlemen, the hand of special privilege that worked that amendment through so that the Legislature of 1913 could take no action whatever under it because it had not been declared? A resolution was introduced into that legislature to declare the vote which was signed by Governor Curtis on the 31st day of March, 1913—I think the last day or nearly the last one of that Legislature—so that these great interests by manipulating that resolve got by one Legislature neatly and completely.

I have just made reference to the resolve of the 1913 Legislature. I want to correct that by stating that that resolve was submitted to the people in the 1913 Legislature, and adopted by a vote of two to one, and then it came to the 1915 Legislature, and was approved finally as I have spoken. Now, gentlemen, I desire to call your attention to Section one of this bill, House Document 438, as follows:

“Personal property of the classes hereinafter enumerated, belonging to the inhabitants of this State, is hereby exempted from all taxation other than that imposed by this act, and shall hereafter be subject to an annual tax of three mills on each dollar of a fair cash value thereof, viz: money on hand, on deposit, or at interest, and other debts due the person to be taxed more than they are owing, public stocks and securities, all stocks, bonds, loans secured for mortgages on real estate situated in this State, and notes or other evidences of indebtedness, of all corporations within or without the State, but nothing in this act shall be so construed as to apply to any property previously exempted from taxation by the laws of this State excepting loans secured by mortgages on real estate situated in this State.”

To make that meaning clear, I should like to have it read, “To apply to any property now exempt from taxation by the laws of this State.”

Now Section two. “Nothing in this act shall be so construed as to affect the method now in use for the taxation of savings bank and trust companies and the provisions of existing law for the return and taxation of shares of bank or other stock not otherwise exempt, held by persons residing out of the State, or whose residence is unknown to the assessors, shall remain in force, but the rate shall be as provided in Section one of this act.”

This bill, gentlemen, is not intended to tax any bank stock or savings in the savings banks or trust companies which are now taxed under existing law.

A few days ago we had a very interesting and somewhat spirited hearing before the taxation committee of this Legislature, and there came here the representatives of the wealth of this great State to oppose this tax measure, the same as they have opposed it in every legislature for 25 years past; and let me say here, gentlemen, that capital knows no political parties; it seeks protection from any party who will give it. At that hearing there came here prominent men of both political parties to oppose this. I desire to call your attention at this time, gentlemen of the House, to some of the objections and to the arguments that were offered against it. The proceedings were opened by that distinguished citizen of Augusta, Honorable Charles S. Hichborn, who served as toastmaster. He in a speech said that he had watched for 25 years these bills come before a Maine legislature, coming into the front door with a blare of trumpets and being kicked out of the back door to the place of the unregenerate and unredeemed. I perfectly agreed with him up to that point. He said that this measure was introduced in the dying hours of the Maine legislature in the hope that it would escape the eagle eye of the taxation committee. We then introduced a distinguished member of my own party, ex-Governor Curtis, a gentleman for whom I have the highest respect, but with whom I do not agree upon this proposition. He said that the tax money, and other evidences of wealth in this bill, was Bolshevism, and I say to you, gentle-

men, that if it is Bolshevism to tax one-third of the State that has escaped taxation for all these years, then I am a Bolshevik.

Then there was introduced a former distinguished senator from Penobscot county—introduced as the gray eagle of Penobscot—and he got up and said that the taxation law as laid down in the Statute book was the law that he wanted; that it contained all the law that was necessary; that the local assessors had the authority to assess all this property, but there was no necessity for such a law. True, we have such a law, but does it appeal to your common sense and to your sense of justice that intangible property, that a stock bearing a four per cent dividend, should be assessed under the law as it now is in the Statute book at a two and a half per cent rate of taxation, which is the local rate in Maine? Of course you do not. It is apparent to you that that rate of taxation should be imposed upon that security, taking away more than half of its income. He said that he represented 30,000 people of the city of Bangor, and when I asked him where his credentials were he said right here (indicating); but he did not show any credentials. He came here at the behest of the banking interests of that city to oppose this bill and I have a stenographic report of every word that he said. He offered not one single argument that would appeal to your common sense why this law should not be enacted. Then there was introduced a distinguished gentleman from Rockland, Mr. Arthur Littlefield, and he said that if this law passed, it would bankrupt the city of Rockland. Why, gentlemen, that would be the last thing I should want to do, because when this Legislature adjourns I am going into the city of Rockland to make my home. I assure you I would not want to be sponsor for a piece of legislation that was going to bankrupt that good city. He said he represented the mayor and city government of that city, and that occurred to me to be strange because it was the first time in my life that I knew Mr. Littlefield to be the at-

torney for the Democratic party. It was further still strange to me because I knew that the mayor and aldermen of the city of Rockland had no authority to appropriate or raise money to pay him, and he did not come down here for his health. He actually represented the banking interests of that city, and he was here to oppose that bill in their interest, and what was his argument?

I quoted from the tax commissioner's report or the report of the Tax Commission appointed by Governor Milliken, in which I referred to the taxation of other stocks in Knox county to the amount of \$61,000, I think. He immediately grabbed that point, and made his whole argument upon it. He said there were \$350,990 of bank stock being taxed in the city of Rockland at the local rate, and probably \$50,000 or \$500,000 in Knox county taxed at the local rate. He said that if this bill should become law it would bankrupt the city of Rockland. Nothing can be further from the fact than such statements. This bill is not intended to tax a single share of bank stock, and if any member of this House can argue that it does, then I want it amended so that it will not. Not a single share of bank stock is taxable under this bill. Mr. Littlefield, in reference to this matter, started with a false premise. He reached a false conclusion, and did not touch this bill anywhere. I think that is a sufficient answer to Mr. Littlefield's argument. Ex-Governor Curtis said that money was not property, and to call it property was Bolshevism. I place against his judgment a dozen lines from the opinion of Chief Justice Brewer of the United States supreme court. He says: "In the complex civilization of today, a large portion of the wealth of a community consists of intangible property. To ignore this intangible property or to hold it not subject to taxation at its accepted value is to eliminate from the reach of the taxing power a large portion of the wealth of this country. To say that there is no such intangible property, that it is something of no value, is to insult the good intelligence of every man. It is

a cardinal rule which should never be forgotten that whatever property is worth for the purposes of income and sale, is also worth for the purpose of taxation. Accumulated wealth will laugh at the crudity of taxing laws which reach only the one tangible and ignore the other intangible, while they who own tangible property, not organized into a single producing plant, will feel the injustice of a system which so misplaces the burden of taxation."

There is an answer complete and satisfactory to me, and complete and satisfactory I believe it must be to you gentlemen—that money is property and that it is tangible and that it should be taxed.

Gentlemen of this House, regardless of political party, respect our Governor. I want to quote to you, in his message to the 79th Legislature, what he says in reference to the taxation of this class of property. It is very brief; "The heavy burden of taxation resulting from the war has focused our attention with added clearness upon some glaring inequalities in the application of our State tax laws. Broadly speaking, about three quarters of our people are paying taxes enough, but the other twenty-five per cent including the largest holders of intangible personal property are bearing far less than their proper share of the common burden; in fact intangible personal property to the value of several hundred millions of dollars escapes direct taxation by the State and municipal authorities. Several years ago the people adopted an amendment to the Constitution for the express purpose of permitting legislative action to correct this inequality. I renew my recommendation of two years ago that a law be passed providing for the separate classification of intangible personal property for purposes of taxation. In order to forestall the opposition of certain gentlemen who appeared two years ago with various ostensible objections, but actually in the interests of large holders of personal property, I urge you to preface this much-needed reform by first

enacting a drastic listing bill requiring under heavy penalty that all personal property be listed in an inventory filed under oath to the assessors for the purposes of taxation."

Now, gentlemen, I am tired of reading in the political platforms of our State an article saying that we favor the equalization of taxation that it may bear more equitably upon all classes of our people, and then to come to legislature after legislature and take no action upon it. We need no further information upon which to draw a measure to tax this wealth. Governor Milliken appointed a commission to investigate and report to the legislature. That commission was composed of the following gentlemen: Justice Albert M. Spear of our Supreme Court, Charles Sumner Cook, Kenneth C. M. Sills, Hugh R. Chaplin and Obadiah Gardner. Do you doubt their ability, gentlemen? Do you doubt the ability of Judge Spear; and Charles Sumner Cook, that distinguished citizen of Portland; Kenneth C. M. Sills, professor of Bowdoin college; Hugh R. Chaplin, one of the leaders of the Maine bar, an attorney in large matters in the eastern part of our State; and Obadiah Gardner of Rockland? There was a non-partisan, able commission, who made a thorough study of the taxation of intangible property all over this country and they recommended—I shall not take time to read this report. It is too long and will take up too much of the time of this House, but I desire briefly to call your attention to their unanimous conclusions. First, that the present method of taxing intangible personal property should be changed. Second, that the flat rate is better adapted to the conditions in our State than the income tax. Third, that a rate of three mills or \$3 per thousand will meet with more favor and produce a larger income than a higher rate. Fourth, that the administration of the law should be vested in some central power and not left to local assessors. That report was made public to the legislature of 1917, containing full and complete information upon which to introduce such a bill. The Legislature of 1917 took

no step whatever to pass such a law. I waited patiently for the majority party of this legislature to take some action, because I am sincere in this matter. I have no politics to conserve. Take this measure if you will, as your own. My only interest is that this property should be taxed, and fairly taxed. So I waited until almost the last day in which I could introduce a bill to tax this property. That was my reason. I was waiting for the majority party of this legislature to act, because upon you is the responsibility for the failure to enact legislation; and when I am accused of introducing a bill in the dying hours of the legislature in the hope that it will escape attention and be passed through hurriedly, I think that such accusation will not have much weight in your judgment.

Now let us see how our present method of taxation works out. It is a great big subject to gather the data from all over Maine, and I will not take the time of this House to go into great detail. Let me now call your attention to one horrible example, almost within a stone's throw of this capitol building. In August, 1917, Charles M. Bailey, a distinguished resident of the town of Winthrop, died. He was a millionaire, but no one knew it. The tax assessors did not know it. When the inventory of his estate was filed in the probate court of this county, his intangible property made by the appraisers of that estate, totaled \$1,345,066.22. All the lawyers in this House—I think there are 27 of them—know that when appraisers are appointed in an estate they are appointed upon the recommendation of the attorney for the administrator, and they are usually friendly. When they appraise an estate, if there is any way of putting the value down to escape the inheritance tax or other taxation purposes, they do it. I think that it is fair to state that the value of the inventory of Charles M. Bailey's estate should be increased 25 per cent to represent what today is the fair market value of that estate. And when you do that, gentlemen, you have that estate being valued at \$1,681,000. Now apply

to that the average rate of local taxation in Maine, which the state assessors said in their last report was 26 mills and seventy-two one hundredths on a dollar, and you have got a tax that he should have paid to the town of Winthrop of \$44,916.32. And what tax was he paying? I have looked up the records. Where he should have paid \$44,916.32, he paid \$4,345.20. That is just one instance of the wealth of a man that is not disclosed until his death, when it is compulsory to have it inventoried and made public in the probate court. There are hundreds, yes, thousands of them. Not as large as that; going down perhaps to \$2,000, \$5,000, \$10,000, \$25,000, and upwards, that entirely escape taxation in Maine. The report of our State Bank Examiner,—the last report—stated that there was on deposit in the national banks of our State on the 31st day of last December, sixty-six millions of dollars, and my good friend, Judge Newell argued that these funds could not be taxed without the consent of the legislature. Good lawyer as he is, he might argue that to a taxation committee, but he would never argue it to the Supreme court of this State. It has been held in a Vermont case, decided by the United States Supreme court, that not only those deposits could be taxed, but that the banks could hold the tax at its source and turn it over to the local authorities; so that his argument on that point counts for naught. He said very eloquently in speaking of the industries of the county of Androscoggin that you would bankrupt that section by this act,—a tax of \$3, on a thousand. How bankrupt it, gentlemen? This bill here does not impose a tax at all upon the stocks of manufacturing industries in this State because it distinctly says that on all stocks now taxed by existing law this bill shall not apply. So what becomes of his argument in that respect? All that was said here by those distinguished gentlemen, those able bankers and those able, well-groomed, well-paid attorneys does not weigh a feather's weight against the enactment of such a law. And the moment you attempt

to do it, they begin to offer specious arguments that the local towns and communities in our State will not receive as much revenue as they did before; that you are placing the tax upon the stocks of the widow and the child. I want to read to you just a line from a letter that was placed upon my desk during this session. On the letterhead of the Bangor Chamber of Commerce. In speaking of this class of property it says, "They are trust funds of the widow and child." The moment you attempt to tax this wealth, they begin to huddle into a corner and hold their hands up to high Heaven and say, Do not tax this property because you are going to tax the widows and the orphans who cannot bear it. Oh, such misleading sophistry! Shame upon any man or any combination of men who will attempt to hide, skulk and dodge behind the skirts of widows to escape a just tax. Gentlemen of this House, are you going to allow this legislature to go into history without taking any action? Yesterday, in my absence, there was introduced an order for a commission on which three were to be appointed on the part of the House and two on the part of the Senate, to investigate this great subject and report to the next legislature. I read that in the Kennebec Journal this morning. I was not surprised that that step was to be taken. That is a sidestep, gentlemen. How many tax commissions do you want to have appointed to investigate this matter, or to investigate taxation in Maine? We had one in 1908 of which Morrill N. Drew of Portland was chairman, the other members being William S. White of Rockland, William L. Merrill of St. Albans, George M. Hanson, now a justice of the supreme court, and Frank C. Deering of Saco. We had another one three years ago appointed by Governor Milliken, consisting of Judge Spear, Charles S. Cook, Kenneth C. M. Sills, Hugh R. Chaplin and Obadiah Gardner, whose business it was to confine their investigations to that particular class of personal property that I desire to be taxed in this bill. Those are dis-

tinguished men; men in whom Maine has great confidence. What does it mean now to appoint a commission upon which I have been placed with two other members of this House and two from the Senate? Just for this purpose,—to dodge by this legislature and put this thing off for two years more. I listened with great interest this morning to the gentleman from Jonesboro, Mr. Varney, and the gentleman from Perry, Mr. Washburn, and the gentleman from Harmony, Mr. Pattee, stating in substance that you were evading your responsibility as a legislature and putting something over to a commission that did not need to be investigated. I thought at that time how well that applied to this present condition. If you wanted to appoint a commission, why would it not have been a good idea to have had the Governor appoint it? Oh, no; the Governor of this State is on record for appointing one of the ablest tax commissions that ever served in Maine, and that commission has reported that this property should be taxed. Now, what do you want of another commission composed of members of this legislature? It is pure evasion. In closing let me say that my heart is in this measure. I do not desire to do injustice to any interest. My purpose, and sole purpose, is that the burden of taxation shall fall equally upon the rich and the poor alike, and that the farmers in the hills and valleys of Maine and the men who toil in our workshops and in our cities, shall not bear a disproportionate part of the burden of taxation in this State. So I say that the introduction of that order at this time is simply an evasion of responsibility. It was introduced by your distinguished majority leader, the gentleman from Houlton, Mr. Barnes, and he has said in debate in this House that he was not a corporation lawyer, but that he hoped some day to be one, but that day was far distant. Let me say to this House that he is approaching that goal by leaps and strides, and that he will soon be welcomed into the inner circle of the board of governors of private privilege in Maine

consisting of Ex-governor Curtis, Charles S. Hichborn, and Hiram Ricker, who will acclaim him with open arms when he shows to you that this legislature should take no action, and this great wealth in our State shall go on indefinitely without furnishing its just proportion of tax to support the institutions of our State. Gentlemen, I have talked longer than I had intended. I thank you. (Applause)

Mr. ALLAN of Portland: Mr. Speaker, it seems as though it devolves upon me again this afternoon to try your patience for a little while, from the fact that I happened to be chairman of the House committee on taxation of this Legislature. I am utterly unprepared to make any long speech on this matter.

I want to say to you gentlemen now, that I know as well as anyone in this House, what the inequalities of taxation mean. I know what these inequalities mean to the man who has a family. I know what those inequalities mean as a citizen of a great city, where you see the extremes of wealth as well as poverty. I believe with the gentleman from Eastport (Mr. Pike) that every particle of that property in the State of Maine liable to taxation, should be taxed, and should be taxed equally. I believe that I, as well as you, should pay a fair share of the taxable expenses of the State of Maine. I want to say further that I was a member of this committee on taxation two years ago, and I sat on that committee when this great commission, to which my brother from Eastport (Mr. Pike) called your attention, appeared. We listened to the entire evidence of that commission. We had the facts before us. I have the evidence now—not with me, unfortunately, because I never dreamed it would be brought into this discussion this afternoon, and I must content myself for a little while perhaps in telling you what influenced the committee on taxation at this session in bringing in the reports that they have brought in. It was my fortune, early in the session, to present at the request of the gentleman

an intangible tax bill, coupled with the income tax provision. We had a hearing on that tax bill. It developed as I really believe today, that this income tax proviso was absolutely unconstitutional, and the bill could go no farther. This bill immediately followed. It came to this session of the Legislature in the very last week of the session. It was heard at the very last meeting that the taxation committee was able to have.

Now what influenced me in my decision on this bill, as I voted, that it ought not to pass? I am going to tell you frankly just what influenced me. The bill now before us is not a revenue producing measure, and if that bill should become enacted into law by this Legislature, instead of relieving the burdens of taxation upon yourself and myself, it would increase them. This may seem a strange proposition, but I think it is absolutely true. I would like to call your attention to this one fact. It appears by the report of the commissioner of taxes of the State of Maine that there is now on our books of the State about \$18,000,000 of money at interest. I do not know how much other property may be registered as coming under the class of intangible property; but I speak of these fifteen or sixteen million dollars that there is no question but that is reported by the cities and towns of the State of Maine. If this \$15,000,000 was taxed at the rate of three mills, as proposed by this bill, it would give you how much? If I figure it correctly, about \$45,000 or \$50,000 tax on this amount. Now remember that this bill takes this intangible property from the assets of the cities and towns. If you take away from the cities and towns of the State of Maine the taxes that would accrue upon fifteen millions of dollars at \$30 on a thousand—that is easier figuring—you would lose \$450,000 in taxes directly, and how would you make it up? There is only one other way to make it up, and that is to add it to the other taxable property of the citizens of the State of Maine. Do you want to do it? Do I want it added to the other property of my own city? Do I want to take away from them their mil-

lion and a half of dollars now taxed at the rate of twenty-five or twenty-six dollars? It would cost the city of Portland at least two hundred to two hundred seventy-five thousand dollars and the same thing would occur to any one of you in your own home town. I can mention certain towns in this State that it would take away a large part of their taxable property. That was the reason that influenced the committee at the present time in reporting that bill, ought not to pass. It was an extremely impractical measure. There were many members of that committee that believed, as you all believe, that some tax matters should be reported to get at the tangible property in this State if we could get at it; but from a practical point of view it was absolutely impossible. I do not know as only 25 per cent of these taxes under this bill would go to the State. I do not know what would happen. I may be getting this mixed up with the income tax provision, of which I made more study; but from a practical point of view, the decision was reached that this was not a workable law, and the committee decided not to present it to you.

I sincerely hope, for the benefit of the State, for the benefit of the individual towns and the taxpayers in those towns, that the report of this committee may be accepted by this Legislature.

Mr. PIKE: Mr. Speaker, will the gentleman from Portland (Mr. Allan) answer a question?

The SPEAKER: The gentleman from Portland, Mr. Allan, may reply through the Chair.

Mr. PIKE: Mr. Speaker, I desire to ask the gentleman from Portland, why he did not re-draft the bill and make it a workable bill, if this was not one?

Mr. ALLAN: Mr. Speaker, simply because, if it took the commission that reported two years ago weeks and months to draw it, I could not, nor the committee could not draw it in one week's time and put it in workable shape.

The SPEAKER: The question before the House is the motion of the gentleman from Eastport, Mr. Pike, that the

bill be substituted for the report, ought not to pass, and upon this he asks for the yeas and nays. As many as are in favor of taking the yeas and nays will rise.

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

The SPEAKER: The question being on the substitution of the bill for the report, those who are in favor of the motion will say yes when their names are called; those opposed will say no. The Clerk will call the roll.

YEA—Arthur, Audibert, Bean, Brann, Burns, Eagle Lake; Burns, Madison; Carleton, Casey, Cates, Corliss, Coulombe, Dagle, Davis, Old Town; Doble, Dunn, Foss, Gilmour, Hatch, Holley, Jilson, Jones, Langelier, Lausier, Leonard, Macomber, Morin, Mulligan, Murchie, Nelson, O'Leary, Orff, Overlock, Owen, Pattee, Peabody, Perkins, Boothbay Harbor, Perkins, Orono; Pike, Putnam, Rowell, Smith, Storm, Sullivan, Thomas, Harpswell; Warren, Washburn, Wilson, Presque Isle.—Yes, 47.

NAY—Adams, Alden, Allan, Portland; Allen, Sanford; Austin, Milford; Austin, South Berwick; Barnes, Baxter, Bowle, Bragdon, Brown, Buzzell, Case, Chaplin, Chellis, Clason, Clifford, Cochrane, Colcord, Cole, Conary, Cowan, Crabtree, Cunningham, Dain, Davis, Freeport; Dolloff, Dunning, Eaton, Fagan, Farnsworth, Forbes, Fowles, Furbish, Gray, Granville, Grinnell, Hammond, Hanson, Hinckley, Houghton, Hussey, Jordan, Cape Elizabeth; Jordan, New Gloucester; Lanpher, Leathers, Love, Maher, Marr, Mason, Mathews, McLeary, Miller, Millett, Mitchell, Murray, Phillips, Reed, Ricker, Rillon, Roberts, Rounds, Rowe, Sanborn, Savage, Small, Stacey, Stanley, Swift Tilden, Varney, Windham; Williams, Auburn; Wilson, Portland.—No, 73.

ABSENT—Anderson, Berry, Brackett, Bradford, Brewster, Carey, Chamberlin, Lebanon; Chamberlain, Winlow; Crane, Dutton, Flint, Fuller, Garcelon, Greeley, Hisler, Mace, Murch, O'Connell, Plummer, Porter, Ring, Sawyer, Simons, Stevens, Sweatt, Thomas, South Portland; Varney, Jonesboro; Weatherbee, Williams, Wells; Wyman.—Absent, 30.

The SPEAKER: Forty-seven having voted in the affirmative, and 73 in the negative, the motion to substitute the bill for the report is lost.

It recurs to the pending question,—the acceptance of the report.

On motion by Mr. Allan of Portland, a viva voce vote being taken, the report ought not to pass was accepted.

The Chair lays before the House, Resolve in relation to the celebration of the 100th anniversary of the admission

of Maine into the Union, House Document No. 496, tabled by the gentleman from Portland, Mr. Rounds, pending its final passage.

Mr. ROUNDS: Mr. Speaker, I have an amendment. I wish to reconsider the vote whereby it was passed to be engrossed.

Thereupon the House voted to reconsider its vote whereby House Document No. 496 was passed to be engrossed.

The SPEAKER: The gentleman from Portland, Mr. Rounds, presents House Amendment A, which is as follows: Amend House Document No. 496, Resolve in relation to the celebration of the 100th anniversary of the admission of Maine into the Union, by striking out everything after the word "Resolve" and by substituting the following: "That the Governor and Council and the joint special committee of the 79th Legislature appointed to arrange for the celebration of the 100th anniversary of the admission of Maine into the Union be and are hereby directed to take such measures as to them may seem meet to arrange for the proper observance and celebration of the 100th anniversary."

Mr. ROUNDS: Mr. Speaker: This amendment was put on so that the Legislature could be consulted with the Governor and Council in making the arrangements for the celebration of the 100th anniversary.

A viva voce vote being taken, House Amendment A to House Document No. 496 was adopted.

On motion by Mr. Rounds of Portland, House Document No. 496, as amended by House Amendment A, was passed to be engrossed.

The Chair lays before the House, Resolve providing for the payment of certain deficiencies that accrued prior to January 1, 1918, House Document No. 467, tabled by the gentleman from South Thomaston, Mr. Rowell, pending final passage.

Mr. ROWELL of South Thomaston: Mr. Speaker, I have an amendment which I wish to offer.

The SPEAKER: The Chair will read the amendment as presented: House Amendment A.

"Resolve providing for the payment of certain deficiencies that accrued prior to January first, nineteen hundred and eighteen is hereby amended by striking out in lines 6 and 7 on page 1, the words, 'three thousand seven hundred dollars and forty-five cents,' and substituting therefor the words 'three thousand eight hundred eighty-six dollars and ninety-five cents.'"

Said document is further amended by adding after the tenth line on page 2 the words and figures:

'For amount due the town of St. George on account of error in 1918 school census \$186.50'

Said document is further amended by striking out the figures '\$3700.45' in the last line of page 2 and substituting therefor the figures '\$3886.95.'

Mr. ROWELL: Mr. Speaker, I understood at the time this bill was drawn that this amount was to be included in the bill, but it seems that the statement of facts was mislaid at the time. The assistant superintendent of schools, who has had this matter in charge, authorizes me to state that this amount is justly due, and his department has no objection to this amendment.

On motion by Mr. Rowell of South Thomaston, the House voted to reconsider its action whereby the Resolve was passed to be engrossed.

The SPEAKER: Now is it the pleasure of the House to adopt House Amendment A, as read by the Chair?

Mr. HOLLEY of North Anson: Mr. Speaker, may I inquire if that increases the appropriation?

The SPEAKER: The Chair will state that from the appearances—and the gentleman from South Thomaston, Mr. Rowell, can correct the Chair if it is wrong—it appears to add \$186.50.

A viva voce vote being taken, House Amendment A was adopted.

On further motion by Mr. Rowell, the Resolve was passed to be engrossed as amended by House Amendment A.

On motion by Mr. Fowles of La Grange it was voted to take from the table Senate Document No. 239.

An Act relating to the salaries of the board of State assessors and for clerk hire in said office; and on further motion by the same gentleman it was voted to concur with the Senate in the indefinite postponement of the bill.

Mr. BARNES of Houlton: Mr. Speaker, there is on the table, House Document No. 439—not on the printed calendar—recalled from the committee on engrossed bills solely for the purpose of writing therein the section and chapter of the Revised Statutes which in the original bill does not appear. I offer an amendment that merely cites Section 23 of Chapter 130, and move its adoption.

On motion by Mr. Barnes of Houlton, the House voted to reconsider its action whereby House Document No. 439 was passed to be engrossed.

The SPEAKER: The gentleman from Houlton, Mr. Barnes, presents House Amendment A to House Document No. 439, as follows:

House Document No. 439, entitled, An Act amendatory and additional to Section 23 of Chapter 130 of the Revised Statutes, relating to offenses against the public health, safety and policy and requiring dealers in cigarettes to post in their stores, shops or places of business a placard upon which shall be printed a copy of Section 23 of Chapter 130 of the Revised Statutes prohibiting the sale of cigarettes to minors, is hereby amended by striking out everything after the enacting clause and inserting in place thereof the following:

Section 23 of Chapter 130 of the Revised Statutes is hereby amended by striking out the words, "not exceeding fifty dollars," in the fifth line and by inserting in place thereof the words, 'of not less than fifty dollars and not exceeding one hundred dollars;' also by adding at the end of said Section 23 the following words, 'dealers in cigarettes and all persons selling, exposing for sale or offering for sale cigarettes shall display in a conspicuous place in the store, shop or other place where said cigarettes are sold, offered for sale or exposed for sale a placard upon which shall be printed in large type a copy of Sec-

tion 23 of Chapter 130 of the Revised Statutes which section prohibits the sale of cigarettes to minors. Said placard upon application therefor filed with him shall be furnished to the person so applying by the secretary of State. Whoever violates the provisions of this section shall upon conviction be punished by a fine of not less than fifty dollars, nor more than one hundred dollars;' so that said section, as amended shall read as follows:

'Sec. 23. Whoever by himself, clerk, servant or agent, directly or indirectly, sells, offers for sale, has in possession with intent to sell, or gives away to, or in any way obtains for any person under the age of 21 years, any cigarette, cigarette paper, so called, or tobacco such as is used for making any cigarette, shall be punished by a fine of not less than fifty dollars and more than one hundred dollars or by imprisonment not exceeding sixty days. Trial justices and municipal and police courts shall have jurisdiction of offenses under this section. Dealers in cigarettes and all persons selling, exposing for sale or offering for sale cigarettes shall display in a conspicuous place in the store, shop or other place where said cigarettes are sold, offered for sale or exposed for sale a placard upon which shall be printed in large type a copy of Section 23 of Chapter 130 of the Revised Statutes which section prohibits the sale of cigarettes to minors. Said placard upon application therefor filed with him shall be furnished to the person so applying by the secretary of State. Whoever violates the provisions of this section shall upon conviction be punished by a fine of not less than fifty dollars nor more than one hundred dollars.'

Now, is it the pleasure of the House that House Amendment A to House Document No. 439 be adopted?

A viva voce vote being taken, House Amendment A was adopted.

On further motion by Mr. Barnes, House Document No. 439, as amended by House Amendment A, was passed to be engrossed.

Mr. HOLLEY of North Anson: Mr. Speaker, I move that we reconsider

the vote taken yesterday on Senate Document No. 285, resolve in favor of the bank commissioner for the administration and enforcement of Sections 11 to 23 inclusive of Chapter 40 of the Revised Statutes, and that it be passed to be engrossed. It carries an appropriation of \$1500. I am stating this for the benefit of the members of the House, and there is some pending legislation which, if it goes through, will take care of that and we may save \$1500.

The SPEAKER: This was passed to be engrossed in concurrence with the Senate on April first under suspension of the rules, and is it the pleasure of the House to reconsider the vote whereby this resolve was passed to be engrossed?

A viva voce vote being taken, the motion to reconsider prevailed; and on motion by Mr. Holley the resolve was tabled pending an amendment.

Unanimous consent being given, it was voted to receive the following Senate paper out of order:

An Act to amend Section 36 of Chapter 25 of the Revised Statutes as enacted and set forth in Chapter 258 of the Public Laws of 1917, as amended by Chapter 88 of the Public Laws of 1919, relative to the creation and expenditure of the mill tax highway fund.

This comes from the Senate having had its two several readings under suspension of the rules and passed to be engrossed.

The bill then received its first two readings.

Mr. WILSON of Portland: Mr. Speaker, I would like to inquire through the Chair of the gentleman from Lisbon, Mr. Clason, just what this bill is.

The SPEAKER: The gentleman from Lisbon (Mr. Clason) may reply through the Chair.

Mr. CLASON: I will say through the Chair that it is simply an amendment to the bill which we recently passed called the Washburn bill.

Mr. WILSON: Mr. Speaker, I understand from the gentleman's reply

that this is an amendment to the so-called Washburn bill which took one sixth of a mill from the State Highway fund mill tax and applied it to third class roads. I understand that this is an amendment which will take further from that fund and apply it to other roads of the third class. I would like to know if I am correct.

The SPEAKER: The gentleman may reply through the Chair.

Mr. CLASON: I will say that it takes no more from the mill tax fund.

Mr. MURCHIE of Calais: Mr. Speaker, I would like to ask the gentleman from Lisbon, Mr. Clason, one question, if I may, through the Chair, and that is whether or not there is any clause in the bill which would make this a temporary policy rather than a permanent one.

The SPEAKER: The gentleman from Lisbon (Mr. Clason) may reply through the Chair.

Mr. CLASON: Mr. Speaker, I will say there is not.

Mr. WILSON: Mr. Speaker, I move that this bill lie on the table.

A viva voce vote being taken, the motion was lost.

The bill then had its third reading and was passed to be engrossed in concurrence with the Senate.

Mr. LANPHER of Sebec: Mr. Speaker, I move that we reconsider the vote whereby we passed to be engrossed an Act to increase salaries of certain county officers and amount of money allowed for clerk hire in certain county offices. I make this motion for the purpose of offering an amendment in relation to salaries in Piscataquis county. I will say that this is the county salary bill, and there seems to have been left out by mistake one item in regard to Piscataquis county.

A viva voce vote being taken, the House voted to reconsider its action whereby it passed the above bill to be engrossed.

Mr. LANPHER: I offer House Amendment A and move its adoption.

House Amendment A to Senate Document 288

Strike out the words "one thousand dollars" in the last line of page eight relating to registers of deeds and insert in place thereof the words "eleven hundred dollars," so that said line as amended shall read as follows: "Piscataquis, eleven hundred dollars."

A viva voce vote being taken, the amendment was adopted, and the bill was passed to be engrossed as amended by Senate Amendments A and B and House Amendment A in concurrence.

Mr. MAHER of Augusta: Mr. Speaker, may I inquire of the gentleman from North Anson, the chairman of the committee on appropriations, if he could inform the House relative to Senate Document No. 251?

The SPEAKER: The gentleman may reply through the Chair.

Mr. HOLLEY: I would inquire of the gentleman from Augusta (Mr. Maher) through the Chair what he wants to know about it?

Mr. MAHER: On Page two, lines 11, 12, 13, 14, 15 and 16 say that the number of attorneys-general or deputy attorneys-general are limited to the appropriation. I would like to inquire if from the size of the appropriation he could inform the Legislature how many attorneys-general we are going to have?

Mr. HOLLEY: Mr. Speaker, I am not prepared to answer the gentleman immediately. I will ask for a moment's time on it until I can look the matter up.

The SPEAKER: There is one other matter on the table. House amendment A to bill an Act to provide aid for assistance to towns in maintaining highways, House Document No. 504; and the Chair recognizes the gentleman from Parsonsfield, Mr. Granville.

Mr. GRANVILLE: Mr. Speaker and gentlemen, I thought I would be in position at this time to ask for a consideration of this amendment. I am still somewhat in doubt, and I would like the indulgence of the House that this may be tabled until tomorrow morning.

A viva voce vote being taken the matter was re-tabled until tomorrow morning.

Mr. HOLLEY of North Anson: Now if the gentleman from Augusta (Mr. Maher) will state his question again.

Mr. MAHER: I see no way, Mr. Speaker, to form any idea of how many deputy attorneys-general the State is going to be endowed with except from the appropriations. It is purely a matter of curiosity. I thought before adjournment I would like to know.

Mr. HOLLEY: There is no stipulated number, Mr. Speaker, but there is a stipulated amount, I think, that applies to the attorneys-general's office and the salaries and fees for that office. The gentleman will find the answer in the budget, but offhand I am going to say it is \$11,000.

Mr. MAHER: I will ask the gentleman through the Chair if he knows what the salary of the assistant attorney-general now is?

The SPEAKER: The gentleman from North Anson, Mr. Holley, may reply through the Chair.

Mr. HOLLEY: I can only say from memory, but I think it is \$1800.

On motion by Mr. Barnes of Houlton,

Recessed until 7.30 this evening.

After Recess 7.30 P. M.

From the Senate: Resolve for the pay of the chaplains and for certain employees and for typewriting and stenographic assistance and for the official reporter of the Senate.

Comes from the Senate read twice under suspension of the rules and passed to be engrossed.

On motion by Mr. Rounds of Portland, the resolve received its two several readings under suspension of the rules and was passed to be engrossed in concurrence.

From the Senate: Resolve on the payroll of the Senate.

Comes from the Senate read twice under suspension of the rules and passed to be engrossed.

On motion by Mr. Rounds of Portland, the resolve received its two several readings under suspension of the rules and was passed to be engrossed in concurrence.

From the Senate: Report of the committee on appropriations and financial affairs on resolves in favor of Mildred Keene for services as clerk and stenographer of the committee on State lands and forest preservation; in favor of Josephine C. Whalen for services as stenographer; in favor of Edith B. Wilson, clerk of the House and Senate committees on engrossed bills; in favor of the clerk and stenographer, also messenger to the committee on inland fisheries and game; in favor of L. Ernest Thornton for services rendered to the secretary and assistant secretary of the Senate; in favor of Anne Gower, clerk and stenographer of the committee on agriculture, reporting that the same ought not to pass as they are to be provided for by the Governor and Council.

Report accepted in concurrence.

From the Senate: Committee on appropriations and financial affairs on resolve in favor of the stenographer and typist, in the office of the secretary of the Senate that it ought not to pass as the same is provided for in the resolve for payroll, chaplains and certain employees and typewriting and stenographic assistance.

Report accepted in concurrence.

From the Senate: Committee on appropriations and financial affairs on resolve in favor of the official reporter of the Senate for services of assistant reporter, typewriter operator and additional compensation in the preparation and completion of the legislative record that it ought not to pass as the same has been cared for by the Senate payroll.

Report accepted in concurrence.

From the Senate: Report of the

committee on taxation on bill an Act amending Section 32 of Chapter 9 of the Revised Statutes, relating to street railroad tax that legislation thereon is inexpedient.

Report accepted in concurrence.

From the Senate: Final reports of the committees on federal relations, judiciary, telephone and telegraphs, salaries and fees, sea and shore fisheries, ways and bridges.

These come from the Senate read and accepted.

In the House accepted in concurrence.

From the Senate: Majority and minority reports from the committee on judiciary on resolve amending the constitution so as to provide for a bond issue for the development of water storage upon the Saco river in the State of Maine that it ought not to pass.

(Signed)

DAVIES,
DEERING,
MAHER,
MURCHIE,
DEARTH,
BUZZELL,
CHAPLIN,
CONARY,
BARNES,

and minority report on the same resolve that it be referred to the next legislature. (Signed) BAXTER.

On motion by Mr. Barnes of Houlton, the House voted to accept the majority report in concurrence with the Senate.

From the Senate: Majority and minority reports from the committee on judiciary on an Act for the development of water storage upon the Saco river, and for other public purposes, that it ought not to pass.

(Signed)

DAVIES,
DEERING,
MAHER,
MURCHIE,
DEARTH,
BUZZELL,
CHAPLIN,
CONARY,
BARNES,

and minority report on the same resolve that it be referred to the next Legislature. (Signed) BAXTER.

This comes from the Senate with the majority report accepted.

On motion by Mr. Chaplin of Bridgton, the House voted to accept the majority report in concurrence with the Senate.

From the Senate: Report of committee on appropriations and financial affairs on resolve in favor of Charles J. Hutchings for services in assisting members of the Legislature in drawing bills and resolves and that it ought to pass.

This comes from the Senate, read twice under suspension of the rules and passed to be engrossed. The report was accepted in concurrence, and the resolve was given its two several readings under suspension of the rules and passed to be engrossed in concurrence.

From the Senate: Report from the committee of conference on the disagreeing action of the two branches on bill an Act to provide for the fixing of salaries and wages of subordinates of the several departments of the State government, reporting that the House recede and concur with the Senate in the passage of the bill to be engrossed without House amendment A.

(Signed) BUTLER,
WARREN,
GRANT,
BARNES,
FOWLES,
CRABTREE,

Members of the Conference Committee.

This comes from the Senate with the report read and accepted.

House voted to accept the conference report in concurrence.

It further voted to reconsider its action whereby the bill was passed to be engrossed as amended by House Amendment A. It further voted to reconsider its action whereby it adopted House Amendment A. It further voted to indefinitely postpone House Amendment A. Thereupon the bill was passed to be engrossed in concurrence with the Senate without amendment.

From the Senate: Bill An Act additional to Chapter 45 of the Revised Statutes, relating to sea and shore fisheries.

and prohibiting the transportation of lobsters beyond the limits of the State except by common carrier until a permit for such purpose is issued by the commissioner of sea and shore fisheries.

In the House the majority report of the committee ought not to pass was accepted, and in the Senate it was passed to be engrossed. That branch insists upon its action of engrossing, asks for a committee of conference, and appoints as conferees Senators Peacock, Deering and Davies.

On motion by Mr. Mitchell of Kittery, the House voted to insist and join the committee of conference.

The SPEAKER: The Chair will appoint as the conferees on the part of the House Messrs. Mitchell of Kittery, Perkins of Boothbay Harbor and Hinckley of South Portland.

From the Senate: An Act to authorize Horace Cleland to erect and maintain a fish weir in tide waters in front of his land in the town of Perry.

This was passed to be enacted in the House March 31st, and passed to be engrossed by this branch March 27th as amended by Senate Amendment A. It comes from the Senate, that body having recalled the bill from the governor and indefinitely postponed it.

On motion by Mr. Washburn of Perry, the House voted to recede and concur with the Senate in the indefinite postponement of the bill.

Report of Cumberland Delegation on bill An Act to establish the Portland Public Service District that the same be referred to the next legislature.

The report was accepted.

From the Senate: Report of committee on labor and judiciary on bill An Act relative to depositions under the workmen's compensation act.

An Act to amend Chapter 50 of the Revised Statutes, and acts amendatory thereof, relative to workmen's compensation.

An Act to amend Section 34 of Chapter 50 of the Revised Statutes, providing for taking and use of depositions. R. S. Chapter 50, Section 34, relating to proceedings under the Industrial Accident Commission, amended.

An Act to amend Section 21 of Chapter 112 of the Revised Statutes, relating to depositions.

An Act to amend Chapter 50 of the Revised Statutes, relative to compensation for personal injuries to employees.

An Act to amend Sections 9, 10, 12, 13, 14, 15 and 16 of Chapter 50 of the Revised Statutes, relating to compensation for personal injuries for employees.

An Act to amend Section 10 of Chapter 50 of the Revised Statutes relating to the workmen's compensation act.

An Act to amend Sections 9, 10 of Chapter 50 of the Revised Statutes, relating to compensation for personal injuries for employees.

An Act to amend Chapter 50 of the Revised Statutes, entitled compensation for personal injuries to employees.

An Act to amend Chapter 50 of the Revised Statutes, relative to compensation for personal injuries to employees.

An Act relative to salaries of members of Industrial Accident Commission, reporting ought not to pass as the subject matter of these various bills is embraced in another bill before this legislature.

Report accepted in concurrence.

From the Senate: Bill An Act to permit the registration of female voters for presidential electors.

Came from the Senate read twice under suspension of the rules and passed to be engrossed.

In the House the rules were suspended and the bill given its three several readings and passed to be engrossed in concurrence.

From the Senate: Report of the committee on appropriations and financial affairs, on Resolves, in favor of the clerk, stenographer and messenger of the judiciary committee in favor of the clerk, stenographer and messenger of the committee on legal affairs; in favor of the clerk, stenographer and messenger of the committee on appropriations and financial affairs; in favor of the clerk and messenger to the commit-

tee on Public Utilities; in favor of the clerk and messenger to committee on salaries and fees; in favor of clerk and messenger to committee on railroads and expresses; in favor of clerk and stenographer to committee on ways and bridges; in favor of clerk and stenographer to the committee on claims; in favor of the stenographer to the committee on temperance; in favor of the clerk to committee on taxation; in favor of the clerk to the committee on pensions; in favor of the clerk to the committee on insane hospitals; in favor of the clerk to the committee on State sanatoriums; in favor of the clerk, stenographer and messenger to the committee on towns; in favor of the clerk to the committee on public health; in favor of the clerk to the committee on bills in the second reading; in favor of the clerk to the committee on bills in the third reading; in favor of the stenographer to the committee on Indian affairs, and in favor of the clerk, stenographer and messenger to the committee on sea and shore fisheries, reporting same in a new draft, under title of Resolve in favor of the clerks, stenographers and messengers of the several committees of the 79th Legislature, and that it ought to pass.

Report accepted in concurrence.

Mr. ROUNDS of Portland: Mr. Speaker, judiciary, Olive M. Dutton, \$200 in one place and \$250 in another. I move that it be amended to \$250.

Mr. FLINT of Monson: Mr. Speaker, is there anything there in regard to the inland fisheries and game?

The SPEAKER: The Chair will state that it does not see anything in here relating to that committee.

Mr. RICKER of Poland: Mr. Speaker, may I ask what the amount is for the clerk of the taxation committee.

The SPEAKER: The Chair will state that the printed bill shows C. Sumner Buckley, clerk. \$25.

Mr. BAXTER of Portland: Mr. Speaker, I have an amendment which I would like to offer to correct that error in regard to the clerk of the committee on taxation.

The SPEAKER: Will the House hold these amendments until we can act on the Senate amendments?

This comes from the Senate passed to be engrossed as amended by Senate Amendments A and C, with Senate Amendment B rejected. The Chair will read the amendments.

Senate Amendment A to Senate Document No. 302, entitled Resolve in favor of clerks, stenographers and messengers of the several committees of the 79th Legislature.

Amend said resolve by striking out the words and figures "George H. Chick, messenger, seventy-five dollars, \$75," and substituting therefor the following: "George H. Chick, messenger one hundred dollars \$100.-00."

A viva voce vote being taken, the House voted to adopt Senate Amendment A in concurrence.

The SPEAKER: Senate Amendment B is as follows:

Amend Senate Document 302, page 2, under heading of ways and bridges by striking out in the second line thereof the words "one hundred fifty" figures "150" and inserting in place thereof the words "two hundred fifty" and figures "\$250."

This amendment was rejected in the Senate.

Mr. CLASON of Lisbon: Mr. Speaker, does that refer to the clerk of the committee?

Mr. HOLLEY of North Anson: Mr. Speaker, I do not wish to interrupt; but I might be able to clear up a little misunderstanding if I made a statement here now. The clerks of the several committees that are in the employ of the different state departments, their matters are referred to the Governor and Council by direction of the caucus; so any of you gentlemen who have clerks of your committees that are employed by the State in a department you will not find their names in this Resolve, because, as I said, that matter is referred to the Governor and Council under the statute.

Mr. CLASON: Mr. Speaker, I think Senate Amendment B refers to the claim of the clerk of the commit-

tee on ways and bridges. Now she has had an exceptional amount of work to do this session and has conducted the business not only as clerk, but as stenographer; and it seems to me, if in order, I should move that we non-concur with the Senate as to Senate amendment B and adopt the amendment.

A viva voce vote being taken, the House voted to non-concur with the Senate in its rejection of Senate amendment B and adopted the amendment.

Senate Amendment C.

Amend Senate Document 302 by striking out the figures \$150 after the words William Wilson, messenger, and substituting therefor \$200.

This comes from the Senate adopted. The House by a viva voce vote adopted the amendment in concurrence.

Mr. Baxter of Portland presented House Amendment A to Senate Document 302.

Amend Senate Document No. 302, Resolve in favor of clerks, stenographers and messengers of the several committees of the 79th Legislature, by striking out at the top of the third page after the words, "C. Sumner Buckley, Clerk" the words and figures "twenty-five dollars, \$25," and inserting in place thereof the words and figures "one hundred and fifty dollars, \$150."

The House by a viva voce vote adopted House Amendment A.

Mr. ROUNDS of Portland: Mr. Speaker, under salaries and fees, Olive M. Dutton, stenographer, \$250. Now I understand we voted \$150 for Mrs. Louise Cony. She was our stenographer, but I find there is no name here on this bill. So I would like to put in an amendment to that.

The SPEAKER: If the gentleman from Portland, Mr. Rounds, will prepare his amendment, we can lay the matter temporarily on the table. Are there any other matters connected with this bill which it is desired to reach by amendment?

Thereupon the matter was temporarily tabled pending preparation of amendment.

Report of the committee on legal affairs on bill, An Act relating to the term of service of the city treasurer and collector of the city of Portland, that it ought to pass.

Mr. HOLLEY of North Anson: Mr. Speaker, I move that it be indefinitely postponed.

Mr. HINCKLEY of South Portland: Mr. Speaker, this matter was considered by the legal affairs committee, and I think there was a unanimous report, ought to pass; and unless the House is given some very good reason for it, it seems to me it would be hardly proper to turn down a unanimous report of the committee without some reason being given.

The pending question being the motion to indefinitely postpone, and a viva voce vote being taken, the motion to indefinitely postpone prevailed.

From the Senate:

Majority and minority reports of the committee on sea and shore fisheries on bill, An Act to amend Section 71 of Chapter 45 of the Revised Statutes, relative to the use of seines in traps, the majority report reporting in new draft under same title and that it ought to pass.

(Signed) Messrs. PEACOCK,
STACEY,
WYMAN,
HOLT,
COLE,
JORDAN,
CLEMENT,
FULLER,
STEVENS.

And minority report of same committee on same subject matter, ought not to pass.

(Signed) PERKINS.

This comes from the Senate with the majority report accepted, the bill read twice under suspension of the rules, and passed to be engrossed.

Mr. PERKINS: Mr. Speaker, I move the adoption of the minority report, and I would inquire if it is proper for me to be heard on that at this time.

The SPEAKER: The Chair will state that it is in order.

Mr. PERKINS: Mr. Speaker, and gentlemen of the House: I wish to say in the beginning that this matter came before the committee on sea and shore fisheries, of which I am a member, and three weeks ago today was taken up by the committee and unanimously voted "ought not to pass." The bill was not reported out, but a week ago today was taken up and I finally succeeded in getting my name upon a minority report.

This bill is to amend Section 71 of Chapter 45 of the Revised Statutes. Section 71 formerly read: "The owner or person in charge of any weir is hereby permitted to use nets and seines" etc. That would follow Section 70 which said that no one should use a seine within 1000 feet of the mouth of a weir. Now that is the general law of this State relating to weirs. This amendment is as follows: "And the owner is also allowed to attach in said weir or trap a net or seine not over 600 feet in length provided that no part of the net or seine is less than 100 feet from any other weir or trap, and a net or seine so attached may be manipulated by the owner or person in charge in such manner as to guide the fish up to and within said weir or trap."

As we have learned heretofore upon the floor of this House, a man in order to get a permit or license for a weir must make application to the selectmen or municipal officers of the town. Notice is then given and hearing granted, providing it does not interfere with the rights of others. That law says that when one wishes to set a weir—right there that statute to which I have referred—the Legislature has delegated its authority to the municipal officers and selectmen of the cities and towns. A weir is entitled to protection under the general law. Under section 70 a seiner must keep away from a weir, must not fish for herring within 1,000 feet of the mouth of a weir under the statute law. Over in Sheepscoot River, near my home, the law is 2,000 feet from any part of the weir. East of White

Head a seiner must remain away half a mile from a weir. This bill is for the purpose of giving a man who owns the weir rights additional to what he now has. Under the present law he is only allowed to fish within his weir. He is granted special rights and privileges, and a seiner must keep a certain distance away from that weir. That is what the law says. A man is allowed to hitch on to his weir a seine not over 600 feet in length, and it says it must not be less than 1,000 feet away from somebody's else weir; but it also goes on and says that a net or seine so attached may be manipulated by the owner or person in charge in such manner as to get fish up to and within said weir or trap. That bill purports to be used and is stated to be only for that purpose; but a weirman can seine next to his weir under that 600 feet in addition to the permit given him by the selectmen.

It is a bill that has no basis in justice or fairness or in accordance with this statute to which I have referred. The seiner is obliged to stay away this distance. A weirman is entitled to his protection. Now there has been, and is, along the coast of Maine a feeling of rivalry between the weirman and the seiner. The weirman is continually reaching out for further rights and privileges, and I submit, gentlemen of the House, that there was no evidence before our committee why he should have this additional right. It was mentioned that during the war, as a war measure, the Federal government had seen fit under its war powers to authorize them to do something of this sort in order to increase the food supply; but on the permits which the Federal government issued it said the permittee, or the one paying the permit, was not authorized to violate any State law; and I most respectfully submit that any man using a weir or using a seine violates the State of Maine law, even though he had a government permit. Furthermore, a man attempting to put a seine on his weir is extending his weir. He having obtained his license from the town must make application to the United States engineer's office,

or the war department, and to receive a license or a permit from the war department for the purpose of obstructing navigation.

This is that class of legislation which I think should be abhorrent to any right thinking man; and if any more rights can be granted to a weirman giving him special privileges to seine within 600 feet of his weir, and keep the seiner as far away, you will have what is little better than civil war on the coast of Maine. I do not represent either party, but I know what the situation is, and I do hope that you will accept the minority report, because I think this is a vicious piece of legislation.

Mr. PIKE of Eastport: Mr. Speaker, I come from a shore town, and I am somewhat familiar with the way herring and sardines are caught in weirs on our coast. I am thoroughly familiar with the law under which weir licenses are granted and the manner in which weirs are operated by the fishermen. I think, gentlemen, that it will readily appeal to you that two men who own weirs perhaps only a thousand feet apart—some of them are nearer—that if you give a right to a man to run a seine 600 feet from his weir, you break up the schools of herring and the other fellow below will not get any fish in his weir at all. Furthermore, if this law is enacted, it opens the doors to great abuse, because weirs are fished in the dead hours of the night as well as in the daytime, and fishermen, some of whom are not very particular about the laws regulating such things, may have a seine 1,000 feet instead of 600. All boatmen have seines down in our section of the country, although it is illegal to use them; but they are always aboard the fishing sloops and are used illegally quite frequently. If this legislature should pass this law, I think you would be doing an injustice because weirs are vested rights and weir owners are under great expense in maintaining them. This freak piece of legislation that will give anybody authority to run out a seine 600 feet is vicious to my mind. I hope, gentlemen, that it will be indefinitely postponed.

The SPEAKER: The question before the House is the motion of the gentleman from Boothbay Harbor, Mr. Perkins, that the minority report "ought not to pass" be accepted. All those in favor of the acceptance of the minority report say aye; those opposed no.

A viva voce vote being taken, the minority report was accepted.

From the Senate: Bill, An Act to amend Sections 6 and 7 of Chapter 33 of the Revised Statutes, as amended by Chapters 219 and 244 of the Public Laws of 1917, relating to providing dams with fishways.

This bill was passed to be engrossed in the House, April 1, as amended by House Amendment A. It comes back from the Senate passed to be engrossed as amended by House Amendment A, as amended by Senate Amendment A, and the Chair will read Senate Amendment to the House Amendment:

Amend House Amendment A to House Document No. 505, by striking out the last six words of said amendment, namely, "and his decision shall be final."

On motion by Mr. Barnes of Houlton, the House voted to reconsider its action whereby this bill was passed to be engrossed as amended by House Amendment A.

On further motion by the same gentleman the House voted to reconsider its action whereby it adopted House Amendment A.

On further motion by the same gentleman it was voted to adopt Senate Amendment A to House Amendment A in concurrence with the Senate.

On further motion by the same gentleman it was voted to adopt House Amendment A as amended by Senate Amendment A; and the bill was passed to be engrossed as amended by House Amendment A as amended by Senate Amendment A, in concurrence.

On motion by Mr. Clason of Lisbon, the House voted to reconsider its action whereby it indefinitely postponed Senate Document No. 301, An Act relating to the term of service of the city treasurer and collector of the

city of Portland whereby this was indefinitely postponed.

Mr. HINCKLEY of South Portland: Mr. Speaker, I do not know what the object is in having this reconsidered at this time. I have no particular interest in this bill because it does not affect my city. It does affect the city of Portland, and I am going to repeat what I said before, that it seems to me to be a local matter, a matter pertaining to the time of service of the treasurer of the city of Portland. Some six years ago, if I remember correctly, the Legislature extended the term of office of the corporation counsel, the chief of police, the chief of the fire department, and I think perhaps one or two others; but for certain reasons—and it is needless for me to give those reasons at this time—the city treasurer's term of office was not extended. There are many citizens of the city of Portland, and evidence came before the legal affairs committee to this effect, that the city treasurer's office should be extended for a period of three years for the reason that it is an office where, when a man goes into it, he should not be removed for political considerations when he becomes proficient. I know that many of the most substantial citizens of Portland feel that this office should be extended and made a term of three years instead of one. I sincerely hope that the House will reconsider this matter and then we will take the matter up later and see what is proper.

Mr. WILSON of Portland: Mr. Speaker, this is a bill relating to the term of service of the city treasurer of Portland; and as the gentleman from the legal affairs committee has seen fit to introduce the subject here, I think I will answer briefly. My understanding of this bill is that it was wanted simply by one man—the city treasurer of Portland. There has been no demand, so far as I have been able to ascertain, in the city of Portland, for this bill. It was brought down here and kept in the pocket of a man in the other end of this building until the last day when private bills could be introduced. On asking a member of the Portland delegation

where the bill was, he was unable to get it introduced, and when introduced we were equally unable to get it to the Portland delegation. We thought we knew something about how to run our own business. We have been told by the single proponent of this bill that we do not know what we want and we cannot have what we want anyway. When I attended the hearing on this bill before the legal affairs committee, if I remember correctly there was one other member of the Portland delegation, and another gentleman from Portland, who appeared in opposition. There was no proponent appeared for the bill before that committee. The opposition was heard and the gentleman who had introduced the bill, being a member of the committee was finally asked by the chairman if he had anything to say in favor of it. The reply was that he would state his side of the case in executive session. The Chairman would not stand for that and he had to state it before the opposition retired. It is true that some of the offices in Portland are for more than one year. I think all but one were made five year terms by the Legislature of 1909, and the other was extended from a three year term to a five by the preceding Legislature of 1907. Since that time there has been no attempt to extend any of these offices. The city treasurer is only one of several who are one term officers. The mayor of the city is a one year office, it seems to me to be incongruous at this late day and rather a raw deal to provide that some other subordinate officer should have a longer term than his superior officer. I sincerely hope you will all vote no.

Mr. HINCKLEY: Mr. Speaker, may I inquire of the gentleman from Portland, Mr. Wilson, whether or not the Portland delegation is in favor of this bill?

The SPEAKER: You may inquire through the Chair.

Mr. WILSON: It is.

Mr. HINCKLEY: Mr. Speaker, with the assurance that the Portland delegation wishes this action taken, I have no further objections.

The pending question being the reconsideration of the motion to indefinitely postpone, and a viva voce vote being taken, the motion to reconsider was lost.

From the Senate: Bill, An Act to require a fee for registration of milk dealers.

This was indefinitely postponed in the House April 2. It comes back from the Senate, the bill read twice under suspension of the rules and passed to be engrossed in non-concurrence.

Mr. RICKER of Poland: Mr. Speaker, I move that the House adhere to its former action.

A viva voce vote was doubted.

The SPEAKER: The question is on the motion to adhere, which means that the door is closed. All those in favor of the motion to adhere, will rise and stand until counted.

A division of the House being had,

Seventy-five having voted in the affirmative, and thirteen in the negative, the motion to adhere prevailed.

Unanimous consent being given, Mr. Holley of North Anson presented the following order out of order:

Ordered, that the committee on ways and means fix and determine the tax rate for years 1919-20 in the matter of the State tax.

The order received a passage.

From the Senate: An Act to amend the charter of the city of Lewiston providing for firemen's pensions.

This was passed to be engrossed by the House April 1st. It comes from the Senate read twice under suspension of the rules and passed to be engrossed as amended by Senate amendment A.

On motion by Mr. Barnes of Houlton, the House voted to reconsider its action whereby this bill was passed to be engrossed.

On further motion by the same gentleman, it was voted to adopt in concurrence with the Senate, Senate amendment A.

On further motion by the same gentleman the bill was passed to be engrossed as amended by Senate amendment A in concurrence.

From the Senate: Bill, an Act to amend Section 40 of Chapter 117 of the Revised Statutes, increasing the salary of the clerk of courts of the county of Lincoln.

This was passed to be engrossed in the House, March 31, as amended by House amendment A, and comes back from the Senate indefinitely postponed.

Mr. PERKINS of Boothbay Harbor: Mr. Speaker, I move we insist and ask for a committee of conference.

Thereupon, a viva voce vote being taken, the House voted to insist on its action and ask for a committee of conference.

The SPEAKER: The Chair will appoint as conferees on the part of the House, Messrs. Perkins of Boothbay Harbor, Barnes of Houlton, and Weatherbee of Lincoln.

From the Senate: Bill, an Act to amend Section 3 and Section 12 of Chapter 26 of the Revised Statutes, relating to marking packages of agricultural seeds.

This was passed to be engrossed by the House as amended by House amendment A. It comes back from the Senate passed to be engrossed as amended by House amendment A, and by Senate Amendments A and B.

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

The House thereupon adopted Senate amendments A and B in concurrence.

On motion by Mr. Barnes of Houlton, the bill was tabled pending its passage to be engrossed.

From the Senate: Bill, an Act to exempt certain public bonds from taxation.

This was passed to be engrossed in the House March 20, and comes from the Senate passed to be engrossed as amended by Senate amendment A.

The House voted to reconsider its action whereby this bill was passed to be engrossed and the House thereupon voted to adopt Senate amendment A in concurrence, and the bill was passed to be engrossed as amended by Senate amendment A in concurrence.

From the Senate: Bill, an Act to amend Chapter 26 of the Revised Statutes, as amended by the Public Laws of 1917, relating to the registration and operation of motor vehicles.

This was passed to be engrossed by the House March 27, as amended by House amendment A. It comes from the Senate with House amendment A indefinitely postponed and with Senate amendments A, B and C adopted, and the bill passed to be engrossed as amended by the three Senate amendments.

Mr. WILSON of Portland. Mr. Speaker, I move that the bill and amendments be indefinitely postponed.

Mr. CLASON of Lisbon: Mr. Speaker, this is too valuable a bill to be treated that way. The whole motor vehicle law has been changed to some extent, and introduced in that are provisions for registering trucks. I hope that this motion will not prevail.

Mr. WILSON: Mr. Speaker, I do not wish to kill anything that has any merit in it, and on the statement of the gentleman from Lisbon (Mr. Clason) I withdraw my motion; and, in order, I move that we insist on the adoption of House amendment A and ask for a committee of conference.

Mr. STORM of New Sweden: Mr. Speaker, may we have the Senate amendments read?

(Senate amendments A, B and C read.)

Mr. CLASON: Mr. Speaker, I move that we recede from our action and adopt Senate amendments A, B and C.

The SPEAKER: The Chair will state that House amendment A was indefinitely postponed in the Senate. Does the Chair understand the gentleman from Lisbon, Mr. Clason, to concur in the indefinite postponement of House amendment A?

Mr. CLASON: Yes, Mr. Speaker.

Mr. WILSON: Mr. Speaker, as I recall House amendment A, we reduced the age limit to 14. It seems to me that that is a very poor proposition. Fourteen is the age at which, under our law, boys can go to work.

We all know, as a matter of fact, that a boy can drive just as well at 14 as at 16, if he gets a chance to; not very many of them get it. I hope that the House will adhere to its former position in keeping this age limit at 14.

Mr. CLASON: Mr. Speaker—

The SPEAKER: The gentleman may speak for the third time with the consent of the House.

Mr. CLASON: Mr. Speaker, the present law has the age limit at 16. I really believe myself that it is dangerous for any boy under that age to drive high powered cars unless he is accompanied by a person older than himself. As I understand it Senate amendment A gives him the right to drive a car with a licensed operator accompanying him. I think that should be sufficient.

Mr. FORBES of Paris: Mr. Speaker, although it may be a case of some of us of mature years are acting like boys of 14, still I think that that is too young an age to license boys to take out a high powered car and run it independently. I know that some boys of 14 are capable of running cars, and I know men of 40 who are not capable of running cars; but the secretary of State cannot exercise any discretion in issuing licenses. He cannot go and test these 14 year old boys and see whether they are fit to drive a car or not. I certainly think there must be a line drawn somewhere, and I think that 16 is young enough.

Thereupon the House voted to reconsider its action whereby this bill was passed to be engrossed as amended by House amendment A, and the House adopted in concurrence with the Senate, Senate amendments A, B and C.

On motion by Mr. Clason of Lisbon, the House voted to reconsider its action whereby it adopted House amendment A; and on further motion by the same gentleman the House voted to indefinitely postpone House Amendment A in concurrence with the Senate, and the bill was passed to be engrossed as amended by Senate amendments A, B and C.

Mr. RICKER of Poland: Mr. Speaker, this bill went to the Senate, and I had an idea of putting an amendment on it, but I was told that one of the senators was going to add an amendment such as I had in mind. I would like to have the bill tabled until tomorrow morning, so I may present an amendment. I would like to state to the House the substance of the amendment. In traveling on the main highways you get a good many country roads as well as trunk lines that are not very wide. These large trucks travel right in the center of the road and keep any touring car coming up behind them from passing; and this amendment I wanted to offer was requiring every truck to carry a mirror adjusted at all times so that they can see any car coming up behind them and give them the road and let them go past. As it is now the trucks make so much noise that they cannot hear the sound of an approaching car. For this reason, if the House will allow me I would like to have this tabled until tomorrow morning.

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

Mr. ROUNDS of Portland: Mr. Speaker. I would like to take up now Senate Document 302, Resolve in favor of clerks, stenographers and messengers of the several committees of the 79th Legislature and offer the following amendment:

House amendment B to Senate Document 302.

Amend by inserting in the first line of page 2 after the word "hundred" the words "and fifty" so that said line as amended shall read as follows:

Olive M. Dutton, stenographer, two hundred and fifty dollars.

Also amend the second line under the heading salaries and fees on page two of said bill by striking out the words "Olive M. Dutton" and inserting in place thereof the words "Louise G. Cony." Also strike out the word "two" in said line and insert in place thereof the word "one," so that

said line as amended shall read as follows:

Louise G. Cony, stenographer, one hundred and fifty dollars.

The amendment was adopted.

Thereupon the resolve received its two several readings under suspension of the rules, and was passed to be engrossed as amended by House Amendments A and B, and Senate Amendments A, B and C.

From the Senate: Bill, an act amendatory and additional to Chapter 197 of the Public Laws of 1917, and Chapter 301 of the Public Laws of 1917, relating to the State Department of Health.

This was passed to be engrossed in the House, March 22, and passed to be enacted in the House, March 31. It comes from the Senate indefinitely postponed in non-concurrence.

Mr. BARNES of Houlton: Mr. Speaker, this is a very important matter. It fell by the wayside in the Senate, I am convinced through mistake, in part, for by the action of the Senate we have abolished the State department of health, or what you and I look upon as the State board of health. In addition to providing for the annual expenditure of the State board of health, House 453, this bill carried with it an idea which has the support of the physicians all over the State, and which expresses a strong desire on the part of the sections of the State which have no physicians, as indicated in section two of the bill. It authorizes or allows cities, towns and plantations to employ an official who shall be known as the local health officer; and if towns and cities see fit to employ such, he is a man who is vouched for by the State commissioner of public health, devotes his entire time to the performance of his duties, and receives one-third of his salary, not to exceed \$800 a year, from the State.

Now this bill will not appeal very strongly to the gentlemen from the cities, who in times of ill health in their families have an abundance from which to draw for assistance. Men never knew until the epidemics

of the last twelve months, the small pox that we had earlier in the summer, and the influenza that we had late in the fall, how much it means to the sections of Maine where there are not competent advisers in sufficient number to meet the demands of the people.

In addition to the items I have just mentioned, it provides a State appropriation to meet an appropriation of the Federal government. May I inquire, Mr. Speaker, what the action of the House was upon this bill?

The SPEAKER: The Chair will state that the House passed the bill to be engrossed on March 22, and passed it to be enacted on March 31.

Mr. BARNES: Mr. Speaker, I move that the House insist upon its action and appoint a committee of conference.

Mr. SAWYER of Fort Fairfield: Mr. Speaker, I introduced those bills at the request of the State department of health. I am not going to say a word in support of them. If this State wants to do away with the State department of health, why vote to do so. I am not going to say one word in its favor; but no more tests can be made, and you can go right along and have typhoid fever, diphtheria, and everything else.

Mr. ROUNDS of Portland: Mr. Speaker, this is a very important matter and it should be considered when we are in a different frame of mind than we are tonight; so I move that it lie on the table until tomorrow morning.

The SPEAKER: There is a motion already before the House, the motion of the gentleman from Houlton, Mr. Barnes, that the House insist and ask for a committee of conference.

The motion prevailed.

The SPEAKER: The Chair will appoint upon that conference committee, Messrs. Barnes of Houlton, Williams of Auburn, and Sawyer of Fort Fairfield.

The SPEAKER: There is one other thing the Chair wants to suggest. This automobile bill which has been tabled for tomorrow is a bill that ought to be printed, and ought to be

in the hands of the printer tonight if possible.

Mr. FLINT of Monson: Mr. Speaker, I move that we take from the table, bill, An Act to amend chapter 26 of the Revised Statutes, as amended by the public laws of 1917, relating to the registration and operation of motor vehicles.

The SPEAKER: It is on the table on the motion of the gentleman from Poland, Mr. Ricker. If the amendment could be offered now it would expedite matters.

Mr. RICKER: Mr. Speaker, I will not delay it further now.

The motion to take the bill from the table prevailed.

On further motion by Mr. Flint, the bill was passed to be engrossed, as amended.

The SPEAKER: The Chair wishes to announce the conferees on the part of the House on the Boothbay Harbor water matter, Messrs. Perkins of Boothbay Harbor, Maher of Augusta, and Buzzell of Belfast.

On motion by Mr. Barnes of Houlton,

Adjourned until tomorrow morning at 9 o'clock.