

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eightieth Legislature

OF THE

State of Maine

1921

AUGUSTA
KENNEBEC JOURNAL PRINT
1921

ERRATA:

**The following errata are
inserted because one or more pages
in this session day have errors
noticed and corrected here.**

ERRATA

| | |
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| Page 154, column | 1, line 17, for Chapter "199" read "198." |
| " 163, " | 2, after order by Mr. Winter, read "Tabled on motion of Mr. Buzzell of Belfast." |
| " 174, " | 1, line 8, for "Lewiston" read "Rockland." |
| " 194, " | 1, " 24, for "Sewall" read "Newall." |
| " 197, " | 2, " 50, for "insurance" read "issuance." |
| " 267, " | 2, " second Act referred to Inland Fisheries and Game was referred to Judiciary Committee. |
| " 305, " | 1, " 42, for "Boys" read "Girls." |
| " 305, " | 1, " 45, "H. 169" should read "H. 165." |
| " 511, " | 2, " 2, for "H. 106" read "H. 160." |
| " 586, " | 1, " 13, for "St. Albans" read "St. Agatha." |
| " 591, " | 2, " 23, for "1919" read "1909." |
| " 602, " | 2, " 12, for "enacted" read "engrossed." |
| " 617, " | 1, " 46, for "322" read "332." |
| " 650, " | 2, " 31, for "H. 336" read "H. 366." |
| " 662, " | 2, " 26, for "Barrington" read "Harrington." |
| " 692, " | 2, " 35, for "H. 236" read "H. 336." |
| " 694, " | 1, " 2, for "S. 154" read "S. 155." |
| " 716, " | 2, " 3, for "Mr. Perham" read "Mr. Bragdon of Perham." |
| " 772, " | 1, " 24, for "same" read "Committee on Appropriations and Financial Affairs." |
| " 869, " | 1, " 50, insert "Finally passed." |
| " 902, " | 1, " 24, for "Clark" read "Barton." |
| " 902, " | 1, " 40, for "S. 185" read "S. 184." |
| " 928, " | 1, " 51, for "343" read "243." |
| " 949, " | 1, " 43, for "Merton's" read "Martin's." |
| " 954, " | 1, " 44, insert "ought not to pass." |
| " 958, " | 2, " 20, for "179" read "181." |
| " 958, " | 2, " 28, for "178" read "179." |
| " 967, " | 2, " 49, for "S. D. 198" read "S. D. 180." |
| " 981, " | 2, " 10, for "\$300" read "\$300,000." |
| " 1000, " | 2, " 47, for "Portland" read "Biddeford." |
| " 1005, " | 2, " 42, for "salaries" read "selection." |
| " 1142, " | 1, " 40, for "H. D. 465" read "H. D. 456." |
| " 1169, " | 2, " 2, for "Fogg" read "Forbes." |
| " 1191, " | 2, lines 3 and 11, for "engrossed" read "enacted." |
| " 1191, " | 2, line 20, for "finally passed" read "passed to be enacted." |
| " 1191, " | 2, lines 31, 40, 48, for "engrossed" read "finally passed." |
| " 1211, " | 2, " 12 and 13, "National Guard" should read "Nash and Viles." |
| " 1280, " | 1, line 14, for "bald" read "bomb." |
| " 1321, " | 1, " 35, for "lighting Long and Big Lakes" read "Lewy, Long and Big Lakes." |
| " 1373, " | 2, " 42, for "Arthur B. Forbes" read "Arthur E. Forbes." |
| " 1376, " | 2, " 14, for "S. D. 161" read "S. D. 167." |
| " 1409, " | 2, " 36, for "Chapter 178" read "Chapter 238." |

HOUSE

Thursday, March 31, 1921.

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

Prayer by the Rev. Mr. Ecob of Augusta.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Resolve in favor of the clerk, stenographer and messenger to the committee on Inland Fisheries and Game.

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

In the House, on motion by Mr. Wilson of Presque Isle the rules were suspended, the resolve received out of order, given its two several readings, and passed to be engrossed in concurrence.

From the Senate: Resolve in favor of Sarah W. Pike for services as stenographer of the Committee on Judiciary.

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

In the House, on motion by Mr. Wing of Auburn, the rules were suspended, the resolve received out of order, given its two several readings and passed to be engrossed in concurrence.

From the Senate: The joint standing Committees on Manufactures and State Lands and Forest Preservation submitted their final report.

Report accepted in concurrence.

Senate Bills In First Reading

Senate 138: An Act to amend the first two paragraphs of Section 38 of Chapter 219 of the Public Laws of 1917, as amended by Chapter 37 of the Public Laws of 1919, relating to the protection of deer.

(On motion by Mr. Crafts of Green-

ville, the rules were suspended and the bill given its third reading and passed to be engrossed in concurrence.)

Senate 155: An Act to amend Chapter 132 of the Laws of 1919, entitled An Act to create the Maine Water Power Commission.

(On motion by Mr. Wing of Auburn, the rules were suspended, the bill given its third reading, and passed to be engrossed in concurrence.)

Senate 119: An Act to amend Chapter 8 of the Revised Statutes, as amended by Chapters 111 and 168 of the Public Laws of 1919, requiring a permit for the burning of blueberry land adjacent to forest growth.

(On motion by Mr. Mason of Ellsworth, the rules were suspended, the bill given its third reading, and passed to be engrossed in concurrence.)

From the Senate: Bill, An Act to amend Section 3 of Chapter 144 of the Revised Statutes, as amended by Chapter 245 of the Public Laws of 1919, relating to the age of commitment to the State School for Boys. This was passed to be enacted in the House March 22.

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

(Tabled temporarily by the Chair.)

From the Senate: Bill, An Act to amend Section 10 of Chapter 117 of the Revised Statutes, as amended by Chapter 31 of the Public Laws of 1919, relating to salaries of reporters of the Supreme Judicial Court. This was passed to be enacted in the House March 25.

Comes from the Senate passed to be engrossed as amended by Senate Amendment "A," the purpose being to correct a clerical error.

In the House, on motion by Mr. Buzzell of Belfast, the rules were suspended and the action of the House whereby the bill was passed to be enacted was reconsidered. On further motion by the same gentleman the prior action of the House whereby the bill was passed to be engrossed was reconsidered. On further

ther motion by the same gentleman Senate Amendment "A" was adopted in concurrence, and 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: Majority report of the Committee on Judiciary reporting "ought not to pass" on resolve proposing an amendment to Article IX of the Constitution to permit the regulation and restricting by law of advertising signs and devices within the public view. Report was signed by the following members: Messrs. Gillin of Penobscot and Parent of Androscoggin of the Senate; Messrs. Buzzell of Belfast, Wing of Auburn, Cole of Eliot and Murchie of Calais of the House.

Minority report of same committee reporting "ought to pass" on the same resolve. Report was signed by the following members: Mr. Farrington of Kennebec of the Senate; Messrs. Gardiner of Gardiner, Hinckley of South Portland and Maher of Augusta of the House.

Comes from the Senate majority report read and accepted.

In the House, on motion by Mr. Buzzell of Belfast, the majority report, "ought not to pass" was accepted in concurrence.

From the Senate: Report of the committee on redistricting the State to which was referred the matter of reapportionment of State senators, reporting two Resolves: Resolve proposing amendments to Sections 1, 2, 4 and 5 of Part II of Article IV of the Constitution, increasing the number of State senators and providing a fixed basis for their apportionment; and Resolve apportioning the senators among the several counties; and that they "ought to pass."

Comes from the Senate indefinitely postponed.

In the House, on motion by Mr. Smith of Skowhegan, indefinitely postponed in concurrence.

On motion by Mr. Hinckley of South Portland, it was voted to take

from the table, Bill, An Act to amend Section 3 of Chapter 144 of the Revised Statutes as amended by Chapter 245 of the Public Laws of 1919, relating to the age of commitment to the State School for Boys. On further motion by the same gentleman the action of the House whereby this bill was passed to be enacted was reconsidered under suspension of the rules; and on further motion by the same gentleman the action of the House whereby the bill was passed to be engrossed was reconsidered under suspension of the rules; and on further motion by the same gentleman Senate Amendment "A" was adopted in concurrence, and the bill as amended by Senate Amendment "A" was passed to be engrossed in concurrence.

On motion by Mr. Hinckley of South Portland that gentleman was given permission to introduce out of order Resolve in favor of Arthur F. Tiffin for services as clerk of Committee on Bills in third reading.

Mr. HINCKLEY: Mr. Speaker, I move that without reference to a committee it be given its first reading.

Mr. DODGE of Portland: Mr. Speaker, it occurs to me that there are a number of similar resolves to come in between now and the end of the session, and it seems to me that they may as well all be referred to a committee and thus be handled I am sure more expeditiously, and I move that this be referred to the committee on appropriations and financial affairs.

The motion prevailed and the resolve was so referred.

The following resolve was received, and upon recommendation of the Committee on Reference of Bills was referred to the following committee:

Appropriations and Financial Affairs

By Mr. Hinckley of South Portland: Resolve in favor of Kenneth F. Lee for services as messenger to the committee on Judiciary.

Reports of Committees

Mr. O'Connell from the Committee on Inland Fisheries and Game on remonstrances of certain parties against Sunday hunting in Kennebec and Washington counties reported that the same be placed on file.

The report was accepted.

Mr. Brewster from the Committee on Legal Affairs reported "ought not to pass" on Bill, An Act limiting the salaries and fees of certain city and town officers.

(Tabled by Mr. Rounds of Portland, pending acceptance report.)

Mr. Brewster from the Committee on Legal Affairs reported "ought not to pass" on Bill, An Act to repeal Chapter 152 of the Public Laws of 1919, requiring a permit from municipal officers for the removal of electric wires and poles when necessary for the repair of streets or removal of buildings and to re-enact the provisions of Section 31 of Chapter 60 of the Revised Statutes with reference to the same subject matter.

Mr. ROUNDS of Portland: Mr. Speaker, I move that the bill be substituted for the report.

The SPEAKER: The report of the committee on Legal Affairs is ought not to pass. The gentleman from Portland, Mr. Rounds, moves to substitute the bill for the report. The Chair recognizes the gentleman from Portland.

Mr. ROUNDS: Mr. Speaker, this was a bill that was explained here in the House a few days ago when it was put in. It is just to put it back where it was in 1916. In 1917 or 1919 there was an act put in here giving the right so that if you want to go into your own driveway and there is a pole in the way, you have got to pay them to remove that pole; and while the committee on Legal Affairs say that they have all the rights now there are, in the city of Portland I know it has been tried by the city electrician and the pole still stands there and the man has been out for over a year, and not able to move that pole. Now it is time we had some rights in our own streets from foreign corporations. As I under-

stand, the people that transport the electric wires, their stock is rising all the time, and it seems to me we should have some rights in the State of Maine. These are foreign corporations, they are not Maine corporations. They are getting out of all the taxes they can, and it is for that reason I want the bill substituted for the report.

Mr. HINCKLEY of So. Portland: Mr. Speaker, having this law clearly in mind, I must disagree with the gentleman from Portland (Mr. Rounds) as to what the law is. Under the law at the present time, the municipal officers are authorized to apportion the cost; and in the city of South Portland, on two occasions that I am very familiar with, they apportioned the public service corporation to pay the full amount—the only two matters that came before the city government of which I am aware since this law was passed; so that the burden is not upon the person who seeks to have the wires changed or removed. It seems to me that it is a very fair matter, leaving it entirely in the hands of the municipal officers to say who shall pay and how much each shall pay. That is the law at the present time.

Mr. WILLARD of Sanford: Mr. Speaker and gentlemen, this matter came before our committee. Mr. Rounds appeared and the city electrician of Portland appeared. Now the law which is before this House at this time is not the law pertaining to the particular case to which Mr. Rounds refers. There is another section of the Statute which provides that any public service corporation when it proposes to locate its pole through the streets may make application to the municipal officers, who shall grant them a license. They shall state the location, and those poles are located in accordance with that decision of the municipal officers. That same section provides that at any time when that location is an inconvenience to the public service or the people, on application to those same municipal officers those poles may be removed and relocated. There is another section of the Statute which provides with ref-

erence to the location of telephone, telegraph and electric light poles. Now it appears to me that the particular instance mentioned by Mr. Rounds in Portland would come under that other section. This section in question before this House has to do with the removal of wires and poles temporarily. When any person desires to move a building, or other large object, through the streets, they shall point out definitely to the city electrician. That was pointed out definitely to Mr. Rounds, and they were asked the question if their municipal officers had ever been applied to for a license in this particular instance. They said they did not know, and their only complaint was that they could not get the municipal officers to act. If they cannot get the municipal officers to act in Portland, is it any reason why this law should be so changed that any person wanting to move indiscriminately through the streets should serve notice, and if the public service corporation, or whoever may be the owner of the poles, does not move within a definite period of time, say 48 hours, the person himself can cut those wires and move them, doing whatever injury he has a mind to and inconveniencing the public service which is being served by those wires and poles. This law provides ample means by which, on application to the municipal officers, those changes can be made, and it is entirely within the discretion of those municipal officers who shall pay. Now I think that is a fair law and it gives ample protection for a man who wants to move a building and to the public being served by those corporations.

Mr. ROUNDS: Mr. Speaker, I would like to state that at this hearing I was the only man who appeared for the bill, the lawyers from all parts of New England appeared against it. Why, gentlemen, we were told there that they could not connect with Europe and with North America; business had got to stop. Now I did not believe it and they mentioned a barn down here in the country somewhere and they said they never should move the barn because it would stop all traffic between

Europe and America, and the barn has never been moved yet. Now if a man wants to get onto his own property, it seems to me as though he ought to have the right to move a pole three or four feet one way or the other so he can get into his own dooryard. You know that the average man has not got a whole lobby hanging around the city government, as well as around the State Legislature, as some of these corporations have; and that is where the trouble is, and they work it for all it is worth. That is why I want this thing done, so the law may protect the man who wants to get into his own dooryard. They put a pole up in front of my house, and I told them I would cut it down and they moved it and now they have got a law and you have to hire a lawyer to find out about it. I tell you it is time we had a little right in our own streets.

Mr. WILSON of Presque Isle: Mr. Speaker, I am somewhat interested in the passage of the law under discussion. Two years ago it was made for the purpose of protecting the public utilities, electric light, telephone and telegraph, in the moving of buildings. Previous to the passage of this law they would go ahead and move a building right up to a line without any notice to the companies, and they did not stop at that but they would shove it up against the line and break it. I have in mind an instance at Mars Hill where they were to move a building under a high tension wire running into Houlton. In this particular instance they notified the company and the company told them they would be on the spot at a certain hour if they would have their building there. They had the building moved to the place where the wire was and the boss of the job said: "Boys, we will go under that wire." They went under but it broke the high tension wire and there was some scurrying around the streets for a while. Under those conditions it rather requires the man who moves the building to get a license for moving it so that he will not meet with any delays when he comes to these wires, nat-

usually getting the buildings moved and out of the street a great deal more quickly. In the past two years, to my knowledge, in the town where I live, there have been 10 buildings moved, and the municipal officers in each case have adjusted the cost so there never has been a complaint by either the man who moved the buildings or the utilities whose wires were cut. There is no provision in the law whereby the man who moves the building must repair all damages he does to the street or road. This worked very well in a couple of instances for they had to lay some granolithic sidewalk that they broke up, thus saving the town some expense.

The SPEAKER: The question is on the substitution of the bill for the adverse report. All those in favor of the substitution of the bill for the report will say aye, contrary minded no.

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

On motion of Mr. Willard of Sanford, the report, ought not to pass, was accepted.

Mr. Mason from the Committee on Legal Affairs reported "ought not to pass" on bill, an act to prohibit the use of spraying machines in the painting or repainting of buildings.

Same gentleman from same committee reported same on bill, An Act relating to the forfeiture of vehicles used in the commission of crime.

The reports were accepted and sent up for concurrence.

Mr. Holley from the Committee on Appropriations and Financial Affairs on the report of the budget committee reported that the same be placed **on file**.

Mr. Myrick from the Committee on Salaries and Fees, reported "ought not to pass" on Bill, An Act granting to county commissioners authority to regulate clerk hire in county offices.

Same gentleman from same Committee reported same on Bill "An Act to amend Section 18 of Chapter 118 of the Revised Statutes relating to fees payable to Registers of Deeds."

Same gentleman from same Committee reported same on Bill "An Act to amend Chapter 117, Section 18, relating to the salary of the Insurance Commissioner.

Mr. Rounds from same Committee reported same on Bill "An Act to amend Sec. 51 of Chap. 117, of Revised Statutes, relating to salaries of members of Board of Examiners of Undertakers."

Same gentleman from same Committee reported same on Bill "An Act to correct by Amendment Chap. 103, of the Private and Special Laws of 1919, relating to the salary of the Clerk of the Lewiston Municipal Court."

Mr. Emery from the Committee on Towns on Bill "An Act relating to road commissioners in the town of Bar Harbor," reported that legislation thereon is inexpedient.

Reports were read and accepted and sent up for concurrence.

Mr. Holley from the committee on appropriations and financial affairs on resolve in favor of the Maine School for Feeble Minded for maintenance during the years 1921, 1922 and 1923, reports the same in new draft under the title of "Resolve in favor of the Maine School for Feeble Minded for maintenance," and that it "ought to pass."

The report was accepted.

(On motion by Mr. Dodge of Portland the rules were suspended and the resolve received its two several readings and was passed to be engrossed.)

Mr. Holley from the committee on appropriations and financial affairs and school for Feeble Minded on Resolve in favor of the Maine School for Feeble Minded for additions and improvements for the years 1921, 1922 and 1923 reports the same in new draft under title of "Resolve in favor of the Maine School ofr Feeble Minded for additions and improvements, and that it "ought to pass."

The report was accepted.

(On motion by Mr. Holley of No. Anson, the rules were suspended and the resolve received its two several

readings and was passed to be engrossed.)

Mr. Varney from the Committee on Claims on Resolve in favor of Nash and Viles for services and board of foreman and travel and telephone charges in connection with work on brick dormitory building at the Maine School for Feeble Minded, reported same in a new draft under title of "Resolve in favor of Nash and Viles for services in connection with work on brick dormitory building at the Maine School for Feeble Minded," and that it "Ought to pass."

(Tabled by Mr. Smith of Waterboro, pending acceptance of report.)

Same gentleman from same Committee reported "Ought to pass" on Resolve in favor of Mrs. E. L. Robinson of Bangor.

The report was accepted.

(On motion by Mr. Downing of Bangor the rules were suspended and the resolve given its two several readings and passed to be engrossed.)

Mr. Mason from the Committee on Legal Affairs on Bill "An Act to amend the corporate purposes of the Eastport Hotel Company," reported same in a new draft under same title and that it "Ought to pass."

The report was accepted.

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

Mr. Moody from the Committee on Pensions on Bill "An Act relating to the retiring and pensioning of State employes reported same in a new draft under same title and that it "Ought to pass."

The report was accepted and the bill ordered printed under the joint rules.

Mr. Fagan from the Portland Delegation on Bill "An Act amending Section 25 of Chapter 30 relating to appointment and duties of Inspector of Buildings," reported same in a new draft under same title and that it "Ought to pass."

The report was accepted.

(On motion by Mr. Fagan of Portland the rules were suspended and the

bill given its three several readings and passed to be engrossed.)

Same gentleman from same Delegation on Bill "An Act amending Chapter 242 of the Private and Special Laws of 1897 relating to the retirement of Police Officers of the city of Portland," reported same in a new draft under title of "An Act amending Chapter 424 of the Private and Special Laws of 1897 relating to the retirement of Police Officers of the city of Portland" and that it "Ought to pass."

The report was accepted.

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

Mr. Myrick from the Committee on Salaries and Fees on Bill "An Act to amend Section 12 of Chapter 75 of the Private and Special Laws of 1919, relating to the salary of the Recorder of the Augusta Municipal Court," reported same in a new draft under same title and that it "Ought to pass."

The report was accepted.

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

Mr. Myrick from the Committee on Salaries and Fees reported "Ought to pass" on Bill, "An Act to amend Chapter 118, Section 2 of the Revised Statutes, relating to the fees of Trial Justices."

The report was accepted.

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

Mr. Myrick from the Committee on Salaries and Fees reported "ought to pass" on Bill, "An Act to amend Chapter 119, Private and Special Laws of 1899, and provide for compensation of Recorder of the Municipal Court of the city of Saco."

The report was accepted.

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

Mr. Rounds from the Committee on Salaries and Fees reported "ought to pass" on Bill "An Act to amend Chapter 103 of the Private and Special Laws of 1919, relating to the salary of the Clerk of the Lewiston Municipal Court."

The report was accepted.

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

Mr. Rounds from the Committee on Salaries and Fees, reported "ought to pass" on Bill "An Act to amend Section 12 of Chapter 117 of the Revised Statutes, relating to mileage of members of the Legislature."

The report was accepted.

(On motion by Mr. Wilson of Presque Isle the bill received its two several readings; and on further motion by the same gentleman the bill was tabled, pending third reading.)

Mr. Rounds from the Committee on Salaries and Fees, reported "ought to pass" on Resolve to fix a salary of the Representatives to the Legislature of the Indian Tribes.

The report was accepted.

(On motion by Mr. Buzzell of Belfast the rules were suspended and the resolve given its first reading, and on motion by Mr. Holley of North Anson tabled, pending second reading.)

Mr. Rounds from the Committee on Salaries and Fees on Bill "An Act to amend Sections 12 and 15, of Chapter 9 of the Revised Statutes, and Section 32 of Chapter 117, of the Revised Statutes, relating to the Board of State Assessors," reported same in a new draft under title of "An Act to amend Section 15 of Chapter 9, of the Revised Statutes, and Section 32 of Chapter 117, of the Revised Statutes, relating to the Board of State Assessors" and that it "Ought to pass."

The report was accepted, and the bill ordered printed under the joint rules.

Mr. Emery from the Committee on Towns reported "Ought to pass" on

Bill "An Act to incorporate the town of Drew."

The report was accepted.

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

Report of the Committee on Salaries and Fees reporting "Ought to pass" on Bill "An Act to amend Chapter 118, Section 20 of the Revised Statutes, relating to the fees of Town Clerks."

Report was read and accepted and the bill having already been printed (House Document No. 116) was read twice under a suspension of the rules.

(On motion by Mr. Jordan of Cumberland the rules were suspended and the bill given its third reading and passed to be engrossed.)

Majority and Minority reports of the Committee on Towns, majority reporting "ought not to pass" on Bill, An Act to divide the town of South Thomaston, and minority reporting "ought to pass" on same bill; the majority report being signed by Messrs. Eaton of Oxford and Spencer of York on the part of the Senate; and Twombly of Howland, Smith of Ludlow, Jordan of Cumberland and Chadbourne of Baldwin on the part of the House; minority report being signed by Messrs. Gould of Aroostook, on the part of the Senate, and Spear of Rockport, Emery of Buxton and Chamberlain of Winslow on the part of the House.

Mr. JORDAN of Cumberland: Mr. Speaker, I move that the House accept the majority report, and upon that motion I want to say just a word. I have no particular interest in this matter, but as a matter of general principle I do not believe in dividing these small towns. South Thomaston is a town of approximately 18 square miles, with a valuation of about \$495,500, and a population of about 960. The population in the last ten years has fallen off nearly 500, and there was no evidence presented at the hearing to show any material increase in popu-

lation, and I think it is poor policy for the State to make any more small towns than what we already have.

(At this point Mr. Hinckley of South Portland assumed the Chair.)

Mr. SPEAR of Rockport: Mr. Speaker, I hesitate at this time to say anything in regard to dividing towns in the face of the stormy session of yesterday. It seems that towns which are being divided in this session of the Legislature stand about as much show as the proverbial celluloid dog that endeavored to explore the region outside the gates of Saint Peter. I want to call your attention to two leaflets that have been placed upon your desks this morning and let you judge for yourselves whether it is advisable to divide towns. I suppose you all appreciate the fact that there are in this State some 550 towns, and that 140 odd are in existence by reason of division; that this State exists by reason of division, and that all your counties exist by reason of division. I cannot see why it is any crime to divide small towns as long as the small towns can take care of themselves and pay their State taxes.

According to this leaflet which has been placed on your desks this morning it appears that the population of South Thomaston in 1910 was 1438, and in 1920 it was 947, a decrease of about 500. At the hearing it was inquired what the cause of this decrease was, and nobody seemed to be able to answer that question. I refer you to the annual report of the superintendent of schools in that town, and he says: "The surest way for a town to continue to lose population is to allow its schools and equipment to fall behind the times." That is what has happened in South Thomaston, their schools and equipment have fallen behind the times; their roads have fallen behind the times and is this a cause for division? The report goes on to say, "The best business investment which it can make is in modern school plants." That surely has not been done in this town. In the matter of roads, there are 34 1-2 miles, and I will say that in this particular instance these roads were measured

by the use of an automobile; on the other side they were measured on the United States chart, the Rockland Quadrangle, and I am informed that one is as reliable as the other. The other side give this distance 27 miles instead of 34, so in order to give them the benefit of the doubt supposing we call it 30 miles of road. And then you go on further and you will find Owl's Head with 13 miles, and South Thomaston would be left with 17 miles, and then it goes on to say that all the roads in South Thomaston are mostly bad mudroads, but I think that statement is misleading. They have three miles of State highway, and they have about a mile and a half of State highway that connects with the road from South Thomaston to Rockland to the west of the dividing line. So if you take three miles of State highway and a mile and a half, making four miles and a half, away from the 17 miles, and then two miles on a road that is known as Buttermilk Lane that at the time of the hearing nobody remembered that the town had ever expended any money upon that road, and also the road that connected with the Saint George line, nobody could remember that anything had been put out in the way of money on that road. Now, isn't it reasonable to suppose that they never will put out any money on these roads? There are four miles there, and that leaves South Thomaston with eight miles and a half of road to maintain and Owl's Head with 13 miles, and Owl's Head with about three miles of State Road, and that would leave her with 10 miles to maintain. Is that a fair distribution? It does not seem to me that this is crowding South Thomaston a great deal.

This leaflet goes on to say that about 75 per cent. of the people of Ingraham's Hill and 95 per cent. of Ash Point village are opposed to this division, and that the owners of Crescent Beach house and pavilion and many cottage lots are also opposed to a division. The names of these petitioners appear on both petitions, both for and against, and therefore it is pretty hard to tell just what they do favor.

The campaign for division has been conducted by men who have lived in the town less than two years, and I am informed through reliable sources that that is not so, and that the men who are conducting this matter and carrying this bill through have resided in the town, some of them 12 years and some of them 30 odd years.

The proposed division would give the new town Ingraham's Hill, Ash Point and Owl's Head, including Crescent Beach, with a valuation of \$304,794, and leave the old town of South Thomaston and Seal Harbor with a valuation of only \$190,776, or in round numbers, \$200,000 in one case and \$300,000 in the other. That may be so, but you must remember that Owl's Head is a summer colony with a summer valuation of nearly \$132,000. And yet they object to these people signing the petitions and claim that 200 people signed against it and 400 for it. As a matter of fact, on the original petitions there were 349 who signed for it and 350 who signed against it. But since this wholesale change of heart, nobody knows just exactly where the other people stand, and the petitions which contained 350 names contained the names of those who own summer property, and I ask you, gentlemen, if the people who own \$132,000 of property have not a right to put their names onto a petition in order that they may get better roads and better school facilities.

The records show that in the matter of town offices, school and road affairs, all sections of the town have been fairly treated, and in the years 1919 and 1920 out of every dollar expended on roads and bridges, 75 cents was spent in the Owl's Head section, that is, east of the proposed division line. In Owl's Head, in the last twenty years they have had 17 men from that section who have been selectmen, regardless of the fact that the population is nearly equal, being 470 in one case and 490 in the other, and they have had 17 out of a possible 60 municipal officers. Is that anywhere near 50 percent? Out of a possible 60 men on the school board, they have had 12. Is that a just division? You will notice that the

years 1919 and 1920 are particularly specified, but they don't say anything about 1918, 1917 and 1916, simply these two years.

According to the last registration 253 voters reside east of the division line and 219 west of that line. That is a total of 472, and yet they said that these petitions were signed by 600 people for and against the division. You also have here a statement on your desks relative to the Owl's Head section, and so I won't bother to read it.

Now in regard to the schools, I think in this enlightened period that is a matter which should be considered, and this report goes on to say, "The text books were in poor condition generally and antiquated. As far as funds would permit, I have inaugurated changes. The new books have been put into those schools that were most in need. No teacher can produce results in the school room without modern texts any more than the farmer, without modern tools." This is their own statement, and then it goes on, "The school houses and toilets are in a most unsatisfactory condition. The grammar school building is the best of any in the town. None of the others are suitable for school purposes in their present state of repair. The toilets are in worse condition than the school rooms. I have not entered any one of them that is in fit condition for use."

And yet this town last year with eight school houses has only expended \$270, and a fraction, less than \$30 per school house, and this year has appropriated \$400, notwithstanding the fact that the superintendent has told them that their school houses are not fit to use. These school houses accommodate the young people up to the age of 15 years, and in one case there is no door on the toilet that is used by these young ladies. Do you think there is any cause for these conditions to exist, and don't you feel that if these people want to get by themselves and remedy these conditions, that they should be allowed to do it, everything else being equal?

This matter has been recommitted

from no motion on the part of any member of the committee, and no evidence has been brought forth any more than was produced at the hearing, and yet two members of the committee have changed onto the opposite side, one, I think, was largely on sentimental grounds, and the other is a gentleman who has a son-in-law living in South Thomaston. There has been no evidence presented, and we had it first in the committee with a referendum attached and the referendum is not a just proposition in this case by any means. It is a good deal the same as Iago told Roderigo, when he was disappointed in his love affairs and contemplated drowning that he had "Better be hanged in compassing his joy than to be drowned and go without her," and so in this case with the referendum attached it would be a question of drowning or hanging, either would accomplish the same results, drowning with indefinite postponement and hanging with the referendum attached, either would mean death to issue.

Gentlemen, I want you to compare all the evidence you have been capable of acquiring in this case, and put it all in the balance and weigh it for what you think it is worth, and I hope that this matter will receive the same equity and the same justice that you have served to these other people. I hope that the motion of the gentleman from Cumberland, Mr. Jordan, will not prevail.

The Speaker pro tem: The question is on the motion of the gentleman, from Cumberland, Mr. Jordan, that the majority report of the Committee on Towns, reporting "ought not to pass" on Bill, An Act to divide the town of South Thomaston, be accepted.

A viva voce vote being doubted, by Mr. Spear of Rockport,

A division was had, and seventy-five voted in the affirmative and seventeen in the negative,

So the motion prevailed and the majority report was accepted.

First Reading of Printed Bills and Resolves

House 423. An Act to increase the

Military Fund, amending Section 91 of Chapter 259 of the Public Laws of 1917.

(On motion by Mr. O'Connell of Millinocket, and the bill given its third reading and passed to be engrossed.)

House 422. An Act to amend Section 85 of Chapter 2 of the Revised Statutes, relating to the State Contingent Fund.

(On motion by Mr. Smith of Skowhegan the rules were suspended and the bill received its third reading.)

Mr. HOLLEY of No. Anson: Mr. Speaker, I would like to table this for the purpose of an amendment; that is I do not want to say at this time that I am sure there will be an amendment put on it, but I think it will be necessary. Therefore, I move to table it temporarily, pending passage to be engrossed.

The motion prevailed.

House 425. An Act amending the charter of the Belfast Municipal Court.

(On motion by Mr. Buzzell of Belfast the rules were suspended and the bill given its third reading and passed to be engrossed.)

House 426. An Act relating to adoption.

(On motion by Mr. Buzzell of Belfast the rules were suspended and the bill given its third reading and passed to be engrossed.)

House 427: An Act to amend Section 3 of Chapter 235 of Private and Special Laws of 1911, relating to a police commission in the city of Biddeford.

(On motion by Mr. Snipe of Bath the rules were suspended and the bill given its third reading and passed to be engrossed.)

House 429: An Act to amend Section 51 of Chapter 4 of the Revised Statutes, as amended by Chapter 59 of the Public Laws of 1917 and by Chapter 97 of the Public Laws of 1918, relating to the payment by the State of the burial expenses of honorably discharged soldiers and sailors.

(On motion by Mr. Hussey of Blaine

the rules were suspended, the bill given its third reading and passed to be engrossed.)

House 430: An Act to amend 1919, relating to the use for public purposes of armories built by municipalities with State aid.

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

House 433: An Act to discontinue the ferry between the towns of Orrington and Hampden across the Penobscot river.

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

House 424: Resolve in favor of several academies, institutes, seminaries and colleges for maintenance, repairs and improvements.

(On motion by Mr. Perkins of Orono, the rules were suspended and the resolve given its two several readings and passed to be engrossed.)

House 428. Resolve appropriating money to pay the claim of Roswell Cushing against the State of Maine.

(On motion by Mr. Rounds of Portland, the rules were suspended, and the resolve given its two separate readings and passed to be engrossed.)

House 431. Resolve for extra pay to the Maine volunteers, War with Spain.

(On motion by Mr. Granville of Parsonsfield, the rules were suspended and the resolve given its two several readings and passed to be engrossed.)

House 432. Resolve appropriating money for the care, maintenance and repairs of Fort William Henry in the town of Bristol.

(On motion by Mr. MacGlaflin of Pembroke the rules were suspended and the resolve given its two several readings and passed to be engrossed.)

House 435. Resolve in favor of the Bath Military and Naval Orphan Asylum.

(On motion by Mr. Dodge of Portland, the rules were suspended and the resolve given its two several readings and passed to be engrossed.)

Passed to Be Engrossed

Senate 166: An Act to amend Section 2, Chapter 16 of the Revised Statutes to provide for the improvement of conveyance of pupils to the common schools.

Senate 167: An Act to amend Section 67 of Chapter 33 of the Revised Statutes, as amended by Chapter 219 of the Public Laws of 1917, and further amended by Chapter 61 of the Public Laws of 1919, relating to the protection of wild birds.

(Tabled by Mr. Maher of Augusta, pending third reading.)

Senate 168: An Act to create the Hancock-Sullivan Bridge District.

House 414: An Act to provide additional funds for the maintenance of State and State-aid highways.

Mr. GRANVILLE of Parsonsfield: Mr. Speaker, I offer House Amendment "A." It merely attaches the emergency clause to take care of maintenance for this summer, and changes the word "annually" to the "fiscal year 1921."

A viva voce vote being taken, the amendment was adopted.

Mr. MAHER of Augusta: I move that the bill and the amendment lie on the table, pending third reading, and I would state my reason for that if in order. I should think the maintenance fund might be considerably decreased—I mean the necessity of it—depending on the attitude of the committee on Taxation with reference to a bill providing for a tax on gasoline; and inasmuch as that report has not yet come in, I would like to have this temporarily tabled.

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

Senate 163: Resolve in favor of the town of Sorrento to reimburse the town for expenses of a law suit regarding dependents of soldiers and sailors.

Passed to Be Enacted

An Act to amend Paragraph 22 of Section 5 of Chapter 118 of the Revised Statutes as amended by Chapter 222 and 244 of the Public Laws of 1919, relating to fees of Deputy Sheriffs in attendance upon the Courts.

(Tabled by Mr. Fagan of Portland, pending passage to be enacted.)

An Act to amend Paragraph 13 of Section 51 of Chapter 82 of the Revised Statutes, relating to the holding of Trial Terms of the Supreme Judicial Court for the county of Sagadahoc.

(Tabled by Mr. Forbes of Paris, pending passage to be enacted.)

An Act amendatory of and additional to Chapter 45 of the Revised Statutes, as amended, relating to the Lobster Industry.

An Act to amend Section 1 of Chapter 62 of the Revised Statutes as amended by Chapter 48 of the Public Laws of 1919, relating to corporations for literary, charitable, educational and other purposes.

An Act to amend Section 1 of Chapter 21 of the Revised Statutes, relating to burying-grounds.

An Act to amend Section 9 of Chapter 29 of the Revised Statutes, as amended by Chapter 202 of the Public Laws of 1917, prohibiting the treatment of World War veterans as paupers.

An Act to amend Section 37 of Chapter 219 of the Public Laws of 1917, as amended by Chapter 131 of the Public Laws of 1919, relating to the protection of moose.

An Act to amend Sections 1 and 4 of Chapter 81 of the Private and Special Laws of 1915, relating to Winthrop Water Company.

An Act to amend Section 11 of Chapter 117 of the Revised Statutes, as amended by Chapter 249 of the Public Laws of 1917 and Chapter 198 of the Public Laws of 1919, relating to the salaries of stenographers of Cumberland and Kennebec superior courts.

An Act to amend Section 139 of Chapter 16 of the Revised Statutes as amended, relating to the appropriation for industrial education.

Resolve to reimburse the town of South Thomaston for amount paid for free high school tuition for year ending July first, 1919.

Resolve to amend a Resolve providing for aid in the payment of premiums

awarded by the Eastern Maine State Fair.

Resolve authorizing the Governor and Council to adjust claims for damages caused by flowage on Indian Island in the Penobscot river.

Resolve in favor of Lorenzo D. Wright of Montville for State pension.

Resolve providing for certain State pensions.

Resolve in favor of the erection of a State of Maine building on the grounds of the Eastern States Exposition at Springfield, Massachusetts.

Resolve in favor of the town of Boothbay for military aid furnished the wife of Herbert H. Thurston and four minor children under age of 15 years.

Resolve to reimburse the town of Milo for money advanced under the soldiers' dependent law.

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

Orders of the Day

(Speaker Barnes at this point resumed the Chair.)

The SPEAKER: The Chair will state that under the heading of "orders of the day," unfinished business of yesterday has precedence. House Doc. No. 344, Bill, An Act relating to municipal elections in the town of Houlton, will again be tabled until the so-called "Holley bill" is announced to have become a law.

The Chair will also state that the next four measures on the calendar under the heading of "unfinished business," House Doc. No. 340, Resolve in aid of navigation on Schoodic Grand Lake; House Doc. No. 342, Resolve in aid of navigation on Moosehead Lake; House Doc. No. 339, Resolve in aid of navigation on Lewy, Long and Big Lakes and House Doc. No. 337, Resolve for lighting Narrows between Uper and Lower Richardson Lakes, will again be laid upon the table.

The Chair will present the next matter for consideration, Report of the Portland deligation on Bill, An Act relative to the two-platoon system in the Portland Fire Department,

the report of the committee being "ought not to pass."

Mr. Brewster of Portland moved that the bill be substituted for the report of the committee.

The motion was agreed to.

Mr. Dodge of Portland then offered House Amendment "A."

The SPEAKER: The Chair will inquire of the gentleman from Portland, Mr. Dodge, if the proposed amendment has the support of the Portland delegation?

Mr. DODGE: Mr. Speaker, I think it is possible that the Portland delegation should offer an apology to the House for having held this matter on the table so long. It is a matter which has required some little discussion on our part, and some time has been taken up in this discussion, but we have finally come together upon the proposition as presented.

The SPEAKER: The gentleman from Portland, Mr. Dodge, offers House Amendment "A" to the bill by striking out all of said bill after the enacting clause, and inserting in place thereof the following: "Section 1. Any ordinance creating a two-platoon system of the fire department of the city of Portland, shall not take effect until accepted by the voters of said city at a regular municipal election," and thereafter providing for a referendum.

The question being on the adoption of House Amendment "A" the bill was tabled on motion by Mr. Rounds of Portland.

The SPEAKER: The Chair will state that the next two matters, being Resolves in favor of navigation on lakes within the State, will again be tabled.

The SPEAKER: The Chair presents for consideration, House Doc. No. 247, Bill, An Act incorporating the Allegash Improvement Company.

On motion by Mr. Weeks of Fairfield, the bill was again laid upon the table.

The SPEAKER: The Chair presents for consideration, House Doc.

No. 123, Bill, An Act to provide for local inspection of slaughter houses.

On motion by Mr. Hinckley of South Portland, this measure was laid upon the table.

The SPEAKER: The Chair presents for consideration, House Doc. No. 372, Bill, An Act relating to the State Department of Health.

Mr. Gardiner of Gardiner then offered House Amendment "B" and moved its adoption, to amend by adding thereto the following section: "Section 4. Section 7 of Chapter 197 of the Public Laws of 1917 is hereby amended by striking out the first sentence of said section and inserting in place thereof the following: The commissioner of health shall receive an annual salary of four thousand dollars; provided, however, upon the completion of three consecutive years of service and upon recommendation to the Governor by the appointive members of the Public Health Council, said annual salary shall be five thousand dollars. In the computation of the aforesaid period of three years, the period of service of the incumbent commissioner of health when this Act goes into effect shall be accounted."

The question being on the adoption of House Amendment "B,"

Mr. MURCHIE of Calais: Mr. Speaker, I move that the bill and amendment be laid upon the table, and I will state that my purpose is to strike out language which is a mere subterfuge. I am willing the commissioner should have a salary of five thousand dollars, but if we are going to pass it, let us pass it and leave it to the Governor and Council, and not pretend we are going to limit it to three years of service.

The motion was agreed to, and the bill was tabled pending the adoption of House Amendment "B."

The SPEAKER: The Chair presents for consideration, House Doc. No. 352, Bill, An Act relating to order of names on ballots. The pending question is the third reading of the bill.

Mr. Bragdon of Perham moved that the bill be indefinitely postponed.

Mr. VILES of Augusta: Mr. Speaker, I do not think this would be the proper way to dispose of this measure. I have previously understood from the gentleman from Perham, Mr. Bragdon, that if he had any opposition to this bill he would communicate with me before bringing the matter up in the House. This bill has the unanimous support of the committee on legal affairs, to which committee it was referred. It is a fair and a just bill, and it has the endorsement of the Secretary of State and carries no expense to the State. It is in line with a similar measure introduced in the last Legislature and passed by this House, a bill introduced by the gentleman from North Anson, Mr. Holley, and it occurs to me that it can have no reasonable opposition; and I hope the motion to indefinitely postpone will not prevail.

Mr. BARWISE of Bangor: Mr. Speaker, this bill is so eminently fair that it ought not to require any argument. Of course, with the Brewsters, Barwises and Bragdons and those who are fortunate enough to be born with a name which begins with a letter at the top of the alphabet, we have an actual advantage over other candidates who are running, but it would be decidedly unfair for us to insist upon the perfectly accidental advantage as against the clear equities of the case.

Mr. McILHERON of Lewiston: Mr. Speaker, I am against this bill because it is a gamble.

Mr. BRAGDON: Mr. Speaker, I do not intend to take up the time of this House for but a moment or two in a discussion of this matter. I cannot agree with the gentleman from Bangor, Mr. Barwise, that the people who stand first in order on the ticket have any special advantage. If the gentlemen of this House will recall, a few years ago we had a big senatorial contest in the State of Maine, and the man whose name stood down at the bottom of the list won the prize. Yesterday a member of this House who comes from one of the cities of our State, a city which sends several representatives here, told me that out of quite a long list of candidates

he stood at the bottom of the list, and that he got the biggest vote of any of them.

You will recall that at our last primaries we had three candidates for Governor on the Republican ticket, and the man who stood at the bottom of the list won the election. Up in our own county two years ago we had eight or ten candidates for senator, and the man whose name began with "P," and whose name stood down at the bottom of the list got the biggest vote of any of them. At our last primaries up there, in addition to the contest for the first place on the ticket, we had two hotly contested fights, one was for sheriff and the other was for county commissioner. Out of, I think, eight names on the list for sheriff, the man who stood in the middle of the list won; and for county commissioner the man whose name stood at the bottom of the list, and whose name began with the letter "U" carried off the prize.

So it occurs to me that if my friend, the gentleman from Augusta (Mr. Viles), feels disposed to become a candidate for any high office in this State, that he will not need to feel that his chances are impaired because of the fact that his name begins with the letter "V." I can appreciate the position taken by the gentleman from Lewiston (Mr. McIlheron) in regard to gambling. I strongly object to gambling for a place on the ticket. If the first place on the ticket means anything to anyone, I do not think we should draw lots for it; I do not think we should blindfold the secretary of State and have him do the gambling. If we are going to gamble over a matter like this, let us do it by shooting craps or by the old American game of poker, where skill and watchfulness will count for something, and you all know that skill and watchfulness are valuable attributes in any public official.

Another reason for opposing this is that I object to unnecessary changes in our primary and election laws. You will notice that two years ago we passed a bill in this Legislature requiring cities to give 14 days' notice of their annual meetings in-

stead of seven, and you know what the result was. Half of the city officials of the State did not know that and we have been asked here during this session to legalize their proceedings. We have been tinkering with these primary laws until the voters do not know when to go to the primaries, and do not know when the polls will close, and I think we had better leave them as they are until the people get used to them. And I submit to you, gentlemen, that the fairest way to have any list arranged is by the alphabetical order. Would you want your telephone list arranged in any other way? If there is a long list of candidates and you go into one of those booths and in the semi-darkness attempt to pick out a name, you know who you are voting for, and if his name begins with the letter "T" you look down towards the bottom of the list, and if his name begins with the letter "A" you know it is somewhere near the head of the list. And I submit that our people know what they are voting for, and I think that this list should be so arranged that it will be the most convenient for everybody. If our people do not know what they are voting for, I think instead of tinkering with the primary law that we should return to the old convention system, where the people at least took an interest and did know who they were voting for.

Mr. WING of Auburn: Mr. Speaker, if the gentlemen of the House will turn to House Document No. 352, they will see that the order of placing names upon the ballot shall be determined publicly by lot by the Secretary of State. Now, I have not any particular interest in this bill, but it seems to me that the measure should be so amended that the order or the method of selection might be determined. All of you have probably been in court and seen a jury drawn, and you will find that the method of drawing a jury and of putting the names in the box is prescribed by statute, and I think if you are going to draw them by lot they should be drawn in a manner similar to the way the jury is drawn and for the purpose of amendment, if the friends of the

measure care to do so, I will move that the bill be laid upon the table.

A viva voce vote being taken,

The motion was lost.

Mr. BREWSTER of Portland: Mr. Speaker, the committee which had this matter under consideration had certain figures presented to it which have a very decided bearing upon the question under consideration, and if the matter is to be considered by the House, these figures should certainly be presented before the House. Before the direct primary law went into effect for a period of five sessions the alphabet was consulted as to all the members of this House and Senate, and it was found that during that period of five sessions there were 468 men whose names began after the first letter of the alphabet and down to the letter "L," and that 442 names began with letters in the latter half of the alphabet. In the five sessions since the direct primary law went into effect, from 1913 down to 1921, it was found that the names of all the legislators beginning with the letters in the first half of the alphabet amounted to 531, and that the names of legislators beginning with the letters in the latter half of the alphabet amounted to 379. Thus you have before that period 468 and 442, and since that time you have 531 and 379.

Now gentlemen, if that is not a lottery by reason of birth, I do not know what else you can term it. I happened to profit by the proposition myself, but I do think it is fairer to substitute by lot, and I presume that no one would seriously imagine that the Secretary of State when he decided it by lot was going to decide it other than by proper, judicial and impartial means. The committee felt so—and I do not know that Mr. Ball, the present Secretary of State, indulges in any other game of chance, and it accordingly seemed fair to the committee that this step at least in advance be taken. There was a further proposition before the committee of inverting the names on the first half of the ballots, a proposition which would create some expense, but which would give every individual approximately an equal opportunity on the ballot. And there

was another step suggested, a step which two or three states have adopted, where the names are arranged absolutely without prejudice to anyone by each man's name appearing the same number of times at the top of the ballots, but that system is cumbersome and is somewhat expensive, and it was not considered that the Secretary of State could wisely be asked to incur that expense or trouble for the State. Now, as to what the gentleman from Perham, Mr. Bragdon, has said as to the occasional instances where a man on the latter end of the ballot being successful, we can all, of course, think up such instances during our experience, but when you come down to figures over a period of five years, this seems to be an absolutely conclusive answer.

Mr. MURCHIE of Calais: Mr. Speaker, I am sure the whole State of Maine should be proud of the fact that we are so much opposed to gambling, and I think the fact that all the gentlemen who are opposed to gambling have names beginning with a letter early in the alphabet is a mere coincidence. It would seem possible to arrange this so that they might have their tender feelings towards gambling fully protected, and still give the gentlemen who now think they are under a disadvantage absolutely no advantage. I want to make this suggestion, and I want the House to bear in mind the fact that the first letter of my name comes in the middle of the alphabet, and I don't care a hang which way it goes. For this reason, I now move that this bill be tabled for the purpose of making this amendment, that we may have the names placed on the ballot in alphabetical order, beginning with the last letter of the alphabet. (Laughter).

The question being on the motion to lay the bill upon the table,

The motion was lost.

Mr. BRAGDON: Mr. Speaker, I am glad that the gentleman from Portland, Mr. Brewster, has made it clear to the members of the House that he and I happen to be members of this Legislature on account of an accident

of birth. I feel that the members of the House now understand something that they never could appreciate before. I wish to call the attention of the House to one more thing, that if there is any advantage in a place on this ticket that it is a very expensive thing for a candidate for office from a distant part of the State to come down here and attend that public hearing. In conversation with the secretary of State yesterday, I learned of a case where there was a tie vote that had to be decided by lot recently and where a man who came in to attend this hearing was delayed by reason of an accident happening to his train so that he did not get in until after the drawing took place, and as it happened the other man won out; and this man who was delayed felt that his rights had not been looked after. Now, we do not believe that such things as that happen, but we do realize that the man who comes from a distant part of the State, and who does not come down and attend this hearing and his opponent does attend the hearing and draws the prize—the one who loses will always feel as if perhaps it would have been a little different if he had been present at the public hearing. I am simply calling this to the attention of the House, not because I think there would be any unfairness used, but that there might be a feeling among our party workers whom we expect to get out the vote, that they had not been attended to as they should be.

Mr. HINCKLEY of So. Portland: Mr. Speaker and gentlemen, life is a gamble; legislation surely is a gamble, and I have a feeling that the people who sent some of the members here took a big gamble; and I now move for the previous question, and let us gamble once more and give everyone a chance on this bill.

The SPEAKER: The previous question is asked. All those in favor of the indefinite postponement of the bill, on the motion of the gentleman from Perham, Mr. Bragdon, will say aye; those opposed will say no.

A viva voce vote being doubted by Mr. Bragdon of Perham.

A division was had, and 30 voting in

the affirmative and a sufficient number in the negative,

The Chair declared the motion lost.

On motion by Mr. Viles of Augusta, the bill then received its third reading and was passed to be engrossed.

The SPEAKER: The Chair presents for consideration, House Doc. No. 353, Bill, An Act regulatory of the operation of portable sawmills and providing for the licensing thereof, tabled pending its third reading on motion by the gentleman from Lyman, Mr. Roberts.

Mr. Roberts then offered House Amendment "A," to amend by striking out all of Section 1 after the word "officers" in the ninth line and inserting in place thereof, "the fee for such license shall be \$25, which shall be deposited at the time of making the application, and all licenses shall expire one year from the date of their issue. The forest commissioner or forest fire wardens in organized towns may at any time suspend or revoke any license for the violation of the slash laws; and he or they may suspend such licenses in times of drought or as to any portable sawmill, the operation of which would create an extra fire hazard. Upon application filed and recorded as aforesaid, the forest commissioner shall grant a permit to change the location of any portable sawmill."

On further motion by Mr. Roberts, House Amendment "A" was adopted and the bill then received its third reading and was passed to be engrossed as amended.

The SPEAKER: Under the heading of "tabled and today assigned," the Chair presents for consideration, Report of the Committee on Mercantile Affairs and Insurance on Bill, An Act authorizing the insurance commissioner to review rates of insurance.

The pending question being the acceptance of the report of the committee, reporting "ought not to pass,"

On motion by Mr. Rounds of Portland, the report of the committee was accepted.

The SPEAKER: The Chair presents for consideration, under the heading of "tabled and unassigned," House Doc. No. 203, Majority and Minority Reports of the Committee on Judiciary on Bill, An Act to secure the purity of ice cream, tabled pending the acceptance of either report, on motion by Mr. Maher of Augusta.

On motion by Mr. Maher the reports were again tabled and specially assigned for consideration tomorrow.

Mr. HOLLEY of North Anson: Mr. Speaker, I move that we take from the table resolve relative to representatives of the Indian tribes, the same being tabled by me this morning.

The motion was agreed to.

Mr. HOLLEY: I wish to say, Mr. Speaker, that this resolve is a duplication. The committee on appropriations and financial affairs has already reported two resolves which cover all that this resolve is supposed to cover, and for that reason I move the indefinite postponement of this resolve.

The motion was agreed to and the resolve was indefinitely postponed.

Mr. FORBES of South Paris: Mr. Speaker, I rise to ask for a suggestion from the Chair. There was passed to be engrossed in the House yesterday, a bill relative to the trial terms of the supreme judicial court, which would in effect change the entire system in regard to the schedule of the trial terms of that court. This morning on its passage to be enacted, there appeared a bill which makes a change in the schedule of Sagadahoc county, and this piece of pending legislation was evidently overlooked by the eminent delegation of lawyers and laymen who prepared the amendment to the bill yesterday. It seems to me that this should be incorporated in the other bill, and I would like a suggestion from the Chair as to the method of procedure.

The SPEAKER: The Chair would suggest that a feasible method at least of bringing about what is de-

sired would be to amend the bill in accordance with the terms of the schedule adopted and then dispose of the Sagadahoc bill.

Mr. FORBES: I understand that bill is not in the possession of the House at the present time.

The SPEAKER: The Chair understands that to be the fact.

Mr. FORBES: So that it would have to be amended when it appears on its passage to be enacted.

The SPEAKER: If the bill, as amended on motion by the gentlemen from Paris yesterday, has gone into the hands of the engrossing department, it may still possibly be detained and returned to the House. The Chair would suggest that the gentleman from Paris, Mr. Forbes, inquire of the engrossing department as to where the bill is, and stop it if it has not already been engrossed.

On motion of Mr. Buzzell of Belfast.

The House voted to take a recess until 7.30 o'clock this evening.

AFTER RECESS

The Speaker: The House is still proceeding under "orders of the day" and the unfinished business will have precedence. If it be the pleasure of the House, out of order the House will entertain messages and documents from the heads of departments and petitions, bills and resolves requiring reference to any committee.

On motion by Mr. McGlauffin of Pembroke, the rules were suspended then that gentleman was granted permission to introduce out of order petition of certain residents of Cooper in favor of bill, An Act to establish the State Board School Fund and provide an appropriation for the same.

On motion by Mr. Clarke of Stonington, the rules were suspended and that gentleman was granted permission to introduce three petitions to the same effect.

The above petitions were ordered placed on file.

On motion by Mr. Cherry of Eastport, the rules were suspended and that gentleman was granted permission to introduce out of order resolve in favor of the clerk to the Committee on Taxation.

On motion by Mr. Rounds of Portland, the rules were suspended and that gentleman was granted permission to introduce out of order resolve in favor of the Portland delegation.

On motion by Mr. Varney of Jonesboro, the rules were suspended and that gentleman was granted permission to introduce out of order resolve in favor of Olive M. Dutton for services to the Committee on Library.

On motion by Mr. Holley of North Anson, the above resolves were referred to the Committee on Appropriations and Financial Affairs.

On motion by Mr. Rounds of Portland, the rules were suspended and that gentleman was granted permission to introduce out of order Bill, An Act to amend Section 2 of Chapter 5 of the Revised Statutes, relating to qualifications of voters. (Referred to the Committee on Judiciary, on motion by Mr. Rounds of Portland.)

On motion by Mr. Rounds of Portland, the rules were suspended and that gentleman was granted permission to introduce out of order Bill, An Act to provide that for the purpose of voting and for registering for voting, a married woman living apart from her husband may have a legal residence separate from that of her husband. (Referred to the Committee on Judiciary, on motion by Mr. Rounds of Portland.)

On motion by Mr. Buzzell of Belfast, the House voted to proceed and receive reports of committees.

Reports of Committees

Mr. Smith from the Committee on Claims reported "Ought not to pass" on Resolve in favor of Freeman H. Penney of Wells to reimburse for loss of horse.

Mr. Gipson from the Committee on Inland Fisheries and Game reported same on Bill "An Act to amend Chapter 302 of the Public Laws of 1917, relating to the possession of air rifles

by children under fourteen years of age."

Mr. Heal from the Committee on Public Utilities reported same on Bill "An Act to fix the rates of toll of the Bath State Ferry."

Mr. Tilden from the Committee on State School for Boys, State School for Girls, and State Reformatories, reported same on Resolve in favor of the State School for Girls.

Same gentlemen from same committee reported same on Resolve in favor of State School for Girls.

Mr. Bragdon from the Committee on Agriculture reported same on Resolve in favor of the Maine Agricultural Experiment Station for maintenance.

Same gentleman from same Committee reported same on Resolve to provide for conducting scientific investigation bearing upon the Agriculture of Aroostook County.

Mr. Barwise from the committee on Education reported "ought not to pass" on Bill, An Act to amend Section 103 of Chapter 16 of the Revised Statutes, relating to the State aid to academies.

Mr. Warren from the Cumberland County Delegation reported same on Bill, "An Act to amend Laws providing for the appointment of Probation Officers and Assistant Probation Officers for the county of Cumberland."

Mr. Hussey from the Committee on Legal Affairs reported same on Bill, "An Act to enable cities and towns to recover from the owner of property the expenses of putting out a fire under certain conditions."

Reports were read and accepted and sent up for concurrence.

Mr. Bragdon from the Committee on Agriculture reported "Ought to pass" on Bill "An Act to amend the Law relating to investigations in Animal Husbandry." (The report was accepted and on motion by Mr. Bragdon of Perham, the rules were suspended and this bill received its first and second readings, and on further motion by the same gentleman, the bill receive its third reading and was passed to be engrossed.)

Same gentleman from same Committee reported same on Bill "An Act to amend Section 7 of Chapter 303 of the Public Laws of 1917, as amended by Chapters 141 and 223 of the Public Laws of 1919, changing the conditions under which loans may be granted by Farm Lands Loan Commissioners." (The report was accepted and on motion by Mr. Chandler of Dover, the rules were suspended and this bill received its first and second readings and on further motion by the same gentleman, the bill received its third reading and was passed to be engrossed.)

Same gentleman from same Committee on Bill "An Act to amend Sections 1 and 10 of Chapter 4 of the Revised Statutes relating to payment of damages done by dogs and wild animals to domestic animals," reported same in a new draft under title of "An Act to amend Section 110 of Chapter 4 of the Revised Statutes, relating to payment of damages done by dogs and wild animals to domestic animals," and that it "Ought to pass." (The report was accepted and the bill was tabled for printing under the joint rules.

Mr. Warren from the Cumberland County Delegation on Bill "An Act relating to Martin's Point Bridge, so called, in the county of Cumberland" reported same in a new draft under same title and that it "Ought to pass." (The report was accepted and on motion by Mr. Rounds of Portland, the rules were suspended and the bill received its first and second readings, and on motion by Mr. Cram of Portland, the rules were suspended and the bill received its third reading and was passed to be engrossed.)

Mr. Towne from the Committee on Education reported "Ought to pass" on Bill "An Act to amend Paragraph 3 of Section 1 of Chapter 127 of the Public Laws of 1919 relating to the amount of secondary school tuition to be paid in the case of unorganized territory students." (The report was accepted, and on motion by Mr. Trefethen of Wilton, the rules were suspended and the bill received its first and second readings and on further motion by the same gentleman

the bill receive its third reading and was passed to be engrossed.

Mr. Trefethen from the same Committee reported same on Bill "An Act to regulate religious worship in the Public Schools." (The report was accepted, and the bill was tabled for printing under the joint rules.)

Mr. Varney from the same Committee reported same on Bill "An Act to amend Section 87 of Chapter 16 of the Revised Statutes relating to State Aid to High Schools under emergency conditions." (The report was accepted, and on motion by Mr. Trefethen of Wilton, the rules were suspended and the bill received its first and second readings, and on further motion by the same gentleman the bill received its third reading and was passed to be engrossed.)

Mr. O'Connell from the Committee on Inland Fisheries and Game on Bill "An Act to amend Sections 19, 24, 28 and 75 of Chapter 219 of the Public Laws of 1917 and Section 19 of Chapter 219 of the Public Laws of 1917 as amended by Chapter 244 of the Public Laws of 1917 and Sections 26, 51 and 81 of Chapter 219 of the Public Laws of 1917 as amended by Chapter 196 of the Public Laws of 1919 and Sections 27 and 59 of Chapter 219 of the Public Laws of 1917 as amended by Chapter 244 of the Public Laws of 1917 and by Chapter 196 of the Public Laws of 1919 and Section 46 of Chapter 219 of the Public Laws of 1917 as amended by Chapter 133 of the Public Laws of 1919 relating to Inland Fisheries and Game," reported same in a new draft under title of "An Act to amend Section 24 of Chapter 219 of the Public Laws of 1917 and Sections 10 and 75 of Chapter 219 of the Public Laws of 1917 as amended by Chapter 244 of the Public Laws of 1917 and Section 26 of Chapter 219 of the Public Laws of 1917 as amended by Chapter 244 of the Public Laws of 1917 and Chapter 196 of the Public Laws of 1919 and Section 81 of Chapter 219 of the Public Laws of 1917 as amended by Chapter 196 of the Public Laws of 1919 and Section 51 of Chapter 219 of the Public Laws of 1917 as amended by Chapter 196 and 249 of the Public Laws of 1919 and Sections 27 and 59 of

Chapter 219 of the Public Laws of 1917 as amended by Chapter 244 of the Public Laws of 1917 and by Chapter 196 of the Public Laws of 1919 and Section 46 of Chapter 219 of the Public Laws of 1917 as amended by Chapter 133 of the Public Laws of 1919 relating to Inland Fisheries and Game and that it "ought to pass." (The report was accepted and the bill was tabled for printing under the joint rules.)

Mr. Maher from the committee on Judiciary on Bill "An Act to amend Chapter 126 of the Revised Statutes relating to accessories" reported same in a new draft under title of "An Act to amend Section 9 of Chapter 126 of the Revised Statutes relating to accessories," and that it "ought to pass."

(The report was accepted and the bill was tabled for printing under the joint rules.)

Mr. Cram from the Portland Delegation on Bill "An Act authorizing the city of Portland to transfer the statutory fund received by it as a legacy under the last Will and Testament of Franklin Simmons to Portland Society of Art" reported same in a new draft under same title and that it "ought to pass."

(The report was accepted and on motion by Mr. Cram of Portland, the rules were suspended and the bill received its first and second readings, and on further motion by the same gentleman, the bill received its third reading and was passed to be engrossed.)

Mr. Fagan from same delegation on Bill "An Act to amend Chapter 424 of Private and Special Laws of 1897 relating to pensions for police officers of the city of Portland" reported same in a new draft under same title and that it "ought to pass."

(The report was accepted and on motion by Mr. Fagan of Portland, the rules were suspended and the bill received its first and second reading, and on motion by Mr. Cram of Portland, the rules were suspended and the bill received its third reading and was passed to be engrossed.)

Mr. Forbes from the committee on Public Utilities on Bill "An Act to authorize the Auburn Water Commissioner to make a further issue of bonds" reported same in a new draft under same title and that it "ought to pass."

(The report was accepted and on motion by Mr. Wing of Auburn, the rules were suspended and the bill received its first and second readings, and on further motion by the same gentleman the bill received its third reading and was passed to be engrossed.)

Mr. Hunton from the committee on Public Utilities reported "ought to pass" on Bill "An Act to authorize the Public Utilities Commission to regulate headlights on electric cars."

(The report was accepted, and on motion by Mr. Granville of Parsonsfield, the rules were suspended and the bill received its first and second readings, and on motion by Mr. Case of Lubec, the rules were suspended and the bill received its third reading and was passed to be engrossed.)

Mr. Tilden from the committee on State School for Boys, State School for Girls and State Reformatories on Resolve in favor of the State School for Girls, for maintenance and other purposes, reported same in a new draft under same title and that it "ought to pass."

(The report was accepted, and on motion by Mr. Tilden the rules were suspended and the resolve received its first reading, and on further motion by the same gentleman the resolve received its second reading and was passed to be engrossed.)

Same gentleman from same committee on Resolve in favor of the State School for Boys for maintenance and other purposes, reported same in a new draft under same title and that it "ought to pass."

(The report was accepted, and on motion by Mr. Blanchard of Oldtown the rules were suspended and the resolve received its first reading, and on further motion by the same gentleman the resolve received its second reading and was passed to be engrossed.)

Same gentleman from same committee on Resolve in favor of the State School for Boys for the construction of a Central School Building, reported same in a new draft under same title and that it "ought to pass."

(The report was accepted, and on motion by Mr. Teague of Waldoboro, the rules were suspended and the resolve received its first reading and on further motion by the same gentleman the resolve received its second reading and was passed to be engrossed.)

Same gentleman from same committee on Resolve in favor of the State Reformatory for Men, for maintenance, reported same in a new draft under same title and that it "ought to pass."

(The report was accepted, and on motion by Mr. McGlauffin of Pembroke, the rules were suspended and the resolve received its first reading, and on further motion by the same gentleman the resolve received its second reading and was passed to be engrossed.)

Same gentleman from same committee on Resolve appropriating money for the construction and improvement of the State Reformatory for Men, reported same in a new draft under same title and that it "ought to pass."

(The report was accepted, and on motion by Mr. Downing of Bangor, the rules were suspended and the resolve received its first reading, and on further motion by the same gentleman, the resolve received its second reading and was passed to be engrossed.)

Same gentleman from same committee on Resolve appropriating money for construction and improvements at the State Reformatory for Women, reported same in a new draft under same title and that it "ought to pass."

(The report was accepted, and on motion by Mr. Austin of South Berwick, the rules were suspended and the resolve received its first reading, and on further motion by the same gentleman, the resolve received its

second reading and was passed to be engrossed.)

Same gentleman from same committee on Resolve in favor of the State Reformatory for Women for maintenance, reported same in a new draft under same title and that it "ought to pass."

(The report was accepted, and on motion by Mr. Dunning of Charleston, the rules were suspended and the resolve received its first reading, and on further motion by the same gentleman, the resolve received its second reading and was passed to be engrossed.)

First Reading of Printed Bills and Resolves

House 434. An Act to incorporate the Kennebunk, Kennebunkport and Wells Water District.

(On motion by Mr. Roberts of Lyman, the rules were suspended and the bill received its three several readings and was passed to be engrossed.)

House 443. An Act to provide for the appointment of a treasurer and resident auditor at the University of Maine, and define their duties.

(On motion by Mr. Phillips of Orrington, the rules were suspended and the bill received its three several readings and was passed to be engrossed.)

House 448. An Act to amend Chapter 51 of the Revised Statutes as amended by Chapter 144 of the Public Laws of 1917, relating to the formation of corporations having stock without par value.

(On motion by Mr. Viles of Augusta, the rules were suspended and the bill received its three several readings and was passed to be engrossed.)

House 449. An Act to amend Section 15, of Chapter 9 of the Revised Statutes, and Section 32 of Chapter 117, of the Revised Statutes, relating to the Board of State Assessors.

(On motion by Mr. Viles of Augusta, the rules were suspended and the bill received its three several readings and was passed to be engrossed.)

House 450. An Act relating to the

retiring and pensioning of State employees.

(Tabled pending its first reading, on motion by Mr. Wing of Auburn.)

House 436. Resolve in favor of the Central Maine Sanatorium, Fairfield, Somerset county.

(On motion by Mr. Weeks of Fairfield, the rules were suspended and the resolve received its two several readings and was passed to be engrossed.)

House 437. Resolve in favor of Maine Agricultural Experiment Station.

(On motion by Mr. Gardiner of Gardiner, the rules were suspended and the resolve received its two several readings and was passed to be engrossed.)

House 438. Resolve in favor of the Maine School for the Deaf.

(On motion by Mr. Woodruff of Brunswick, the rules were suspended and the resolve received its two several readings and was passed to be engrossed.)

House 439. Resolve making an appropriation for printing and binding of adjutant general's report for 1917, 1918 and 1919 (war period).

(On motion by Mr. Holley of North Anson, the rules were suspended and the resolve received its two several readings and was pass to be engrossed.)

House 440. Resolve in favor of Wallace Lewey, representative of the Passamaquoddy Tribe of Indians.

(On motion by Mr. Leighton of Dendysville, the rules were suspended and the resolve received its two several readings and was passed to be engrossed.)

House 441. Resolve in favor of the Northern Maine Sanatorium, Presque Isle, Aroostook county.

(On motion by Mr. Wilson of Presque Isle, the rules were suspended and the resolve received its two several readings and was passed to be engrossed.)

House 442. Resolve in favor of Horace Nelson, representative of the Penobscot Tribe of Indians.

(On motion by Mr. Atherton of Sta-

cyville, the rules were suspended and the resolve received its two several readings and was passed to be engrossed.)

House 444. Resolve in favor of the Maine General hospital.

(On motion by Mr. Nickerson of Swanville, the rules were suspended and the resolve received its two several readings and was passed to be engrossed.)

House 445. Resolve in favor of the commissioners of pharmacy.

(On motion by Mr. Finnell of Biddeford, the rules were suspended and the resolve received its two several readings and was passed to be engrossed.)

House 446. Resolve in favor of the Central Maine Sanatorium, Fairfield, Somerset county.

(On motion by Mr. Forbes of South Paris, the rules were suspended and the resolve received its two several readings and was passed to be engrossed.)

(Subsequently, on motion by Mr. Weeks of Fairfield, the vote was reconsidered whereby this resolve was passed to be engrossed, and on further motion by Mr. Weeks, the resolve was tabled.)

House 447. Resolve in favor of the national conference of commissioners on uniform state laws and of the commissioners from Maine for the promotion of uniformity of legislation in the United States.

(On motion by Mr. Cram of Portland, the rules were suspended and the resolve received its two several readings and was passed to be engrossed.)

Finally Passed

Resolve in favor of the President and Trustees of Bates College.

The SPEAKER: The Clerk will now present out of order Senate papers.

Papers from the Senate disposed of in concurrence.

From the Senate: Resolve to provide for the payment of seed lobsters purchased in 1920.

Comes from the Senate passed to be engrossed.

In the House on motion by Mr. Baker of Steuben, the rules were suspended, the resolve given its two several readings and passed to be engrossed in concurrence.

From the Senate: Bill, An Act additional to Section 11 of Chapter 128 of the Revised Statutes, relating to the use of fare boxes and fare registers on street cars and the mutilation of coin used in the payment of fares.

Comes from the Senate passed to be engrossed.

In the House on motion by Mr. Blanchard of Old Town, the rules were suspended and the bill given its three several readings and passed to be engrossed in concurrence.

From the Senate: Final report of the Committee on Claims, Committee on Pensions, Committee on Public Health, Committee on Sea and Shore Fisheries, and Committee on State Prison.

Reports read and accepted in concurrence.

Senate Bills in First Reading

Senate 170: Resolve appropriating money to aid in the screening of certain lakes and ponds.

(On motion by Mr. Landers of Eustis the rules were suspended and the resolve received its first reading, and on motion by Mr. O'Connell of Millinocket, the resolve received its second reading, and was passed to be engrossed in concurrence.)

Senate 169: An Act to amend Paragraph nine of Section 6 of Chapter 10 of the Revised Statutes, as amended by Chapter 105 of the Public Laws of 1919, relating to exemption from taxation of the estates of war veterans.

(On motion by Mr. Nadeau of Biddeford, the rules were suspended and the bill given its three several readings, and passed to be engrossed in concurrence.)

Senate 160: Resolve authorizing the State land agent to sell certain public lots in Lakeville Plantation, Penobscot county.

(On motion by Mr. Dunning of Charleston the rules were suspended and the resolve received its two several readings and was passed to be engrossed in concurrence.)

From the Senate: Resolve in favor of the town of Milo. This was passed to be engrossed in the House March 15.

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

In the House, on motion by Mr. Owen of Milo, the action of the House whereby that body heretofore passed this resolve to be engrossed was reconsidered. On further motion by the same gentleman, Senate Amendment "A" was adopted in concurrence; and on further motion by the same gentleman the resolve as amended by Senate Amendment "A" was passed to be engrossed in concurrence.

From the Senate: Majority report of the Committee on Sea and Shore Fisheries reporting "ought not to pass" on Bill, An Act to regulate the legal length of lobsters in York county, the report being signed by the following members. Senator Holt of Hancock, Senator Clement of Waldo, Representatives Harriman of Prospect, Newcomb of Newburg, Oram of Bristol, Carney of Newcastle, Baker of Steuben and Clarke of Stonington.

Minority report of the same committee reporting that the same "ought to pass" the report being signed by Senator Stevens of York and Representative Luques of Kennebunkport.

Mr. LUQUES of Kennebunkport: Mr. Speaker, I move the adoption of the minority report, "ought to pass" in non-concurrence. I would like to speak a few words on this subject.

I have sometimes wondered if the Hebrew children, after successfully passing through the fiery furnace, could have been persuaded again to enter that warm receptacle, or whether the prophet Daniel, after his experience with the lions, had any

great yearning to go back and scratch their heels; and I must confess that I approach this question of lobsters with about the same degree of hesitation that I imagine animated those individuals because I have been given to understand that this House has been fed up, so to speak, on lobsters. Yet, when I recall with what gusto the members of this House attacked the lobsters in the rotunda a short time ago, it would seem to me that it was not such a distasteful subject after all. Unless there be any members in this House who did not hear the announcement publicly made at that time that those lobsters were donated by men who favor maintaining a ten and one-half inch law, I want to call your attention to that statement now in order that they may have full credit for their generosity. They were good lobsters; we raise no better ones in York county.

The gentleman from Perham, Mr. Bragdon, a few mornings ago said: "I read down through a bill if it is not too long; but if it is anything that relates to Sea and Shore Fisheries or to the city of Lewiston, I know and think that it is beyond my comprehension and so I go no farther." Now there may be some other gentlemen here in the House in a like condition; so I wish to say that I am going to try to speak so plainly and so clearly that you will all understand at least what I am talking about even if you do not agree with me.

This bill does not aim to overturn the lobster industry of this State. I stand here tonight, gentlemen, to ask you to grant a privilege—a privilege to the fishermen of York county to experiment with a nine-inch lobster law in their own county and in that county alone, a privilege that fishermen from the eastern counties who have testified before our committee have said that they were willing should be granted to York county fishermen, a privilege that invades no man's territory, that infringes upon no man's rights, but a privilege that York county fishermen deem vital to their welfare be-

cause of the peculiar condition existing there. The York county coastline is an open coastline, and the fishermen of that county must pursue their vocation and battle with the elements unsheltered and unprotected by the hundreds of islands that adorn and protect the coast of the eastern counties; and after every heavy gale they find their traps, a good part of them, piled up on the shore in ruins, to their great loss.

This county is also contiguous to the New Hampshire line where the nine-inch law prevails, and the fishermen from New Hampshire come over into York county waters and carry back to their home ports the nine-inch lobsters and dispose of them there. These lobsters bring no revenue to the State of Maine nor enjoyment to the inhabitants thereof.

Now what is the objection to York county being granted this privilege? The argument that has been most frequently raised, and which I admit at first glance seems to have some merit, is that it will be an entering wedge to overthrow the present law of the State, and that it would in effect move the New Hampshire line down to the Cumberland county line. Well, now, let's see about this entering wedge business! All the other counties in the State claim that they are perfectly satisfied with the present law; that they want no other and would not think of having any other. Then why all this talk about this privilege, if granted to York county, disturbing them in their work in those counties and being an entering wedge to overturn the law of the State? We do not propose to send any missionaries into those counties to convert them. If there are any wavering souls in those counties to send out the cry "come over to Macedonia and help us," it will fall on deaf ears so far as we are concerned.

Now as I have said this county is contiguous to the New Hampshire line, and we can enter into no agreement with the New Hampshire fish-

ermen to keep out of our waters. The York County Fishermen's Association, which comprises almost all the fishermen in York county with the exception of two or three, pledge themselves to enter into an agreement with Cumberland county that they will stay on their own side of the line. Now the question arises whether, if this arrangement was made, the York county fishermen would keep to this agreement, and this brings in the character of fishermen in general and the fishermen of York county in particular; and here I have said there seems to be a difference of opinion. Somebody who came before our committee testified that all fishermen were rascals and he would not trust any of them. Fishermen from the eastern counties said that 80 percent were honest and 20 percent dishonest. Commissioner Crie says that on the whole they are a fine body of men; and I want to say that of all the York county fishermen whom I know, I would accept the word of any one of them without question. Now in relation to the character of the York county fishermen, in this report of the Commissioner of Sea and Shore Fisheries for 1920, 33 pages are given up to names of violators of the lobster law, and in all those 33 pages you will find the names of but 16 York county fishermen who have violated the law and been convicted of having illegal lobsters. Now you have got to admit that either the York county fishermen are smarter than the fishermen of any other county in evading the law, or else on the whole they live up to it.

Now are we asking anything unreasonable? Is our position an illogical one? Why, if you come to that, it seems to me that the whole lobster law is an illogical one. It has been well established that female lobsters lay their eggs, not every year as was once supposed, but every two years, and there is no uniform size nor age when they begin to lay. Authorities state that they lay their eggs when they are from eight to ten and one-half inches long. The number of eggs produced increases with surprising rapid-

ity in proportion to their length. The approximate number at eight inches is 5000, at 10 inches, 10,000, at 12 inches, 20,000, and so on until it runs up into the hundreds of thousands. Now these female lobsters that are the great egg producers, that are the potential mothers of the race, that are the lobsters to whom we have got to look for our source of supply—all those lobsters capable of bearing from 10,000 to 100,000 and 150,000 eggs, we are allowed by law to destroy, but not the nine-inch lobsters which only carry 5000 eggs.

Now there has appeared before our committee at various times fishermen from the eastern part of the State who have asked for a close time on lobsters here and a close time there; also men have appeared requesting restrictions on the clam industry here and there; and the gentlemen from York county on that committee have cheerfully and gladly voted to give them what they ask. Now we are asking for a little courtesy in return. Give us a chance to experiment in York county for a couple of years and see whether we are right or wrong. The 150 fishermen in York county are not going to do a great deal of damage to the three or four thousand fishermen in other parts of the State. We ask for a chance to gain a livelihood. We ask for a fighting chance to meet the pirates of New Hampshire on even terms. I therefore ask you gentlemen to adopt this minority report. (Applause).

Mr. BAKER of Steuben: Mr. Speaker and gentlemen: You have all listened, I among the number, to the very satisfactory and pleasing address of my worthy friend from Kennebunkport, Mr. Luques. His remarks have been courteous, his statements have been concise, and he has talked strictly to the question in point. The only thing I have to say in opening my few remarks is, don't you think, gentlemen, it would be a dangerous thing to establish a precedent like setting off a county of this State to enjoy a privilege which the other counties do not want and do not care to enjoy?

Forty-one hundred lobster fisher-

men are licensed under the laws of this State to pursue their vocation. Of that number, approximately one hundred and fifty—I think 108 in York county—have organized an association and are asking us to grant them the privilege of making this experiment. That is a dangerous thing, and it is dangerous for two reasons. One reason is that it increases the jealousy of other fishermen in nearby counties, on the other hand it creates a jealousy among the fishermen themselves and all men are jealous when it comes to dollars and cents. If their neighbors prosper more than they, they are jealous. It is human nature and no where is it more evident than among the lobster fishermen. Kind-hearted, simple in their tastes, affectionate and loyal men as they are, they still have in a very marked degree this jealous trait; and the point I want to make is this, that when you let down the bars and bring this line along to Pine Point or the Cumberland county line, you create a jealousy among those people and a spirit of unrest, and it is only natural for the fishermen to say,—Well, it is the entering wedge, the law is coming, we might as well get some of ours now while the getting is good, and it will nullify practically all of the good efforts of the commissioner and the directors. It will destroy their effectiveness in protecting one of the largest industries in the State of Maine.

I know from experience something about the lobster fishing industry. As a boy I had the pleasure, and some little profit then, of fishing for lobsters. At that time, in comparison, we received \$1.25 per hundred pounds for lobsters to be canned at the factories. Had the wise provision of later years been put in practice at that time, the chances are we would have had ten times as many lobsters along this coast. The price might not have been quite as high, but the benefits to all would have been a great deal more. Speaking of the nine-inch lobsters, I want to call your attention to one salient fact and that is this, that most all the large lobsters are not caught in

traps at all. They catch them up to six and seven pounds, but above that they do not catch them in traps. This statement I wish you would consider well. I want to say that the lobsters frequently go to twenty pounds. My own grandfather, on a line set for codfish, at one time caught one weighing forty pounds. I have seen one weighing 26 3-4 pounds. This is simply to call your attention to the fact that many of these large lobsters—most all of them—cannot get into a six trap at all. So the lobsters which bear the greater number of spawn or eggs are not caught at all. That is true in York and all counties along the coast.

I want to say with reference to the New Hampshire line that the Commissioner today told me that they maintain a patrol boat to protect the fishermen at the boundary line between New Hampshire and Maine. I believe the wardens are doing the work very well and satisfactorily. Only a few men are there, some three, four, five or six. At the last hearing eight fishermen from the section of Pine Point appeared before us and all agreed that a common fishing ground would cause much bitter strife. It may not be irrelevant to call your attention to the fact that lobsters caught in York county, legally caught, might possibly be sold in other counties. If they carry out the policy and should be granted a nine inch law, I am certain that in a very short time there won't be any question but that would occur. I know a man 95 years old, who is still fishing, nearly 88 years he has fished, and when a man of that experience tells me that the present law is a good one, I am perfectly willing to take his word for it. One or two men came before our committee, and on being asked if they had any objection, by the gentleman who previously spoke, to letting York county have a law for themselves, in their kindly spirit one or two of them did say that they had no objection. On the other hand in York county I know of fishermen who say that they believe this would be the death of their industry. A day or two ago I had a letter from the pound keeper at Mil-

bridge who said that he did not care; that he knew he would have three or four wonderful years, and that that would be the end of it. He has been a man who has been in the business a long time and I am willing to take his opinion on it. If you establish such a precedent I know that it is going to work a great harm to the lobster industry of Maine. About fifteen million dollars is the return to the lobster fishermen as estimated by the commission, and forty-one hundred fishermen are licensed. We hope to see them soon formed into associations so that they may protect their industry and work in harmony with the commission at much less expense than the small amount of money that is now allotted to the commission for their work. I believe there is a spirit growing among those men to join heartily with the commission in working out these ends, and I would be the last man to favor any legislation here which will make them distrustful or make the commission work any harder than it does now. We have had a series of hearings before our committee and many people have appeared. This matter has been carefully threshed out, and with all deference to those worthy gentlemen who have stood by their county, as is their right, eight men have signed the majority report, ought not to pass, and I am one of the number. I am convinced after extended talks with fishermen that the present law is the best law and the most satisfactory law to the fishermen, and that the results of keeping it where it is would be most beneficial to one of the largest industries in the State of Maine. I trust, gentlemen, that the minority report, ought to pass,—in the Senate today four Senators voted for this minority report—I cannot expect this House will turn down the measure in any such proportion as that; but I do hope that you are all aware that you are tampering with a law that will be detrimental and work great harm to a large industry. (Applause).

Mr. BENNETT of Yarmouth: Mr. Speaker, there is one point we must not forget in voting on this question; the lobsters are not stationary to

each county. They are going back and forth all the time, and a lobster that you catch today in York county may have been the day before in Cumberland county. As the season advances the lobster goes from the deep water in cold weather into shallow water, and later in the season they go back. As I said before, a lobster that is today in York county, tomorrow may be in Cumberland county. They are not yarded in each county so you can go up to the line and catch only what is in that county. It is very seldom that you find lobsters less than 12 inches in length with eggs on them. If you allow them to be caught at nine inches in length, and they could not go from one county to another, it would not be but a very few years before in York county you would not have any lobsters at all. Bear in mind that you are just killing the chicks before they get old enough to lay an egg.

The SPEAKER: And the question is on the motion of the gentleman from Kennebunkport, Mr. Luques, to accept the minority report, ought to pass, in non-concurrence. All those in favor of the acceptance of the minority report will say aye, contrary minded, no.

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

On motion by Mr. Baker of Steuben, the majority report, ought not to pass, was accepted.

The SPEAKER: The Chair presents for consideration Senate Doc. No. 106, Bill, An Act to amend Section 17 of Chapter 12 of the Revised Statutes as amended by Chapter 121 of the Public Laws of 1917, as amended by Chapter 299 of the Public Laws of 1917 relating to the recording of deeds.

This bill was passed to be enacted in the House, March 29, and passed to be engrossed March 22. It now comes from the Senate, passed to be engrossed as amended by Senate Amendment "A" in non-concurrence. The Chair will state that the amendment changes the word "incorpor-

ated" in the tenth line to the word "unincorporated."

On motion by Mr. Rogers of Rockland, the votes were reconsidered whereby this bill was passed to be enacted, and where by it was passed to be engrossed.

On further motion by the same gentleman, Senate Amendment "A" was adopted in concurrence.

The bill was then passed to be engrossed as amended, in concurrence.

The SPEAKER: The Chair presents for consideration, Bill, An Act relating to life insurance for minors and the surrender of such insurance, House Doc. No. 327.

This bill was passed to be enacted in the House, March 29, and was passed to be engrossed in the House, March 22. It now comes from the Senate, passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

On motion by Mr. Thomas of South Portland, the vote was reconsidered whereby this bill was passed to be enacted.

On motion by Mr. Crabtree of Island Falls, the vote was reconsidered whereby this bill was passed to be engrossed.

On motion by the same gentleman, Senate Amendment "A" was adopted in concurrence, and on further motion by the same gentleman, the bill was passed to be engrossed as amended by Senate Amendment "A" in concurrence.

The SPEAKER: The Chair presents for consideration, House Doc. No. 410, Bill, An Act to regulate the use of motor driven and animal drawn vehicles on highways. In the House, this bill was passed to be engrossed on March 29. It now comes from the Senate passed to be engrossed, as amended by Senate Amendment "A" in non-concurrence.

On motion by Mr. Granville of Parsonsfield, the vote was reconsidered whereby this bill was passed to be engrossed.

On motion by the same gentleman the bill was tabled pending the adoption of Senate Amendment "A," in concurrence.

The SPEAKER: The Chair presents for consideration out of order, Bill, An Act to amend Section 9 of Chapter 126 of the Revised Statutes, relating to accessories.

The pending question being the third reading of the bill,

On motion by Mr. Maher of Augusta, the bill received its third reading and was passed to be engrossed.

The SPEAKER: The Chair presents for consideration, out of order, Senate Doc. No. 116, Bill, An Act to promote the efficiency of the fire department of the city of Lewiston. In the House, this bill was passed to be engrossed on March 25, as amended by House Amendment "A." The House voted on March 30 to adhere to its former position. In the Senate on March 31, that branch voted to insist upon its former action and asked that a committee of conference be appointed.

On motion by Mr. Morneau of Lewiston, the bill was laid upon the table.

On motion by Mr. Maher of Augusta, the vote was reconsidered whereby the House passed to be engrossed, House Document No. 448, Bill, An Act relative to the issuance of stock without par value.

Mr. Maher then offered House Amendment "A" to amend by striking out the word "majority" in the fourth line of Section 118, and by substituting for the word "majority," the words "two-thirds."

The amendment was adopted, and on further motion by Mr. Maher, the bill was passed to be engrossed as amended by House Amendment "A."

On motion by Mr. Murchie of Calais, House Doc. No. 372, Bill An Act relating to the State Department of Health was taken from the table.

On motion by Mr. Murchie, the vote was reconsidered whereby House Amendment "B" was adopted.

Mr. Murchie then offered House Amendment "A" to House Amendment "B" to amend House Amendment "B" by striking out all of said amendment after the words "four thousand," and substituting in place thereof the following: "Provided, however, that the Governor and Council may, upon recommendation by the appointive members of the public health council, increase said salary to an amount not in excess of \$5,000."

The question being on the adoption of House Amendment "A" to House Amendment "B,"

The amendment was adopted.

The bill was then passed to be engrossed as amended.

Passed to Be Enacted

An Act to amend Section 13 of Chapter 117 of the Revised Statutes, relating to the duties of the Secretary of the Senate.

An Act amendatory of and additional to Chapter XVI of the Private and Special Laws of Maine, 1820, and for the incorporation of the Trustees of the Medical School of Maine.

An Act to provide for the creation of Water Storage on the Aroostook River.

Finally Passed

Resolve in favor of the Medical School of Maine established by Chapter XVI of the Private and Special Laws of Maine, 1820, as amended.

On motion by Mr. Smith of Waterboro, Resolve in favor of Nash & Viles for services in connection with brick dormitory building at the Maine School for Feeble-minded, was taken from the table.

The pending question being the first reading of the resolve,

On further motion by Mr. Smith, the rules were suspended and the resolve received its two several readings and was passed to be engrossed.

On motion by Mr. Rounds of Portland, the report of the Portland delegation on Bill, An Act relating to the fire department of the city of Portland, was taken from the table.

The pending question being the adoption of House Amendment "A,"

On further motion by Mr. Rounds, the amendment was adopted, and on further motion by the same gentleman, the rules were suspended and the bill received its second reading.

On motion by Mr. Warren of Portland, the rules were suspended and the bill received its third reading and was passed to be engrossed as amended by House Amendment "A."

On motion by Mr. Rounds of Portland, Bill, An Act to amend Paragraph 2 of Chapter 118 of the Revised Statutes, relating to the fees of deputy sheriffs in attendance upon court, was taken from the table.

On further motion by Mr. Rounds, the vote was reconsidered whereby the bill was passed to be engrossed.

Mr. Rounds then offered House Amendment "A," to amend by adding Section 2, as follows: "Section 26 of Chapter 85 of the Revised Statutes is hereby amended by adding at the end of said section the following, to wit: 'The total number of deputies so appointed within the county of Cumberland shall not exceed four, one of whom shall be a woman.'"

The amendment was adopted.

On further motion by Mr. Rounds, the bill was passed to be engrossed as amended by House Amendment "A."

On motion by Mr. Rounds of Portland, Bill, An Act limiting the salaries and fees of certain city and town officers, was taken from the table.

Mr. Rounds then offered House Amendment "A."

The SPEAKER: The Chair will state the situation in regard to this measure as it understands it. This bill received a unanimous adverse report, and it will be necessary for the gentleman from Portland, Mr. Rounds, to prevail upon the House to substitute the bill for the report before the amendment is in order.

Mr. Rounds then moved that the bill be substituted for the report.

A viva voce vote being doubted.

Mr. Rounds called for a division of the House. A division was attempted.

Mr. ROUNDS: Mr. Speaker, I would like to state here at this time that you have been putting salaries down and here are salaries in the city of Portland where they are paying two thousand dollars more which has been raised this year, and we are paying six thousand dollars while the State of Maine only pays four thousand dollars to the superintendent of schools, the man that is over them, and I think we should give the other man something so that we can put him down to four thousand dollars.

The SPEAKER: The question is on the decision of the Chair that the House had refused to substitute the bill for the report, and the Chair will require the members of the House to vote again, as debate at this time would be out of order. All those in favor of substituting the bill for the report will rise and stand until counted.

A division was had, and thirty-eight voting in the affirmative and thirty-eight in the negative.

The Speaker declared the motion to substitute the bill for the report lost.

On motion by Mr. Brewster of Portland, the report of the committee, reporting "ought not to pass," was then accepted.

On motion by Mr. Holley of North Anson, Bill, An Act relating to State contingent fund, was taken from the table.

On further motion by Mr. Holley, the bill was then passed to be engrossed.

On motion by Mr. Weeks of Fairfield, House Document No. 446, Resolve in favor of the Central Maine Sanatorium, was taken from the table.

Mr. Weeks then offered House Amendment "A," to amend by striking out after the word "from" in the fourth line thereof all the words fol-

lowing, and adding thereto the following: "July 1, 1921, to June 30, 1922. Provided that any portion of the appropriation remaining unexpended shall be available for expenditure during the next fiscal year."

On further motion by Mr. Weeks, House Amendment "A" was adopted.

The bill was then passed to be engrossed as amended by House Amendment "A."

On motion by Mr. Weeks of Fair-

field, House Document No. 447, Bill, An Act to amend Section 4 of Chapter 167 of the Private and Special Laws of 1907, incorporating the Allagash Improvement Company, was taken from the table.

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

On motion by Mr. Audibert of Fort Kent,

Adjourned until tomorrow morning at 9 o'clock.