

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Second Legislature

OF THE

STATE OF MAINE

1925

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Wednesday, March 11, 1925.

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

Prayer by the Rev. Mr. Quimby of Augusta.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

Mr. WING of Auburn: Mr. Speaker, is the House proceeding under "papers from the Senate"?

The SPEAKER: Yes.

Mr. WING: Has the Clerk read the order relative to the investigation of the Textile Industry.

The SPEAKER: Not as yet. It does not appear to be in the possession of the House.

Continuing under "papers from the Senate disposed of in concurrence."

The SPEAKER: The Chair observes one of our members present who has been detained at home by illness until this time—the gentleman from Freeport, Mr. Nevins; and the House extends a welcome to him, and the gentleman from Portland, Mr. Hale, suggests that a committee be appointed to escort Mr. Nevins to the Governor that he may take his oath of office. Will the gentleman from Portland, Mr. Hale, attend to that duty?

Thereupon, Mr. Nevins of Freeport was escorted by Mr. Hale to the Governor for the above purpose, amid the applause of the members, that body rising.

From the Senate: Bill, an act in favor of the Monson Maine Slate Company (H. P. No. 936) (H. D. No. 236) which was passed to be engrossed in the House March 4.

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

In the House on motion by Mr. Flint of Monson that body voted to reconsider its vote whereby this bill was passed to be engrossed; and on further motion by the same gentleman Senate Amendment A was adopted; and on further motion by the same gentleman the bill was passed to be engrossed as amended by Senate Amendment A in concurrence with the Senate.

Conference Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Resolve to reject the proposed twentieth amendment to the Constitution of the United States, being the Child Labor Law so-called, (H. P. No. 306) (H. Doc. No. 61), reporting that the House recede and concur with the Senate in referring same to the Committee on Labor.

(Signed)

Messrs. SMITH of Somerset
WADSWORTH of Kennebec

BOND of Lincoln
—Committee on part of Senate.

DUDLEY of Woodstock

HALE of Portland

STURGIS of Auburn

—Committee on part of House.

Came from the Senate read and accepted.

In the House read and accepted in concurrence.

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

Agriculture

By Mr. Wing of Auburn: An Act to regulate the sale of apples in open packages. (H. P. No. 1116).

(500 copies ordered printed)

By Mr. Winn of Lisbon: An Act to regulate the sale of oleomargarine or any other substitute for butter. (H. P. No. 1117).

(500 copies ordered printed)

By Mr. Dudley of Woodstock: An Act to regulate the manufacture and sale of soft drinks, syrups and non-alcoholic beverages. (H. P. No. 1118).

(500 copies ordered printed)

By Mr. Brown of Waterford: An Act to regulate the sale of filled milk. (H. P. No. 1119).

(500 copies ordered printed)

Appropriations and Financial Affairs

By Mr. Spear of Portland: An Act to authorize the State Auditor to carry forward to the succeeding year construction accounts and to constitute them continuous carrying accounts for the purposes designated by the Legislature. (H. P. No. 1120).

(500 copies ordered printed)

By the same gentleman: An Act relating to the collection of fees by State officers and their clerks. (H. P. No. 1121)

(500 copies ordered printed)

By Mr. White of Bowdoinham: An Act amending Section 1, Paragraph II of Chapter 238 of the Public Laws of 1919, relating to Workmen's Compensation and defining "Employee". (H. P. No. 1122)

(500 copies ordered printed)

Education

By Mr. Cummings of Portland: An Act relating to the University of Maine (H. P. No. 1123)

(500 copies ordered printed)

Indian Affairs

By Mr. Spear of Portland: An Act in relation to the Passamaquoddy and Penobscot Indian Tribes. (H. P. No. 1124)

Inland Fisheries and Game

By Mr. Roy of Lewiston: Resolve in favor of establishing a Feeding Station for Fish in the stream at the head of Jimmy Pond in the town of Litchfield in the county of Kennebec. (H. P. No. 1125)

Judiciary

By Mr. Dudley of Woodstock: Remonstrance of George W. Sockey and others of Mexico against the repeal in any manner of the present Direct Primary Law. (H. P. No. 1126)

By Mr. Martin of Augusta: An Act to amend Section 37 of Chapter 55 of the Revised Statutes as amended by Chapter 128 of the Public Laws of 1919, relating to the authorization of issue of stocks, bonds and notes by Public Utilities. (H. P. No. 1127)

(500 copies ordered printed)

By Mr. Littlefield of Kennebunk: An Act to amend that part of Section 51 of Chapter 82 of the Revised Statutes of Maine relating to the regular sessions of the Supreme Judicial Court held in and for the County of York. (H. P. No. 1128)

(500 copies ordered printed)

By Mr. Spear of Portland: An Act relative to the filling of vacancies in the office of United States Senator. (H. P. No. 1129)

(500 copies ordered printed)

By Mr. Nichols of Portland: An Act relating to the number of voting compartments. (H. P. No. 1130)

(500 copies ordered printed)

By Mr. Jones of So. Portland: An Act relating to motor vehicle laws. (H. P. No. 1131)

(500 copies ordered printed)

By Mr. Oakes of Portland: An Act to change the jurisdiction of the Supreme Judicial and Superior Courts. (H. P. No. 1132)

(500 copies ordered printed)

Legal Affairs

By Mr. Littlefield of Kennebunk: An Act relating to the detention of operators of motor vehicles while under the influence of intoxicating liquors. (H. P. No. 1133)

(500 copies ordered printed)

By Mr. Spear of Portland: An Act relating to an act to encourage and provide for a system of uniform accounting in cities, towns and village corporations. (H. P. No. 1134)

(500 copies ordered printed)

By Mr. Johnson of Brownville: An Act relating to the care and support of paupers and other dependent persons having no settlement within the State. (H. P. No. 1135)

(500 copies ordered printed)

By Mr. Pullen of Danforth: Resolve relating to apportionment of representatives among the several counties, cities, towns, plantations and classes in the State of Maine. (H. P. No. 1136)

(500 copies ordered printed)

At this point Mr. Hale of Portland reported that he had attended to the duty assigned him, and that the gentleman from Freeport, Mr. Nevins, has been duly sworn and begs leave to present his certificate of qualification.

The SPEAKER: The House hears the message and the report is accepted. Mr. Nevins is welcomed as a duly qualified member of the House.

Maine Publicity

By Mr. Leland of Sangerville: An act relative to a State of Maine Building at West Springfield, Mass. (H. P. No. 1137)

(500 copies ordered printed)

Military Affairs

By Mr. Bisbee of Damariscotta: An Act in relation to the special allowances of officers in the National Guard (H. P. No. 1138).

(500 copies ordered printed)

Pensions

By Mr. Morse of Oakland: An Act relating to State pensions (H. P. No. 1139).

(500 copies ordered printed)

Public Health

By Mr. Martin of Augusta: An Act relating to the analysis of water used for domestic purposes (H. P. No. 1140).

(500 copies ordered printed)

Public Utilities

By Mr. Norwood of Warren: An Act

creating the Maine Power Authority and defining its duties (H. P. No. 1141).

(500 copies ordered printed)

By Mr. Boody of Windham: An Act to equalize the cost to takers of the service of public utilities (H. P. No. 1142).

(500 copies ordered printed)

By Mr. Mitchell of Newfield: An Act to prevent discrimination by telephone companies furnishing its instrumentalities to other telephone companies (H. P. No. 1143).

(500 copies ordered printed)

Salaries and Fees

By Mr. Robinson of Scarborough: An Act relating to compensation of selectmen and assessors (H. P. No. 1144).

(500 copies ordered printed)

Sea and Shore Fisheries

By Mr. Ludwig of Waldoboro: An Act relating to the regulation of smelt fishing (H. P. No. 1145).

Taxation

By Mr. Martin of Augusta: An Act requiring an excise tax to be paid on all cigarettes sold in this State (H. P. No. 1146).

(500 copies ordered printed)

By Mr. Hayford of Mechanic Falls: An Act providing for an exemption from taxation on mortgaged real estate (H. P. No. 1147).

(500 copies ordered printed)

Ways and Bridges

By Mr. Boody of Windham: An Act relating to towns uniting for the purpose of breaking snow (H. P. No. 1149).

(500 copies ordered printed)

By the same gentleman: An Act to amend Section 107 of Chapter 24 of the Revised Statutes, relating to guide-posts (H. P. No. 1151).

(500 copies ordered printed)

By Mr. Burnham of Kittery: Resolve authorizing the purchase by the State of Maine of that portion of the Interstate Toll Bridge between South Berwick in the county of York and Dover, New Hampshire, which is within limits of the State of Maine (H. P. No. 1150).

(500 copies ordered printed)

By Mr. White of Bowdoinham: Resolve amending Article IX of the Constitution authorizing the issuing of bonds to be used for the purpose of building a bridge across the Kennebec river between the town of Richmond and the town of Dresden (H. P. No. 1148).

(500 copies ordered printed)

Orders

Mr. Roy of Lewiston presented the following order and moved its passage:

Ordered, that the parties who borrowed the piano that has been in the House rest room since this Legislature opened, return the same.

It is further ordered, that if this piano does not belong to the Legislature, the House hire one for the rest of this legislative session.

On motion by Mr. Wing of Auburn, tabled pending passage.

Reports of Committees

Mr. Bishop from the committee on Salaries and Fees reported ought not to pass on bill, An Act relating to the compensation of Judges of Probate in Penobscot county (H. P. No. 635).

Same gentleman from same committee reported same on bill, An Act to amend Chapter 178 of the Private and Special Laws of 1911, relating to the salary of the Recorder of the Northern Aroostook Municipal Court (H. P. No. 555).

Same gentleman from same committee reported same on bill, An Act relating to the salary of the secretary of the State Board of Charities and Corrections (H. P. No. 552).

Mr. Melcher from same committee reported same on bill, An Act relating to the salary of the County Attorney for York county (H. P. No. 902) (H. Doc. No. 229).

Same gentleman from same committee reported same on bill, An Act relating to salary of Sheriff of Piscataquis county (H. P. No. 901) (H. Doc. No. 228).

Reports read and accepted and sent up for concurrence.

Mr. Thissell from the committee on Salaries and Fees reported ought not to pass on bill An Act relating to the salary of the Judge and Recorder of the Bangor Municipal Court. (H. P. No. 636.)

(Tabled by Mr. Smith of Bangor pending acceptance of the report.)

Mr. Thissell from the committee of Salaries and Fees reported ought not to pass bill An Act relating to clerk hire in the Registry of Deeds (Southern District) Aroostook county. (H. P. No. 792.)

Report read and accepted and sent up for concurrence.

Mr. Lausier from the committee on Pensions reported "ought to pass" on Resolve to increase the State Pension of Maria N. Varrell of York. (H. P. No. 67.)

Same gentleman from same com-

mittee reported same on Resolve to increase the State Pension of Annie M. Welch of Kennebunk. (H. P. No. No. 294.)

Mr. Briggs from same committee reported same on Resolve in favor of Adelaide France of Sedgwick for State Pension. (H. P. No. 119.)

Mr. Morse from same committee reported same on Resolve providing for a State Pension for Mary C. Kimball of Carmel. (H. P. No. 624.)

Mr. Burnham from the committee on Public Utilities reported same on bill An Act to amend an Act to incorporate the Hallowell Water District. (H. P. No. 789.)

Reports read and accepted and the bill and resolves ordered printed under the Joint Rules.

Mr. Frost from the committee on Inland Fisheries and Game on bill An Act for the better protection of muskrats in the towns of Bucksport and Orland, in Hancock county. (H. P. No. 742;) An Act relating to the taking of muskrats in and on the banks of the East Machias river, and all its lakes and tributaries running thereto; also in or on the banks of Hoyt's brook in East Machias in the county of Washington. (H. P. No. 319;) An Act prohibiting the taking of muskrats in Bryant pond or Lake Christopher, so-called, in Woodstock, Oxford county. (H. P. No. 195.)

Reported same in a new draft (H. P. No. 1154) under title of An Act to regulate the taking of muskrats in certain territory in Washington, Hancock and Oxford counties, and that it "ought to pass."

Mr. Morse from the committee on Pensions on Resolve in favor of Louis Nason of West Gardiner for State Pension (H. P. No. 775) reported same in a new draft. (H. P. No. 1153) under same title, and that it "ought to pass."

Same gentleman from same committee on Resolve providing an increase for State Pension for Ada M. Cowan of Sidney (H. P. No. 549) reported same in a new draft (H. P. No. 1152) under same title, and that it "ought to pass".

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

Passed to Be Engrossed

S. P. No. 133: An Act to amend Sections 3 and 18 of Chapter 113 of the Private and Special Laws of 1921, relating to Western Washington Municipal Court.

H. P. No. 21: An Act relating to clerk hire for Clerk of Courts for Knox county.

H. P. No. 207: An Act to increase the salary for clerk hire in the office of Registry of Probate for Knox county.

H. P. No. 417: An Act to extend the open time for smelt fishing in the tide waters of the Penobscot river and its tributaries.

H. P. No. 502: An Act authorizing the Caribou Water, Light and Power Company to lease and assign to the Great Northern Paper Company for a period of 30 years, its right to maintain piers and booms and to hold and sort logs and other lumber granted by Chapter 178 of the Private and Special Laws of Maine of 1907.

H. P. No. 598: An Act relating to Teachers' Pensions.

H. P. No. 620: An Act to Incorporate The Houston Brook Driving Company.

H. P. No. 631: An Act relating to abolishment of grade crossings.

(Tabled by Mr. Nichols of Portland pending third reading)

H. P. No. 704: An Act to Incorporate the Arostook Real Estate Title Company.

H. P. No. 764: An Act to amend the charter of the City of Hallowell to provide that the Municipal Year begin on the second Monday of January biennially.

H. P. No. 793: An Act relating to the Salary of the Clerk of Courts in Washington County.

H. P. No. 794: An Act relating to the salary of the Recorder of the Kennebunk Municipal Court.

H. P. No. 1064: An Act to amend an act to amend Sections 11, 12, 13 and 38 of Chapter 6 of the Revised Statutes, relating to Primary Elections.

H. P. No. 1065: An Act relating to clerk hire in the Registry of Probate of York County.

H. P. No. 1066: An Act to increase the salary of the clerks in the office of the Register of Probate for Oxford County.

H. P. No. 1067: An Act relating to the salary of the Sheriff of Sagadahoc County.

H. P. No. 1068: An Act to increase the salary of the County Attorney for Knox County.

H. P. No. 1070: An Act relating to the salary of the Judge of Probate of Waldo County.

H. P. No. 1071: An Act relating to

the County Commissioners of Waldo County.

S. P. No. 371: Resolve authorizing the Forest Commissioner to sell and convey a certain interest of the State in Township 1, Range 7, Penobscot County.

Passed To Be Enacted

An Act relating to close time on Lobsters in the towns of Cutler, Trescott and Lubec in Washington County.

An Act to Amend Paragraph A of Section 47 of Chapter 211 of the Public Laws of 1921, relating to fees for Registration of Vehicles.

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

An Act to prohibit Ice Fishing in Kennebunk Pond in the County of York.

An Act to extend the Charter of the Patten Water and Power Company.

An Act to Amend Chapter 62 of the Public Laws of 1923, relating to the production and sale of Certified Seed.

An Act to Amend Section 5 of Chapter 37 of the Revised Statutes, as amended by Chapter 66 of the Public Laws of 1919, relating to the Registration of Milk Dealers.

An Act relating to the Jurisdiction of the Municipal Court of the City of Westbrook.

An Act to make legal the sale of cider which has been so treated as to prevent fermentation and which does not contain one-half of One Per Cent of Alcohol by volume.

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

An Act to Amend Section 1 of Chapter 147 of the Revised Statutes, relating to the State Board of Charities and Corrections.

An Act to regulate the Appointment of Guardians for Adults and the Appointment of Conservators when the Judge of Probate is interested and to Amend Sections 4 and 10 of Chapter 72 of the Revised Statutes.

An Act additional to and Amending of Chapter 35 of the Revised Statutes, relating to the Prevention of Contagious Diseases among Animals.

An Act to regulate fishing in Miller Brook, a tributary to Moose Pond, in the town of Brighton, in the county of Cumberland.

An Act relating to the Portland Public Library.

An Act relating to fishing in brook

emptying into Thompson Lake at Oxford, known in Oxford and Otisfield as Greely Brook, and in the town of Norwold as Lombard Brook.

An Act to amend Chapter 197 of the Private and Special Laws of 1887, entitled "An Act to Amend an Act Incorporating the city of Waterville," as amended by Chapter 16 of the Private and Special Laws of 1917.

An Act to regulate fishing in certain ponds in Somerset County.

An Act to regulate fishing in the portion of Moose River above Brassau Lake, in the County of Somerset. (Tabled by Mr. Bragdon of Perham pending passage to be enacted.)

An Act to amend Chapter 110 of the Private and Special Laws of 1909, relating to the Good Will Home Association.

An Act relating to the Female Orphan Asylum of Portland.

An Act to provide for the better protection of Clams within the limits of the town of Perry.

An Act relating to the Penobscot Tribe of Indians.

(Tabled by Mr. Bartlett of Hanover, pending passage to be enacted.)

An Act to incorporate the Cousins and Littlejohns Islands Village Corporation.

Finally Passed

Resolve appropriating money for the Study and Control of the Fruit or Blueberry Fly in Maine.

Resolve in favor of Double Stacking the State Library.

(Tabled by Mr. Wing of Auburn, pending final passage.)

Joint Resolution favoring the acquiring and maintenance by the United States Government of a suitable Vessel, constructed and equipped especially as an Ice Breaker, to be stationed and operated solely on the Maine coast.

Resolve appropriating money for the support and maintenance of the Maine Agricultural Experiment Station.

Resolve appropriating money for the Passamaquoddy Tribe of Indians for the years July 1, 1925 to June 30, 1927.

Resolve in favor of Newell Gabriel, Representative of the Penobscot tribe of Indians.

Resolve in favor of Frank Socoby, Representative of the Passamaquoddy Indians, Eighty-second Legislature.

Orders of the Day

The SPEAKER: Under orders of the day the first matter for considera-

tion is that tabled and assigned for today, Report A on House Document No. 20, An Act authorizing the towns to unite for the purpose of employing a superintendent of ways and bridges, the matter having been tabled by the gentleman from Presque Isle, Mr. Kitchen, on March 5th. The motion had been made by the gentleman from Sangerville, Mr. Leland, that Report A, which was ought to pass, be accepted.

Mr. KITCHEN of Presque Isle: Mr. SPEAKER and members of the House: It is not my intention at this time to go into a discussion of the merits or demerits of this bill. As a member of the Ways and Bridges committee, before which this matter was heard, I wish to state a few facts in connection with the hearing.

This bill was given a fair and impartial hearing before the committee and to my mind the weight of evidence is strong and conclusive against the passage of this bill. The report as you know, is fifty-fifty, five men signing Report A, ought to pass, and five men signing Report B, ought not to pass. Now, you will immediately wonder which of the two groups of men have the proper grasp of the situation. That, of course, is for you to decide after you have heard the evidence.

Personally, I am against the bill. As a member of that committee I saw fit to sign Report B, ought not to pass, feeling that there was not a sufficient demand on the part of the towns in the State to warrant the passage of this act and also, as I said before, because of the weight of evidence presented before the committee. I now wish to yield to the gentleman from Belfast, Mr. Frost.

Mr. FROST of Belfast: Mr. Speaker and Members of the 82nd Legislature: First of all with relation to this bill, I want to make this general statement which I am making based upon advice which I have obtained from several attorneys this morning. That is, that this bill gives the towns absolutely no rights which do not exist under the present legislative law. Someone has said that "in the making of many laws there is no end." Now, why multiply the laws and conditions if those existing at the present time enable us to do all that we desire to do in this connection? If that was the only reason I had for taking a stand against this bill, I would not raise my voice at this time in making any

statement against it, but there are many other reasons beside this one.

I am not sure whether all the members of the House are familiar with this bill or not. Therefore, I will beg your indulgence while I read from time to time a sentence or part of a sentence, as it will answer my purpose, which I find here in this bill.

Section 1 is a very innocent section and there is only one word which might be objectionable, and that word as it is printed at the present time is not objectionable. But I anticipate that at some future session of the Legislature somebody may come in here and ask a revision of this section, changing the word "may" to "shall." The section reads, "The selectmen of not less than three nor more than five adjoining towns may unite in the employment of a superintendent of ways and bridges." You can easily understand what effect it might have on this section if that one word was changed from "may" to "shall." Then every town in our State would be obliged to comply with the conditions of this law.

In the second section I read in part from the second line and on, as follows: "For the purpose of this section and the two following sections, said joint committee shall be held as agents of each town comprising the union, provided, however, that the selectmen of any town may authorize one of their members to act for them in the meetings of the joint committee."

Now, a little further down in this second section, "Said Joint Committee shall determine the relative amount of service to be performed by the superintendent in each town, fix his salary, and provide for the payment of all the necessary expenses incurred while in the performance of his duties, which shall be a town charge." Now, "apportion the amount to be paid by the several towns for the superintendent's salary, which shall be determined by dividing the entire amount of salary paid by the several towns comprising the union in the proportion of each town's valuation made by the assessors in the next prior year." That simply means that for the purpose of keeping a superintendent, we will say that five towns unite and those five towns, having a representation of three selectmen in each town, that means fifteen men. Now as we think of majorities we would naturally think that eight or nine of those men

would have the control of the situation but you will find by reading further in this act that that is not so, that these representatives do not count numerically but count according to the valuation of the towns which they represent. One town in that group of three or five, having a valuation of four millions of dollars, would count just double in their vote over the vote of the town having only a two million dollar valuation. Therefore, instead of having a representation on this committee counted numerically, there would be the difficulty of figuring out percentages, etc., whenever a disagreement should arise in connection with any vote.

"In the election of a superintendent of ways and bridges, the Selectmen of each town comprising the union shall have a vote proportional to the town's share of the expenditure for the superintendent's salary."

"Section 3. The chairman and secretary of said joint committee shall certify under oath to the state highway commission, upon forms prescribed by said state highway commission, in accordance with the provisions hereof." Now, a little further down, in the eight line of Section 3 we read, "Then, upon the approval of said certificate by the state highway commission"—in other words, members of the House, I wish you to note that as you go on in this act you are gradually verging toward complete control by the Highway Commission. If that is what the towns desire then we as their representatives here will vote accordingly, but it is my opinion that the towns do not desire an absolute and final control by the Highway Commission. Somehow we Americans have in our blood the spirit of independence and we just feel—perhaps for no good reason—but we really do like to manage our own affairs, and we dislike to put them entirely into the hands of some State or Foreign Commission.

Now, to pass over this very briefly, gentlemen, because I do not wish to take up the time of the House in unnecessary explanation, in Section 4 we read, "Persons employed to serve as superintendents of ways and bridges shall have had practical experience in the construction and maintenance of highways and bridges and devote their entire time to supervision in the towns comprising the union." Now, those of us

who have had any experience whatever with building roads realize that it is almost impossible to get men of experience. We know that because of our contact with the road-building programs in our towns. We know it through the State Highway Commission. From time to time we have applied for certain construction work to be done and have been told by them that they were perfectly willing to undertake the work but it was impossible for them to find efficient men to take charge of the work at that time.

Now to my way of thinking the most objectionable feature there is in this whole act is this: "Except as otherwise provided in Chapter 25 of the Revised Statutes and Chapter 193 of the Public Laws of 1923, they"—that is, the superintendents employed by these towns—"they shall have general charge of all ways and bridges in their district and see that the same are improved, repaired and maintained as provided by law."

Now, Chapter 25 of the Revised Statutes is the chapter under which the present Highway Commission is functioning and it defines all their rights and privileges in connection with road and bridge building. Chapter 193 of the Public Laws of 1923 is the law relating to bridges. Now, if this man is elected—that is, from my point of view as I look at this act—if this man is elected, under the supervision of the Highway Commission he takes full charge of the roads and bridges and so far as I can see, aside from the fact that the Selectmen have a right to discharge him by a two-thirds vote, he has absolute control of your roads and bridges and goes on maintaining, repairing and building new roads according to his judgment, backed up by the Highway Commission. This man, you understand, is employed by the Selectmen for a period of three years. Your Selectmen, are elected annually and it is possible, then, for your Selectmen, in the year 1925, to employ a superintendent of roads who will continue to serve for two years after they have ceased to have an interest in the town's affairs.

Now, "Section 5, Chapter 92 of the Public Laws of 1919, shall not apply to towns forming a union, in accordance with the provisions of the preceding sections for such a time as that union may continue in force." This Section 5 takes away the right of the various towns to employ a su-

perintendent of streets. In other words, if we should combine with two or three towns then you will have done away with any rights, so far as the town is concerned, to employ a superintendent of streets other than to employ him in this group of towns such as is designated in this act.

It seems to me it would be much better for us to continue functioning as we are today under the present law. (Applause)

Mr. LELAND of Sangerville: Mr. Speaker and members of the House: I do not understand that there is any new motion before the House.

The SPEAKER: The question is on the motion of the gentleman from Sangerville, Mr. Leland, that Report A "Ought to Pass" be accepted.

Mr. LELAND: Mr. Speaker I shall not take up the time of the House this morning to go over again the remarks which I made a week ago, at which time I expected that this matter was settled.

I notice what the gentleman from Belfast, Mr. Frost, says with relation to the existing law taking care of the present situation, that they might not do anything under this act which they might not do under the existing law. It seems to me, however, that he has overlooked the fact that in this act the assistance of the State is provided for to help pay the salaries of the superintendents. I note what the gentleman from Presque Isle, (Mr. Kitchen) says with relation to the evidence before the committee and he made a very fair statement of the case indeed. The committee, as I understand it, was influenced by the weight of evidence presented and also by the merits of the bill itself. It seems to me that this is nothing more nor less than simply a provision by which towns, if they so desired, might unite to secure very efficient supervision of their roads. Also, it seems to me that it might very possibly work out to the advantage of the towns in the use of such equipment for highway construction and maintenance as would not be possible for small towns to have, which could be made possible under the provisions of this act. Now, gentlemen, all I have to say in connection with this is that it is not the intention of the act to place more fully under the direction of the Highway Commission the affairs of the towns themselves. It is simply to bring about a better co-operation, better co-ordination of the activities

of the State and towns in order that they may more efficiently function toward what we all desire, namely, the improvement of our highways and bridges.

Mr. FROST: Mr. Speaker and members: I wish to say just one more word in reply to the remarks just made by the gentleman from Sangerville (Mr. Leland) in relation to the State paying a part of the salary. I think that all of us here in the House who are familiar with State aid construction are aware of the fact that we furnish one dollar and the State furnishes another dollar. Now, if we employ a superintendent on any particular piece of State highway road, in reality the State pays one-half of that man's salary and the town pays the other half. Now, under this bill, any money that is paid to the superintendent is deducted from the money which would be voted 'o the town by the Highway Department. I do not know that I make myself perfectly clear on that, but the idea is that you get no more under this act than you do under the present law in the fifty-fifty basis under which we are building State aid roads.

Mr. LELAND: Mr. Speaker, I would say that my understanding of this proposition is that the superintendent's salary would come out of the general fund for the maintenance and construction of the State aid roads and of third class roads but not directly from the appropriation for each town, simply that it is provided for in the fund available for those classes of roads.

Mr. BRAGDON of Perham: Mr. Speaker and members of the House: I wish to call attention briefly to the situation that will exist under such a law as this: that is, perhaps, I can think of two or three places in my own town where this situation would exist: Take a case like this, that whereas along the road from Fort Kent toward Patten, through the towns of Portage, Nashville, Masardis, etc., if five towns join together there they will stretch out on a line 30 miles long. This superintendent of highways would naturally live in the largest one and keep a swivel chair warm there, according to the prevailing custom, and he would be so far from his work up in Winterville and Portage and Nashville that he never would attend to them at all. On the other hand, if three towns such as Winterville, Portage and Nashville, should join, they are so small and

poor that a salary of from two to three thousand dollars a year—which is probably as cheap as you could get one of those skilled men, if there should happen to be any such animal—would be a burden for those towns to carry.

Now, with regard to another matter which has been brought up here by the gentleman from Belfast (Mr. Frost) with regard to the payment of one part of this salary by the Highway Commission up to one thousand dollars. That has been quite a popular method with us in the past. The federal government has had money to give us and we have been glad to get it. We like these gifts. Our state department now has money to give us. The Highway Commission, if we would be real good and work as they think we should, will reach into their pockets and hand us out a thousand dollars. But whose money is that? I do not imagine that the members of the Highway Commission would take that money out of the salary that they get. No; it would be our money and we have at the present time only one place that I can think of where we can lay out a cent of money on the roads in our towns as we see fit, and that is the amount that we raise ourselves without any matching from any state department. And I feel that our towns should retain some privileges in that respect.

There are some places that we want to fix up in our roads without asking anyone working under the direction of any department, and I feel that if our towns have any rights in that respect, they should hesitate to give them away.

I hope that the motion of the gentleman from Sangerville (Mr. Leland) will not prevail. (Applause.)

Mr. STURGIS of Auburn: Mr. Speaker and members of the 82nd Legislature: I do not know but what I will be out of order but I would like to say that some of the members of this Legislature are trying to put this over as an agricultural measure, while I feel that investigation shows it is a State highway measure, and I know from personal experience that a man may be recommended by the highway department to be a great civil engineer who does not know anything about building a dirt road—and that would not affect his salary—and I have just taken up this time to put the bill on its right merits.

Mr. MARDEN of Waldo: Mr. Speak-

er and members: As a member of the ways and bridges committee I signed Report B "Ought not to pass," and I want to say just a word relating to this union of towns and divisions of roads. We have now a supervisor of highways who expends all of the State aid money—and, excuse me if I say it—it has proven very unsatisfactory.

Now, this union of towns for a superintendent of highways will only benefit the towns in the way that they would lay out their town's money on unimproved roads. And as for the matter of getting a skilled supervisor or superintendent to do that, I believe that any town, if it has not men, should have the privilege of going over to an adjoining town and hiring other men that they want to assist them. There are four hundred and seventy-two towns with less than a million dollars of valuation, and I believe we should have sympathy enough for them to pass this bill without further hesitation.

The SPEAKER: Is the House ready for the question?

Mr. PIKE of Lubec: Mr. Speaker, as a member of the Highways and Bridges Committee I feel it my duty to say that I was present at that hearing and the great preponderance of evidence was against this bill. I wish to say that when I was present two members who signed the report "Ought to Pass" were not present. There was only one man that appeared in favor of it, the chief engineer of the Highway Department, and he admitted before that Committee that the towns could build State aid roads and third class roads and build them for less money than the State could. (Applause)

The SPEAKER: Is the House ready for the question? The question is on the motion of the gentleman from Sangerville (Mr. Leland) that Report A "Ought to Pass" be accepted. A vote of "yes" is in favor of the passage of this bill. A vote of "no" is in favor of killing the bill. As many as are in favor of the motion of the gentleman from Sangerville (Mr. Leland) that Report A "Ought to Pass" be accepted, will say "aye." Those opposed will say "no."

A viva voce vote being taken

The motion of the gentleman from Sangerville (Mr. Leland) that Report A "Ought to Pass" be accepted, failed of passage.

Thereupon, on motion by Mr. Kit-chen of Presque Isle, Report B "Ought not to Pass" was accepted.

The SPEAKER: The Chair presents majority and minority reports of the Committee on Sea and Shore Fisheries on bill, an act relating to legal size of lobsters, (H. D. No. 120), tabled by Mr. Lamson of South Portland, March 4, pending acceptance of either report, the majority report being "ought not to pass", and the minority report being "ought to pass."

Mr. LAMSON of South Portland: Mr. Speaker, I suppose this is now open for discussion?

The SPEAKER: Does the gentleman move the acceptance of the minority report?

Mr. LAMSON: Yes.

The SPEAKER: The gentleman from South Portland, Mr. Lamson, moves the acceptance of the minority report ought to pass.

Mr. LAMSON: Mr. Speaker and members of the House: I approach this subject with some degree of trepidation. I think that perhaps there is no single thing that will open the flood gates of argument like a short or a long lobster. If I shall tell you some of the conditions that now exist, and then leave it to your own good judgment as to what shall be done, I have completed my task.

The first thing I wish to call to your attention are these petitions that have been sent in here from time to time against the proposition. You have heard them read here and I only wonder that there were not many more than there were. The Sea and Shore Fisheries Commission and the people who are behind this thing have had two years to collect them, and they have done a good job. At the best there are approximately four thousand fishermen along the coast of Maine, and about all they could bring in was something like one thousand, and they brought them in in a way that they thought would be overwhelming and would in some way guide your judgment.

I also want to call your attention to this petition or order or whatever you may call it that was laid on our desks in which seven or eight men claimed that they represented nine-tenths of the fishermen on the coast of Maine. God help them! I want to tell you how this thing is carried on, and if you can see any just reason why we should not have a nine-inch law, I am content. We are asking for a law that will be equitable, that will be honorable, and that will be just and workable. I am only asking for a uniform law, something that our fishermen can work out to

their own and the public's satisfaction.

Fishing smacks from Boston and Portsmouth are coming down into our waters, buying our nine-inch lobsters for \$1.50 per dozen, taking them back to Boston and Portsmouth, and selling them for forty, fifty and sixty cents a pound. It is almighty good business. Do you think, gentlemen, that the Sea and Shore Fisheries Commission do not know that thing? I tell you it is all wrong and we just want it to be righted. You can go into Boston and get a much better dinner for thirty-five or forty cents than you can down here where the lobsters grow.

I have gotten to a point where I am almost ashamed or afraid to look a lobster in the face for fear he will be depleted. I hear so much the phrase "You will deplete the lobsters!" I wonder how many people here who have seen this great and wonderful coast of Maine think that a few fishermen on the coast of Maine will catch all the lobsters in the Atlantic Ocean some day if you "don't watch out!" It is absurd. We would like to have those shipments come in from Nova Scotia which are unable to come now, and that is one of the reasons for the scarcity of our lobsters—we are not able to buy them. Nova Scotia is shipping lobsters in large quantities to Boston and Boston takes good care that that condition shall continue. Now I am not a radical. I do not believe in being radical or doing radical things; but, gentlemen, if I had my way about it, I would say to every fisherman along the coast of Maine "Go fish in any spot or place where God gave you the privilege."

I want to pay my compliments again to this matter of depletion of the lobsters. There is no danger of that, let me assure you. And so, gentlemen, I just come to you with these plain facts, plain conditions under which we are laboring, asking you to use your good judgment as to whether we shall not be allowed to have a workable, honest, fair, just law.

Mr. SARGENT of Sedgwick: Mr. Speaker, in regard to these numerous petitions which we have heard read here, the gentleman from South Portland (Mr. Lamson) I think has been misinformed regarding them because he has intimated that these were brought under some pressure from some outside source. Those who are interested in the lobster

fishing industry naturally have taken some pains to see that the opinions of the majority of the fishermen were expressed in some way. The only way of bringing that opinion here was through these petitions, and no one, I believe, has been urged unduly to sign them. I know positively that they have come in large part voluntarily from men who are vitally interested in this question.

The one fundamental fact which we must keep in mind in approaching this question is the one which the gentleman from South Portland (Mr. Lamson) considers of no importance, and that is the well-known biological fact that lobsters under ten or ten and one-quarter inches do not bear eggs and thus reproduce their kind. If all lobsters down to nine inches were taken, it would not be very many years before all lobsters capable of bearing eggs were destroyed. This is similar to a man having a herd of cattle, who depends upon that herd for a living, killing off all the cattle capable of breeding and still expecting to maintain for years to come an income for himself. That the fishermen themselves understand this condition was shown by the hearing which was held on the bill before the committee. In place of the large number who have appeared in favor of such a law in past years one man from York county appeared in favor of it. Opposed to this one fisherman from York county there appeared one of the influential citizens of the county who has made some real study of the situation, and he was emphatic in his statement that he was sure the fishermen did not understand the situation. Later he was assured that the passing of this law as advocated would enure to the serious injury of the entire industry in those counties of Cumberland and York and of the whole State.

There also appeared against the bill a large number of fishermen. These fishermen came here—some I know of particularly—at considerable personal sacrifice. A small group raised money to send one man to represent them and it is safe to assume that the men who were here represented a considerable portion of the fishermen from these stern coast counties. Not only were very many more in opposition to the bill

in numbers, representing a greater number of fishermen, but the value of the catch which they represented was much greater.

It was brought out at the hearing that this one man from York county, who claimed to be a fair representative of the fishermen in that county, made a catch worth approximately eight hundred dollars in a year. Many of the fishermen from other counties who are opposed to the passage of this bill spend more than twice that amount for the expenses of their business, such as keeping up their equipment, purchase of gasoline, repairs of boats and so forth.

The value of this industry to the State of Maine is something like five million dollars, as nearly as can be estimated from the information available. There are approximately, as has been stated, four thousand lobster fishermen on the coast of Maine. The man from York county represented an association composed of something like two hundred men. I have not the figures as to the number of fishermen in Cumberland county, but the probability is that Cumberland county has no more than York; so that the fishermen who favor this bill, out of the four thousand in the State, are something like four hundred men.

The question before us today is merely whether or not we are to hamper an industry worth five million dollars, and which is not operating under conditions satisfactory to a greater part of the fishermen, by enacting a law which all known facts of a scientific nature would indicate to be wrong, and which experience in other States has taught is wrong. We are told that a nine-inch law will work satisfactory in this State and that it has worked satisfactorily in other States. Statistics do not seem to prove this to be true, however. In Massachusetts there was at one time a law very similar to ours, a ten-inch law. They changed to a nine-inch law. Statistics seem to show that at the expiration of about three years after this nine-inch law went into effect, seventy-five per cent of the lobster fishermen of that State had gone out of business because their catches had become so small that it no longer paid them to continue. For a few years after that the supply did in-

crease very little due to the very small number of men who were engaged in the industry; but I can find no evidence, where a nine-inch law has been in force, or its having worked satisfactorily. At the present time there is agitation in some other New England states to change back to a law similar to ours merely because they have found that a law with a shorter length standard is not working out to the benefit of the industry.

I hope that the members of this House will not vote to sustain the motion of the gentleman from South Portland (Mr. Lamson).

Mr. THOMPSON of Rockland: Mr. Speaker, closely allied to the bill under consideration is House Document No. 29, and I see it is put on the calendar for this morning's consideration, and at the proper time it can be decided. It is sufficient, however, to say that "Sufficient unto the day is the evil thereof," and I address myself solely to the matter under discussion which is the length of the lobster. It is not exactly correct to speak of a nine-inch law and a ten-inch law. The statutory measurement is different from that, but for all practical purposes, that is, for the purposes of this discussion, it is entirely fair to speak of a lobster as a nine-inch lobster and a ten-inch lobster.

The bill proposes to divide the State into two parts under the most extraordinary circumstances. I should regret for the State of Maine to be divided into two parts if there were any occasion for it. I should regret it still more where there was no occasion for it.

Now the lobster industry in this State has been subject to scientific and commercial investigation for a great many years. At the present time we have approximately five hundred miles of seacoast where lobsters are caught in striking contrast to the Commonwealth of Massachusetts, where there are about fifteen hundred miles of seacoast. Massachusetts has, and has had, for some time the nine-inch law. We, during the same time, have had the ten-inch law. In spite of all her efforts to promote the nine-inch law, the catches of the fishermen have been steadily diminishing, almost to the point where it is impossible for them to gain a livelihood. The individual catch has decreased from about seven hundred down to about

one hundred, and even less than that, while the average catch of the fishermen of Maine has gone beyond the one thousand mark.

There are from thirty-seven hundred to four thousand lobster fishermen engaged in the lobster industry on the coast of Maine. There would be some thirty-seven thousand traps at two dollars apiece. There would be somewhere about three quarters of a million dollars invested in traps alone, to say nothing of the other gear. The amounts received by them would run into the millions. They throw back into the water the lobsters that are less than ten inches so that they can breed and grow to the lawful size. When a lobster obtains the length of nine inches it ceases to be a reproductive animal and it is only a question of time when the goose that is now laying the golden egg for these people will have been killed. If the State can be divided here, as proposed by this bill, allowing the counties of Cumberland and York to catch the nine-inch lobster, there will soon come a time when the people living on the west side of the dividing line will become poachers on the eastern side, and so the practical working out of the law would be the enforcement of the nine-inch law in spite of anything to the contrary, because, as the large lobsters are killed west of the dividing line, those people would become poachers on the eastern part. It seems to me that a bill like this, if it should pass, would be dividing a great industry into two unequal parts. The number of lobster fishermen have increased here; their earnings have increased; they have become not poachers themselves, but supporters of the enforcement of the law.

I hope that the minority report will not prevail, but that the report of the majority will prevail, and that the industry, which now seems to be on an exceedingly good footing may continue as it has in the past.

Mr. LITTLEFIELD of Kennebunk: Mr. Speaker, it makes me sick to hear about catching all the lobsters in the Atlantic ocean. That seems to me to be absurd. Now here is the fact: In the eastern part of this State every county that borders on the ocean has got lobster laws and all other kinds of laws—smelts, suckers, sardines and everything else, but they do not want York county to have anything to say about lobsters.

Now gentlemen and lady of this Legislature, the situation is just this: We are right on the border of the New Hampshire line. They speak about coming down to the line and that is a fact. New Hampshire has a nine-inch law and they come down into our waters and catch nine-inch lobsters. That gives our fishermen no chance to catch nine-inch lobsters, and what does Mr. Crie tell us before the committee? He said that he has tried his best to get convictions in the York county courts for the last five years and he could not do it. Why couldn't he do it if he was honest? He says "No. I am going to leave that to you people and you can evade the law if you want to, but you shall not have a thing from this Commission." And what did he do? Right in his report is shown where the Commission last year spent \$65,240.91 and not one dollar of that in York or Cumberland counties. On the other hand, here is twelve thousand six hundred dollars' worth of seed lobsters put into the eastern part of this State, and what did Mr. Crie tell York county? "Not one of these seed lobsters shall you have. Why," he says, "I saw you scraping the seed off from these lobsters, bringing them in and selling them." He took the same men into court and the Court said they didn't do it. Now whom will you believe, Mr. Crie or the twelve jurymen?

Now they say you cannot catch lobsters in York county and I guess that is a fact. We do not want to catch lobsters against the law. He says, "We won't come near you, do it all you want to!" Is that the way to run the business of the State of Maine?

Now, all we ask is for you people to allow us in York and Cumberland counties to have a law such as you have in the eastern part of the State and we will obey that law. (Applause)

Mr. MOORE of Gouldsboro: Mr. Speaker as a member of the Sea and Shore Fisheries committee, I voted that this bill ought not to pass. The feeling against the passage of this bill was very strong in my particular county. I might say in my particular district there are probably three hundred and fifty lobster fishermen, and we all know that the business has grown within the last five or six years, and at the hearing the opponents of this measure set up no great opposition. Furthermore, this very bill states that every other county in the State must have practically

the same law we have today except that the measurement of the lobsters must go back to an obsolete way of measuring. Any man who has ever been in that particular business knows that it is impossible to measure a lobster correctly by measuring the extreme length of the body shell from the end of the nose for this reason: You take the fishermen and some of them break the nose off in the traps, and makes it practically impossible to measure that lobster correctly. I might use this expression that it would practically put a curse upon the rest of this State for us to go back to that particular method of measuring. Therefore, I am opposed to the passage of this bill.

The SPEAKER: Is the House ready for the question?

Mr. BOMAN of Vinalhaven: Mr. Speaker and members of the House: The gentleman who has just spoken (Mr. Moore of Gouldsboro) has brought up a question that I would like to speak about for a few minutes. The old measurement, what we call a ten and a half inch lobster was measured from the back of the shell to the end of the jibboon, so-called. They had so much trouble with that measurement that they finally changed it to the measurement of three and one-half inches from the back of the shell to the eye-socket. That practically makes a ten-inch lobster. The proponents of this bill are asking for a nine-inch lobster for the counties of York and Cumberland, and the old measurement of four and three-quarters inches practically puts the other counties back to the old ten and a half inch law. In other words, the other counties would have to catch a longer lobster than they are catching at the present time.

I represent in Knox county some five hundred fishermen. In the town of Vinalhaven alone there are two hundred and twenty-five lobster fishermen being many more fishermen than there are in the whole county of York. They sent men up here at great expense to themselves, and some of the names I see are on this petition or communication or whatever you might call it. They are very much exercised about any change in the legal length of lobsters; and for the benefit of those who have not read this communication, it is as follows:

"We the undersigned fishermen represent nine-tenths of the men who make a business of catching lobsters on the coast of Maine. We have been compelled to come to Augusta at great expense to fight for our very existence, because any change in legal length of lobsters spells ruin to our valuable industry. Nine-inch lobsters are too small to breed and if they are caught before they are ten inches, the present legal length will mean extermination. We have followed the lobster business all our lives and believe we know what is best for the industry. If we were in the Legislature we would not vote to change a law that nine-tenths of the farmers wanted to keep as it is now. We are asking you to protect us by voting against the nine-inch bill."

Now down through our section and through the eastern part of the State, and we also had evidence before the Sea and Shore Fisheries committee in Cumberland county that they hoped that this bill would not pass. I hope that the minority report, ought to pass, will not prevail.

Mr. SARGENT of Sedgwick: Mr. Speaker, I want to read a short letter received a few days ago by Mr. Crie, dated February 24, 1925: "Dear Mr. Crie:

We very much desire to have a conference on the lobster situation in time to enact some legislation, if we can have co-operation on the part of adjoining States. This involves the question of close season, how much we shall pay for berried lobsters, and legal length.

Our Commission invites you to be a guest at a dinner to be held at the Hartford Club, Wednesday evening, March 11th, at 7 o'clock, at which we expect the New York Commissioner and hope to have all of the New England Commissioners. Will you try and come to this meeting? It is useless for any of us to legislate on the lobster question unless we can outline a definite policy and aim for the entire coast. This Commission believes the time is right to take some steps for the conservation of the lobsters. The Commission favors the 10 inch law instead of the present 9 inch law and would favor paying full price for berried lobsters if we can get adjoining States to do the same thing."

This would seem to indicate that

the states which have a different law from the Maine law are not satisfied with the present conditions, and they are attempting to bring about some cooperation between the New England states which will lead to uniform legislation. You will note that this meeting is to be held at Hartford this evening and Mr. Crie, I understand, is to be present there. If for no other reason, it would seem to me very unwise for us at this time to make any change in the present law when other states are coming to recognize the situation and are hoping to combine with us in a law similar to that which we have at the present time.

The SPEAKER: Is the House ready for the question?

Mr. LAMSON of South Portland: Mr. Speaker and members: I did not intend to say anything more on this matter but I too was present at that hearing and there was one man who had spirit enough to come here and tell the truth as it existed. I rather pitied many of those men who came here to that hearing. We asked them some questions, and among them was "Are there any short lobsters being sold now?" And they said not that they knew of. Gentlemen, do you believe that? Do you believe that the lobster or any fishing industry is in any danger of being depleted?

Now, concerning this hearing and all this fuss that is being made, I am going to say something about the non-appearance of the proponents of the nine-inch law. If I was a lobster fisherman I would not put up any argument with the Warden any more than you would if you were in our city of Portland and the Traffic Officer told you to drive around a certain monument three times before you went ahead. You would not argue with him, you would just drive around it. I know I will every time. I do not put up any argument with a Warden or a Traffic Officer.

Let me tell you, gentlemen, there is no danger of a few fishermen on the Atlantic coast catching all the lobsters in the Atlantic Ocean.

The SPEAKER: Is the House ready for the question?

The question is on the motion of the gentleman from South Portland, Mr. Lamson, that the minority report, ought to pass, be accepted. A vote of yes is in favor of the passage of the bill. A vote of no is against its passage. As many as are in fa-

vor of the motion will say aye; those opposed no.

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

Thirty-nine voting in the affirmative and 74 in the negative, the motion of the gentleman from South Portland, Mr. Lamson, that the minority report, ought to pass, be accepted, failed of passage.

On motion by Mr. Boman of Vinalhaven, it was voted to accept the majority report, ought not to pass.

Additional papers from the Senate, out of order, disposed of in concurrence.

From the Senate: Senate Paper No. 516, an act to amend Chapter 224 of the Public Laws of 1923 relating to a tax on gasoline.

In the Senate, referred to the joint committees on Taxation and Ways and Bridges.

In the House, on motion by Mr. Littlefield of Kennebunk, tabled pending reference in concurrence.

From the Senate: Senate Paper No. 521, an act to amend Chapter 224 of the Public Laws of 1923 relating to a tax on gasoline.

In the Senate, referred to the joint committee on Taxation and Ways and Bridges.

In the House, on motion by Mr. Littlefield of Kennebunk, tabled pending reference in concurrence.

The SPEAKER: The Chair presents bill, An Act to prohibit plug fishing in Peabody Pond, S. P. No. 77, S. D. No. 92, tabled by Mr. Bragdon of Perham, March 4, pending assignment for third reading.

On motion by Mr. Bragdon of Perham the bill was re-tabled.

The SPEAKER: The Chair presents bill, An Act closing Heald brook and Alder brook to fishing except with artificial flies, H. P. No. 878, H. D. 208, tabled by Mr. Bragdon of Perham, March 4, pending assignment for third reading.

On motion by Mr. Bragdon of Perham, the bill was re-tabled.

The SPEAKER: The Chair presents bill, An Act relating to fishing in certain waters in Franklin and Oxford counties, H. P. 317, H. D. 219, tabled by Mr. Bragdon of Per-

ham, March 4, pending assignment for third reading.

On motion by Mr. Bragdon of Perham the bill was re-tabled.

The SPEAKER: The Chair presents majority and minority reports of committee on Sea and Shore Fisheries on bill, An Act relating to the Commissioner of Sea and Shore Fisheries, H. P. 128, H. D. 129, tabled by Mr. Sargent of Sedgwick, March 5, pending acceptance of either report.

Mr. SARGENT of Sedgwick: Mr. Speaker, I move that the majority report, ought not to pass, be accepted.

On motion by Mr. Lamson of South Portland, these reports were re-tabled and specially assigned for Tuesday, March 17.

The SPEAKER: The Chair presents report of the committee on Salaries and Fees on bill, An Act relating to compensation of Judge of Probate of Knox county, H. P. No. 50, tabled by Mr. Thompson of Rockland, March 6, pending acceptance of the report which was ought not to pass.

On motion by Mr. Thompson of Rockland, the report was accepted.

The SPEAKER: The Chair presents report of the committee on Salaries and Fees, on bill, An Act relating to Rockland Police Court, H. P. No. 49, tabled by Mr. Thompson of Rockland, March 6, pending acceptance of the report, which report was ought not to pass.

On motion by Mr. Thompson of Rockland, the report was accepted.

The SPEAKER: The Chair presents report of committee on salaries and fees on bill, an act increasing salary of postmaster of the House, H. P. 791, tabled by Mr. Wing of Auburn, March 6, pending acceptance of the report.

Mr. WING of Auburn: Mr. Speaker, I do not find this among the printed documents. Will the Clerk please read it?

(Substance of the bill read by the Speaker.)

On motion by Mr. Wing of Auburn, the bill was indefinitely postponed.

Mr. WING: Mr. Speaker, I move that we reconsider the vote whereby we indefinitely postponed this measure, and I trust the measure will be defeated.

A viva voce vote being taken, the motion to reconsider the vote whereby this bill was indefinitely postponed failed of passage.

The SPEAKER: The Chair presents bill, an act relating to the giving of checks where the maker has insufficient funds S. P. No. 93, S. D. No. 41, tabled by Mr. Frost of Berwick, March 6, pending third reading.

On motion by Mr. Frost of Berwick, the bill was re-tabled and specially assigned for tomorrow morning.

The SPEAKER: The Chair presents bill, an act relative to health officers, S. P. No. 178, S. D. 131, tabled by Mr. Bragdon of Perham, March 6, pending third reading.

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

The SPEAKER: The Chair presents report of the committee on sea and shore fisheries on bill, an act relating to smelt fishing in the tide waters of Penobscot river and its tributaries, H. P. 337, H. D. 62, tabled by Mr. Curtis of Brewer, March 10, pending acceptance of the report, which was ought not to pass.

On motion by Mr. Curtis of Brewer, it was voted to accept the report.

The SPEAKER: The Chair presents report of the committee on sea and shore fisheries on bill, an act relating

to taking herring in the Sheepscot River, H. P. No. 557, tabled by Mr. Lamson of South Portland, March 10, pending acceptance of the report, which report was "ought to pass."

On motion by Mr. Lamson of South Portland, the report was accepted.

On motion by Mr. Wing of Auburn it was voted to take from the table the order tabled earlier in the session relative to the piano, and that gentleman yielded the floor to the gentleman from Lewiston, Mr. Roy.

Mr. ROY: Mr. Speaker, had I known where the piano went, I should not have put in the order, and I request permission to withdraw the order.

Order withdrawn.

Mr. LITTLEFIELD of Kennebunk: Mr. Speaker, I find that the two bills that I had tabled earlier in the session were not what I thought they were, and I now move that they go to the committee to which they were referred, being the joint committees on taxation and ways and bridges. They are the two acts relative to a tax upon gasoline.

The motion prevailed.

On motion by Mr. Brown of Waterford,

Adjourned until tomorrow morning at ten o'clock.