

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 25, 1925.

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

Prayer by the Rev. Mr. Smith of Hallowell.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

Senate Bills in First Reading

S. P. 221: An Act to amend Section 15 of Chapter 173 of the Public Laws of 1921 and Chapter 175 of the Public Laws of 1923 relating to State School Fund covering unexpended balances.

S. P. 164: An Act relating to dogs found chasing moose, caribou or deer.

S. P. 465: An Act relating to traveling peddlers, dealers, salesmen and solicitors of orders for punch boards, seal cards, slot gambling machines, or other implements, apparatus or materials of any form of gambling.

S. P. 464: An Act to amend Section 30 of Chapter 24 of the Revised Statutes, as amended by Chapter 37 of the Public Laws of 1917, relating to location of ways crossing railroad tracks.

S. P. 554: An Act prohibiting pollution with mill waste of the lakes and ponds and certain specified rivers, brooks and streams of the State.

From the Senate: Report of the committee on Salaries and Fees reporting ought to pass on bill. An Act increasing the salary of the postmaster of the Senate, S. P. 244, S. D. 169.

Comes from the Senate report read and accepted and the bill indefinitely postponed.

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

Report of Committees

Mr. Oakes from the committee on Judiciary reported "ought not to pass" on bill, 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) (H. Doc. No. 374).

Mr. Piper from the committee on Pensions reported same on Resolve in favor of Emma Coffin Norton of Fairfield for State Pension (H. P. No. 772) because there is similar legislation pending.

Mr. Sargent from the committee on Sea and Shore Fisheries reported same on bill, An Act amending An Act relating to taking of clams in the town of Roque Bluffs (H. P. No. 641).

Reports read and accepted and sent up for concurrence.

Mr. Decker from the committee on Indian Affairs reported "ought to pass" on bill, An Act in relation to the Passamaquoddy and Penobscot Indian Tribes (H. P. No. 1124).

Mr. Lausier from the committee on Pensions reported same on Resolve providing for a State Pension for Florence J. Judkins of Lewiston (H. P. No. 784).

Mr. Piper from same committee reported same on Resolve providing for a State Pension for Alice Fuller, of Lewiston (H. P. No. 783).

Mr. Lamson from same committee reported same on Resolve providing for a State Pension for Nancy J. Brooks, of Lewiston (H. P. No. 786).

Mr. Boman from the committee on Sea and Shore Fisheries reported same on bill, An Act for the better protection of smelts in the Passagassawaukeag River (H. P. No. 561) together with Petition (H. P. No. 562).

Mr. Moore from same committee reported same on bill, An Act to repeal Chapter 27 of the Public Laws of 1923 relating to smelt fishing (H. P. No. 639).

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

Mr. Pillsbury from the Committee on Maine Publicity reported same on bill, An Act relative to State of Maine Building at West Springfield, Massachusetts (H. P. No. 1137) (H. Doc. No. 355).

Mr. Stitham from same committee reported same on bill An Act relating to appropriation for advertising by cities and towns (H. P. No. 1109) (H. Doc. No. 341).

Mr. Lamson from the committee on Pensions reported same on bill An Act relating to State Pensions (H. P. No. 1139) (H. Doc. No. 357).

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

Mr. Decker from the committee on Indian Affairs on Resolve in favor of the Penobscot Tribe of Indians for general care, maintenance and education thereof, (H. P. No. 529) reported same in a new draft (H. P. No. 1234) under same title and that it "ought to pass."

Mr. Lausier from the committee on Pensions on Resolve providing for an increase of State Pension for Emma Coffin Norton of Palermo (H. P. No. 777) reported same in a new draft (H. P. No. 1235) under same title and that it "ought to pass."

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

First Reading of Printed Resolve

H. P. No. 1233: Resolve in favor of the Gardiner Fish and Game Association, to reimburse same for one-half the cost of the Screen installed by said Association on Cobbosseecontee Stream, at the New Mills, so-called, in the city of Gardiner, in the county of Kennebec.

Passed To Be Engrossed

S. P. No. 95: An Act relating to the Portland Gas Light Company.

S. P. No. 354: An Act to amend Section 13 of Chapter 7 of the Revised Statutes of 1916, as amended by Chapter 238 of the Public Laws of 1917, and by Chapter 266 of the Public Laws of 1919, relating to the appointment of election clerks at polling places.

S. P. No. 392: An Act to amend Section 26 of Chapter 144 of the Public Laws of 1923, entitled "An Act to revise and consolidate the banking laws of this State".

S. P. No. 480: An Act to amend Chapter 264, of the Public Laws of 1919, as amended by Chapter 134 of the Public Laws of 1921 and Chapter 55 of the Public Laws of 1923, entitled "An Act to provide for the payment of a bonus to Maine Soldiers and Sailors in the War with Germany."

S. P. No. 563: An Act to amend Chapter 180 of the Private and Special Laws of 1907, entitled an Act to incorporate the Cupsuptic Stream Improvement Company.

H. P. No. 127: An Act relating to the better protection of smelts.

(Tabled by Mr. Hamilton of Caribou pending third reading and specially assigned for tomorrow morning).

H. P. No. 512: An Act to amend Section 60 of Chapter 126 of the Re-

vised Statutes, relating to old, diseased or disabled animals.

(Tabled by Mr. Goodrich of Farmingdale pending third reading and specially assigned for tomorrow morning).

H. P. No. 747: An Act permitting taking of pickerel and smelts through the ice from the Belgrade chain of lakes.

Mr. Hall of Waterville offered House Amendment A as follows:

House Amendment A.

Amend said bill by striking out all after the third line of Section one therein and substituting in place therefor the following: "It shall be legal for any person to take, catch or kill smelts and pickerel through the ice on Thursday of each week from Snow Pond, East Pond, North Pond, Great Pond, Long Pond, McGraw Pond and Ellis Pond, so-called, in the Belgrade Lakes Chain in Kennebec county.

On motion by Mr. Greenleaf of Auburn, the above bill and amendment were tabled pending third reading and especially assigned for Friday morning.

H. P. No. 748: An Act relating to the issuance of permits to propagate game birds, game and fur-bearing animals.

H. P. No. 1061: An Act relating to the desecration of flags.

H. P. 1226: An Act to change the grades of the apple packing law.

H. P. No. 1227: An Act relating to ice fishing in Watchic Pond, in the town of Standish, in the county of Cumberland.

H. P. No. 1230: An Act to amend Section 72 of Chapter 56 of the Revised Statutes, as amended by Chapter 16 of the Public Laws of 1921, relating to the ringing of the engine bell or sounding of the whistle at grade crossings.

H. P. No. 1232: An Act to regulate fishing in East Stream, so-called, in the county of Washington.

S. P. No. 564: Resolve in favor of the Maine State Prison for maintenance and current expenses.

H. P. No. 1229: Resolve making appropriation of money for repairs and improvements to State Fish Hatchery, buildings, grounds and equipment at Lake Megunticook, in Camden, county of Knox.

H. P. No. 1231: Resolve granting authority to the Maine Agricultural Experiment Station for the purchase of land.

Passed To Be Enacted

An Act to amend Chapter 216 of

the Private and Special Laws of 1903, relating to the School Board of the City of Brewer.

An Act to authorize the State Board of Registration and Examination in Optometry to issue a Certificate of Registration to David M. House.

An Act relating to admission to the bar.

An Act to prohibit ice fishing in Alewife Pond, in the town of Kennebunk.

Finally Passed

Resolve in favor of the designation of a certain day in February of each year as "Potato Day."

The following reports were taken up out of order under suspension of the rules:

Mr. Briggs from the committee on Pensions reported ought not to pass on resolve for State pension for Annie D. McLean Davis (H. P. No. 782).

Report read and accepted and sent up for concurrence.

Same gentleman from same committee reported ought to pass on resolve providing for a State pension for Betsy A. Trask of Lewiston (H. P. No. 785).

Mr. Morse from same committee reported same on resolve in favor of Abbie A. Norton of Industry for State pension (H. P. No. 120).

Reports read and accepted and the resolves ordered printed under the joint rules.

Mr. Mills from the committee on Sea and Shore Fisheries on bill, An Act prohibiting the catching of smelts in Cathance river except by hook and line (H. P. No. 798) reported same in a new draft (H. P. No. 1236) under same title and that it ought to pass.

Report read and accepted and the new draft ordered printed under the joint rules.

Orders of The Day

The SPEAKER: Under Orders of the Day the Chair presents the matters tabled and assigned for today, the first being House Amendment A to Bill, An Act providing for the yearly limit of one deer in all counties, the pending question being the adoption of amendment A, the amendment having been printed as House Document No. 433, the bill being House Document No. 51.

Mr. HAMILTON of Caribou: Mr. Speaker and gentlemen of the House: I do not intend, at this time, to extend my remarks to any great length, as I am not a hunter, but we

have from the Aroostook delegation many good hunters, and I shall call on them to explain to you why the policy of the State should not be extended over this county. The first one that I shall call upon will be the gentleman from Island Falls, Mr. Palmer.

Mr. PALMER of Island Falls: Mr. Speaker and members of the House: In speaking for this amendment I want to explain to you the situation regarding the deer in Aroostook county. When the delegation from Aroostook tell the members how many deer we have, we are met with smiles of incredulity, but I think I can explain to you why we have the deer.

Since the spruce bud worm has worked on the spruce and fir forests of the State, we have thousands of acres that are falling down, every tree loaded with gray moss which the deer loves better than anything else unless it is the mushroom, and those windfalls, or windbreaks, as we call them, that have piled up there make an ideal hiding place for the deer, and it is almost impossible to get through those windfalls and get the deer before they can get away. That is one reason why the deer have been so plentiful in the last two or three years.

Now when we were before the Committee we heard considerable talk about certain people going into the northern part of the State and coming out without a deer, especially one party of bankers. Now, a banker who sits in a swivel chair all the year round except a couple of weeks, and just walks from his office to his automobile, is not in any condition to hunt. When he goes over a windfall you would think it was an elephant, and when he goes up hill, he puffs so you would think it was a locomotive. Now, a deer has very sensitive ears and they can hear him and get out of the way.

The Commissioner has told us that if we would have the one-deer law all over the State, hunters from out of the State will be just as well satisfied with one deer as they are with two. Now, anyone who knows human nature knows better than that. When a man pays for a license for two deer, he wants two deer. The Commissioner poses almost as a personal friend of every deer in the State, but you just take his salary away from him and how long would he work? It is just the same with a man who pays for a license for two deer.

Now, if we get this proposed amendment in Aroostook county, and have our two deer, we would like to have you amend the license law so as to charge a man from out of the State, if he wants to shoot two deer, twenty-five dollars instead of fifteen; fifteen dollars for one deer and twenty-five dollars for two deer. That would show you that most of the people that go into Aroostook county, in the northern part of our State, would rather have two deer. It would also give you a matter of, perhaps, ten thousand dollars for your warden service, and would not come out of the taxpayers of the State either.

The people in the southern part of the State want this law.

The proponents of the one-deer law want, they say, to conserve the deer, but if the proponents of this one-deer law were sincere in wanting to conserve the deer, I think they would bar the automatic shotguns. They are the worse curse that we have against the deer because people go up there with five or six shells in an automatic shotgun and fire at the deer running through the green woods and they hit them of course—they cannot help it—but there is not one deer out of a hundred killed with a shotgun at over forty yards. That would conserve your deer more than the one-deer law; if you would bar the automatic shotguns.

You have heard read among the enactors a potato bill. Now the people of Aroostook are financially embarrassed, we will say, and the Legislature apparently is going to relieve their situation and the rest of the agricultural interests of the State by passing a potato bill. Now you gentlemen realize about how much that will help the agriculture of the State, to pass the potato bill and put it on the statute books, and it will never be thought of afterwards. The people of Aroostook ask for something better than that. They ask for a chance to sell their supplies to the hunter; the guides, to guide the hunter, and the sporting camp owners, to feed them. They also ask for a chance for the farmer, after his work is done, to take his team and send his boy maybe fifty or sixty miles into the woods with those hunters. The team gets a good rest, the man's son gets a rest, and maybe gets a deer, and they get a nice sum of money for doing it. It means a lot of money to the people of Aroostook county. Now you will say that when they come out they

bring with them a whole load of deer. They may, if they are lucky, but do you realize that every deer that is taken out of this State by out-of-state hunters costs them, according to the best estimates, two hundred dollars each. That means that you have got to kill four beef from the fair valley of the Kennebec, it means that you have got to kill from twenty to twenty-five sheep from the fertile pastures of Cumberland, it means that you have got to kill two hundred chickens from the rich plains of York. No wonder we would like to have this two-deer law.

In regard to taking the deer out of the State, they will say, "Oh, the Ford cars come down loaded up with deer." Now, I think I can explain to you why they hang those deer out in sight. Since the cave man first went out with his club to bring home the meat to his family no man ever left his work and went out in the morning but what he had visions of himself coming home as a stalwart Hiawatha, with a two-hundred pound buck on his shoulder to throw down before his admiring household. As a matter of fact, he comes home, maybe, with wet feet where he has fallen in the brook and he has hurt his knee and torn his trousers, and instead of a fat buck he has only a little, mangy rabbit. He does not feel quite as big as he expected; he feels pretty small. He brings it in and does not say very much, and then after dark his wife gets his supper for him and she is thinking of the things that she wanted done and the day wasted; and he has his supper, trying all the time to think of some way to get the conversation going, and at last he has a happy thought and he says: "Well, I must get up early and spade up that tulip bed so we can set out those new tulips;" and so, the conversation being started, he gets up and he is again the dominant, strutting male that he always is.

The people of Aroostook county, you will note, have not asked this Legislature for any appropriations other than the regular ones. There is not a member of the House who can put his finger on one single bill asking for any appropriation which is sponsored by the Aroostook delegation calling for anything but the regular appropriation. We have been approached several times by different members of the House saying, "Why don't you put in a bill for something

for Aroostook county? You could get it through this winter." Do you want me to tell you why they do not want it? It is because they are too proud to accept it. I speak, not as one of them now, because I have not lived there very long, but I speak for them. They are too proud to ask for favors that they cannot give themselves, and they did not feel that they could conscientiously vote for appropriations this year other than the regular appropriations.

Now, we are not trying to work on your sympathies and ask you for appropriations, but we do ask you for the right to use the resources of Aroostook county, not man-made or man-given, but God-given. We ask for the right to take the deer from the herds of Aroostook county for our benefit. That is, we are not asking for bread, we are asking for a chance to earn our bread, and if you feel that you cannot give it to us, do not give us a stone in the shape of that potato bill.

The SPEAKER: The question before the House is the adoption of Amendment A.

Mr. EUSTIS of Strong: Mr. Speaker, I move indefinite postponement of Amendment A and yield the floor to Mr. Stone of Bridgton.

Mr. STONE of Bridgton: Mr. Speaker and members: I wish to submit a few figures from the report of the Bangor and Aroostook Railroad. In 1905 there were 4,634 deer shipped out over the Bangor and Aroostook Railroad. In 1915, ten years later, there were shipped out 2,596 deer. Now, 1915 is far enough back so that the automobile, I think, would not have as much bearing on the number of deer coming out from that section as it has now. In 1924 only 1,664 deer were shipped out over that railroad. Those figures indicate a failing pulse, so far as the increase of deer is concerned, and it seems to me, at least, that they have some indication as to whether deer are on the increase or decrease in this section. If those figures are wrong and the deer are on the increase, it seems to me they have got a gold mine in Aroostook county.

Now, it takes more money to get two hunters into Maine to shoot deer than it does to get one hunter. A good hunter will go anywhere where there is good game. He is like a bootlegger's customer; the price is nothing, quality and quantity are everything.

Mr. FLINT of Monson: Mr. Speaker and gentlemen of the House: This bill is the result of much deliberation on the part of its proponents, who are citizens of our State, deeply interested in the conservation of our wild life—for future generations—rather than the annihilation of them in a few short years—and then have to put on a close time for years to come in order to preserve the few remaining specimens we have left.

I want to tell you right here that the Fish and Game Committee had quite a task to frame a bill from all the propositions which were presented for its consideration at this session of the Legislature.

First, there was this one deer bill.

Then, a bill was introduced proposing setting the season ahead in Washington county to December 15th.

Then, Hancock County joined her sister county of Washington in a similar bill.

Then, Penobscot County, bounded scutherly by Washington and Hancock counties, decided it would be difficult to enforce the law within her limits if she had a different open season than Washington and Hancock counties. So, she decided to enter the ranks for extension of her season to December 15th, proposing, like the other two counties, to take off fifteen days in October.

Oxford and Franklin counties also came up with a proposition all their own—asking that they be given two whole months of open season—October and November—and a one deer limit. Now if this one deer law in the eight northern counties goes through without any amendments tied to it, Franklin and Oxford counties will be satisfied and taken care of.

After extended hearings on these different bills, a majority of the Committee of Inland Fisheries and Game decided that the best that could be done for the conservation of the deer in this State, and to a majority of the people interested, would be to pass a one deer bill at this session of the Legislature, and the bill now under consideration is the majority report of this Committee.

We are starting a great boom in Maine—trying to double the number of our yearly visitors. If our expectations are realized, how long will our deer stand the inroad of double the number of hunters we now have, if the two deer limit is retained?

The proposition is to reduce the limit to one deer in the eight northern counties—the same as the limit now is in the southern counties—in view of the ever increasing number of hunters brought by extensions of auto roads and trails going farther and farther into the wilderness, season after season.

After showing how this operates I want to call your attention to the situation at Ripogenus Lake and the Sourdnahunk country. In 1911, when hunters wished to go to the Ripogenus country, where at that time there were public sporting camps, they must either go to Norcross by rail, then up across the lower lakes and up the West Branch of the Penobscot river by canoe—a distance of forty to fifty miles—then by trails from eight to ten miles, or go to Greenville by rail and from there by steamboat across Moosehead, then down the West Branch—twenty miles—by canoe to Chesuncook Lake; thence by boat or canoe to Chesuncook Dam, twenty miles. Now this took at least three or four days at that time, and now with an auto you can go from Greenville across Ripogenus Dam and eighteen miles farther on to Sourdnahunk stream in as many hours; then again, by going to Chesuncook Dam at the foot of Chesuncook Lake by auto, and taking a motor boat one can reach, in a day's time, Chamberlain Lake, the headwaters of the Allagash.

Now, the same conditions, I understand, prevail in other sections of Maine. The old-time haunts of the game have been invaded by modern civilization and there is but a comparatively small section of our Great Northern Country lying between the Allagash and St. John Rivers, and another section in the extreme northwest corner of the State where the game is but little disturbed by American hunters, and I am telling you right here that if the railroad, which is advocated here this winter, to start from Washburn and to go 112 miles—more than half of which is virgin forest—to the Canadian boundary, is built, the hunters will rush into that country by the carload and the whole of Aroostook County will be down here to the Legislature advocating a one deer law.

Here is another point I wish to call to your attention: I wonder if you realize how difficult it is now, with the money that the Department has to expend in Warden Service, to

properly patrol the counties of Maine bordering on Canada. At the present time the Canadian border is not properly patrolled to protect our game. Now, what would we do if we had to patrol, in addition to this five hundred miles of Canadian border, the boundary line lying between Aroostook and the great counties south of it—Somerset, Piscataquis, Penobscot and Washington. This is an extended boundary line, as you will note by this map I hold in my hand, in which counties you propose to make a limit of one deer and retain the two deer limit in Aroostook County. Can you imagine what a temptation it would be for hunters to go over the line into the one-deer county, shoot the game and claim that they got it in the two deer-county? Now, we do not want to make poachers out of anybody, neither do we want to tempt them to break the law.

Look at this map for a moment and see what a task the Fish and Game Department is up against if Aroostook county retains the two deer law. This dark blue lines is the Canadian boundary which we are trying to patrol. If this amendment is adopted, the Department would be obliged to patrol this great, irregular boundary indicated on this map by the broad red line. Those perpendicular and narrow lines are the boundary lines between Somerset, Piscataquis and Penobscot counties.

Now, gentlemen, I hope you will not allow any amendment to be attached to this bill. We want it to go right through just as the majority of the committee reported it, which makes it a one deer limit to each person in all the counties of the State.

Gentlemen, I thank you.

Mr. BURNS of Eagle Lake: Mr Speaker and members of the House: I would like to say a few words in regard to this situation in my section of the country. Last fall, which was a particularly dry season up in our section of the country, Eagle Lake, Wallagrass and Fort Kent, they took out 80 deer, where they ordinarily take out 35 to 40. The financial benefit to our towns up there by reason of the hunters coming in is around \$6000 annually, and license fees amount to something like \$500. While I have been here the last four terms among you good bunch of fellows over here, I travel the woods myself in the winter and fall of the year, and I know the situation—not as well as some of the game wardens—but I know the situa-

tion as well as the average citizen of that country. So I am for two deer in Aroostook county; otherwise they will go elsewhere where they can get what they want, and I hope the motion of Mr. Hamilton of Caribou will prevail.

Mr. HAMILTON of Caribou: Mr. Speaker and members: I have no objection to taking dictation from younger members of this House, or older members, in regard to the policy to be used in our county, so long as it is for the best interests of the county and of the state at large. But it certainly seems to me that the members of the House are acting unfairly to this great northern section when they place upon us this law which has been in gradual increase for many years, taking first one county after another until we expect in time it will take the whole state. But when you ask us all at once to take a section almost equal to the rest of the state in size and adopt this policy, it seems to me that you are going beyond the bounds of reason and beyond the bounds of fairness.

Now, we are willing to take our knowledge from the professors of the different schools in regard to how to feed our cows potatoes. We use it as far as it goes and with smiles on our faces go ahead and feed our cows as we think they ought to be fed rather than taking dictation from others. We are willing to adopt the policy of a deer law that would be of advantage to the whole state any time, but it seems to me that you are extending that policy too far at this time, and certainly in that great section of land equal in territory to the whole state of Massachusetts you are covering too much ground, and as the people of that county desire that this law at this time should not be extended over that territory it seems to me no more than fair and right that the good men of this House—and the fair and reasonable men that you are—that you will not be tied down to any promise that some enterprising member has tried to tie you to but that you will use us fairly and squarely as we have endeavored to use you.

And we ask at this time, in that stress of the financial disaster that apparently we are going through, that you extend to us this courtesy and except from that state-wide policy, this county, on the deer law. We feel that we need it for the money it brings into the county and for the opportunities that it gives the sportsmen. If you do not want them in

other sections, let them go to Aroostook county and spend their money there. We need it, and I feel that if you understand the situation thoroughly you will not be tied down to any promises that may have been made but that you will consider the situation fairly and squarely and give us the two-deer law.

Mr. EUSTIS of Strong: Mr. Speaker, there having been some reference to the younger members of the Legislature and to the professors of the colleges, I would like to take this opportunity to state very briefly the position of the proponents of this bill. We have no quarrel with Aroostook county, and as for the gentleman from Island Falls, Mr. Palmer, and his reference to the bankers hunting in Aroostook, I would say that probably they did not have a good guide and that was the reason they did not get more deer.

Now, in regard to out-of-state hunters, why do they come to Maine? They come for two reasons: First, for a vacation and secondly, to hunt game. The average hunter, in the opinion of the proponents of this bill, neither needs nor desires more than one deer. If he obtains a second one, what becomes of that second deer? It goes into the meat markets of Boston, and the State of Maine cannot afford to furnish meat to Boston markets.

The proponents of this bill feel that the law should be uniform and that no exceptions should be made, and that each and every county should be treated alike. We do not want a special law for Franklin county, or for Oxford county, or for Aroostook county, but a general law throughout our state.

Aroostook County borders upon four counties. To enact a special law for that county is treating the rest of the State unfairly. It would increase the difficulties of our law enforcement and would partake of the nature of special legislation. The period of local option is passed. I would remind our friends from Aroostook that they refused the city of Portland the special privilege of daylight saving in that city. The deer of Aroostook county belong, not to the people of that county alone, but to the people of the entire state.

We are told that we are advertising Maine and that we must attract visitors. Our advertising policy is not a matter of one, two or five years' duration. It is continuous, and we want deer twenty-five years from

now as well as five. This may not be obtained if the present policy is kept up; and, Mr. Speaker, I move the previous question.

The SPEAKER: The previous question is moved.

Mr. MITCHELL of Houlton: Excuse me, Mr. Speaker. What is the previous question??

The SPEAKER: The Chair will endeavor to state the question. The pending motion before the House at the present time is that of the gentleman from Strong, Mr. Eustis, that the amendment offered by the gentleman from Caribou, Mr. Hamilton, be indefinitely postponed. The gentleman from Strong, Mr. Eustis, now moves the previous question.

Mr. HAMILTON: Mr. Speaker, as I understood it, the motion for adoption was in order.

The SPEAKER: The motion for adoption was superceded by the motion for indefinite postponement, so that the matter immediately before the House is whether or not the amendment offered shall be indefinitely postponed. The previous question is now suggested. The effect of the passage of the motion for the previous question would be to cut off further debate. To entertain a motion for the previous question it is necessary that one third of the House vote affirmatively. Anyone voting for the previous question votes for the termination of debate upon this subject. Is the House ready for the question?

A division of the House was had and a sufficient number having arisen, the Chair declared that the motion for the previous question prevailed.

The SPEAKER: The question now before the House is, shall the main question be put now? Shall we proceed forthwith to vote upon the question of the indefinite postponement of the amendment?

A viva voce vote being taken, the motion prevailed.

The SPEAKER: The question now before the House is on the motion of the gentleman from Strong, Mr. Eustis, that the amendment offered by Mr. Hamilton of Caribou, be indefinitely postponed. Is the question clear to the House?

Mr. HAMILTON: Mr. Speaker, I call for a division of the House.

The SPEAKER: A division of the House is called for. A vote of "yes" is for the indefinite postponement of the amendment and would be against the resolution of the gentlemen from

Aroostook who have just spoken. A vote of "no" is the other way.

A division of the House being had, Eighty-seven having voted in the affirmative and 43 in the negative, the motion to indefinitely postpone prevailed.

Mr. BRAGDON of Perham: Mr. Speaker, I now move that the bill lie upon the table and be specially assigned for tomorrow morning.

Mr. WING of Auburn: Mr. Speaker, I ask for a division of the House.

The SPEAKER: A division of the House is requested. The first question is the motion to table.

A division of the House being had, Fifty having voted in the affirmative and 79 in the negative, the motion to table failed of passage.

Mr. BRAGDON: Mr. Speaker, I now move the indefinite postponement of the bill, and, Mr. Speaker and members of the House, as I never was much of a hunter in my balmyest days and, as you can imagine by looking at me now, that what little desire I ever had for hunting has disappeared, I will say that I had not intended to mix up in this matter, but when you start in on any one deer for one man proposition, it is sure to stir up something in Aroostook county.

I can recall here several years, when I was a member of this House, that when a matter came up in regard to a resolve for enlarging the State House, a brilliant member who opposed the resolve, in speaking with regard to the atmosphere here in Augusta, called attention to the fact that it was under the peculiar influence of its environment that Benedict Arnold conceived the idea of selling his country for British gold. I do not think that he offered any statistics to bear out his assertion, but I think that all of you who have been around this Legislature a great many time will agree that there is something about the atmosphere here that impels otherwise normal men to do strange and unusual things. If that was true back in Benedict Arnold's days, I think the condition has steadily grown worse, no doubt aggravated by the institution that has since been established over across the river. I can account in no other way for some of the reports of committees that have been submitted to us here this winter.

Now, earlier in the session we passed a resolve appropriating fifty

thousand dollars to advertise Maine, and we are going to be asked to vote a big bond issue to build roads up across the State—for what purpose? Is it so that the citizens of New York and Boston may speed up across the State as speedily as possible and get to the point where they can get a drink of Johnny Cyr's Elixir of Life up at St. Leonard's, split up with St. John River water, and then walk over into Canada and hunt deer—you can get two deer, of course, over there, deer that were raised on the farms of Aroostook county and have gone over across the line to be shot over there in Canada where the people are more liberal than they are here in Maine.

We have been told how scarce deer were getting here in Aroostook county, and a little earlier in the session the Committee on Claims was called upon to consider a resolve to reimburse an Aroostook farmer for fifteen hundred dollars' worth of grain that one of the ablest wardens in the Fish and Game Department had been up to investigate and had decided it was an honest bill—and the Legislature turned it down.

Now, this same bill that is under discussion here, in addition to limiting the number of deer to one, contains another provision that has never been called to your attention, and that is the provision which heretofore has given farmers the right to kill deer that were found destroying their crops. If you pass this law a man has got no redress in any way. If the deer destroys fifteen hundred dollars' worth of his grain, the Legislature of Maine can say, "We are not liable for it," and he has no right to take his gun and go out and drive the deer away.

I think that we should be consistent in some of these matters.

It has been called to your attention by the gentleman from Strong, Mr. Eustis, that the friends of this measure favor a general law for the whole State. How long since has this been their opinion? We have got all kinds of special laws covering this State. Why is it any worse to have a special law for Aroostook county than it is for some ponds up in Franklin county?

I hope that the members of this House will sustain me in my motion for the indefinite postponement of the bill.

Mr. EUSTIS: Mr. Speaker, I am glad to have this opportunity to speak about this grain claim in

Aroostook county and also to correct the gentleman from Perham, Mr. Bragdon, in his statement about this law and its effect upon the right of farmers to shoot deer out of season. This bill in no ways affects the present provision in any way in which a man has now the right to shoot deer damaging his land.

Now I have a map here which I wish to go over. This a map of the northern section of our State. Here is the Allegash and here is the St. John River. This is Mr. Currier's farm, situated on the St. John River, seventy-five miles from the town of St. John, and going north from Moosehead Lake one hundred miles north from Northwest Carry on Moosehead Lake. The nearest automobile road is thirty miles away. If there is any place in the State of Maine where there should be deer, it should be in this section thirty miles from the nearest road.

The other farm, from which complaint was made, the Michaud farm, on the Allegash River, twenty-five miles in the forests from St. John's Plantation. If there is any place where we should have deer in the State of Maine, it should be in this section between the Allagash and the St. John River.

I hope that the motion of the gentleman from Perham, Mr. Bragdon, will not prevail.

Mr. FLINT of Monson: Mr. Speaker, this bill here is simply to change a word in the paragraph reducing the number of deer from two to one; it has nothing to do with the preceding section at all. The farmer has the same right to kill any wild animal or bird that he finds destroying his crops that he always had.

Mr. KINSMAN of Augusta: Mr. Speaker, I wish, also, to state to the members of the House that all the fish and game associations practically in the whole State are in favor of the one deer law. The Maine Fish and Game Association, at their last meeting, took a vote, and every member voted in favor of one deer.

It seems to me that it is more or less of a selfish idea for Aroostook county to ask for anything different than the bill asked for. It will make a big difference to a lot of camp owners, men who depend on hunting in the fall for their camps. It seems to me it is going to send all of those sportsmen, or a great many of them, to Aroostook county, and a lot of our men who have invested considerable money in their camps will lose out.

I sincerely hope that the motion of the gentleman from Perham, Mr. Bragdon, will not prevail.

Mr. CUMMINGS of Portland: Mr. Speaker and members: I have a very friendly feeling for the gentlemen from Aroostook county. I think I am acquainted with all of them and I have a feeling of friendship for every man of them.

I wish that there were something that I could reasonably do to help them at the present time. It does, however, seem to me that this one deer law is a law that is good for the people of the State of Maine, a law that will result in the common good, and I do not believe in special laws, in special legislation. I believe, and I know, that the deer in Aroostook county belong to the State and to the people of the whole State, and they are not the property of my friends from Aroostook. When our friends have got their one deer in Aroostook and they go out to get the second one, I hope and trust that Divine Providence will look with disfavor upon their efforts.

Mr. BRAGDON: Mr. Speaker, I wish to call attention to the fact that there are others beside the gentlemen from Perham who may be mistaken in regard to what this bill really contains.

If you will look at the bill—it is House Document No. 51—you will find the first paragraph of section 38 of chapter 219 of the Public Laws of 1917, as amended by chapter 37 of the Public Laws of 1919, as amended by chapter 117 of the Public Laws of 1921, as amended by chapter 212 of the Public Laws of 1923, which brings it down to the point that I have here. "is hereby amended by striking out the word 'two' in the twentieth line of said paragraph and inserting in place thereof the word 'one.'" It also makes a further amendment but it says nothing in regard to the right to kill deer that are found destroying crops.

If you will look at chapter 212 of the Public Laws of 1923, which are amended by this, you will find that the section reads the same as this bill is supposed to read with the amendment but for one thing. The last part of that section 38 reads like this: "Deer doing damage to crops may be killed, notice of killing to be given, baiting and salting prohibited. Provided however, that if a deer is found doing actual, sub-

stantial damage to any growing, cultivated crops, the cultivator of such crops may kill the deer and may consume said deer in his own family but not otherwise, but he shall not pursue the deer beyond the limits of his cultivated land in which the damage is being done. Provided, further, that whoever kills a deer in accordance with the provisions herein contained"—and so on; I will not read the whole of the section, but when that section 38 is amended so as to read like House Document 51, I contend that that last part of the section is not in it.

Mr. STONE of Bridgton: Mr. Speaker, it seems to me that we are facing exactly the same condition that we were a few days ago—a ten inch lobster for York and one deer for Aroostook.

I move the previous question.

The SPEAKER: The previous question has been requested.

A division of the House was had,

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

The SPEAKER: Shall the main question be put now? That means shall we proceed to vote forthwith on the motion of the gentleman from Perham, Mr. Bragdon, that this bill be indefinitely postponed? Does the House understand the situation?

Mr. HAMILTON: Mr. Speaker, do I understand correctly that we have five minutes on this?

The SPEAKER: The matter debatable is whether or not we shall put the main question.

Mr. HAMILTON: Have we five minutes, Mr. Speaker, also on the main question?

The SPEAKER: No. If the motion for the previous question is carried, we vote forthwith on the main question. If lost, the debate may proceed until further parliamentary tactics are adopted.

Mr. BECKETT of Calais: Mr. Speaker, I ask for information, and that is simply whether I am to understand that this bill which we have before us is somewhat different than the original. That is, if there is more of it changed than is purported to be changed.

The SPEAKER: That was a suggestion made by the gentleman from Perham, Mr. Bragdon. Perhaps some member of the House can tell us what is the effect of this bill. Can anyone inform the gentleman? The answer may be made through the Chair.

Mr. WING of Auburn: Mr. Speaker, I have taken pains to get a copy of the Laws of 1923. House Bill No. 51 amends simply the first section of the statute of 1923, chapter 212, and leaves the second paragraph thereof unchanged.

The SPEAKER: The question before the House now is on the request for the previous question. Shall the main question be put now? A vote of "yes," when the vote is called for, is for an immediate vote upon the question of whether or not we shall indefinitely postpone this bill.

A viva voce vote being taken the motion for the previous question prevailed.

The SPEAKER: The motion before the House now is that of the gentleman from Perham, Mr. Bragdon, that this bill be indefinitely postponed.

A viva voce vote being taken, the motion to indefinitely postpone the bill failed of passage.

Mr. HAMILTON: Mr. Speaker, I move that the bill lie upon the table and be especially assigned for tomorrow morning so that we can look up this matter of the statute.

The SPEAKER: The motion to table is not debatable.

Mr. WING: Mr. Speaker, I ask for a division.

The SPEAKER: The Chair apprehends that a division may not be necessary. Will the gentleman withhold his request until after a viva voce vote has been taken?

Mr. WING: Certainly, Mr. Speaker.

The SPEAKER: The division was not requested on the question of indefinite postponement. The House refused to indefinitely postpone the bill. The question now is shall this bill be tabled.

A viva voce vote being doubted,

A division of the House was had, Forty-four having voted in the affirmative and 85 in the negative, the motion to table failed of passage.

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

its second reading and was passed to be engrossed.

The SPEAKER: This being the day for taking matters from the table, 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. Melcher of Rumford, March 18, the pending question being the motion of Mr. Bragdon of Perham to indefinitely postpone.

Mr. MELCHER of Rumford: Mr. Speaker and members of the House: I had this laid on the table thinking that possibly some of the members did not understand the full situation that this bill called for. This is in what is known as the Rangeley Lakes section of our State and in the county of Oxford. It is true that two of the tributaries of the Rangeley Lakes are in Franklin county and some of the Lakes are in Franklin county, but the particular place that this bill refers to is in Oxford county. Cupsuptic Lake and Mooselucmeguntic Lake are all connected. At the outlet of Mooselucmeguntic Lake is what is known as Upper Dam, and at the outlet of this dam, down what is called Richardson Lake, there is formed a small pool down into what is called Upper Richardson Lake, in the Thoroughfare from there down into Upper Richardson Lake, a distance of less than one-eighth of a mile. That is the first thing that we ask to have closed except for fly fishing. This pool at the Upper Dam is known, one might say, all over the United States. They come there from New York, Pennsylvania, Massachusetts, and make it their summer residence—a lot of them. There are camps there and also a summer hotel. They come there as soon as the ice is out and they stay there for the summer. It is an ideal spot for sportsmen who want to fly fish. Then there are the Richardson Lakes. We go down across ten miles and we come to the Middle Dam, so to speak, and then from the Middle Dam down the Thoroughfare to Umbagog Lake. We do not ask to close one particle of the lake outside of this small area to fly fishing or trolling or anything of the kind. One cannot possibly get to this particular point without taking a public conveyance, or by row boat or walking some fifteen or twenty miles. As I say, it is a well known fishing pool, and those people are not there for any

The SPEAKER: The Chair presents, tabled and assigned for today, a resolve in favor of an appropriation for the directors of the Port of Portland, House Paper 589, H. D. 423, tabled by Mr. Boynton of South Portland, March 23, pending second reading.

On motion by Mr. Boynton of South Portland, the resolve received

other purpose than sporting. They leave thousands of dollars every year at Middle and Upper Dam, and they go there simply because they can indulge in a sport that they love. We do not ask to close any fishing on any of your lakes. Ninety-nine per cent of the people who want to troll or fly fish will go onto the Lake. They will not go to this pool to do it. I say that you should consider the people who come here and pay out their good money and stay here for the summer. I believe that we should cater to them, and I know that every person up in that section of the country is heartily in favor of this particular bill being passed. It is not as though you could drive to this place with an automobile and enjoy it, for that is absolutely out of the question. You have either got to take a steamboat or rowboat to reach it. I very much hope that the motion for indefinite postponement of this bill will not prevail.

Mr. HAMILTON of Caribou: Mr. Speaker, I believe that the principle we have been talking about in regard to Aroostock should apply here, and that we should all favor any request made by the gentleman from Rumford, Mr. Melcher, and I for one shall vote for what he wants.

Mr. CUMMINGS of Portland: Mr. Speaker, this bill is one of the very worst kind of fishing bills ever presented. It is purely and clearly class legislation—absolutely. It is wholly for the benefit of the few men who have sufficient time and means to become expert fly fishermen. The proposition is to turn over the territory to these men who come from out of the State. Now, Mr. Speaker and members of this House, it is my belief that the people of this State have some rights in this State and that they have some rights and should enjoy some privileges in the fishing and hunting in this State; that they should not be gradually crowded out by special laws. The story occurs to me of an old gentleman who had been a fisherman all his life and who was about to die. A clergyman called upon him and he commenced to talk to the old gentleman about the future. "Why," he said, "I don't feel much concerned over that." "Well, the clergyman said, haven't you ever done anything that you would do differently if you had your life to live over again?" The old man said, "I have." "Well," he said, "what was it?" The old man

replied, "I should use bait more and flies less."

Now I can see no reason why you should deprive the citizens of this State who are not fly fishermen of the privilege of catching trout in the waters of Maine, and I fail to see that it will deplete the fish any faster to catch them with an angletworm than it will with a fly. I hope that such a law as this will not be placed upon the statute books of this State.

Mr. BARTLETT of Hanover: Mr. Speaker, I would answer the gentleman from Portland (Mr. Cummings) by saying that I do not think he understands the case at all. These two pools are many miles back in the woods. They are not near any inhabited place where there are children or boys who want to plug fish. I agree with the gentleman as to plug fishing in a good many of the ponds, but I do not think that he understands at all that this is a place back in the woods many miles from anywhere. This little pool at the Upper Dam is no bigger over than this room and the other only about one-eighth of a mile. We have to come to the Legislature every two years and ask to have this pool closed. The way the law is now they can only take one fish on a fly a day out of that pool, and that is fair because the fish go from one lake into the other, going up in the fall. They can plug fish in the whole lake and do almost any kind of fishing they wish. I sincerely hope that this motion to indefinitely postpone will not prevail.

Mr. MELCHER of Rumford: Mr. Speaker, it is a well known fact that there are a great many ponds and streams that are closed for the purposes of fishing in our State today. We are not asking anything out of the way nor anything different from what you have already got. We do not attempt to prohibit anyone going there fishing. It is not a special law that I shall fish there and you shall not. You can go there and fish as well as I can and are welcome to do it. We simply ask that you shall not go there and fish from those pools, depleting the fish in those particular places.

I know what I am talking about. I have been familiar with it for thirty-five years, and I know that sports come here and leave their good money. They do not come for what fish they can get to kill them and take them away. Probably only one out of forty is destroyed, but they are put back into the water.

They are true sportsmen, and I do not believe that you realize the situation. We are not asking for legislation that will injure anyone. We are only asking for what is right and fair for the people who come here and spend their good money.

Mr. CUMMINGS of Portland: Mr. Speaker, I can assure Mr. Melcher and Mr. Bartlett that I quite understand this bill. I have read it and I think I fully understand it. There is absolutely no question but what it permits the taking of the one trout, as he says, on flies; but does it deplete the fish any more for a citizen of the State of Maine to take his one trout at the pool? That is all there is to this bill.

The SPEAKER: The question before the House is on the motion of the gentleman from Perham, Mr. Bragdon, that this bill be indefinitely postponed. As many as are in favor of its indefinite postponement will rise and stand in their places until counted, and the monitors will return the count.

A division being had.

Thirty-seven voting in the affirmative and 60 in the negative, the motion to indefinitely postpone failed of passage.

The SPEAKER: The pending question is assignment for third reading. Is it the pleasure of the House that this bill be assigned for its third reading tomorrow morning upon convening?

Thereupon, the bill was so assigned.

The SPEAKER: The Chair presents report of the committee on Taxation, ought not to pass, on bill an act relating to certain exemptions, H. P. 730, H. D. 175, tabled by Mr. Boody of Windham, March 18, pending acceptance of the report.

Mr. BOODY of Windham: Mr. Speaker, I am obliged to ask the indulgence of the House that this may remain on the table for the reason that there are two bills in the committee not ready to report. When those come in this one can be taken up with them, all at one time.

A viva voce vote being taken, this report was re-tabled.

The SPEAKER: The Chair presents House Amendment A to resolve proposing amendment to the Constitution providing no tax on incomes and inheritances shall be levied, House Paper 29, House Document 11, tabled by Mr. Spear of

Portland, March 18, pending adoption of the amendment.

Mr. SPEAR of Portland: Mr. Speaker, for the purpose of obtaining further information, I move that this matter lie on the table. There is legislation regarding intangible property before the Senate, and I think it might be well to consider these two matters at the same time on their respective merits.

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

The SPEAKER: The Chair presents majority report, ought not to pass, and minority report, ought to pass, of the committee on Judiciary on resolve amending the Constitution so as to prohibit appropriations for denominational, sectarian, parochial or religious institutions and purposes, H. P. 293, H. D. 59, tabled by Mr. Wing of Auburn, March 18, pending acceptance of either report. The Chair recognizes the gentleman from Auburn, Mr. Wing.

Mr. WING: Mr. Speaker, I yield to the gentleman from Portland, Mr. Nichols.

Mr. NICHOLS of Portland: Mr. Speaker, I thank the gentleman for his courtesy. I did not know what was in his mind when he yielded to me except that he looked up and saw me sitting here; but in order to hasten the date of our adjournment I will move that the majority report be accepted.

The SPEAKER: The majority report is ought not to pass, and this appears to be the Bartlett bill, so-called, and that gentleman seems to be absent at the present time.

Mr. WING: I think the gentleman knows this motion is to be made.

The SPEAKER: The motion is made that the report, ought not to pass, be accepted.

On motion by Mr. Bragdon of Perham, the matter was re-tabled, until Mr. Bartlett returns to his seat.

The SPEAKER: The Chair presents report of the committee on Judiciary, ought not to pass, on bill an act amending the Constitution referring to education, H. P. 381, H. D. 78, tabled by Mr. Stitham of Pittsfield, March 18, pending acceptance of the report.

Mr. Stitham of Pittsfield: Mr. Speaker, for the purpose of offering an amendment, I would like to move,

and I think it is necessary to move, that we substitute the bill for the report.

The SPEAKER: Has the gentleman his amendment prepared?

Mr. STITHAM: Yes, Speaker, I wish to have the afternoon for that purpose. That is why I desire to table it at this time.

Thereupon, the report was re-tabled and especially assigned for tomorrow.

The SPEAKER: The Chair presents resolve appropriating money to rebuild one pier of the Gardiner and Randolph drawbridge, H. P. 464, H. D. 267, tabled by Mr. Wing of Auburn, March 18, pending final passage.

Mr. WING of Auburn: Mr. Speaker, I yield to the gentleman from Randolph, Mr. Clarke.

On motion by Mr. Clarke of Randolph this resolve was re-committed to the committee on Ways and Bridges.

The SPEAKER: The Chair presents bill an act to amend the charter of the Belfast Municipal Court, H. P. 1182, H. D. 402, tabled by Mr. Wing of Auburn, March 19, pending third reading.

Mr. WING of Auburn: Mr. Speaker, far be it from me to interfere with the affairs of Waldo county, but it has been the policy of the State for some years to abolish what is known as the fee system. It used to be the law that Clerks of Courts and Secretaries of State and Judges of Municipal Courts received fat livings out of the fees paid therein, and it became the policy of the State that fees for such services should be paid into the public treasury and not paid into the pockets or the hand of the public officer.

My attention is called to this bill, which is House 402, and I find the following language in addition to the salary which is provided for the judge of this court:

"In criminal matters the fees shall be the same as are legally taxable by trial justices, except that there may be taxed one dollar and fifty cents for issuing a warrant, and twenty-five cents for each copy of bill of costs certified to the supreme judicial court or to the county commissioners court, which said sum shall be retained by the judge so

certifying the same, and also two dollars and fifty cents for copies civil and criminal for the Supreme Judicial Court, including the seal, and a like amount in libel cases."

In other words, in addition to the salary paid to the Judge of the Belfast Municipal Court he gets all the fees in criminal cases. Now to my mind that violates the policy of the State—the established law of the State—and creates this same special privilege that we have been talking about this morning. If the salary provided for in this resolve is not sufficient to pay and maintain with dignity the Judge of the Belfast Municipal Court, I am agreeable that he shall be paid more; but I am not satisfied to sit idly here and see this piece of legislation carrying with it the establishment of the fee system, and not raise my protest, and I am sure that the distinguished gentleman who represents the city of Belfast is not in favor of the rehabilitation of the fee system, either in the special statutes of our State or in the general law. Therefore, I move the indefinite postponement of this bill in order that the fee system may be brought promptly and quickly before this body.

The SPEAKER: The question before the House is on the indefinite postponement of an act to amend the charter of the Belfast Municipal Court. The Chair recognizes the gentleman from Belfast, Mr. Frost.

Mr. FROST of Belfast: Mr. Speaker and members of the House: I think possibly a word of explanation may be in order before this is voted on. This court was established several years ago, and while I am not familiar with the practice of law courts, I understand that this bill as it now stands is identically the same, or in line with, what has prevailed in connection with our municipal court for the past several years. I also understand that the Judge of the Municipal Court took this matter up with the county officers, and also with the attorneys practicing in the city of Belfast, and that they were all agreed that this was the proper way in which to handle it. Therefore, I have not gone into the matter myself to investigate and have had very little to do with it. The matter was taken up by the committee and the committee voted favorably on it. The salary down there in years past

has been six hundred dollars. You understand that the judge of the Municipal Court is practically shut out from a regular practice and is dependent on the salary for the support of himself and family; and I think we are all agreed that six hundred dollars is not sufficient salary for a man to live on and support a family. Therefore this new bill was introduced for the purpose of increasing the salary.

Now the matter of fees, as I understand it, is identically the same as has prevailed in that particular court for some time. Personally I would not want to see the matter indefinitely postponed because that would not be at all fair with the present judge of the court, who is entitled to, and the committee has agreed that he should have, a larger salary. Therefore, I hope the gentleman's motion to indefinitely postpone will not prevail.

On the other hand, if it is better to abolish the fee system, and if this motion of the gentleman from Auburn, (Mr. Wing) does not prevail, then I would be very glad to make the motion that this be re-committed to the committee to make such adjustments as they may deem necessary to satisfy the rule which is invoked in the State of Maine in connection with courts of this kind I trust the matter can be handled in some such manner as that.

Mr. WING of Auburn: Mr. Speaker, the position of the gentleman from Belfast (Mr. Frost) is so eminently fair that I certainly do not wish to embarrass him or his fellow townsman and with the permission of the House I will withdraw my motion with the understanding that the gentleman from Belfast, moves to recommit.

On motion by Mr. Frost of Belfast, this bill was recommitted to the committee on Legal Affairs.

On motion by Mr. Bragdon of Perham, it was voted to take from the table a matter tabled a few moments ago by that gentleman, being the majority report, ought not to pass, and the minority report, ought to pass, of the committee on Judiciary on resolve amending the Constitution so as to prohibit appropriations for denominational sectarian, parochial or religious institutions and purposes.

The SPEAKER: The gentleman from Portland, Mr. Nichols, has made the motion that the majority

report, ought not to pass, be accepted; and during the absence of the gentleman from Bangor (Mr. Bartlett) who introduced the bill the matter was tabled. Is it the pleasure of the House that this report, ought not to pass, be accepted?

The motion prevailed, and the report, ought not to pass was accepted.

The SPEAKER: The Chair presents resolve in favor of the Augusta State Hospital for renovation of steam plant, S. P. 468, S. D. 179, tabled by Mr. Norwood of Warren, March 19 pending passage to be engrossed.

Mr. NORWOOD of Warren: Mr. Speaker, I move that this resolve lie on the table.

A viva voce vote being taken, the motion to re-table failed of passage.

Mr. WHITE of Bowdoinham: Mr. Speaker, I do not want to hinder legislation in any way, but there is an investigation being carried on at the hospital in regard to this heating plant. This investigation will be through in a day or two, and when completed this resolve will be taken care of and either passed or indefinitely postponed. I wish that the matter might be tabled for a day or two until this investigation is completed.

Mr. CUMMINGS of Portland: Is the bill debatable at the present time?

The SPEAKER: There is no motion at present before the House.

The pending question is passage to be engrossed.

Mr. CUMMINGS: Mr. Speaker, I feel that perhaps it is my duty to say a word on this bill at this time. Being a member of the committee on insane hospitals, we did the best we could to ascertain the needs at that institution. The heating plant over there, we are assured by all connected with the institution, is in what they consider a dangerous condition. The boilers are twenty-seven years old and they are fearful lest they might give out in the winter time when it would be impossible to replace them quickly, and you can all understand what the result would be. The trustees of the institution are of one opinion in regard to the need of a change in this heating plant. They even went so far as to tell us that they thought that was the thing they needed the most of all things. They had their engineer there who has gone over the plant and we saw

'the report of the same. I will not take the responsibility of allowing that plant to remain in its present condition. If this House wants to do it in a penny-wise, pound-foolish way, let them do it; but as one member of the committee—and I believe the other members are of the same opinion—I shall not take the responsibility of such a risk.

On motion by Mr. Cummings of Portland, the resolve was passed to be engrossed.

The SPEAKER: The Chair presents report of the committee on Legal Affairs, ought not to pass, on bill An Act to create West Branch Penobscot River Bridge District, H. P. 714, H. D. 171, tabled by Mr. Campbell of Kingman, March 20, pending acceptance of the report. The Chair recognizes the gentleman from Kingman, Mr. Campbell.

Mr. CAMPBELL of Kingman: Mr. Speaker and members of the House: This is a bill I introduced for a bridge, the object being to connect the four towns of Millinocket, East Millinocket, Medway and Woodville. The Great Northern Paper Company owns the principal part of Millinocket and East Millinocket. They had an able attorney at the hearing and the bill was reported out, "ought not to pass." The principal reason why Millinocket opposed that bill was because it was written in a way so that each one pays his proportional part of the tax according to his valuation, and as Millinocket is principally owned by the Great Northern Paper Company, the objection to it is easy to see. I think it is a just bill. The people over in Woodville need the bridge. There is a string of farms five or six miles along there and they have no way of getting to the stores or post office, except over a ferry that runs on a steel rope. They should have a bridge there, and I hope this bill may have passage.

The SPEAKER: Did the gentleman make a motion?

Mr. CAMPBELL: I move to reject the report of the committee, which was ought not to pass.

The SPEAKER: The gentleman desires to move that the bill be substituted for the report.

Mr. CAMPBELL: Yes, Mr. Speaker.

Mr. DAVITT of Millinocket: Mr. Speaker, this bill has been put in without any authority or any representation to me. I am the rep-

resentative from East Millinocket and Millinocket. Mr. Campbell came to me and asked me about this bill and I refused to have anything to do with it. He took the question up by telephone with Mr. Stearns, our Chairman of the Board of Selectmen and Assessors of Millinocket, and Mr. Stearns gave him permission, not understanding the provisions of the bill. I sent Mr. Stearns a copy of the bill as printed, and I am now authorized by the Chairman of the Board of Selectmen to oppose this bill.

They do not wish to have anything to do with it. Their tax rate is high enough now per capita without having anything to do with this bridge. This bridge is absolutely of no benefit to the towns of Millinocket and East Millinocket.

Mr. SMITH of Bangor: Mr. Speaker, it seems to me that the Penobscot delegation is not united on this matter and our County Commissioners are opposed to passing it at this time. They have taken the trouble to telephone their request that this be indefinitely postponed. It seems to me that unless there is a unanimous desire on the part of the Penobscot delegation for it, it would not be well to substitute the bill for the report.

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

On motion by Mr. Davitt of Millinocket, the report, ought not to pass, was accepted.

The SPEAKER: The Chair presents bill an act giving certain powers to the Governor and Council with respect to State Highways, interstate and international bridges, H. P. 943, H. D. 244, tabled by Mr. Daigle of Madawaska, March 20, pending second reading.

Mr. DAIGLE of Madawaska: Mr. Speaker, in behalf of the gentleman from Van Buren. Mr. Hammond, who is not present, I wish to table the bill until Friday.

Thereupon on motion by Mr. Daigle, the bill was tabled and especially assigned for Friday next.

The SPEAKER: The Chair presents report of the committee on Military Affairs, ought to pass, on resolve in favor of Portland Armory, H. P. 513, H. D. 113, tabled by Mr.

Hale of Portland, March 20, pending acceptance of the report.

On motion by Mr. Hale of Portland, it was voted to accept the report. Thereupon the rules were suspended and the resolve had its first reading and tomorrow assigned for its second reading.

The SPEAKER: The Chair presents report of the committee on Judiciary, ought not to pass, on bill an act relative to motor vehicles and neutral zone, H. P. 765, H. D. 181, tabled by Mr. Burnham of Kittery, March 20, pending acceptance of the report.

Mr. BURNHAM: Mr. Speaker, I have been given to understand by members of this committee that this legislation is to be covered by some other bill. In order to await the arrival of that bill in the House, I would ask the indulgence of the House to let this lie on the table.

A viva voce vote being taken, the matter was re-tabled.

The SPEAKER: The Chair presents report of the committee on Judiciary, ought not to pass, on bill an act enlarging the powers of the State Highway Police Chief, tabled by Mr. Littlefield of Kennebunk March 20, pending acceptance of the report.

Mr. LITTLEFIELD: Mr. Speaker, this bill has been on the table almost a week, but I would ask the indulgence of the House to let it remain there until a bill which is supposed to take up the same matter comes from the Senate.

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

The SPEAKER: The Chair presents resolve in favor of Central Maine Sanatorium, H. P. 1189, H. D. 420, tabled by Mr. White of Bowdoinham, March 20, pending second reading.

On motion by Mr. White the resolve received its second reading and was passed to be engrossed.

The SPEAKER: The Chair presents report of committee on Inland Fisheries and Game reporting new draft (H. P. 1228) on bill an act to prohibit night fishing in inland waters, tabled by Mr. Cyr of Waterville, March 23, pending acceptance of the report.

Mr. CYR of Waterville: Mr. Speaker,

I yield the floor to the gentleman from Strong, Mr. Eustis.

Mr. EUSTIS of Strong: Mr. Speaker, I would like to inquire if the new draft is printed.

The SPEAKER: The new draft has not been printed and would not be printed until the report was accepted.

On motion by Mr. Eustis of Strong, it was voted to accept the report.

The SPEAKER: The Chair presents report of committee on Military Affairs, ought not to pass, on bill an act relating to Lewiston Armory, H. P. 118, H. D. 27, tabled by Mr. Lessard of Lewiston, March 24, pending acceptance of the report.

On motion by Mr. Lessard a viva voce vote being taken, this resolve was re-tabled; and on further motion by Mr. Lessard the resolve was especially assigned for Friday next.

The SPEAKER: The Chair presents bill an act relating to fees for registration of vehicles used for transportation of school children, H. P. 379, H. D. 74, tabled by Mr. Bragdon of Perham, March 24, pending passage to be enacted.

On motion by Mr. Bragdon of Perham, the House voted to reconsider its action whereby this bill was passed to be engrossed, this being done for the purpose of offering an amendment.

Mr. BRAGDON of Perham: Mr. Speaker, I offer House Amendment A and move its adoption.

House Amendment "A" to House Paper number three hundred and seventy-nine, House Document number seventy-four, being bill, "An act relating to fees for the registration of vehicles used for the transportation of school children.

Said bill is hereby amended by striking out the words "Motor vehicles regularly used for livery or hire shall pay double the above fees. Motor vehicles used for no other passenger service or hire than for the transportation of school children to and from school are not subject to the double registration fee," the same being the last four lines of paragraph "a" of said amended section forty-seven, and inserting in place thereof the following words:

"Motor vehicles used for livery or hire shall pay double the above fees, provided, however, that private automobiles occasionally employed for use at funerals by a duly registered or licensed undertaker, and not

otherwise used for hire, shall not be subject to such double fees, and provided further, that motor vehicles used for no other passenger service or hire than for the transportation of school children to and from school are not subject to the double registration fee.'

Mr. BRAGDON of Perham: Mr. Speaker and members of the House: Perhaps a word of explanation would be in order in regard to that. This bill, House Document 74, was introduced by me to do away with the double registration of motor vehicles that were used solely for the transportation of school children and received the favorable report of the committee on Judiciary to which it was referred. The Deputy Secretary of State called my attention a day or two ago to the fact that another bill similar to that has already been passed, doing away with the double registration of motor vehicles which were only used occasionally at funerals; and according to the way he interpreted the matter the passage of this House Document 74 would automatically repeal the act that was passed before in regard to automobiles used at funerals; and this amendment was prepared by me to include the two matters within the same bill.

Thereupon House Amendment A was adopted, and on motion by Mr. Bragdon of Perham, the bill as amended by House Amendment A was passed to be engrossed.

The SPEAKER: Are there any matters tabled today that can be taken from the table?

Mr. STURGIS of Auburn: Mr. Speaker, I would like to take from the table the bill increasing the salary of the postmaster of the Senate, tabled by me this morning.

The motion prevailed.

Mr. STURGIS: Mr. Speaker, I now move that we concur with the Senate in the indefinite postponement of the bill.

A viva voce vote being taken, the House voted to concur with the Senate in the indefinite postponement of the bill.

The SPEAKER: Are there any other matters tabled today that can be taken up at this time? There has been recalled from the files on motion by the gentleman from Portland, Mr. Nichols, bill an act relating to the notice given by the assessors

of taxes before assessment, House Document No. 278.

On motion by Mr. Nichols of Portland, the rules were suspended and the House voted to reconsider its action whereby the report of the Judiciary committee, ought not to pass, upon this bill was accepted; and on further motion by the same gentleman the bill was re-committed to the committee on Judiciary.

Mr. WING of Auburn: Mr. Speaker, I crave the indulgence of the House to introduce an order, out of order, and move its passage.

Ordered, the Senate concurring, that 5000 copies of the Constitution of the State of Maine be printed in pamphlet form under the direction of the State Librarian for the use of the Legislature and the public schools and for general exchange purposes, and that the cost thereof be paid from the contingent expenses of the Legislature.

Mr. WING: I make this explanation, Mr. Speaker. The tenth of March there was an order passed that 5000 copies of the State of Maine be printed in pamphlet form. It was also passed in concurrence by the Senate. On the eleventh of March, when the matter came to the attention of the Superintendent of Printing, he was not satisfied that the printing could be paid out of the legislative fund for printing as the order was drawn. It has been re-drafted, providing for the fund from which the payment for the printing can be made, and I move the passage of the order.

Mr. NICHOLS of Portland: Mr. Speaker, may I inquire whether or not under this order we would not have 10,000 copies printed inasmuch as we have previously ordered 5000 copies printed?

Mr. WING: Mr. Speaker, we would not. There is no objection on my part to having 10,000 copies printed, but the printer refused to print any on the theory that there was no fund to pay for it. You will understand that the order now states the fund from which this shall be paid. I have no intention of having 10,000 copies printed.

Thereupon the order received passage, and was sent up for concurrence.

On motion by Mr. Bump of Wilton, Adjourned until 9.30 o'clock tomorrow morning.