

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-Fourth Legislature

OF THE

STATE OF MAINE

1929

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

SENATE

Wednesday, April 10, 1929

Senate called to order by the President.

Prayer by the Rev. H. A. Clark of Gardiner.

Journal of previous session read and approved.

From the House: Bill, an act to provide for the building of a highway bridge across the Kennebec River, between the towns of Richmond and Dresden (H. P. 1632) (H. D. 741) which was passed to be enacted in the Senate, April 3rd and recalled from the Governor by joint order on April 8th, 1929.

Comes from the House, that branch having reconsidered its action by which the bill was passed to be enacted; having further reconsidered its action whereby the bill was passed to be engrossed; having adopted House Amendment A, and passed the bill to be engrossed, as amended by House Amendment A in non-concurrence.

In the Senate, House Amendment A was read.

Thereupon, that body voted to reconsider its action whereby the bill was passed to be enacted, and its action whereby the bill was passed to be engrossed. House Amendment A was adopted and the bill as so amended was passed to be engrossed in concurrence.

From the House: Report of the Committee on Banks and Banking, on bill, an act relating to interest charged by small loan agencies (H. P. 759) (H. D. 226) reporting the same in a new draft, under the same title (H. P. 1742) (H. D. 813) and that it ought to pass.

(On motion by Mr. Oakes of Cumberland, tabled pending acceptance of the report.)

Mr. Oakes of Cumberland presented the following order, out of order and under suspension of the rules,

Ordered, the House concurring, that House Document No. 813, an act relating to interest charged by small loan agencies, be referred to the next session of the Legislature, and further

Ordered, that there be created a special committee consisting of the

Senate Chairman of the Committee on Banks and Banking, and the House Chairman of the Committee on Banks and Banking, and the State Bank Commissioner, to investigate fully the law and facts relative to the so-called small loan business, said Committee being authorized and empowered to hold such public hearings as it deems necessary to give all persons interested an opportunity to be heard and to report its findings and recommendations at the next special or regular session of the Legislature.

Thereupon, on motion by the same Senator the order was laid upon the table pending consideration.

From the House: Report of the Committee on Inland Fisheries and Game, on bill, an act relating to bounty on porcupines or hedgehogs (H. P. 135) (H. D. 60) reported that the same ought to pass.

Comes from the House, report accepted, bill subsequently indefinitely postponed.

In the Senate, on motion by Mr. Spear of Cumberland, tabled pending consideration.

The following resolves were received and on recommendation by the committee on reference of bills were referred to the following committee:

Appropriations and Financial Affairs

By Mr. Bond of Lincoln: Resolve in favor of I. W. Case, Clerk of Committee on Ways and Bridges. (S. P. 799)

By the same Senator: Resolve in favor of Melbourne McFarland, Stenographer for the Committee on Ways and Bridges. (S. P. 800)

By the same Senator: Resolve in favor of Royal Overlock, Messenger for the Committee on Ways and Bridges. (S. P. 801)

By Mr. Oakes of Cumberland: Resolve in favor of Nunzi Neapolatana for his services as Clerk of the Committee on Governor's message. (S. P. 802)

Sent down for concurrence.

Bill in First Reading

Resolve to provide a Committee to investigate and recommend re-

garding sales tax. (S. P. 786) (S. D. 428)

Reports of Committees

Mr. Weatherbee, from the Committee on Revision of Statutes, on bill an act to amend section 6 of chapter 83 of the Revised Statutes, relative to Clerk of County Commissioners. (S. P. 656) (S. D. 315) reported the same in a new draft, under the same title (S. P. 803) and that it ought to pass.

The report was read and accepted and the bill laid upon the table for printing under the joint rules.

Mr. Bond, from the Committee on Counties, submitted its final report.

Mr. Bragdon, from the Committee, on Temperance, submitted its final report.

The reports were severally read and accepted.

Sent down for concurrence.

Passed to be Engrossed

Resolve in favor of the State Park Commissioner. (S. P. 320) (S. D. 425.)

An act to amend section 107 of chapter 51 of the Revised Statutes relative to resident attorneys for foreign corporations. (S. P. 794) (S. D. 426.)

Resolve pertaining to the construction or purchase of a new motor boat for the Sea and Shore Fisheries Commission. (S. P. 795) (S. D. 427.)

Passed to be Enacted

An act relating to the supervision, regulation and conduct of the transportation of persons over the public highways of the State of Maine by automobiles, jitney busses and auto stages by the Public Utilities Commission. (S. P. 630) (S. D. 278.)

An act relating to license fees for small loan agencies. (S. P. 649) (S. D. 300.)

(On motion by Mr. Page of Somerset, tabled pending passage to be enacted.)

An act to amend the charter of the city of Westbrook, in reference to reducing the number of its aldermen, and increasing the time of their office as well as that of the Mayor and Board of Assessors. (H. P. 1660) (H. D. 695.)

Finally Passed

Resolve in favor of the State Reformatory for Men. (S. P. 198) (H. D. 213.)

(Constitutional Amendment)

Resolve proposing an amendment to Article IX of the Constitution authorizing the issuing of bonds to be used for the purpose of building a bridge across the Penobscot River, to be known as the Waldo-Hancock Bridge. (S. P. 730) (S. D. 387.)

This resolve, being a Constitutional Amendment, required the affirmative vote of two-thirds of the membership of the Senate on its final passage.

Twenty-nine Senators having voted in the affirmative and none opposed, the resolve was finally passed.

Orders of the Day

Under Orders of the Day, tabled and assigned for today, the President laid before the Senate, Senate Report from the Committee on Salaries and Fees "ought not to pass" on an act relating to the Highway Commission (S. D. 264) tabled on April 5th by Mr. Carlton of Sagadahoc, pending acceptance of the report; and on motion by that Senator the matter was retabled.

The President laid before the Senate, today assigned, an act to provide for building a bridge at or near Bucksport (S. D. 364) tabled on April 9th by Mr. Nickerson of Waldo pending consideration.

Mr. NICKERSON of Waldo: Mr. President, I move that this bill be sent forthwith to the engrossing department.

The PRESIDENT: The Senator from Waldo, Senator Nickerson moves that this bill, which has already been passed to be engrossed as amended by Senate Amendment A and House Amendment A in concurrence, be now sent forthwith to the engrossing department. Is this the pleasure of the Senate?

Mr. CARLTON of Sagadahoc: Mr. President, I wonder if we all understand this amendment? I don't know that I do. We had an amendment that was to be adopted calling for the set-up for a franchise. As I understand it that has never been adopted.

The PRESIDENT: The Chair will state that Senate Amendment A was adopted in the Senate and adopted in the House in concurrence. House Amendment A was also adopted in concurrence and the last action on the part of the Senate was to pass the bill to be engrossed as amended by Senate Amendment A and House Amendment A. The bill was then tabled pending printing of House Amendment A.

Mr. CARLTON: Mr. President, if not out of order I would like to have the amendments read.

The Secretary read House Amendment A and Senate Amendment A.

Mr. CARLTON: Mr. President, I have no objection to that and I move that the bill continue on its course.

Thereupon, the Senate voted to send forthwith to the engrossing department the bill as amended by Senate Amendment A and House Amendment A.

The President laid before the Senate, Report from the Committee on Legal Affairs "ought to pass in a new draft" on an act relating to photographs and finger prints of criminals (H. D. 815) tabled on April 9th by Mr. Crosby of Penobscot pending acceptance of the report.

Mr. CROSBY of Penobscot: Mr. President, I move the indefinite postponement of this bill and I will address myself to that motion.

There is no real necessity or demand for this legislation. Maine is not Chicago. We have no crime wave. The administration of criminal justice is functioning promptly and satisfactorily. Our trial juries are conscientious and are doing their full duty by society. I have discussed the matter with the Attorney General who is absolutely opposed to this bill in the new draft. It involves a considerable expense which is unjustified. There is a further point, that courts of various states in this country have been unable to agree on the constitutionality of a bill of this nature, basing their reasoning on the fundamental concept that a man charged with crime cannot be compelled to give evidence against himself. The bill also in the new draft contains a very amazing clause which reads like this, "or

cause to be taken the finger prints and photographs of any person in custody charged with the commission of a felony or violation of any act relating to intoxicating liquors."

It must be apparent that this includes misdemeanors as well as felonies. That being so, it goes the Jones law one better. Could anyone here say that minor liquor violations are more serious than murder or burglary? The phrase must obviously include such minor violators. Is the unfortunate street drunk to be dignified by having his tintype taken or his fingerprints done a la Bertillon? It seems to me the answer to that must be No. This bill at the last session was killed. I have been unable to find out who are back of it but I suspect it may be some small group of wilful men, graduates of some correspondence schools on "How to Become a Detective," who, having received their hand painted diplomas and their supply of black beards, printing outfits and various colored inks, are now looking for a job.

I hope my motion will prevail.

Mr. MURCHIE of Washington: Mr. President, yesterday I assented, rather quietly, to the Senator from Penobscot, (Senator Crosby) and my other colleague on the Committee on Legal Affairs coming in and opposing the passage of a bill unanimously reported "ought to pass" by the committee. And I call the attention of the Senate now to the fact that this is also a unanimous report from the Committee on Legal Affairs "ought to pass." The committee were all in agreement when the original draft was presented that it was absolutely improper legislation and I think the suspicion of the Senator from Penobscot, Senator Crosby, that certain amateurs who hold highly lithographed diplomas might have been behind such a measure as was originally presented because it authorized the State Highway Police and the State officers to take finger-prints of any persons suspected of having committed a crime, is unwarranted. The original bill was unanimously reported "ought not to pass" and subsequently the bill was recommitted to the Committee on Legal Affairs. It comes out in a new draft now, limited to felonies and violations of the liquor law and limited also to

those cases where the order for the taking of the fingerprints shall be made by some judge, so that these amateurs whom the Senator fears will not have any authority to take anybody's fingerprints.

I am not certain that any good is to be accomplished by this bill but I think it is very apparent that no great harm can come from it, and as a piece of legislation requested by a state department—I believe the State Highway Police—which the Attorney General did not see fit to oppose before the committee, that it would be rather summary treatment to throw it out in this manner. I hope, therefore, that the motion will not prevail.

Mr. MARTIN of Kennebec: Mr. President, I will say that one of the gentlemen who has been interested in this bill is the County Attorney of Kennebec County. I am sure that he is not interested in it because of any possibility of securing any personal gain directly or indirectly through it. He is simply interested in it because he believes it is a good bill to prevent crime and to capture criminals.

At the present time as I understand it they are taking fingerprints in many cases and they are of great value in identifying criminals. It is a recognized way of identification and this bill, as I understand it, would simply make legally possible what is being done unless there is any objection being made to it. I simply say this because I know that the motive of the Kennebec County officials are of the highest.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Crosby, that the bill, House Document Number 815, be indefinitely postponed.

Mr. CROSBY: Mr. President, I ask for a division.

A division of the Senate was had.

Seven having voted in the affirmative and fifteen in the negative the motion to indefinitely postpone was lost.

Thereupon, on motion by Mr. Murchie of Washington, the report of the committee "ought to pass in a new draft" was accepted and the bill received its first reading.

On further motion by the same Senator the rules were suspended

and the bill was given its second reading.

Mr. CROSBY: Mr. President, I feel that it is possible that through a conference the objectionable clause might be stricken out by amendment and I therefore move that the matter be laid upon the table.

The PRESIDENT: The Senator from Penobscot, Senator Crosby, now moves that the bill be laid upon the table pending passage to be engrossed. Is this the pleasure of the Senate?

The motion to table prevailed.

The President laid before the Senate, an act to revise the Inland Fish and Game Laws (S. D. 412) tabled on April 9th by Mr. Leland of Piscataquis pending adoption of Senate Amendment A.

Mr. WEEKS of Somerset: Mr. President, in the absence of the Senator from Piscataquis, Senator Leland, and at his request I move that the matter be retabled to be taken up later in this session when he shall have returned.

The motion to retable prevailed.

The President laid before the Senate, an act relating to the registration of non-resident trucks (S. D. 111) tabled on April 9th by Mr. Oakes of Cumberland pending passage to be enacted; and on motion by that Senator the bill was retabled.

The President laid before the Senate, Senate Report from the Committee on Judiciary "ought not to pass" on an act to provide for aid to the dependents of soldiers, sailors and marines killed or disabled in the World War (S. D. 292) tabled on April 9th by Mr. Oakes of Cumberland pending acceptance of the report; and on motion by that Senator the bill and report were retabled.

The President laid before the Senate, an act to provide relief for needy dependents of World War veterans (S. D. 389) tabled on April 9th by Mr. Weeks of Somerset pending passage to be engrossed.

Mr. WEEKS of Somerset: Mr. President, I move that this bill be passed to be engrossed and I understand that whatever objections

there are to it will be brought up on the floor of the House.

Thereupon the bill was passed to be engrossed.

The President laid before the Senate, an act relating to the operation of motor vehicles on the highways (S. D. 399) tabled on April 9th by Mr. Oakes of Cumberland pending adoption of Senate Amendment B; and on motion by that Senator the bill was retabled.

The President laid before the Senate, resolve in favor of the State School for Girls (S. D. 166) tabled on April 9th by Mr. Littlefield of York pending adoption of House Amendment A in concurrence.

On motion by that Senator the Senate voted to recede from its former position and concur with the House in the adoption of House Amendment A.

Thereupon, the same Senator offered Senate Amendment A and moved its adoption: "Senate Amendment A to Senate Paper 414, Senate Document 166 entitled, 'Resolve in favor of State School for Girls.' Strike out in the fourth line the words 'eighty-six thousand five hundred forty' and insert in place thereof the words 'eighty-five thousand seven hundred forty.' Amend further by striking out the following 'electric refrigerator for use as central storage of perishable food, \$800.'"

Senate Amendment A was adopted and the resolve as amended by House Amendment A and Senate Amendment A was passed to be engrossed in non-concurrence.

The President laid before the Senate, an act to exempt certain non-resident motor vehicles from registration while in this State for display, etc. (H. D. 808) tabled on April 9th by Mr. Littlefield of York pending second reading; and on motion by that Senator the bill was given its second reading.

Thereupon, the same Senator offered Senate Amendment A and moved its adoption: "Senate Amendment A to House Paper 1736 (H. D. 808). Amend the third paragraph of Section One by striking out after the words 'a fee of,' the word 'five' and inserting in place thereof the word 'ten.'"

Senate Amendment A was adopt-

ed and the bill as so amended was passed to be engrossed in non-concurrence.

The President laid before the Senate, an act to create a commissioner of highways (S. D. 363) tabled on April 9th by Mr. Minott of Cumberland pending consideration; and on motion by that Senator the bill was retabled.

The President laid before the Senate, resolve relating to the removal of the Highway Commissioners (S. D. 333) tabled on April 9th by Mr. Spear of Cumberland pending consideration.

Mr. SPEAR of Cumberland: Mr. President, the purpose for which this resolve was introduced having been disposed of I now move that the resolve be indefinitely postponed.

The motion to indefinitely postpone prevailed.

The President laid before the Senate, Senate Report from the Committee on Ways and Bridges, Majority Report, "Ought to Pass in a New Draft"; Minority Report, "Ought Not to Pass," on Resolve providing for an additional issue of highway and bridge bonds. (S. D. 76), tabled on April 9th by Mr. Dwinal of Knox, pending acceptance of report.

Mr. DWINAL of Knox: Mr. President, when future historians write the history of the State of Maine, I believe that it will be noted that the outstanding accomplishment of this period was the construction of a system of improved highways.

When the obstacles with which we have to contend, growing out of our climate, weather conditions and other natural causes are taken into consideration, the progress which we have made in this construction in the last twenty years is truly remarkable. With an area to be served equal to that of all the other New England states combined, and a population of only 750,000 people as compared with theirs of approximately eight millions; and with two billions of wealth from which to draw in comparison with the twenty-four billions from which they may draw, we have constructed a system of highways which, if

we may except their metropolitan areas, equals if it does not excel those systems of our sister states.

The present time, this week, is a critical time in the progress of that development for I believe that the completion of our highway system and the reconstruction of its worn out parts depends upon the passage of this resolve and its subsequent approval by the people of the State. We have now constructed 1896 miles of our State system. There remains to be constructed 257 miles but many of the portions which were first built from fifteen to twenty years ago for the travel which was then anticipated, under the heavier travel which they have been called upon to serve in the last few years have worn out and now need to be reconstructed, and many of these portions lie in localities where the traffic is heavier. Traffic counts and road surveys establish the fact that the volume of our traffic doubled between the years 1916 and 1919 and also that it doubled again between the years 1919 and 1927. Present indications are that next year's figures will show that it has doubled yet again between the years 1927 and 1930.

Under these conditions of travel many of the portions of that system which were originally constructed with gravel surface, now need to be resurfaced with macadam or cement because under heavy travel gravel roads are expensive to maintain. Good business demands that this change be made and this bond issue financially provides for it. Many of the macadam portions of the system now need to be resurfaced and widened and under the bond issue plan that also will be possible.

The twenty million dollars which the issue of these bonds will provide, spread over a period of five years will give one million a year for our bridges and three million dollars each year for the construction of highways. In addition to those funds, it will release for the State of Maine five million dollars of Federal aid funds in addition to the \$1,439,000 which has already been allotted to us and incidentally, I believe that the \$103,000 which has now been charged against us on previous construction will then be

available for some other Federal aid project.

In addition to these funds, this plan for the financing of our highways will release for our state-aid and third class construction all of the gas tax money, amounting to approximately three million dollars annually and also a half million dollars more each year from the automobile registration fees. This money will enable us to complete the 257 miles of our system which up to date have not been constructed and will enable us to build 469 miles of worn out portions of that system, and in addition to meet our obligations on our state-aid roads and third class construction projects. And all this will be accomplished under this plan without imposing any additional burden on the people of the state.

The resolve provides that the bonds shall be matured serially over a period of twenty-five years and they shall be non-reissuable and it is proposed that the money for retiring them as they mature and the payment of interest charges shall annually be taken from the automobile registration fees, and after having serviced all of our outstanding bonds amounting to thirteen million and this new issue of twenty millions, there will still remain a balance of approximately five hundred thousand dollars each year to be put on our roads. So we see under this plan, the financial structure which will support our highway system will be sound. The roads will still continue to pay for themselves.

We cannot afford to take any backward step in our highway program. We are entering upon a period of industrial development which promises much for the increased prosperity of the citizens of the State. We are beginning to demonstrate the fact that we possess the same pioneer qualities which characterized our ancestors, for we are no longer content to rely solely upon the industries which our fathers and grandfathers established and upon which they prospered fifty years ago. Today all over Maine in every section are to be found substantial citizens who are taking an interest and active part in the program to develop the State along the lines for which it is best adapted. Under the direction of the Development Commission which is organizing and making effective this new Maine

spirit and surveys are being made of our natural resources and capabilities for the purpose of determining what things can be done in Maine as well as they can be done anywhere else and what other things can be done better here. Upon the basis of the facts that these surveys disclose, it is proposed to initiate a program of industrial development which will establish industry which under economic law should prosper, but the experience of other states teaches us that an adequate system of improved highways is necessary for any development.

A careful study of the New England food market is being made, the richest market in the country of its kind, for the purpose of determining what portion should belong to the farms of this State, for with a population of seven million people who have the money with which to buy, located at our very doors with easy access and quick delivery, there is no economic reason why Maine should be restricted in the output of her agricultural products which we, ourselves, may consume. That is the situation today, with the exception of our potato crop. In fact, it is worse than that for we are importing food-stuff.

When these problems have been solved, our improved highways will become the arteries through which we will establish a more profitable and industrial life.

If an example is desired, we might well refer to the experience of the state of North Carolina. Fifteen years ago North Carolina was one of the backward states of the Union, but since 1920 she has developed her water powers and constructed a system of state roads, and incidentally did it on the proceeds of a bond issue, and today she ranks third in the Union in the payment of income taxes to the Federal government, and that is an excellent barometer of the prosperity of her citizens.

All that North Carolina has, we have and more and her problem of development is comprehensive. We are justified in looking forward to the times when we shall have an increased prosperity, and in the passage of this resolve we are bringing the day nearer when we may effect the realization of that hope.

There are certain features of the road system with which members of the road and bridge committee are more familiar than am I, and I will

yield to the Senator from Piscataquis, Senator Leland.

The PRESIDENT: The Chair will state that there is no motion pending before the Senate.

Mr. DWINAL: Mr. President, I will move the majority report "ought to pass" be accepted.

Mr. LELAND: Mr. President, speaking very briefly to the motion of the Senator from Knox, (Senator Dwinal), it hardly seems necessary and I am quite reluctant to take up much of the time of this body this morning in the discussion of this highway problem. After the very able discussion of the subject by the Senator from Knox (Senator Dwinal) I feel there is very little I could add that would be of assistance in reaching a conclusion on this matter. It does seem fitting, however, that some member of the Ways and Bridges Committee who have given such careful and earnest consideration to this subject during the past months of this session, should say just a word in relation to the work of that committee and give some of the reasons that have governed them in reaching a majority report in this matter.

I think perhaps I might touch very briefly upon some of the objections we have heard raised for the completion of further construction of our trunk line system. We have been told that we are mortgaging the future, that future generations will have to pay the bills for roads which will be worn out long before the bonds have been retired. This is, I think, entirely different from the actual facts in the case and the situation as the Ways and Bridges Committee has seen it.

It has seemed to us in the first place a very real need, a very real demand existed for the hastening of our highway construction, that is the people are demanding that a completion of our trunk line system be made much more rapidly than it is possible to make by any form of tax or revenue producer that it is possible to enact at this time and it has seemed to us that while it is true we are mortgaging future receipts, those receipts are as certain as anything human is certain, and that revenue from automobile registration fees and gasoline tax will increase, and it seems to us the question resolves itself

into a problem and question whether the completion of those lines by the borrowing of money, renting the state's credit and the problem of securing money at the rate of four per cent interest, whether the value to the State would not more than offset this interest charge. There are several reasons for believing this is the case. For instance, the maintenance of these gravel roads over which much of the heavy traffic is borne, the maintenance charge would be reduced.

For the past two weeks we have seen on these highways of gravel construction the trucks, graders and scrapers at work and they will continue at work until the latter part of May or June according to the season and then will receive a coat of tar and be laid down for the summer. It is an expensive process and eats up a large part of the maintenance funds provided for the work. This, in a large measure would be removed, this source of expense, by the construction of hard surface roads. This plan also providing for a bond issue for the construction of the state highways, diverts a large amount of gasoline tax to the state-aid highways, which is next of importance in our highway problem. There is there a constantly increasing demand on the part of the towns. They are, themselves, appropriating constantly increasing amounts and that necessitates constantly increasing funds for that purpose. Just when the peak will be reached is problematical, but it is assumed that within the near future it is not unlikely that the maximum will be reached.

Under the circumstances, and taking into effect the fact that by borrowing, issuing bonds, it has seemed to the committee it was possible to finance our highway program without direct tax at his time. I hope that the motion will prevail.

Mr. SPEAR of Cumberland: Mr. President, as Chairman of the Finance Committee, I am heartily in accord with what the two previous speakers have stated. I also believe that the Cumberland County delegation is absolutely behind this bond issue. I received a letter this morning from Mr. Edward Hannaford of Portland, a Democrat, a bank president, a successful

business man who deals in more wholesale produce than any similar dealer in Maine. He says.

"April 9, 1929. Hon. Arthur G. Spear, State Senator, Augusta, Maine. Dear Sir: There has been called to my attention, copy of the financial statement of the proposed structure of the highway bond issue. I am writing you personally today to ask that you vote for this bond issue and make as active a campaign as is possible among all of your colleagues in the present Legislature. Believing as I do personally, that this bond issue is the proper and at the present the only correct solution of our highway financing, I should be very glad to hear from you at your earliest convenience as to your views on this important matter. Respectfully, (Signed) E. W. Hannaford."

I hope the motion to accept the "ought to pass" report will prevail.

Mr. CARLTON of Sagadahoc: Mr. President, there is just one item I wish to call to your attention that doesn't seem to have been covered. We all have automobiles and over improved roads the repairs would not probably be half what they are at the present time, and I venture to say that if the cost of the repairs we all have to pay was devoted to the payment of the bond issue, it could be retired in comparatively few years. I hope the motion will prevail.

Mr. MURCHIE of Washington: Mr. President, if I understand correctly, this bill is the same bill that was introduced January 31st by the Senator from Lincoln, Senator Bond, Senate Document 76. I was very much interested in the statements made by the Senator from Knox, (Senator Dwinal) which if I interpret them correctly, was to this effect, that the proceeds of this bond issue should be used to complete the state highway system as it now exists, and in the opinion of the committee would be adequate to complete that system. I find on Page 2 of Senate Document 76 the same language that has been used in every bond issue up to date, "and the expenditure of said proceeds shall be equitably divided among the several counties of the State."

Now I believe the people in the eastern section of the State agree heartily with the people in the northerly and western part of the State and the highway program

should continue and the only possible way to carry the program through is by the issue of bonds, but I have understood in the past that every Highway Commission we have had, have been uncertain what the word "equitably" used in that constitutional amendment means, and I would like in some proper manner to have this sentence declared that "equitably" shall mean that the state highway system as it now exists shall be completed. We recognize in the east that there are sections of highway in the western part of the state which have been previously constructed that require new construction and we realize that those roads should have a construction, more expensive and better than is necessary for the roads in the eastern part, but we do feel that before additional roads are made a part of the state highway system, the present system should be completed. I cannot give accurate figures, but I understand it is a fact in 1913, 1914 and 1915 a highway system of 1500 miles was laid out and since that time about 600 miles has been added to it,—three miles in Aroostook, no miles in Washington County and the balance in the rest of the State. Now we are perfectly willing that those other sections shall have all the road possible but we believe our original State highways should be completed.

I should like to ask the Senator from Knox, (Senator Dwinal), the Senator from Piscataquis (Senator Leland) or the Senator from Lincoln (Senator Bond) or anybody who is authorized to speak, if it is their understanding that this fund is sufficient to build the system and that system is to be built before any additional substantial mileages are added to the State highway system.

The PRESIDENT: The Senator from Washington, Senator Murchie asks a question through the Chair and anyone may answer who desires.

Mr. DWINAL: Mr. President, I am informed that a large part of that uncompleted mileage is located in Washington County and it is my understanding that that is the first which would be completed.

Mr. MURCHIE: Mr. President, under those circumstances, I wish to add my voice to those who have spoken and say that I hope the motion will prevail.

Mr. LELAND: Mr. President, I wish to say a word in reply to the Senator from Washington, Senator Murchie. The committee has seriously considered the feasibility of determining to designate how and where this money can be expended, but I think the Senator will appreciate that it is almost entirely a matter of administration and it is difficult for the Legislature to designate the roads on which this money shall be expended and the type of road that shall be built in a given place, which in the committee's judgment made it almost necessary to be left to the Highway Department to determine. I will say, however, I believe in the new draft while the word "equitably" still remains there, it has been said "among all counties interested" instead of "the several counties," which to the technical mind of the Senator from Washington, would probably make no difference at all.

The PRESIDENT: The question is on the motion of the Senator from Knox, Senator Dwinal, that the majority report of the Ways and Bridges Committee which is "ought to pass in new draft" be accepted.

The motion prevailed.

Thereupon the resolve was given its first reading and tomorrow assigned for second reading.

The President laid before the Senate, House report from the Committee on Legal Affairs, "Ought not to pass," on "An act relating to the registration of motor vehicles," (H. D. 280), tabled on April 9th by Mr. Dwinal of Knox pending acceptance of report; and on motion by that Senator the bill was tabled.

On motion by Mr. Oakes of Cumberland, the Senate voted to take from the table, the joint order introduced by that Senator earlier in today's session referring to the next Legislature House Document Number 813, an act relating to interest charged by small loan agencies, which order, on motion by the same Senator was subsequently laid upon the table pending consideration.

Mr. OAKES of Cumberland: Mr. President, I will say that this order provides for a special committee consisting of the Senate Chairman of the Committee on Banks and

Banking, the House Chairman of the same committee and Mr. Annis of the Banking Department, to investigate the law and facts regarding this question and to report at the next special or regular session of the Legislature and that the bill be referred to the next Legislature pending such investigation and report. I move that the order have a passage at this time.

Mr. PAGE of Somerset: Mr. President, I am opposed to the adoption of the order. The recess committee as suggested by the Senator from Cumberland County (Senator Oakes) includes the Chairman of the Banks and Banking Committee on the part of the Senate and the Chairman of the same committee on the part of the House and Mr. Annis of the Banking Department. I can assure the members of the Senate that the report coming from those three would be exactly the same report that we have here today, a unanimous report 'ought to pass.' This bill has been in the hands of the Committee on Banks and Banking since, I think, February 7th. We have heard all kinds of evidence introduced and we have continued our hearing and even last evening we had a session and discussed the matter. The committee is still unanimous that a rate of 3 per cent. per month on small loans is sufficient. The law now entitles small loan agencies to charge a rate of 3½ per cent. a month, or a total of 42 per cent. a year. If the interest is compounded, as it is in some instances, the interest will figure up to 52 per cent. a year.

Under date of February 14th the Committee on Banks and Banking received a letter from the Banking Department showing the average net returns or earnings of four different agencies picked at random. The average return on agency A—and this is net after all expenses, including insurance of accounts, had been deducted—was 21.92 per cent. Agency B was 20.64 per cent. Agency C was 24.06 per cent. Agency D was 16.28 per cent. The consolidated net earnings of the four companies' average was 20.12 per cent. In Portland I might say that there is one small loan agency that with a capital of a hundred thousand dollars declared a dividend in 1928 of \$40,000.

This Banking Committee has

gone into this matter very carefully and this bill which is now before the Senate is the outcome of two or three different bills which were introduced in either this branch or the other branch, and one of those bills called for a reduction to, I think, as low as 2 per cent. I may be mistaken but I think it was 2 per cent. However, the committee felt that 3 per cent. was as low as it was advisable to go and therefore recommended that the small loan agencies be permitted to charge not exceeding 3 per cent. This would cut the net earnings of these companies to approximately 15 per cent. after deducting all expenses. I talked with one party from Bangor this last week and he said that while it would cut down his income he was nevertheless perfectly satisfied with the bill and as a matter of fact he didn't know but what it should be done. The average interest rate allowed throughout the various states is 2.99 per cent. a month. Some of the states allow small loan agencies to charge, I think, as low as 1 or 1½ per cent. We feel that to benefit the small borrower—and it is only the small borrower who borrows from these concerns—we should fix a rate of 3 per cent. I am therefore opposed to the order introduced by the Senator from Cumberland (Senator Oakes).

Mr. CROCKETT of York: Mr. President, as a member of the Committee on Banks and Banking I want to say that we approached this question without any prejudice, that we gave it as careful consideration as the time permitted and the bill which we now favor has the unanimous support of our committee. We used our very best effort to present a fair report. The present rate of 3½ per cent.—the so-called scientific rate—is based on the recommendation of the Russell Sage Foundation and when a committee representing the Russell Sage Foundation recommended that rate of interest I think it was generally understood that eventually it would be advisable and proper to lower the rate. Several states have already adopted a lower rate of interest. Massachusetts today is working on a basis of 3 per cent. and a study of local conditions in the time permitted, by the Banks and Banking Committee, indicated that we were justified in recommending a reduction in Maine at this

time. There are thirty-five agencies in Maine today and they have loans outstanding now of approximately a million and a quarter. The volume of business is perhaps larger than some realize.

The larger committees in Maine are part of a general system and their own statements show that they are making today something over 20 per cent. net after all expenses are paid and it is true that they do carry insurance at a low rate of interest protecting them against losses. Some of the small agencies in Maine do not show as large a percentage of profit but I think that is due to the fact that they are operating in many cases at a lower rate of interest than $3\frac{1}{2}$ per cent. We believe that legitimate capital can operate here in Maine at 3 per cent. and it was not the thought of the committee to in any way embarrass the loan agencies. We do not want to annihilate; we simply want to regulate. And in voting on this question I hope the members of the Senate will keep in mind the fact that this bill affects the small agencies, and I may say in that connection that in the State of Maine last year there were over twenty thousand, or approximately twenty thousand small loans made, so it really is a matter of considerable importance and I feel that we gave the matter careful consideration in the committee. I therefore hope that the bill will have the support of the members of the Senate.

Mr. DWINAL of Knox: Mr. President, on the basis of the evidence which was presented to the committee they are amply justified in the report which they have made but I am informed that there is considerable evidence which has not been presented and that the ultimate effect of this bill will be to take business away from the Maine loan agencies having their organization in this State and throw it into the hands of the large loan agencies from outside. I think that the order of the Senator from Cumberland (Senator Oakes) providing for an opportunity to present further evidence and the further study of the situation is a reasonable course to pursue, and I hope that his order will have a passage.

Mr. PAGE: Mr. President, I would like to impress the members of the Senate with the fact that we started in on the hearings on this bill sometime during the first of

February. We have had all kinds of evidence introduced, we have given everybody an opportunity to be heard upon it and I cannot see that the result of any recess committee as suggested by the Senator from Cumberland (Senator Oakes) will be any different report than we have made. I ask for a division when the vote is taken.

Mr. OAKES: Mr. President, I wish to make a correction in the statement that I made that Mr. Annis will be the third member of that committee. It will be the Chairman of the State Banking Commission and not the deputy. Mr. Murchie called my attention to that.

The matter has been one of concern to me for a long time and four years ago I introduced a bill of similar nature to reduce the percentage that would be allowed these small loan agencies. At a previous year this matter was considered by the Legislature but I remember very distinctly the hearing that we had four years ago. At first blush it seems that 42 per cent is an enormous amount to charge as interest on loans and it seems exorbitant and unreasonable. On the other hand we all realize that these small loan agencies are meeting a need in a community that there is no other way to reach. People who have emergencies in their families require a small amount of money and haven't adequate security and these small loan agencies loan money at a risk that the banks and other people who have money to invest do not wish to take, and the result is that in order to induce them to take these chances and to make these loans they have to be allowed a return that is greater than we would expect to get from a gilt-edged security.

The committee that had the bill that I introduced four years ago went over it very carefully and the committee and I, myself, were convinced that I was wrong, that it was not advisable to attempt to reduce the amount of interest charges from $3\frac{1}{2}$ per cent to any lower amount, that by doing so we would simply make it harder for a poor man who needed emergency money to be taken care of. Now, since that time, as I understand the situation, large national agencies have grown up which by perhaps more efficient methods are able to make a better income than was possible in the

past. These agencies as I understand, according to at least one method of figuring—but there is some difference of opinion as to the method at which it should be figured—but according to one method of figuring they are making 20 or 21 per cent. Under another method of figuring they are making something less. In any event, today, one-half of one per cent reduction in the interest charges would reduce the percentage of net profit 5 per cent. Now, we have in our state, of the thirty-five agencies doing business, about twenty-nine, as I remember, that are local agencies—small agencies—and that twenty-nine, as I understand, averages to make a return now of 13 per cent, but taking 5 per cent from that would reduce their net earnings to 8 per cent and I do not believe that would be sufficient to induce them to do business. In other words it would turn out of business the local people and give it into the hands of these large—and I will say efficient—agencies. It does not seem to me at all clear that this time that we are ready to make this change. I recognize the effort that the Banking Committee has put into it and I recognize the ability of that committee. At the same time I myself am not convinced that the matter has been sufficiently analyzed so that we are justified in making a change at this time. I therefore think that this order is an advisable method of procedure.

Mr. NOYES of Kennebec: Mr. President, Jones pays the freight and it looks to me as though if we can reduce the expense so that the men putting up the money will still make 15 per cent, we are relieving the man who pays the interest. I hope the order will not pass.

Mr. MINOTT of Cumberland: Mr. President, I would like simply to speak in support of the Committee on Banks and Banking. As one who has lived in Portland and South Portland for quite a number of years and has had an opportunity to observe some of the happenings I will say that I believe that the Committee on Banks and Banking has given this matter full and careful consideration and in view of what I have seen and what I believe there is need to protect the small borrowers.

Mr. CROCKETT: Mr. President, in answer to the statement of the Senator from Cumberland, Senator Oakes, I would like to make this statement, that a report from the Banking Department showing that we have twenty-nine small loan agencies here in Maine operating independently says that they show an income of 13.78 per cent which is approximately, as I understand it, according to the statement of the Senator from Cumberland, Senator Oakes, but it should be kept in mind that these agencies are not all charging 3 1-2 per cent interest on the loans they are making. The department is unable, without considerable research, to tell what percentage of their loans are made at a smaller rate of interest but it is thought that a considerable percentage of their loans are based on a small rate of interest and therefore I think they would not suffer so much under this bill as would seem apparent from the statement of the Senator from Cumberland (Senator Oakes.)

The PRESIDENT: The question before the Senate is on the motion of the Senator from Cumberland, Senator Oakes, that the order receive a passage, and the Senator from Somerset, Senator Page, has asked for a division.

A division of the Senate was had. Eight having voted in the affirmative and nineteen in the negative the order failed of passage.

Mr. PAGE: Mr. President, I move that the unanimous report of the committee be accepted.

The PRESIDENT: The Chair will state that the bill is still on the table, tabled by the Senator from Cumberland, Senator Oakes.

Thereupon, on motion by Mr. Oakes of Cumberland the bill (H. D. 813) was taken from the table.

Mr. OAKES: Mr. President, I yield to the Senator from Somerset, Senator Page.

Thereupon, on motion by Mr. Page of Somerset, the report of the committee "ought to pass" was accepted and the bill received its first reading.

On further motion by the same Senator the rules were suspended and the bill received its second reading and was passed to be engrossed.

On motion by Mr. Weeks of Somerset, the Senate voted to take from the table, an act to revise the Inland Fish and Game Laws (S. D. 412) tabled earlier in today's session by that Senator pending adoption of Senate Amendment A.

Mr. WEEKS of Somerset: Mr. President, I yield to the Senator from Piscataquis, Senator Leland.

Mr. LELAND of Piscataquis: Mr. President, I would like to inquire if there is to be an afternoon session. Is there any likelihood of that?

The PRESIDENT: It is the opinion of the Chair that there will be an afternoon session. The Senate will probably recess until four o'clock.

Mr. LELAND: Mr. President, I have an amendment to offer to this bill that will not be ready until this afternoon and I would like to have this retabled until then.

The motion to retable prevailed.

The following communication was received:

"STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA

April 10, 1929

To the Honorable Senate and
House of Representatives:
I return without approval

"RESOLVE, Appropriating Money to Pay Claims Allowed by the Committee on Claims."

This is a "blanket resolve" composed of sixty-one items. About forty of these are pauper claims that might properly be grouped and passed on together. The rest are claims of a miscellaneous nature that have no relation to pauper matters, and should be considered on their respective merits. The executive has no power to consider any separate item in this resolve, the only course is to approve the whole or veto the whole. It is one of the gravest responsibilities of the executive office to affix approval to acts and resolves. It would seem to be the spirit of the constitutional provision that matters be submitted to a governor in such shape that he may give them proper consideration and have an opportunity to perform his duties in accordance with his oath of office.

Some of these miscellaneous

claims I do not approve and I have no alternative but to return the whole resolve.

In 1923 a "blanket" claim resolve was vetoed but passed over the veto. In 1925 a "blanket" claim resolve was again presented and the executive adopted the effective method of a "pocket veto." This latter course might be open to me in the event of your early adjournment. But I prefer to state to you my objections to a practice that seems contrary to the interest of the taxpayers of the State and contrary to orderly procedure under the constitution that gives us our respective duties.

Respectfully submitted,
(Signed)

WM. TUDOR GARDINER."

(On motion by Mr. Dunbar of Hancock the communication was tabled and assigned for this afternoon.)

The PRESIDENT: As there is no further business to come before the Senate at this time the Chair will declare a recess until four o'clock this afternoon.

After Recess

The Senate was called to order by the President.

From the House, out of order: Report of the Committee of Conference, on the disagreeing action of the two branches of the Legislature on "Resolve in favor of Edward J. Carroll and Alice Janet Carroll (H. P. 1698) (H. D. 766) reporting that they are unable to agree.

Comes from the House, report read and accepted.

In the Senate, the report was accepted and that body voted to adhere.

From the House, out of order: Report of the Committee of Conference, on the disagreeing action of the two branches of the Legislature, on "Resolve in favor of H. E. Houdlette, administrator of the estate of Benjamin Owen Emmons, late of Richmond, county of Sagadahoc, deceased (H. P. 1696) (H. D. 756) reporting that the Senate recede and that the resolve have passage, provided that the amount named therein, to wit: twenty-five

hundred dollars (\$2500.00) be amended to read two thousand dollars.

Comes from the House, report accepted, resolve passed to be engrossed, as amended by House Amendment A, in non-concurrence.

In the Senate, on motion by Mr. Carlton of Sagadahoc the report of the Committee on Conference was accepted.

The PRESIDENT: It is now the pleasure of the Senate to recede from its former position of indefinite postponement in accordance with the recommendation of the Committee on Conference?

Mr. OAKES of Cumberland: Mr. President, I am not going to argue this one way or the other. I think I should call the attention of the Senate to the fact that as a member of the Committee on Conference I did not sign the report of that committee.

Mr. MURCHIE of Washington: Mr. President, when the vote on indefinite postponement is taken I will ask for a division, because while I suppose the report will be accepted I cannot see any difference between the principle whether the amount be \$2500 or \$2000 and I would like to be counted as against the resolve.

The PRESIDENT: The Chair will state that the report of the Committee on Conference has been accepted. The question now before the Senate is the taking of the necessary steps to carry out the recommendations of the Committee of Conference. Is it the pleasure of the Senate to recede from its former position of indefinite postponement? A division has been called for.

A division of the Senate was had.

Fifteen having voted in the affirmative and seven in the negative, the recommendation of the Committee of Conference that the Senate recede from its former position of indefinite postponement was adopted.

Thereupon, House Amendment A to House Document 756 was read and adopted and the resolve as so amended was passed to be engrossed in concurrence.

From the House, out of order: Resolve in favor of Lloyd W. Hickey to reimburse him for injury and

expense incurred while in the employ of the State of Maine (H. P. 1647) (H. D. 670)

(In the Senate, on April 8th, the order recalling the resolve from the Governor received a passage in concurrence.)

Comes from the House, that branch having reconsidered its former action whereby the resolve received a final passage, and having subsequently indefinitely postponed the resolve.

In the Senate:

Mr. WEATHERBEE of Penobscot: Mr. President, I will state for the benefit of the Senators that arrangements have been made with the Governor for taking care of the subject matter in another way. The arrangements are very satisfactory to the counsel of Mr. Hickey and I move that we concur with the House.

The PRESIDENT: The Senator from Penobscot, Senator Weatherbee, moves that the Senate reconsider its former action whereby this resolve was finally passed. Is this the pleasure of the Senate?

The motion to reconsider prevailed.

Thereupon, on further motion by the same Senator the Senate voted to concur with the House on the indefinite postponement of the resolve.

From the House: Bill, an act with reference to tuberculous prisoners (H. P. 1572) (H. D. 579) which was passed to be engrossed as amended by Senate Amendment A in non-concurrence, in the Senate April 3rd.

Comes from the House, referred to the next Legislature in non-concurrence.

In the Senate, on motion by Mrs. Pinkham of Aroostook, tabled pending consideration and tomorrow assigned.

Additional paper from the House, out of order, disposed of in concurrence.

House Bills in First Reading

An act with reference to the personnel of the State Budget Committee (H. P. 1752) (H. D. 823)

An act relating to the pollution of the waters of Carleton Pond (H. P. 15) (H. D. 822)

(The rules were suspended and the two foregoing bills were given

their second reading and passed to be engrossed.)

From the House: Report of the Committee on Legal Affairs, on bill "An act to provide a town manager for the town of Winthrop in the county of Kennebec" (H. P. 863) (H. D. 286) reporting that the same ought to pass.

Comes from the House, passed to be engrossed as amended by House Amendment A.

In the Senate, the report was read and accepted in concurrence and the bill was given its two several readings under suspension of the rules; House Amendment A was read and adopted in concurrence, and the bill as so amended was passed to be engrossed in concurrence.

An Act amendatory of and additional to existing legislation relating to the State Park, and to the Superintendent of Public Buildings (H. P. 1750) (H. D. 824)

(The rules were suspended and the bill was given its second reading and passed to be engrossed)

From the House: Report of the majority of the Committee on Legal Affairs, on bill "An Act barring professional Sunday sports and allowing recreation that does not disturb and annoy the nearby public" (H. P. 1503) (H. D. 528) reported the same in a new draft, under the title of "An Act to provide for the appointment of a Commission to recommend changes in the Sunday Law" (H. P. 1748) (H. D. 820) and that it ought to pass.

(Signed) CROSBY
BLAISDELL
MURCHIE
BURKETT
PEACOCK
SARGENT
TAYLOR
BELLEAU

The minority of the same Committee, on the same subject matter, reported that the same ought not to pass.

(Signed) DWINAL
JACK

Comes from the House, majority report "ought to pass in new draft" accepted, bill passed to be engrossed.

In the Senate, on motion by Mr. Crosby of Penobscot, the majority report "ought to pass in new draft" was accepted, and the bill received its first reading.

Thereupon, on further motion by the same Senator the rules were suspended and the bill was given its second reading and passed to be engrossed in concurrence.

The following communication was received:
"STATE HIGHWAY COMMISSION
STATE OF MAINE
AUGUSTA

Petition of Right

To the Honorable Members of the Eighty-fourth Legislature:

I, Charles Murray, one of the members of the State Highway Commission of the State of Maine, respectfully represents:

1. That on the sixth day of March, 1929, Honorable William Tudor Gardiner, Governor of Maine, presented to the joint session of the Legislature a message pertaining to the State Highway Commission, incorporated in which was a letter from the Honorable William Jardine, Secretary of Agriculture for the United States of America, in which the said Secretary of Agriculture made certain charges of inefficiency and corruption against the State Highway Commission. In said message the Governor stated that he had asked for the resignation of the several members of the Highway Commission.

2. That on the same day, to wit, the sixth day of March, 1929, the Governor of the State of Maine demanded of the several members of the Highway Commission their immediate resignations.

3. That on the sixth day of March, 1929, each of the said commissioners notified the Governor of the State of Maine that they would not resign their official positions.

4. That on the seventh day of March, 1929, the members of the Highway Commission sent to the Governor of the State of Maine a joint communication, in which they set forth their position in regard to the Highway Controversy, declaring their innocence of any wrong doing, and asking the Governor to present any further evidence he had of their alleged wrong doing to the Legislature.

5. That the Governor has not presented any further evidence to the Legislature.

6. That the Governor has informed the members of his Council that he has no further evidence against the Highway Commission

than that contained in his joint message hereinbefore referred to.

7. That on the fifteenth day of March, 1929, a joint order was passed by the Legislature authorizing a committee to be appointed for the purpose of investigating the affairs of the Highway Commission and presenting their findings with recommendations to the Legislature.

8. That on the same day, to wit, the fifteenth day of March, 1929, a joint committee, consisting of three members of the Senate and seven members of the House, was appointed by the respective presiding officers.

9. That said committee from the date of appointment to the eighth day of April, 1929, continued their investigations and summoned many witnesses to give evidence at secret hearings before said committee.

10. That on the ninth day of April, 1929, said committee made a report to the Legislature, in which they found "no sustainable charges against any member of the Commission," also that "The Committee recommends that no process for removal by address to the Governor and Council be instituted against either of the present Commission, Clyde H. Smith, Charles Murray and Edwin T. Clifford."

11. That in said report the committee made the further finding that "There has been under it an evident lack of harmonious cooperation on the part of the members of the Commission. There has been throughout the whole Highway Department a disorganization, friction and turmoil, there has been undue domination by one member of the Commission, and an incompatibility among the members of the Commission inevitably leading to an ineffective administration of the whole department."

12. That your petitioner says that since Clyde H. Smith became a member of the Commission there has been harmonious cooperation on the part of all members of the Commission, that there has been no disorganization, friction or turmoil throughout the Highway Commission, and that there has been no incompatibility among the members of the Commission. Your petitioner further says that no one member of the Commission has exerted any undue domination over the Commission, nor has any one member

of the Commission attempted to use such domination.

13. That during the session of the Eighty-third Legislature a committee was appointed to investigate and hold hearings in connection with the Highway Commission that said hearings were held by said committee in public.

14. That said committee reported to the Legislature that there was no evidence of wrong doing on behalf of any member of the Commission, which report was accepted by the Legislature.

15. That regardless of this investigation and public hearing by a committee of the Eighty-third Legislature, certain members of the House of Representatives have at the present session publicly charged on the floor of the House that the said committee of the Eighty-third Legislature "whitewashed" the members of the Highway Commission. This report of "whitewashing" the Commission has been echoed by several newspapers in the State and belief in the same is shared by many citizens.

16. That in view of this situation it is the belief of your petitioner that if the Report of the Spear Committee is accepted and no further hearing held the same will be most unsatisfactory to the public and the stigma of suspicion will remain upon him.

17. That it is the belief of your petitioner that the only method by which this matter can be satisfactorily handled from the viewpoint of the Legislature, the Highway Commission and the citizens at large, is to have a full and complete hearing of all the facts.

Now, Therefore, in the exercise of his ancient right of petition to redress a wrong, your petitioner respectfully petitions and prays that this Honorable Body may grant a public hearing, at which evidence may be presented by any person concerning or pertaining to the communications from the Department of Agriculture in Washington, and concerning any act of dishonesty or inefficiency on the part of the Highway Commission, at which time any member of the Highway Commission may have a right to appear and defend such charges as have been made against them by the Secretary of Agricul-

ture or in the report of the Spear Committee.

Respectfully submitted,
(Signed) CHARLES MURRAY
Member, State Highway Commission.

Comes from the House, read and ordered placed on file.

In the Senate, on motion by Mr. Spear of Cumberland, tabled pending consideration.

(The Senate resumed under Orders of the Day.)

The President laid before the Senate, Veto Message from the Governor on "Resolve appropriating money to pay claims allowed by the Committee on Claims," tabled earlier in today's session by Mr. Dunbar of Hancock and this afternoon assigned.

Mr. DUNBAR of Hancock: Mr. President, I would like to have this retabled until tomorrow morning.

Mr. MURCHIE of Washington: Mr. President, on that I ask for a division.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Hancock, Senator Dunbar, that the veto message of the Governor be laid upon the table and tomorrow assigned. The Senator from Washington, Senator Murchie, asks for a division.

A division of the Senate was had. Twenty-three having voted in the affirmative and none in the negative the motion to retable and assign prevailed.

On motion by Mr. Leland of Piscataquis, the Senate voted to take from the table, an act to revise the inland fish and game laws, (S. D. 412), tabled on April 9th by Mr. Leland of Piscataquis, pending adoption of Senate Amendment A; and on further motion by that Senator, Senate Amendment A was adopted.

Thereupon the same Senator offered Senate Amendment B and moved its adoption.

"Senate Amendment B to Senate Paper 767, entitled 'An Act to Revise and Simplify the Inland Fish and Game Laws of the State.'"

"Amend Section 16 by adding at the end thereof the following:

The following waters in the County of Piscataquis are closed to all fishing: Wilson Stream from Earley's Pool to Tobey's Falls, Al-

mon Stream and Big Squaw Pond; tributaries to Moosehead Lake except Moose River; tributaries to Ship Pond Stream above Bucks Falls to the screen at its source; tributaries to Upper or Lower Wilson Ponds and the Stream between the two ponds; tributaries to Long Pond Stream; tributaries to Wilson Stream between Earley's Salmon Pool and Tobey Falls, except Davis Stream, which is open above its junction with Hathaway Brook; tributaries to Kingsbury Pond.'"

"Amend Section 20 by adding at the end thereof the following:

'Provided, however, that in the County of Piscataquis all of the following named lakes and ponds: Ambajejus Lake, the Bennett Ponds, Big Benson Pond, Big Houston Pond, Chesuncook and Caribou Lakes, Center Pond, Carpenter Pond, the Four Davis Ponds, Debsconeag Lake, Eagle Lake, Estes Pond, East and West Ebemee Ponds, First and Fourth Buttermilk Ponds, Grand Lake, Large Greenwood Pond, Joe Mary Lake, Kingsbury Pond (which lies partly in Somerset County), Lobster Lake, Millinocket Lake, Moosehead Lake, Munsungun Lake, Nahmakanta Lake, Northwest and Harlow Ponds, Pemadumcook Lake, Piper Pond, Passamagormac Pond, Ragged Lake, Schoodic Lake, Sebec Lake, Second Lake, Onawa Lake and Seboeis Lake, shall be open to ice fishing through the ice (1) for pickerel at all times; (2) for trout, togue, salmon, white fish and white perch during the months of February, March and April.'"

Mr. LELAND: Mr. President, unless it is desired to have the amendment read, I would yield to the Senator from Sagadahoc, Senator Carlton.

Mr. SPEAR of Cumberland: Would the Senator state in substance what the amendment is, Mr. President?

Mr. LELAND: Mr. President, I think the substance of it is that some of the provisions of the law do not apply to Piscataquis County.

Senate Amendment B was adopted.

Mr. LELAND: Mr. President, I now yield to the Senator from Sagadahoc, Senator Carlton.

Thereupon Senator Carlton offer-

ed Senate Amendment C and moved its adoption.

"Senate amendment C to Senate Paper 767, entitled: 'An act to revise and simplify the Inland Fish and Game laws of the State.'

"Amend section 38, by adding in the seventh line thereof, after the word 'inclusive' the following:

'except in the counties of Sagadahoc, Lincoln and Knox, the closed season on partridge shall be from the first day of December to the thirtieth day of September of the following year, both days inclusive.'

"Amend Section 62 by striking out in the first line thereof the word 'whoever' and inserting in place thereof the following:

'whoever in the counties of Sagadahoc, Lincoln and Knox from the fifteenth day of February to the first day of December, both days inclusive, and whoever in the other counties of the State.'"

Senate Amendment C was adopted.

Mr. WEATHERBEE of Penobscot: Mr. President, I have an amendment to offer and I move its adoption. I will say that this amendment pertains to the waters in Franklin County and I present it at the earnest solicitation of the people of that county who are interested in the sporting interests there.

Thereupon that Senator presented Senate Amendment D:

"Senate Amendment D to Senate Document 412. Amend Senate Paper 767, Senate Document Number 412 entitled 'An act to revise and simplify the Inland Fish and Game laws of the State' as follows:

"Insert before the word 'those' in the first line of Section Seventeen, the words 'except as hereinafter provided,'.

"Insert after line four of Section Twenty-one, the following paragraphs:

"Closed Waters. The following tributaries are closed to all fishing, to Bigelow Pond in Wyman Town; Clearwater Pond in Farmington; Dodge Pond in Rangeley; Dutton Pond in Kingfield; Long Pond or Crescent Lake in Sandy River Plantation; Kennebago Lake and Little Kennebago Lake except Little Kennebago Stream; Mooselucmeguntic except Rangely Stream from Indian Rock to Big Eddy and from Union Water Power Company

Dam to Rangeley Lake; and Kennebago River, from Indian Rock to Dam of Oquossoc Light & Power Company; Mud Pond in Tim Pond Town; Rangeley Lake; Round Pond; Tim Pond; Saddleback Lake or Dead River Pond; Staples Pond in Temple; Tufts Pond in Kingfield; Varnum or North Pond in Temple and Wilton; Webbs Pond, except Alder Brook above Hildreth's Mill Dam; Cupsuptic Lake except Cupsuptic River from mouth to foot of Little Falls and from Head of Little Falls to foot of Big Falls; Upper and Lower Richardson Lakes in Oxford County and Richardson Pond in Adamstown.

The following waters are closed to all fishing; Big Inlet Brook; Blanchard Brook; Bog Stream; Coos Brook; Outlet of Dutton Pond down to Reed's Falls; Flatiron Brook; Holland Brooks below its junction with Coos Brook; Norton Brook; Otter Brook; Outlet of Tufts Pond down to Alder Stream; Wilbur Brook; Bent's Pond; Staples Pond.

"Amend Section 21 by adding at the end thereof the following:

'Fly fishing only is permitted in the following waters in the County of Piscataquis: Frost Pond, Windy Pitch Pond, Dacey Pond, Lily Pad Pond, Alton Pond, Little and Big Beaver Ponds, Polly Pond, Big Lyford Pond, Blood Pond, West Branch Ponds T. A. R. 12, Mirror Pond, Spencer Pond, Big and Little Rocky Pond, Kidney Pond, Lost Pond, Grassy and Elbow Ponds, Foss or Knowlton Pond, Slaughter Pond, Jackson Pond, Duck Pond, Horseshoe Pond and Rum Pond.

'A bag limit of six fish to be taken by fly fishing on a hook not larger than the size numbered eight in the waters of Sourdnhunk Lake, Little Sourdnhunk Lake, Sourdnhunk Stream between Sourdnhunk Lake, West Branch of the Penobscot River is imposed.

'Fishing in the waters of Garland Pond from the fifteenth day of June to the fifteenth day of September only is permitted.

'Bait fishing is prohibited in all waters in Township A and B, Range 11.

'Fishing from a stationary boat in Earley's Pool from the Island to the Falls is prohibited.'

Senate Amendment D adopted.

Thereupon Mr. Wheeler of Oxford offered Senate Amendment E and moved its adoption:

"Senate Amendment E to Senate Document 412, Senate Paper 767. It shall be unlawful to take, catch, or kill more than three (3) pounds of fish in all, not to exceed ten (10) fish, in the Magalloway waters, or tributaries thereto, in Oxford County."

Senate Amendment E was adopted.

Thereupon Mr. Bragdon of Aroostook offered Senate Amendment F and moved its adoption:

"Senate Amendment F to Senate Paper 767, entitled 'An act to revise and simplify the Inland Fish and Game Laws of the State.' Amend Section 2 by adding after the word 'game' in the second line, the words: 'who shall have been a legal resident of this state for at least three years next preceding his appointment.'"

Senate Amendment F was adopted.

Mr. WEATHERBEE of Penobscot: Mr. President, I wish to offer Senate Amendment G. This also refers exclusively to Franklin County. I move its adoption:

"Senate Amendment G to Senate Document 412. Amend Senate Paper 767, Senate Document Number 412, entitled 'An act to revise and simplify the Inland Fish and Game Laws of the State,' as follows:

"Insert after the word 'acts' at the end of line five in the first paragraph of said document, the words 'except as hereinafter provided.'

"Insert after the word 'birds' in the seventh line of said first paragraph, the words 'except as herein-after provided.'

"Strike out the word 'being' and insert in place thereof the word 'are,' in line one of the second paragraph of Section One.

"Insert a colon after the word 'waters,' and strike out the words 'shall be open to ice fishing on January fifteenth to February first, inclusive:' in lines one, two and three of the second paragraph of Section One.

"Strike out the words 'all ponds and lakes other than stocked waters, so listed by the Commissioner, shall be open to ice fishing through the ice until February first,' following '(1)' in lines one, two and three of Section twenty, and insert in place thereof the words, 'all waters

open to ice-fishing under existing statutes, whether stocked or not, shall be open to ice-fishing through the ice for the periods now specified in such respective statutes.'

"Strike out the words 'all stocked ponds and lakes so listed may be fished through the ice from January 15 to February 1st,' following '(2)' in lines three, four and five in Section twenty, and insert in place thereof the words, 'all waters closed to ice-fishing under existing statutes, whether stocked or not, shall remain so closed under the provisions hereof as if such statutes were incorporated herein.'"

Senate Amendment G was adopted.

Thereupon the same Senator offered Senate Amendment H and moved its adoption:

"Senate Amendment H to Senate Document 412. Amend Senate Paper 767, Senate Document Number 412, entitled 'An act to revise and simplify the Inland Fish and Game Laws of the State,' as follows: Strike out the word 'fifteen' in line seven of Section nineteen and insert the word 'five.' Strike out the word 'five' in line nineteen of Section twenty-eight and insert the word 'fourteen.'"

Senate Amendment H was adopted.

Mr. WEATHERBEE: Mr. President, I have one more amendment which is to correct a clerical error in the bill. I offer Senate Amendment I and move its adoption:

"Senate Amendment I to Senate Document 412. Amend Senate Paper 767, Senate Document Number 412, entitled 'An act to revise and simplify the Inland Fish and Game Laws of the State,' by striking out the letter 'G' in line six of the second paragraph of section twenty-one and inserting in place thereof the letter 'C.'"

Senate Amendment I was adopted.

Mr. DOUGLAS of Hancock: Mr. President, I have an amendment to offer and move its adoption, and speaking to the amendments I have this to say: That this forenoon in a bill that went through equally as many changes were made but they were made on one sheet of paper. While sometimes we suffer perhaps from the hands of friends, I feel I have not suffered in this bill by my friends. I feel that all of the amendments are for a definite purpose and the minds of everyone who

offered them. While some of us might have smiled, they were the earnest efforts to put before this body a good bill. I believe that perhaps at the end of two years some of those things may be taken off.

To my mind you have today in accepting those amendments cleared up a situation which has been apparent to many of us for a number of years and that was that there was no definite idea of what you could fish or hunt for or when or how you could fish or hunt. This bill as amended in the different sections, when printed will give you, to my mind, an ideal bill, from the fact that when printed if you are looking for any particular thing you can find it under the different sections and I wish at this time to thank my fellow members who have today and yesterday ably assisted me with the best of wishes in their heart, and I know it.

Mr. SLOCUM of Cumberland: Mr. President, may I inquire if the last amendment has been adopted?

The PRESIDENT: The Chair will state that Senate Amendment J has not been adopted. Does the Senator desire to have this amendment read?

Mr. DOUGLAS: Perhaps I can explain it. It is one of the counties inadvertently left out. It applies to Franklin county.

"Senate Amendment J to Senate Amendment "A" to Senate Document 412, Senate Paper 767. Strike out, after the words 'Cumberland County' on the first page of said Senate Amendment "A," the following:

**'FRANKLIN COUNTY
FLY FISHING ONLY.**

'Fly fishing only in all waters of following towns with bag limit of six fish except as hereafter noted in Franklin and Oxford counties: Massachusetts Gore; Seven Ponds Town; Stetson Town; Davis Town; Lower Cupsuptic Town; Sandy River Plantation; Magalloway Plantation; G. Town; Tim Pond Town; Parker Town; Upper Cupsuptic Town; Adamstown; Richardson Town; Rangeley Town; Rangeley Plantation; Dallas Plantation; Lincoln Plantation; Lang Town; and in Four Ponds in D & E Towns.

'The following are exceptions to the foregoing paragraph: (a) a bag limit of one fish on Kennebago River, Rangeley Stream, outlet of Mooselucmeguntic Lake and five pounds or one fish in Rapid River and Pond in the River. (b) A bag limit of ten

pounds on Rangeley Lake, Mooselucmeguntic Lake, Upper and Lower Richardson Lakes. (c) Trolling also permitted in Rangeley Lake, Mooselucmeguntic Lake, Upper and Lower Richardson Lake. (d) Plug fishing from shores and wharves also permitted in Mooselucmeguntic Lake and Upper and Lower Richardson Lakes and Rangeley Lakes from June 15th to September 1st. Fly fishing only is permitted in Alder Stream and in the tributaries thereof and in the tributaries to Carra-basset River except West Branch and Lemon Stream.'

Senate Amendment J was adopted.

Mr. SLOCUM: Mr. President, I wish to offer Senate Amendment K and I move its adoption. That amendment, I might state, corrects a section of the bill which if worded as is, would, in the opinion of some members not be acceptable and it changes the definition of a resident. It strikes out a few words regarding the having of deer in lumber camps. It is an unfortunate wording that has been corrected.

"Senate Amendment K to Senate Document No. 412. Amend Senate Document No. 412, Senate Paper No. 767, An act to revise and simplify the Inland Fish and Game Laws of the State, by striking out in lines 43 and 44 of Section 1 the words 'has given up any residence outside the state', and by striking out in line 5 of Section 54 the words 'or serve to any employee thereof' and inserting these words after the word 'time' in line 4 of said Section."

Senate Amendment K was adopted.

Mr. SLOCUM: Mr. President, I wish to offer Senate Amendment L and move its adoption. L takes care of the brook trout. There seems to be considerable objection in some quarters to the seven inch limit and this takes out the seven inch limit and puts on a bag limit for the first twenty fish caught.

"Senate Amendment L to Senate Document No. 412. Amend said bill and act by striking out the words 'seven inches' in the third line of Section 18 and replacing therefor the words 'bag limit, first twenty fish taken'."

Senate Amendment L was adopted.

Thereupon Mr. Slocum of Cumberland offered Senate Amendment

M and moved its adoption:

"Senate Amendment M to Senate Document No. 412. Amend said bill and act by adding after the word 'clerk' in the 14th line of sub-section 2 of Section 35, and after the word 'clerk' in the 16th line of sub-section 2 of Section 36, the following:—'Nothing in this act shall invalidate the Resident Hunting and Fishing Licenses or Registrations in force prior to May 1, 1929'."

Mr. SLOCUM: Mr. President, addressing myself to the motion of the adoption of that amendment, I wish to confirm what the honorable Senator from Hancock, Senator Douglas has said. I consider this measure on which he has worked so hard and faithfully is a monument to his legislative career. At one time men raised monuments of stone and bronze to honor men. Today we raise monuments of buildings and bridges to recognize their service. I believe this measure is a monument to the monumental work of Senator Douglas and it is in the hopes that this measure may pass that these different amendments have been introduced.

I can assure the honorable Senator from Hancock, Senator Douglas that he does not stand alone, and I am sorry to have to disagree with him with reference to the last amendment.

I fear that it will not be satisfactory to him, but on the matter of principle that these resident hunting and fishing licenses which were bought in good faith by citizens of the State of Maine with the understanding that they were to be good as long as those citizens remain bona fide residents of the State of Maine. I do not think that we can ethically invalidate those licenses at this time and I do not believe that it will so emaciate the bill and the principle behind the bill that it will nullify the good work that will be accomplished. I am very heartily in accord with the principle behind this measure and I hope my motion to adopt the last introduced measure will prevail.

Mr. DOUGLAS: I hope you will pardon me for speaking perhaps too many times on this measure that is perhaps dearer to me than some others. I would be lacking in feeling if I did not answer the Senator from Cumberland (Senator

Slocum) in appreciation of the kind words he has said about me, but he has attacked one of the vital things in the bill that will give us money with which to carry on and propagate our fish and game. I will not touch upon the validity of those contracts, so-called, certificates or whatever they are.

We have it from the Attorney General that they are only so good as the act under which they are passed is good, and I am standing on the ground that no man who takes a rod in his hand or a gun, can go into the woods in Maine, a native of Maine who knows it is one of the greatest and grandest resources we have and which brings us in new money,—he should be patriotic enough to forego that twenty-five cents he paid ten or twelve years ago and pay sixty-five cents, knowing that fifty of that sixty-five cents goes into propagation of our fish and game.

I do not feel that there is a person within the sound of my voice, who for one minute would hesitate to give fifty cents to any man for any worthy cause. Why not give fifty cents,—give fifty cents every year so that when you go fishing you will be able to catch more fish than you catch now? I hope the amendment in regard to the contracts will not be approved.

Mr. SLOCUM: Mr. President, I agree with the Senator from Hancock, Senator Douglas, that we have the legal right to invalidate these present resident hunting and fishing licenses. I do not agree with him that we have a moral right. I further feel that we are endangering the good work of this measure if we invalidate those resident licenses and in the interests of saving the whole, I hope that this amendment will be adopted. I fear that the revenue is not going to be as great as some expect if the resident licenses now in force are allowed to remain in force. I think you will find that the average patriotic citizen who holds at present a resident license and who desires to see more money come into the department will tear up his license and buy the new resident license at sixty-five cents a year.

The PRESIDENT: The question before the Senate is on the motion

of the Senator from Cumberland, Senator Slocum.

Mr. WEEKS of Somerset: Mr. President, I ask for a division.

The PRESIDENT: The Senator from Somerset, Senator Weeks asks for a division. The question before the Senate is on the motion of the Senator from Cumberland, Senator Slocum that Senate Amendment M to Senate Document No. 412 be adopted.

A division of the Senate was had.

Eight having voted in the affirmative and sixteen in the negative, the motion to adopt Senate Amendment M was lost.

Mr. Bragdon of Aroostook then offered Senate Amendment N and moved its adoption:

"Senate Amendment N to Senate Document No. 412. Amend said act by striking out all of Section Five of said act."

Mr. PAGE of Somerset: Mr. President, I would like to inquire of the Senator from Aroostook (Senator Bragdon) what that amendment does?

The PRESIDENT: The Senator from Somerset, Senator Page wishes to ask a question through the Chair of the Senator from Aroostook. The Senator from Aroostook may reply if he desires.

Mr. BRAGDON: That section Mr. President, applies wholly to the advisory council and provides that they serve without pay, which can only mean that the policy of the department is to be decided upon wholly by the sporting element regardless of the wishes of the citizens who summer and winter in our State. We have gone along through all of these years fairly well without an advisory council for the commissioner of inland fisheries and game, and I believe that our present Governor, and I have faith to believe it will be the same with future Governors, would be capable of selecting a Commissioner of Agriculture who would not require the assistance of such a council.

Mr. DOUGLAS: Mr. President, may I have permission to speak again in explanation of this section five?

The PRESIDENT: The Chair will state that the question of adopting this amendment is debatable and the Senator is in order.

Mr. DOUGLAS: Mr. President, I wish to correct the Senator from Aroostook, Senator Bragdon, in that he mentioned the Department of Agriculture and meant the Department of Inland Fisheries and Game.

I will have to disagree with the Senator from Aroostook (Senator Bragdon) in explanation that this would be a sportsmen's proposition, and disagree with him perhaps that our Governor supports this proposition, and in explanation of it I will say this: that he selects from each of the councillor districts a man who has the interests of Maine's inland fisheries and game resources at heart, picking a man who is able—he never would pick a non-resident of course—a man who is able to come twice a year and meet with the Governor and Council of Fish and Game and discuss the problems from the different sections of the state, advising where a rearing pool might be advantageous or where game preserves might be advantageous or where some brook might be stocked or where it was necessary to stock a certain lake, advising the Commissioner from his section. Now the Commissioner does not listen to one man from that section, but the seven of them meet together and they decide, and through them collectively, they advise the Commissioner as to what is the right and best thing to do. It is put in there primarily to bring to the attention of the people in the different sections the importance of the inland fish and game resources of Maine, trying in a way to do some advertising. A man who is appointed from a councillor district doesn't necessarily come from the same town or the same county as the member of the Governor's Council for that district comes. He will be appointed through the Governor's best judgment as to his ability to advise and inform the Commissioner. I will say that our Governor is absolutely in accord with this council so-called, of the Inland Fisheries and Game. I don't think it necessary for me to explain anything more in regard to that. We thought it was a grand thing, costing the State nothing, and perhaps getting people in outlying districts more interested in our fish and game.

The PRESIDENT: The question

before the Senate is on the motion of the Senator from Aroostook, Senator Bragdon, to adopt Senate Amendment N.

A viva voce vote being had

The motion to adopt Senate Amendment N was lost.

Mr. WEEKS of Somerset: Mr. President, I have an amendment which I wish to offer and move its adoption.

The PRESIDENT: Does any Senator desire to have the amendment read?

Mr. SPEAR of Cumberland: Mr. President, I would like to know the contents.

Mr. WEEKS: Mr. President, there are two or three general provisions in there that are changed. The first one is so men who trap bob-cats must have licenses. The second one is that the time for hunting foxes is put back one month, to October 15, and the others, as I recall, are matters just affecting Somerset County.

"Senate Amendment O to Senate Document Number 412. 'An act to revise and simplify the Inland Fish and Game Laws of the State.' Amend section 64 of said act by striking out from line 2 of said section the words 'bobcats and.'

"Amend section 62 of said act by striking out from line 2 of said section the word 'November' and inserting in place thereof the word 'October.'

"Amend section 16 of said act by striking out from line 9 of said section the following 'October first' and inserting in place thereof the words 'September sixteenth.'

"Amend section 18 of said act by striking out from line 3 of said section the word 'seven' and inserting in place thereof the word 'six,' and by striking out from line 5 the word 'fourteen' and inserting in place thereof the word 'twelve.'

"Amend section 20 of said act by striking out from line 3 of said section the following 'until February first' and inserting in place thereof the following 'from January fifteenth to February first.'

"Amend section 16 of said act by inserting at the end thereof the following 'The following waters in the County of Somerset are closed to all fishing: Jackson Pond in Concord, Temple Pond in Moscow, Little Long Pond in T. 3, R. 7 known as Parlin Pond Town, Lone Jack Pond, George Durgin Pond and Laird Pond

which ponds are situated in T. 2, R. 6 or Upper Cold Stream tract, so-called, Smith Pond in Brighton Plantation, Little Fish Pond wholly or partly in Holeb Township, and all tributaries to Lake Moxie.'"

Senate Amendment O was adopted.

Mr. WEATHERBEE: Mr. President, an amendment should be offered to Section seventeen in order to carry out the intention of the framer of the bill. I have not the amendment drawn.

Mr. DOUGLAS: That was a clerical error, Mr. President.

Mr. WEATHERBEE: Mr. President, it reads, "Closed Waters. Those waters of the State as shall be designated by the direction of the commissioner of the inland fish and game and be so posted at his direction by appropriate metal signs." It stops right there. It should read, "Those waters of the State, as shall be designated by the direction of the commissioner of the inland fish and game and be so posted at his direction by appropriate metal signs, shall be closed waters."

The PRESIDENT: Does the Senator from Penobscot, Senator Weatherbee, desire to offer an amendment?

Mr. WEATHERBEE: I do if I can have time to make it, Mr. President.

The PRESIDENT: The Chair will declare a short recess, the Senate to re-convene at the sound of the gavel.

After Recess

The Senate was called to order by the President.

Mr. Weatherbee of Penobscot offered Senate Amendment P and moved its adoption: "Senate Amendment P to Senate Document No. 412. Senate Document No. 412 is hereby amended by striking out all of section 17, and by substituting in lieu thereof the following: 'Sec. 17. Closed Waters. Those waters of the State that shall be designated by the direction of the Commissioner of Inland Fisheries and Game and be so indicated at his direction by the posting of appropriate metal signs, shall be closed waters.'"

The amendment was adopted, and the bill as amended by Senate Amendments A to P inclusive, excepting Senate Amendments M and N, was passed to be engrossed.

On motion by Mr. Page of Somerset, the Senate voted to take from the table, An act relating to license fees for small loan agencies (S. D. 300) tabled earlier in today's session by that Senator pending passage to be enacted; and on further motion by the same Senator the rules were suspended and the Senate reconsidered its action whereby this bill was passed to be engrossed.

Mr. PAGE of Somerset: Mr. President, I now offer Senate Amendment A to Senate Amendment A and in explanation I will state that this amendment provides that the license fee of the small loan agencies will be \$50 up to and including \$20,000 of loans outstanding and then \$50 for each \$50,000 additional. The original amendment provided for a fee of \$100 for the first \$20,000 and then \$50 additional for each \$20,000 additional loan.

The PRESIDENT: The Chair will state that in order to amend an amendment the vote adopting the amendment will have to be reconsidered. The Senator from Somerset, Senator Page, moves that the rules be suspended and that the Senate reconsider its action whereby Senate Amendment A was adopted. Is this the pleasure of the Senate?

The rules were suspended and the Senate voted to reconsider its action whereby Senate Amendment A was adopted.

Thereupon, the same Senator offered Senate Amendment A to Senate Amendment A and moved its adoption:

"Senate Amendment A to Senate Amendment A, to Senate Paper 649, entitled 'An Act Relating to Small Loan Agencies.'"

"Amend by striking out the words 'one hundred' in the eighteenth line, and inserting in place thereof the word 'fifty,' and by striking out the word 'twenty' in the nineteenth line, and inserting in place thereof the word 'fifty,' so that said section as amended shall read as follows:

'Sec. 1. No person, copartnership or corporation shall engage in the business of making any loan of money, credit, goods or choses in action in the amount or to the value of three hundred dollars, or less, whether secured or unsecured, and charge, contract for or receive a greater rate of interest than twelve per centum per annum therefor,

without first obtaining a license from the state bank commissioner. Application for such license shall be in writing and shall contain the full name and address both of the residence and place of business, of the applicant, and if the applicant is a copartnership, of every member thereof, or if a corporation, of every officer thereof; also the county and municipality, with street and number, if any, where the business is to be conducted. Every such applicant, at the time of making such application shall pay to the bank commissioner an annual license fee as follows: if no loans have been made or if the average amount of the loans outstanding during the preceding year ending November thirty, has not exceeded twenty thousand dollars, a fee of fifty dollars, and for every additional fifty thousand dollars, or fraction thereof, an additional fee of fifty dollars. The applicant shall also, at the same time, file with the bank commissioner a bond in which the applicant shall be the obligor, in the sum of one thousand dollars with one or more sureties to be approved by said bank commissioner; which bond shall run to the bank commissioner of the State of Maine for the use of the state and of any person or persons who may have a cause of action against the obligor of said bond under the provisions of this act, and shall be conditioned that said obligor will conform to and abide by each and every provision of this act and will pay to the state and to any such person or persons, any and all moneys that may become due or owing to the state and to such person or persons from said obligor, under and by virtue of the provisions of this act. If in the opinion of the bank commissioner the bond shall at any time appear to be insecure or exhausted, or otherwise doubtful, an additional bond in the sum of not more than one thousand dollars satisfactory to the bank commissioner shall be filed, and upon failure of the obligor to file such additional bond, the license shall be revoked by the bank commissioner.'"

The PRESIDENT: Does any Senator desire to have Senate Amendment A to Senate Amendment A read after the explanation of the Senator from Somerset, Senator Page? If not, is it the pleasure of the Senate that Senate Amendment

A to Senate Amendment A be adopted?

Senate Amendment A to Senate Amendment A was adopted; and on further motion by the same Senator Senate Amendment A as so amended was adopted.

Thereupon, the bill as so amended by Senate Amendment A was passed to be engrossed in non-concurrence.

On motion by Mr. Spear of Cumberland, the Senate voted to take from the table, House Report of the Committee on Inland Fisheries and Game "ought to pass" on an act relating to the bounty on porcupines or hedgehogs (H. P. 135) (H. D. 60) tabled earlier in today's session by that Senator pending consideration.

Mr. SPEAR of Cumberland: Mr. President, as I understand it that bill is to repeal the present bounty on porcupines. Is that correct?

The PRESIDENT: The Chair will state that this bill repeals the act.

Mr. SPEAR: Mr. President, I think that this bill should receive a passage and I am going to so move, and in addressing myself to that motion I would like to state that it would appear that as a result of the bounties which we have paid out in the past few years all the porcupines of Maine have been killed off or if they haven't been killed off they have cut up enough skins to make noses and feet so that it would appear that a vast number have been demolished. There has been a great deal of irregularity about this proposition and it has not worked out, I believe, as the proponents of the bill two years ago figured. There are now a number of investigations going on checking up on these matters where they have paid out money in several towns and I understand there is going to be one civil suit brought against the parties in one of the towns in Maine to recover the money that the State has paid out or held up on account of these irregularities. I hope that my motion to pass this bill will prevail.

The PRESIDENT: The Senator from Cumberland, Senator Spear, moves that the report of the committee "ought to pass" be accepted. Is this the pleasure of the Senate?

Thereupon the report of the committee "ought to pass" was accept-

ed and the bill received its first reading and tomorrow assigned for second reading.

Mr. WEEKS of Somerset: Mr. President, in order to place another amendment upon the Fish and Game Bill I will move that we reconsider our vote whereby this bill was passed to be engrossed.

The PRESIDENT: The Senator from Somerset, Senator Weeks, moves that the Senate reconsider its former action of today whereby an act to revise the Inland Fish and Game Laws (S. D. 412) was passed to be engrossed.

The motion to reconsider prevailed.

Thereupon, the same Senator offered Senate Amendment Q and moved its adoption: "Senate Amendment Q" to Senate Document No. 412. Senate Document No. 412 is hereby amended by inserting in line seven of section 19 after the word 'species' the words 'only five of which shall be black bass.'"

Thereupon, Senate Amendment Q was adopted and the bill as amended by Senate Amendments A to Q inclusive, excepting Senate Amendments M and N, was passed to be engrossed.

On motion by Mr. Oakes of Cumberland, the Senate voted to take from the table, an act relating to the operations of motor vehicles on the highways (S. D. 399) tabled earlier in today's session by that Senator pending adoption of Senate Amendment B.

The same Senator then offered Senate Amendment A to Senate Amendment B and moved its adoption: "Senate Amendment A to Senate Amendment B to Senate Paper 742, Senate Document 399. Strike out the word 'may' in the second line of section one, paragraph A of said amendment and insert in place thereof the words 'shall on request.'"

Thereupon, Senate Amendment A to Senate Amendment B was adopted; and on further motion by the same Senator Senate Amendment B as so amended was adopted, and the bill as so amended by Senate Amendment B was passed to be engrossed.

On motion by Mr. Crosby of Penobscot, the Senate voted to take from the table, an act relating to photographs and finger prints of

criminals (H. D. 815) tabled earlier in today's session by that Senator pending passage to be engrossed.

Mr. Crosby of Penobscot offered Senate Amendment A and moved its adoption: "Senate Amendment A to House Document 815. Amend House Document 815 by striking out the last phrase in Section One, namely, 'the violation of any act relating to intoxicating liquors' and by inserting a period after the word 'felony' in the sixth line of said section."

Mr. CROSBY of Penobscot: I would say, Mr. President, that this is the result of a conference between all the interested parties and is satisfactory to all concerned. It confines the taking of finger prints and photographs to those charged with felonies only.

Thereupon, Senate Amendment A was adopted and the bill as so amended was passed to be engrossed, in non-concurrence.

From the House, out of order: Report of the majority of the Joint Committees on Ways and Bridges and Taxation, on bill "An Act relating to a tax on gasoline" (H. P. 1224) (H. D. 412) reporting that the same ought not to pass.

(Signed) DOUGLAS
NICKERSON
STERLING
BOND
LELAND
CARTER
DUNBAR
HAWKES
MERRILL
JONES
BACHELDER
WEBSTER
LOCKE
HAMMOND
MORSE
HATHAWAY

The minority of the same Joint Committees, on the same subject matter, reporting that the same ought to pass.

(Signed) KITCHEN
JACKSON
LOWELL

Comes from the House, minority report "ought to pass" accepted, and the bill passed to be engrossed.

In the Senate, on motion by Mr. Leland of Piscataquis, the majority report "ought not to pass" was accepted in non-concurrence.

From the House, out of order: Report of the majority of the Committee on Ways and Bridges, on bill "An Act to provide funds for the construction of State Highways" (H. P. 1225) (H. D. 409) reporting that the same ought not to pass.

(Signed) BOND
DUNBAR
LELAND
BACHELDER
HAWKES
MERRILL
JONES

The minority of the same Committee, on the same subject matter, reporting that the same ought to pass.

(Signed) KITCHEN
LOWELL

Comes from the House, minority report accepted, and the bill passed to be engrossed.

In the Senate, on motion by Mr. Leland of Piscataquis, the majority report "ought not to pass" was accepted in non-concurrence.

Passed to be Enacted

(Out of Order)

An act to create the Port of Portland Authority (S. P. 751) (S. D. 406)

(On motion by Mr. Oakes of Cumberland, tabled pending passage to be enacted and tomorrow morning assigned.)

On motion by Mrs. Pinkham of Aroostook

Adjourned until tomorrow morning at ten o'clock.