

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-First Legislature

OF THE

STATE OF MAINE.

1903.

reported that they had attended to their duty and that the Governor informed the Senate that he would shortly transmit to the Senate such acts as had been signed by him, and a list of the acts and resolves passed during the present session was subsequently received from the Governor.

The President informed the Senate that the communication of the Governor was addressed to the Senate and House; and Mr. Burleigh of Aroostook, thereupon moved that the communication be sent to the House.

On motion of Mr. Stetson of Penobscot, the Senate adjourned.

HOUSE.

Saturday, March 28, 1903.

Prayer by Rev. Mr. Hope of Augusta.

Paper from the Executive Department:

Augusta, Maine, March 28, 1903.

To the Honorable House of Representatives:

"I have examined the resolve in favor of the town of Fort Kent for the sum of \$1500. I return the same herewith without my approval and desire to submit for your consideration some facts and figures in relation to State finances.

"The estimated income of the State for 1903 is about \$2,100,000 and for 1904 approximately \$2,000,000 a total of \$4,100,000. Appropriations already made and pending aggregate over \$4,650,000—an excess above probable income of \$550,000 and an increase over the amount appropriated by the 70th Legislature for the years 1901 and 1902 of over \$800,000. The amount of cash in the treasury available for the payment of current obligations is less than \$267,000 and nearly all will be required to meet necessary expenditures in excess of current revenues within the next three months.

"Of the above amount about \$44,000 is due to the present Legislature on pay roll. It is evident that unless appropriations now under consideration are materially reduced the State treasurer will be compelled to make a temporary loan and since the constitution does not permit the creation of a State debt in excess of \$300,000 except for war purposes it seems to me most unwise to make any appropriations not absolutely which will result in the creation of a floating debt. We should conduct the business of the State as we would our own affairs. The people demand and expect from us the same careful prudent management which characterizes the administration of every successful private business and that the promise of economy in public expenditures will be fulfilled.

"Those who have been entrusted with the management of State matters will be held strictly responsible for any ex-

cessive or unwise appropriations. We can offer no excuse which will be considered a sufficient reason for a failure to do our whole duty in the fulfillment of the pledges which we have made but the blame will rest upon us if we are faithless to our trust. For the reasons here given I submit this matter for further consideration.

JOHN F. HILL."

On motion of Mr. Littlefield of Rockland, the vote whereby resolve in favor of the town of Fort Kent was finally passed, was reconsidered.

The question being stated "Shall this resolve in favor of the town of Fort Kent become a law notwithstanding the objection of the Governor," the yeas and nays were called.

YEA:—None.

NAY:—Allen of Sanford, Allen of Wellington, Bailey, Barker, Blanchard, Bodwell, Brewster, Briggs, Burrill, Bussey, Butler, Buxton, Buzzell, Cameron, Campbell, Carleton, Clarke of Nobleboro, Clark of Prospect, Coburn, Cole, Cordwell, Davidson, Davis, Dilling, Dodge, Downing, Drew, Dudley, Eaton of Calais, Eaton of Wells, Farnsworth of Pembroke, Farnsworth of Tremont, Favour, Foss, Gannett, Gardner, Haskell, Hayes, Hill of Brownfield, Hill of Winterport, Hinckley, Howe, Howes, Hubbard, Irving, Jones, Josselyn, Kelley, Kimball, Knapp, Knowlton of New Portland, Leavitt, Libby of Mechanic Falls, Libby of Oakfield, Little, Littlefield, Manson, McFaul, McGregor, McIntire, McKusick, Mead, Merriam, Morrison, Nelson, Newcomb, Norton, Oakes of Auburn, Oakes of Milford, Page of Skowhegan, Parrott, Patterson, Peaslee, Perkins, Pettengill, Pike, Pooler, Poor, Potter, Putnam of Danforth, Randall, Reynolds, Rice, Ross, Ruggles, Sargent, Savage, Sewall, Shackford of Harrington, Shackford of Poland, Shaw, Smith of Hartland, Smith of Madison, Smith of Presque Isle, Snowe, Sturgis, Sutherland, Sweet, Tapley, Thomas of Topsham, Thompson of China, Thompson of Orono, Todd, Tremblay, Tripp, Twambly, Waterhouse, Watson, Weeks, Wentworth, White—111.

ABSENT:—Abbott, Albert, Benner, Blake, Boyd, Cook, Curtis, Daniels, Furbush, Gagnon, Greenleaf, Hall, Hawkes, Hill of Buxton, Knowlton of Camden, Lamb, Libby of Newfield, Low, Maybury, McNamara, Mewer, Mills, Nash, Nickerson, Page of Drew Pl., Purinton, Putnam, Houlton, Spear, Stearns, Stover, Sweeney, Tartre, Taylor, Thomas of Harpswell, Thornton, Thurlow, Weatherbee, Williams—38.

So the veto was sustained.

The House committee of conference to which was referred bill, An Act to provide for the representation of the State of Maine at the Louisiana Exposition at St. Louis, Missouri, and mak-

ing an appropriation therefor, report they have failed to agree and ask for further conference.

The report was accepted.

The committee of conference to which was referred bill, An Act relating to taxation on sleeping and palace cars, report that they have failed to agree.

The report was accepted, and on motion of Mr. Thompson of China, the House voted to adhere.

The committee of conference to which was referred the disagreeing vote of the Senate and House on bill, An Act relating to corporations report that they have agreed upon the recommendation that the Senate recede and concur.

From the Senate. Resolve on the pay roll of the Senate. (Read twice and passed to be engrossed under suspension of the rules in concurrence.)

From the Senate: Ordered, the House concurring, that when the Senate and House adjourn, it be to meet on the first day of September, 1903, at 10.30 o'clock in the forenoon.

The order received a passage in concurrence.

The House order directing that the report of the committee on appropriations and financial affairs, reporting that resolve to provide for a geological examination of the State for a possible supply of coal be referred to the next Legislature, be taken from the files, came from the Senate indefinitely postponed.

On motion of Mr. Farnsworth, the House voted to recede and concur.

Resolve in favor of the town of Canton, came from the Senate indefinitely postponed.

On motion of Mr. Kelley of Lewiston, the House voted to recede and concur.

Resolve in favor of the town of Waterford, came from the Senate, that branch non-concurring and consideration of the resolve refused.

On motion of Mr. Barker of Bangor, the House voted to recede and concur.

Resolve to provide for an auditing clerk to the Governor and Council, came from the Senate indefinitely postponed.

On motion of Mr. Josselyn of Portland, the resolve was indefinitely postponed in concurrence.

Resolve in favor of the illustrated lectures on "Picturesque Maine," came from the Senate indefinitely postponed.

On motion of Mr. Buzzell of Old Town, the House voted to recede and concur.

An Act to annex certain islands in Casco bay to the county of Sagadahoc and the town of Phippsburg, came from the Senate amended by Senate amendment A. In the House the vote was reconsidered whereby the bill was passed to be engrossed, Senate amendment A was adopted and the bill was then passed to be engrossed as amended in concurrence.

An Act to fix the salary of the attorney general came from the Senate, that branch non-concurring with the House in the acceptance of the minority report, accepting the majority report.

On motion of Mr. Sewall of Bath, the House voted to insist and asked for a committee of conference.

The Speaker joined on the part of the House Messrs. Sewall of Bath, Weeks of Fairfield, and Pettingill of Rumford.

An Act to fix the salary of the secretary of State, came from the Senate that branch non-concurring with the House in the acceptance of the minority report, and accepting the majority report.

On motion of Mr. Sewall of Bath, the House voted to insist and asked for a committee of conference.

The Speaker joined on the part of the House Messrs. Sewall of Bath, Weeks of Fairfield, and Page of Skowhegan.

An Act to enable the county of Sagadahoc to rebuild Merrymeeting bay bridge, build Arrowsic bridge, and to maintain both bridges free, and accept the People's ferry, and to maintain in conjunction with the county of Lincoln or town of Dresden the ferry between Richmord and Dresden, to operate the same and reduce the tolls by at least one-half, came from the Senate amended by Senate amendment A.

On motion of Mr. Shaw of Bath, the vote was reconsidered whereby this bill passed to be engrossed. Senate amendment A was adopted and the bill was

then passed to be engrossed as amended in concurrence.

An Act in relation to the salary of the recorder of the municipal court of the city of Biddeford, came from the Senate amended by Senate amendment A.

On motion of Mr. Dudley of Augusta, the vote was reconsidered whereby the bill was passed to be engrossed. Senate amendment A was adopted and the bill was then passed to be engrossed as amended in concurrence.

An Act relating to the compensation of examining boards, came from the Senate that branch insisting on its former action in passing the bill to be engrossed to be amended, with a committee of conference appointed on its part.

On motion of Mr. Littlefield of Rockland, the House voted to insist and join a committee of conference.

The Speaker joined on the part of the House Messrs. Littlefield of Rockland, Drew of Portland, and McGregor of Enfield.

An Act providing for a bounty on bears in Oxford county, came from the Senate amended by Senate amendment A.

On motion of Mr. Pettengill of Rumford, the vote was reconsidered whereby the bill was passed to be engrossed, Senate amendment A was adopted and the bill was then passed to be engrossed as amended in concurrence.

From the Senate: Report of the committee of conference to which was referred the disagreeing vote of the Senate and House on bill, An Act to repeal Section 28 of Chapter 6 of the Revised Statutes in relation to taxation of corporations, reporting that they are unable to agree.

The report of the committee was accepted.

Report of the committee of conference on the disagreeing vote of the House and Senate on the adoption of House amendment A to resolve in favor of an electric lighting plant for the Maine State prison, reporting that they recommend that the vote whereby the resolve as amended was passed to be engrossed in the House, and the vote whereby House amendment A was adopted in the House, and the vote

whereby the original resolve was passed to be engrossed in the Senate, each be reconsidered, amendment A be rejected, and that said resolve be amended as follows: By striking out in the fourth line of said resolve the words "and supervision," and in the tenth line the word "and," and by inserting in the tenth line of said resolve after the word "plant" the words "if they are able to contract with responsible parties to install a suitable plant within this appropriation," and that as so amended said resolve be passed.

The report was accepted.

On motion of Mr. Hinckley of Lisbon, the vote was reconsidered whereby this resolve was passed to be engrossed as amended, and on further motion by the same gentleman amendment A was indefinitely postponed. The amendment recommended was adopted, and the bill was then passed to be engrossed as amended.

Report of Knox county delegation, on bill, An Act establishing the salary of the county attorney for the county of Knox, reporting that the same ought to pass.

The report was accepted, and on motion of Mr. Littlefield of Rockland, the rules were suspended, the bill received its three readings and was passed to be engrossed.

Majority report of the committee on railroads, telegraphs and expresses, reporting ought not to pass on bill, An Act to provide for the comfort and safety of persons and property in Old Orchard in the county of York, during the months of June, July, August and September of each year, and minority report of same committee, reporting ought to pass on bill, in new draft under same title, came from the Senate the majority report accepted in non-concurrence.

On motion of Mr. Clarke of Nobleboro, the House voted to recede and concur.

From the Senate: An Act to amend Section 3 of Chapter 258 of the Public Laws of 1893, relating to school funds derived from savings bank tax. (Passed to be engrossed in concurrence with the Senate.)

Report of the committee on appropriations and financial affairs, reporting

ought to pass on resolve in favor of paying the unexpired licenses of hawkers and peddlers.

Report was accepted, and on motion of Mr. Dudley of Augusta, the rules were suspended, the resolve received its two readings and was passed to be engrossed in concurrence with the Senate.

Report of the committee on revision of the statutes, on report of John A. Morrill, commissioner to revise the statutes, reporting bill, An Act to consolidate and revise certain laws relating to closing certain lakes and ponds to ice fishing and to close the tributaries to certain lakes and ponds and restricting the number of fish that may be taken in one day in certain waters, and defining the manner of fishing in certain waters and prohibiting the throwing of sawdust and other mill refuse into certain streams and regulating the method of hunting ducks in certain waters, and regulating the taking of deer in certain counties.

The report was accepted in concurrence with the Senate, and on motion of Mr. Norton of Gardiner, the rules were suspended, the bill received its three readings and was passed to be engrossed.

Resolve providing for an amendment to the constitution relating to limitation of municipal indebtedness, came from the Senate indefinitely postponed.

On motion of Mr. Drew of Portland, the House voted to insist and asked for a committee of conference.

The Speaker joined on the part of the House Messrs. Drew of Portland, Smith of Presque Isle, and Blanchard of Fal-mouth.

An Act relating to the apportionment of the school fund and mill tax, came from the Senate that branch non-concurring with the House in referring the bill to the next Legislature, and accepting the majority report of the committee "ought not to pass."

On motion of Mr. Randall of Freeport, the House voted to insist and asked for a committee of conference.

The Speaker joined on the part of the House, Messrs. Randall of Freeport, Morrison of Eden, and Sturgis of Standish.

Reports A, B. and C of the judiciary committee on a joint resolution, peti-

tioning Congress to call a convention under Article 5 of the constitution to provide by amendment for the election of United States senators by the people, came from the Senate that branch non-concurring with the House in the acceptance of the report A, and accepting report C, "ought not to pass."

On motion of Mr. Smith of Presque Isle, the House voted to recede and concur.

On motion of Mr. Smith of Presque Isle, the rules were suspended and that gentleman introduced a resolve on the pay roll of the House. (Read twice and passed to be engrossed under suspension of the rules.)

The House order, ordering that, the Senate concurring, there be appropriated and paid to Fred E. Blake, secretary of the committee of salaries, the sum of \$50 for services as clerk to the committee on salaries, came from the Senate indefinitely postponed.

On motion of Mr. McGregor of Enfield, the House voted to recede and concur.

Passed to be Enacted.

An Act to incorporate the Tyler Fogg Trust Company.

An Enabling Act for the annexation of South Portland to Portland.

An Act to increase the salary of the justice of the superior court of the county of Cumberland.

An Act to amend Section 112 of Chapter 11 of the Revised Statutes, as amended by Chapter 37 of the Public Laws of 1891, and by Chapter 121 of the Public Laws of 1895, and by Chapter 308 of the Public Laws of 1897, relating to Normal schools and the Madawaska Training School.

An Act to incorporate the Kittery & York Telephone Company.

An Act to change the name of the Plantation of Winterville.

An Act to incorporate the Piscataquis River Storage Company.

An Act relating to prize logs on the Penobscot river and its tributaries.

An Act to correct clerical errors and make plain the meaning of and amending Chapter 30 of the Revised Statutes, as amended by Chapter 42 of the Public Laws of 1899, and as amended by Chapters 222 and 278 of the Public Laws

of 1901, and by Chapter 326 of the Private and Special Laws of 1901, and acts reported from the committee on inland fisheries and game relating to inland fisheries and game.

An Act amendatory of Chapter 73, Section 8, of the Revised Statutes, relating to the recording of deeds of release.

An Act to incorporate the Munsungun Telephone Company.

An Act in relation to the salary of the register of probate of the county of Hancock.

An Act for the protection of squirrels and chipmunks in the county of Knox.

An Act to amend Section 11 of Chapter 30 of the Revised Statutes, as amended by Chapter 42 of the Public Laws of 1899, and as amended by Chapter 258 of the Public Laws of 1901, relating to close, time for game birds.

An Act to make certain the meaning of the language "timber and gross," relating to the public lots, so called, in unincorporated townships in the State of Maine.

An Act to amend Section 3 of Chapter 30 of the Private and Special Laws of 1872, relating to the Godfrey Falls Dam Company.

An Act to amend an act entitled "An Act authorizing Washington county to sell its stock in the Washington County Railroad Company, and authorizing the sale or lease of said railroad, approved March 10, 1903."

An Act providing temporarily for the payment of wardens for their services.

An Act to amend Chapter 96 of the Public Laws of 1899, entitled "An Act to prevent incompetent persons from conducting the business of pharmacist."

An Act to authorize William C. Farrell and Henry A. Gagnon to construct a dam or dams across Hammond brook in Aroostook county, and to build and maintain piers in said brook, and improve said brook for driving purposes.

An Act to regulate the sale and analysis of concentrated commercial feeding stuff.

An Act to create the Maine Mining Bureau.

An Act to amend Section 3 of Chapter 50 of the Private and Special Laws of 1821, as amended by Chapter 161 of the Private and Special Laws of 1848, as amended by Chapter 171 of the Private and Special Laws of 1862, relating to extending the time of controlling the water at the alewife fishery at Damariscotta Mills.

An Act to amend the charter of the city of Rockland.

An Act to amend Section 4 of Chapter 256 of the Public Laws of 1893, as amended by Chapter 197 of the Public Laws of 1897, relating to the sale and analysis of commercial fertilizers.

An Act to amend Chapter 378 of the Public Laws of 1885, relating to the erection of posts and lines for the purposes of electricity.

An Act relating to corporations.

An Act relating to the salary of the recorder of the municipal court of the city of Biddeford.

An Act providing for a bounty on bears in Oxford county.

An Act to annex certain islands in Casco bay to the county of Sagadahoc and the town of Phippsburg.

An Act to enable the county of Sagadahoc to rebuild Merrymeeting bay bridge, accept Arrowwic bridge, and to maintain both bridges free, and to accept the People's ferry and to acquire in conjunction with the county of Lincoln or town of Dresden the ferry between Richmond and Dresden, to operate the same and to reduce the tolls by at least one-half.

An Act establishing the salary of the county attorney for the county of Knox.

An Act to regulate the use of automobiles and motor vehicles upon public ways.

An Act in regard to the use of roads in the town of Eden.

An Act for the protection of shore birds.

An Act fixing a time when other acts and resolves shall take effect.

An Act for the assessment of a State tax for the year 1903, amounting to the sum of \$970,475.70.

An Act for the assessment of a State tax for the year 1904, amounting to the sum of \$970,475.70.

An Act to maintain and operate a draw bridge at the outlet of Long lake in the town of Naples.

An Act to amend Section 8 of Chapter 115 of the Revised Statutes, relating to compensation of members of the government.

The following resolves were finally passed:

Resolve in favor of an electric lighting plant for the Maine State prison.

Resolve in favor of the publication and distribution of the Revised Statutes.

The following bills were passed to be enacted:

An Act providing for a bounty on porcupine, so called, for the better protection of timber land.

An Act to make valid the election of treasurers and collectors of taxes held during the month of March in the year 1903.

An Act to provide in part for the expenditures of government for the year 1903.

An Act to provide in part for the expenditures of government for the year 1904.

Finally Passed.

Resolve in favor of the town of Maria-ville to assist in rebuilding Goodwin's bridge in said town which was carried away by an ice jam about two weeks ago.

Resolve in favor of Albion Oakes, secretary of the committee on ways and bridges.

Resolve in favor of Joseph Mitchell, Jr., representative of the Penobscot tribe of Indians.

Resolve in favor of the State committee of the Young Men's Christian Association of Maine.

Resolve waiving a forfeiture of the public lots in the north half of township number four, Hancock county, north division.

Resolve in favor of the town of Jackson.

Resolve in favor of Louis Mitchell, representative of the Passamaquoddy tribe of Indians.

Resolve in favor of the Maine Children's Home Society, Augusta.

Resolve to aid the town of Washburn, county of Aroostook, in part payment of the cost and expense incurred by it in building a steel bridge across the Aroostook river.

Resolve in favor of the town of Parkman.

Resolve in favor of the Maine State prison.

Resolve in favor of paying the unexpired licenses of hawkers and peddlers.

Resolve on the pay roll of the Senate.

Resolve on the pay roll of the House.

Resolve to provide for the expenses of examination of candidates for the Cecil John Rhodes scholarship.

On motion of Mr. Smith of Presque Isle, the House took a recess until 2 o'clock in the afternoon.

Afternoon Session.

The SPEAKER: Gentlemen of the House of Representatives, I have been requested by the members of this House to present the Bible which has lain upon the Speaker's desk during this session to a gentleman who has kept near its commands, who lives to love, who has been lenient and charitable in his judgments towards us, who

has served the State with zeal, with honor, and without compensation. It is my pleasure, gentlemen, to pass this Great Light, as a token of our love and esteem, to the gentleman from Presque Isle, Mr. Smith. (Applause.)

Mr. SMITH of Presque Isle: Mr. Speaker, allow me through you to tender my thanks to the House for this copy of the Holy Scriptures, and I shall endeavor in the future, as in the past, to live in strict accordance with its commands and precepts.

Now, Mr. Speaker and gentlemen, I desire your attention for just a moment. For 12 weeks, Mr. Speaker, we have been here engaged in the discharge of our duties as members of this Legislature. We have engaged in debate, discussion, roll call, reports of committees and a great variety of things which always take place in an assembly of this kind, and you may have thought, in all the confusion and the hurly-burly, Mr. Speaker, that you have been lost sight of by your friends in this House. I say, your friends. Perhaps, sir, you may be imbued with an idea that after you had made up your list of committees and presided over this body for 12 long weeks, you had no friends left. If so, I wish to assure you that you are mistaken. If you ask me how many friends you have in this House at the present time, I am ready to answer. You have just 150. (Applause.)

Do not ask me their names? Their names constitute the official roll of this House. Now, sir, your friends have a few things which they have commissioned me to say to you at this time. You understand that it is a right and a privilege which a man's friends have, to say things to him. It is the judgment of your friends, and I am instructed so to state, that you have made a most able and efficient presiding officer (applause) that you have been fair-minded and impartial in all your decisions; that each and every member of this House has been treated alike and without discrimination; that each and every member has fared equally at your hands. Not only that, sir, but all through our deliberations, both when the House has been in ses-

sion and at all other times, you have always been courteous and genial, and ever ready to reach out a helping hand to the poor benighted legislator, even he who, like myself, comes from the back woods of Aroostook, when he has found himself struggling among the mazes and technicalities of parliamentary law. (Applause.)

But, Mr. Speaker, while words are well, yet your friends here have desired to express the sentiments they entertain towards you by something a little more tangible than mere words. They desire to express the feelings of friendship which they have for you by some small token of their regard for you. This desire on their part has crystallized in the purchase by them of this piece of jewelry, this gold watch with chain attached. And, now in behalf of 150 members of this House, all your friends, and in their name, and in accordance with their desire, I present the same to you; and I assure you that it gives us great pleasure to present to you this slight token of our esteem and respect and we hope that you will receive it and wear it with equal pleasure, and that whenever you consult its crystal face and look upon its shining form, you may feel radiating therefrom the warm and genial glow of that cordial friendship entertained for you by the members of this House. (Applause.)

The SPEAKER: Friends, (applause) friends, any words of mine on an occasion like this would be folly. I know the spirit which prompted the givers. It was the spirit of love. I accept it realizing the magnitude of the gift and the love of the givers. I shall wear it near my heart; and when I look at the dial I shall be reminded that I have the affection and the love of every member of this House. (Applause.)

I thank you for it because of the associations connected with it. I admire it. It will be my constant companion. It will be a timely recorder of my moments well spent and my hours that are wasted; and when it has numbered my days it will be a token of this 75th Legislature of Maine. (Applause.)

From the Senate: An Act fixing the time when other acts and resolves shall

take effect. (Read three times and passed to be engrossed under suspension of the rules in concurrence.)

The following came from the Senate with a committee of conference joined on the part of that branch:

An Act to fix the salary of the attorney general.

An Act to fix the salary of the secretary of State.

An Act to regulate the use of automobiles and motor vehicles on public ways.

Resolve providing for an amendment to the constitution relating to limitations of municipal indebtedness.

Passed to be Enacted.

An Act relating to the election of road commissioner in the town of Boothbay Harbor.

An Act relating to the public health.

An Act relating to treasurers and collectors of taxes.

An Act to license foreign executors, administrators, guardians and trustees to receive and dispose of personal property.

An Act to prevent the throwing of saw dust and other mill dust into all tributaries of Seven Tree pond and Crawford's pond in Union and Warren.

An Act authorizing A. M. Goddard and others to build and maintain a movable sidewalk.

An Act to consolidate and revise certain laws relating to closing certain lakes and ponds to ice fishing and to close the tributaries to certain lakes and ponds and restricting the number of fish that may be taken in one day in certain waters, and defining the manner of fishing in certain waters, and prohibiting the throwing of saw dust and other mill refuse into certain streams and regulating the method of hunting ducks in certain waters, and regulating the taking of deer in certain counties.

Finally Passed.

Resolve in favor of building bridge across Mattawamkeag river in the town of Bancroft.

Resolve to provide for the services of a stenographer and typewriter when needed, and for extra clerical help in

the State superintendent of public schools.

Resolve in favor of George D. Gaddis of East Machias.

Resolve in favor of C. C. Libby, chairman of the committee on education.

Resolve in favor of R. E. Randall, secretary of the committee on education.

Resolve in favor of J. Calvin Knapp, secretary of the committee on State lands and State roads.

Resolve in favor of the Western State Normal School at Gorham.

On motion of Mr. Littlefield of Rockland, the House took a recess for 30 minutes.

After Recess.

From the Senate: Report of committee of conference to which was referred the disagreeing vote of the Senate and House on resolve providing for an amendment to the constitution relating to the limitation of municipal indebtedness, reporting that they are unable to agree.

The report was accepted and on motion of Mr. Drew of Portland, the House voted to adhere.

The committee on conference to which was referred the disagreeing action of the Senate and House on bill, An Act to regulate the use of automobiles and motor vehicles upon public ways, report a disagreement.

The report was accepted, and on motion of Mr. Sewall of Bath, the House voted to adhere.

On motion of Mr. Smith of Presque Isle, the House took a recess until 4 o'clock.

After Recess.

On motion of Mr. Sewall of Bath, the vote was reconsidered whereby the House voted to adhere on the conference report in regard to bill, An Act regulating the use of automobiles and motor vehicles upon public ways, and on further motion of Mr. Sewall the vote was reconsidered whereby the report of the committee of conference was accepted.

On further motion of Mr. Sewall, the House voted to insist and ask for a further conference.

The Speaker joined on the part of the House Messrs. Sewall of Bath, Eaton of Calais and Weeks of Fairfield.

The committee of conference to which was referred the disagreeing vote of the House and Senate in relation to bill, An Act fixing the salary of the attorney general report that they are unable to agree and recommending that the House adhere.

The report was accepted, and on motion of Mr. Weeks of Fairfield, the House voted to adhere.

The committee of conference to which was referred the disagreeing vote of the House and Senate in relation to bill, An Act fixing the salary of the secretary of State, report that they are unable to agree and recommend that the House adhere.

The report was accepted, and on motion of Mr. Weeks of Fairfield, the House voted to adhere.

An Act to amend Section 8 of Chapter 115 of the Revised Statutes, relating to compensation of members of the government, came from the Senate with House amendments A and B adopted and amended by Senate Amendments A and B.

On motion of Mr. Drew of Portland, the vote was reconsidered whereby this bill was passed to be engrossed.

Mr. Drew of Portland, moved to indefinitely postpone the bill.

Subsequently the motion was withdrawn.

On motion of Mr. Weeks of Fairfield, the bill was laid on the table.

The committee of conference to which was referred the disagreeing vote of the House and Senate on bill, An Act relating to compensation of examining boards, report that they recommend that the vote by which said Act was passed to be engrossed in the Senate and the vote whereby the same was indefinitely postponed in the House each be reconsidered, and that said act be referred to the special commission to investigate the amount of salaries of State and county officials.

On motion of Mr. Littlefield of Rockland, the vote was reconsidered whereby this bill was indefinitely postponed, and on further motion by Mr. Littlefield, the report of the committee on conference was ac-

cepted, and on further motion by the same gentleman the bill was referred to the special commission to investigate the amount of salaries paid to State and county officials, in concurrence.

On motion of Mr. Weeks of Fairfield, bill, An Act to amend Section 8 of Chapter 115 of the Revised Statutes, relating to the compensation of members of the government, was taken from the table.

Mr. Weeks offered House amendment one to Senate amendment A, by striking out the word "eight" in the fourth line and inserting the word "six."

The amendment was adopted, and Senate amendment A as amended and then adopted, Senate amendment B was adopted, and the bill was then passed to be engrossed as amended.

An Act to regulate the use of automobiles and motor vehicles upon public ways came from the Senate, that branch insisting and joining a second committee of conference.

The committee of conference subsequently reported that they recommended that House amendment A be retained, and House amendment B be rejected, and that House amendment C be amended by striking out all after the word "ways," and that amendment B now presented be adopted.

The report was accepted.

Mr. Sewall of Bath, offered amendment D, by adding after the word "village" in the seventh line of Section 1 the words "the limits of which shall be fixed by the municipal officers."

The amendment was adopted and the bill was then passed to be engrossed as amended.

The committee of conference to which was referred bill, An Act relating to apportionment of the State school fund and mill tax, report that the Senate recedes and concurs with the House in referring the bill to the next Legislature.

The report was accepted.

The committee of conference to which was referred the disagreeing vote of the House and Senate in relation to bill, An Act to regulate the use of automobiles and motor vehicles upon public ways, report that they have agreed upon a bill in a new draft and that it ought to pass.

The report was accepted.

On motion of Mr. Sewall of Bath, the rules were suspended, the bill received its three readings and was passed to be engrossed.

Mr. SEWALL: Mr. Speaker, I would like to explain just what the House has had to yield in this matter in order to get any bill at all. The committee at first refused to agree and so reported. Then it became plain that there was a sentiment that some bill was necessary and that automobiles should be put under some measure of restraint; and feeling that our intentions could not be carried out to the fullest extent, and that it was wise to accept who we could obtain from the Senate, your committee agreed to yield one important point, and that is the only point which they yielded. As the amendment passed the House, I provided in that amendment, and the House agreed by its

vote with the provision, that in these places where by reason of cliffs and other exceptional natural conditions there was great danger of the meeting of automobiles and horses, automobiles should be excluded from those places altogether exactly as you excluded them in the case of the town of Eden. I maintain now that that contention was correct on the part of the House. I believe it was a valuable provision and one which the succeeding Legislature will adopt by an amendment to the act. But the conferees on the part of the Senate absolutely refused to permit that exclusion to be inserted. What they yielded was this: They yielded to the first amendment adopted by the House which struck out of the bill as originally reported the denial to the municipal officers of cities and towns to regulate the speed of such vehicles. That second section read that municipal officers of cities and towns have no power to regulate the speed of such vehicles except to fix the limits of what may be regarded as the compact and built-up portions thereof. The conferees on the part of the Senate have agreed that that section and the following one should be stricken out, which leaves the cities and towns exactly the power that they have today, whatever power that may be, excepting that the automobile cannot go at a greater rate than 15 miles, or eight miles in a town. Whether the towns and cities have the power to reduce the speed now or not is a matter for judicial determination.

On the third point, the Senate conferees agreed with the House. They permitted the penalty of the old bill to be doubled to \$50 and permitted the imprisonment clause to be inserted. So while we have not the bill for which I contended, we have a bill which does impose a certain amount of restraint upon the automobiles, something which I hope we can build upon in the future.

Mr. SMITH of Presque Isle: Mr. Speaker, if I understand this bill correctly, it provides penalties. Now, I object to any bill that is penal in its nature taking effect when approved. In other words, this bill, if it is passed, will be approved today, I suppose, and will be in full effect tomorrow, and the House can readily see what a trap it sets for a person who has no actual knowledge of the passage of the bill penal in its nature, to have it take effect when approved. I therefore move to amend by striking out the last section.

Mr. WEEKS of Fairfield: I suppose the conference committee by unanimous consent can make that amendment?

Section nine of the bill, "This Act shall take effect when approved," was stricken out by unanimous consent.

On motion of Mr. Weeks of Fairfield, the House took a recess until 8 o'clock in the evening.

Evening Session.

A communication from the executive department came from the Senate and was read in concurrence.

Passed to be Enacted.

An Act relating to corporations.

An Act relating to the salary of the recorder of the municipal court of the city of Biddeford.

An Act providing for a bounty on bears in Oxford county.

An Act to annex certain islands in Casco bay to the county of Sagadahoc and the town of Phippsburg.

An Act to enable the county of Sagadahoc to rebuild Merrymeeting Bay bridge, accept Arrowsic bridge, and to maintain both bridges free, and to accept the People's ferry, and to acquire in conjunction with the county of Lincoln or town of Dresden the ferry between Richmond and Dresden, to operate the same and to reduce the tolls by at least one-half.

An Act establishing the salary of the county attorney for the county of Knox.

An Act to amend Section 3 of Chapter 28 of the Public Laws of 1893, relating to the school funds derived from the savings bank tax.

Finally Passed.

Resolve in favor of the Maine State prison.

Resolve in favor of paying the unexpired licenses of hawkers and peddlers.

Resolve on the pay roll of the Senate.

Resolve on the pay roll of the House.

Resolve to provide for the expenses of examination of candidates for the Cecil John Rhodes scholarship.

Orders.

Ordered, The Senate concurring, that a committee of three on the part of the House and such as the Senate may join be appointed to consider and recommend such amendments and alterations to the joint rules as may be deemed expedient.

The speaker appointed on the part of the House Messrs. Smith of Presque Isle, Drew of Portland, and Page of Skowhegan.

Ordered, The Senate concurring, that a special joint committee of three on the part of the House with such as the Senate may join be appointed to inquire into the advisability of establishing a home for the feeble-minded of the State, and report to the next Legislature.

The Speaker joined on the part of the House Messrs. Purinton of Gorham, Davis of Waterville, and Ross of Bangor.

The Senate order appointing a committee to consider the advisability of the removal of the State capital was received by the House and passed in concurrence.

The speaker appointed on the part of the House Messrs. Libby of Mechanic Falls, Page of Skowhegan, Sewall of Bath, and Edward E. Chase of Bluehill, at large.

Ordered, The Senate concurring, that a special joint committee of three on the part of the House with such as the Senate may join be appointed to inquire into the amount of compensation received by all State and county officials whose salaries are determinable by the Legislature. Said committee is hereby authorized to sit during any recess and after the adjournment of the present session, with full power to employ a stenographer, summon, administer oaths and examine witnesses, call for

books and papers, and in general to obtain all necessary information upon which may be based legislative action looking towards an equalization of salaries and a complete abolition of the fee system, and report in writing, which report shall be filed with the clerk of the House not later than December first, 1904, and be referred to the next Legislature without further action thereon.

The Speaker joined on the part of the House Messrs. Weeks of Fairfield, Allen of Sanford, and Leavitt of Turner.

Mr. Sewall of Bath, stated that he could not serve on the committee in regard to the removal of the State capital, and his resignation was accepted and the Speaker appointed in his place Mr. Wentworth of Lebanon.

On motion of Mr. Stearns of Millinocket, the House took a recess until 9 o'clock.

After Recess.

The following bills were passed to be enacted:

An Act to regulate the use of automobiles and motor vehicles upon public ways.

An Act in regard to the use of roads in the town of Eden.

An Act for the protection of shore birds.

An Act fixing a time when other acts and resolves shall take effect.

An Act for the assessment of a State tax for the year 1903, amounting to the sum of \$970,475.70.

An Act for the assessment of a State tax for the year 1904, amounting to the sum of \$970,475.70.

An Act to maintain and operate a draw bridge at the outlet of Long lake in the town of Naples.

An Act to amend Section 8 of Chapter 115 of the Revised Statutes, relating to compensation of members of the government.

The following resolves were finally passed:

Resolve in favor of an electric lighting plant for the Maine State prison.

Resolve in favor of the publication and distribution of the Revised Statutes.

On motion of Mr. White of Dyer Brook, the House took a recess of 30 minutes.

After Recess.

The following bills were passed to be enacted:

An Act providing for a bounty on porcupine, so called, for the better protection of timber land.

An Act to make valid the election of treasurers and collectors of taxes held during the month of March in the year 1903.

On motion of Mr. Bodwell of Hallowell, the House took a recess of 20 minutes.

After Recess.

On motion of Mr. Bodwell of Hallowell, the rules were suspended and that gentleman introduced bill, An Act to provide in part for the expenditures of government for the year 1903. (Referred to the committee on appropriations and financial affairs.)

On motion of same gentleman the rules were suspended and he introduced bill, An Act to provide in part for the expenditures of government for the year 1904. (Referred to the committee on appropriations and financial affairs.)

Subsequently Mr. Bodwell from the committee on appropriations and financial affairs, on bill, An Act to provide in part for the expenditures of government for the year 1903, reported ought to pass. (Report accepted. Bill read three times and passed to be engrossed under suspension of the rules.)

Mr. Bodwell from same committee, on bill, An Act to provide in part for the expenditures of government for the year 1904, reported ought to pass. (Report accepted, bill read three times and passed to be engrossed under suspension of the rules.)

Passed to be Enacted.

An Act to provide in part for the expenditures of government for the year 1903.

An Act to provide in part for the expenditures of government for the year 1904.

Mr. WEEKS of Fairfield: Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER: The House stands adjourned until September first at 10.30 o'clock.