

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fifth Legislature

OF THE

STATE OF MAINE

1911

SENATE.

Thursday, Jan. 5, 1911.

Senate called to order by the President.

Prayer by Rev. Mr. Dunnack of Augusta.

Journal of yesterday read and approved.

Mr. Staples from the committee to which was referred the examination and counting of the senatorial votes, submitted the following report:

STATE OF MAINE.

The committee to which was referred the returns of the votes cast for senators in the several districts, at the State election, held on the 12th day of September, 1910, has attended to its duty and asks leave to report as follows:

The following persons have received a plurality of the votes cast in their respective districts, and are therefore elected senators:

First Senatorial District—George H. Smith, Waterboro; Edward F. Gowell, Berwick; Benjamin F. Hamilton, Dayton.

Second Senatorial District—Nathan Clifford, Cape Elizabeth; Howard Winslow, Portland; Henry M. Moulton, Cumberland; Ira C. Foss, Scarborough.

Third Senatorial District—Albert J. Stearns, Norwauk.

Fourth Senatorial District—Merton O. Edwards, Lewiston; Horatio G. Foss, Auburn.

Fifth Senatorial District—F. N. Blanchard, Wilton.

Sixth Senatorial District—Reuel J. Noves, Augusta; Henry Farrington, Gardiner; Howard W. Dodge, Clinton.

Eighth Senatorial District—Albert F. Donigan, Bingham; W. M. Osborn, Pittsfield.

Ninth Senatorial District—John H. Sanborn, Dover.

Tenth Senatorial District—James B. Mullen, Bangor; W. Scott Kellogg, Patten; Francis W. Hill, Exeter.

Eleventh Senatorial District—Leslie Boynton, Jefferson.

Twelfth Senatorial District—Lindley M. Staples, Washington.

Thirteenth Senatorial District—Winfield S. Pendleton, Islesboro.

Fourteenth Senatorial District—Byron H. Mayo, Southwest Harbor; Burke Leach, Bucksport.

Fifteenth Senatorial District—Herbert H. Allan, Dennysville; Fred A. Chandler, Addison.

Sixteenth Senatorial District—Carl E. Milliken, Island Falls; Athill E. Irving, Presque Isle; Dana L. Theriault, Fort Kent.

(Signed)

LINDLEY M. STAPLES.

JAMES B. MULLEN.

BYRON H. MAYO.

HOWARD WINSLOW.

DANA L. THERIAULT.

GEORGE H. SMITH.

F. N. BLANCHARD.

The report was accepted.

Mr. Farrington, from the joint select committee on Gubernatorial vote, submitted the following report:

STATE OF MAINE.

The joint select committee on returns of votes for Governor given in the several cities, towns and plantations of this State for the political years 1911 and 1912, has attended to its duty and asks leave to report that Whole number of votes returned

| | |
|---------------------------|---------|
| for Governor, | 141,002 |
| Frederick W. Plaisted has | 73,354 |
| Bert M. Fernald has | 64,644 |
| Robert V. Hunter has | 1,641 |
| James H. Ames has | 1,296 |
| Frederick W. Davis has | 57 |
| James V. Hunter has | 1 |
| Plaisted has | 2 |
| F. W. Plaisted has | 3 |
| George G. Emery has | 2 |
| Scattering | 2 |

(Signed)

HENRY FARRINGTON,

Chairman on the part of the Senate.

BELONI S. DUFOUR,

Chairman on the part of the House.

The report of the committee was accepted.

On motion by Mr. Winslow of Cumberland it was,

Ordered: That a committee of three on the part of the Senate, with such as the House may join, be appointed to wait upon the Honorable Frederick W. Plaisted, and inform him that he has been duly elected Governor of Maine for the political years of 1911 and 1912.

The President appointed as such committee on the part of the Senate, Messrs. Winslow of Cumberland, Boynton of Lincoln and Stearns of Oxford.

Mr. Winslow subsequently reported that the committee had discharged its duty and that the Governor was pleased to say that he has accepted the office and awaits the pleasure of the convention.

On motion by Mr. Mayo of Hancock it was,

Ordered: That a message be sent to the House of Representatives proposing a convention of both branches of the Legislature forthwith in the hall of the House for the purpose of administering to the Hon. Frederick W. Plaisted, Governor-elect, the oath required by the Constitution to qualify him to enter upon the discharge of his official duties, and that senator was appointed to convey said message, and subsequently reported that he had delivered the message with which he was charged.

The following message was received from the House, conveyed by Mr. Hanson, its clerk:

Mr. President: I am charged with a message from the House, to make known to this honorable Senate that the House concurs in the proposition of the Senate to hold a joint convention in the hall of the House of Representatives forthwith for the purpose of administering to the Honorable Frederick W. Plaisted, Governor-elect, the oaths required by the Constitution to qualify him to enter upon the discharge of his official duties.

The Senate thereupon proceeded to the hall of the House.
(For proceedings in joint convention see House report).

On return of the Senate to their chamber

Upon motion of Mr. Staples of Knox the Senate voted to reconsider the vote whereby the report of the committee on senatorial vote was adopted.

Upon further motion of the same senator the report was tabled.

On motion of Mr. Hill of Penobscot it was

Ordered: That 800 copies of the

Governor's message be printed for the use of the Senate.

On motion by Mr. Mullen of Penobscot it was

Ordered: That a joint select committee of three on the part of the Senate, with such as the House may join, be appointed to consider the Governor's message, and report a reference of its several objects to appropriate committees.

The President appointed as such committee, Messrs. Mullen of Penobscot, Boynton of Lincoln and Staples of Knox.

Sent down for concurrence.

On motion by Mr. Dodge of Kennebec it was

Ordered: That a joint select committee of three on the part of the Senate, with such as the House may join, be appointed to receive proposals from the publishers of the Maine State Year Book, for furnishings the State with a sufficient number of copies for the year 1911 and 1912.

On motion by Mr. Leach of Hancock it was

Ordered: The House concurring, that the business of the last session of this Legislature referred to this, be taken from the files. Sent down for concurrence.

On motion by Mr. Edwards of Androscoggin it was

Ordered: That a message be sent to the House of Representatives proposing a convention of the two branches of the Legislature forthwith in the hall of the House, for the purpose of electing secretary of State, treasurer of State, attorney general, State assessor, commissioner of agriculture and seven executive councillors.

The secretary of the Senate was appointed to convey said message; and subsequently reported that he had delivered the message with which he was charged.

Mr. STAPLES of Knox: Mr. President: I wish at this time to introduce a bill which is commonly known as a bill to repeal the Sturgis law. I move that the rules be suspended and it take its two several readings at this time

and pass to be engrossed, without reference to a committee.

The motion was seconded.

Mr. MILLIKEN of Aroostook: Mr. President: I understand the question to be the question of the suspension of the rules. We are somewhat familiar with requests for suspension of the rules at a late time in the session, but it seems to me, Mr. President, that in the interest of orderly procedure the senator ought to acquaint us with the necessity that exists.

Mr. STAPLES: Mr. President: I think, from what the Governor said in his message, and from what the people demand, that an emergency does exist, and that it should be done without making a playground with this bill. I insist upon my motion. I know that we have to have a two-thirds vote to suspend the rules.

Mr. MILLIKEN: Mr. President: I desire to inquire of the senator through the Chair, if he means by his statement that an emergency exists, that it is his intention to declare this an emergency measure within the meaning of the statutes, so that the act would take effect immediately upon its passage.

Mr. STAPLES: Mr. President: I will say that I do not think it necessary to put in an emergency bill. I think the people of this State, regardless of party, demand at our hands the immediate repeal of this law, and I do not think it will require an emergency bill.

Mr. MILLIKEN: Mr. President: I wish further to point out that if the senator has no intention of declaring this an emergency measure, this action will have no effect whatever as to when the act shall take effect, and I see no object in this unusual procedure involved in sending this important bill through at this speed without an opportunity for anyone to be heard.

Mr. STAPLES: Mr. President: I will add an emergency clause to it.

The question being upon the suspension of the rules, Mr. Milliken moved that when the vote is taken it be taken by yeas and nays.

The motion was agreed to, and the roll was called by the secretary.

Those voting yea: Allen, Boynton, Clifford, Dodge, Donigan, Edwards, Farrington, Foss of Androscoggin, Foss of Cumberland, Fulton, Hill, Kellogg, Leach, Mayo, Moulton, Mullen, Noyes, Osborn, Fendleton, Sanborn, Staples, Winslow—22. Those voting nay: Blanchard, Gowell, Hamilton, Irving, Milliken, Smith, Stearns, Theriault—8.

So the motion to suspend the rules prevailed.

The PRESIDENT read the title of the bill: An Act to repeal Chapter 92 of the Laws of 1905, and announced that the bill having had its two several readings was passed to be engrossed, without reference to a committee.

Mr. MILLIKEN: Mr. President: Before proceeding to other business I would like to know what has become of this matter?

The PRESIDENT: It is passed to be engrossed without reading.

Mr. GOWELL of York: Mr. President: Ought not that bill to be read and given its two several readings at this time?

The bill then received its two several readings, and upon further motion by Mr. Staples it was passed to be engrossed, without reference to a committee.

Mr. MILLIKEN: Mr. President: I do not wish to be fussy about details, but this bill is not in correct form.

Mr. STAPLES: I will take chances with the bill just as it is.

The following bill and petition were presented and referred:

By Mr. Winslow of Cumberland: An Act to amend Sections 13 and 14 of Chapter 131.

Also: Petition of W. A. Maxwell and others of Portland in favor of same.

On motion of same gentleman the foregoing bill and petition were tabled pending reference to the committee on Legal Affairs.

The following message was received from the House transmitted through its clerk:

Mr. President: I am directed to make known to this honorable body that the House of Representatives concurs in the proposition of the Senate

for the holding of a joint convention in the Representatives' hall forthwith, for the purpose of electing a secretary of State, treasurer of State, attorney general, State assessor, commissioner of agriculture and seven executive councillors.

The Senate thereupon proceeded to the hall of the House.

(For proceedings in joint convention see House report.)

On return of the Senate to their chamber:

On motion of Mr. Staples of Knox, the report of the committee on senatorial vote which was reconsidered this forenoon and is now on the table, was taken from the table.

On further motion by the same senator the report of the committee was amended by recommending that the election of Fred A. Chandler in the Fifteenth Senatorial district, where there is a contest, be referred to a committee to be appointed by the President of the Senate.

Mr. STAPLES of Knox: Mr. President: There seems to be some feeling in regard to railroading through what they call the Sturgis bill, and after consulting with the senators I move that we reconsider the vote whereby we passed it to be engrossed today.

The motion was agreed to.

On further motion by the same senator the bill was tabled pending reference to the committee on Temperance.

Without objecting the same senator offered an amendment to the bill, inserting an enacting clause, and the same was adopted.

The following order was received from the House:

Ordered: The Senate concurring, that all committees cause all legislative notices to be published in such papers as the committees may designate.

The order was passed in concurrence.

The order relating to joint rules and orders, passed by the Senate yesterday, came from the House amended as follows: Strike out "Committee on State School for Boys" and substitute, "State School for Boys and Industrial School for Girls."

The amendment was adopted and the order as amended was passed.

On motion by Mr. Boynton of Lincoln it was

Ordered: The House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, Jan. 13, at 2 o'clock in the afternoon.

The order was sent down for concurrence and was subsequently returned from the House, its passage concurred in by that branch.

On motion by Mr. Donigan of Somerset it was

Ordered: That the Senate instruct the secretary of the Senate to have printed 100 copies of Senate order of proceedings and debates for the use of the Senate.

On motion by Mr. Boynton of Lincoln, the Senate adjourned.