

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Sixth Legislature

OF THE

STATE OF MAINE

1913

**SENATE.**

Wednesday Morning, April 2, 1913.

Senate called to order by the President.

Prayer by Rev. John Gibson of Augusta.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

From the House: House Document 141, An Act granting to the Knox County Power Company the right to generate and sell electricity in the municipalities of Thomaston and Rockland together with pole rights therein.

The report of the committee on this bill was "ought not to pass," and in the House the bill was substituted for the report. In the Senate the report of the committee "ought not to pass" was accepted in non-concurrence. The papers came back from the House, that branch insisting upon its former action and asking for a committee of conference. The House members of the committee of conference are: Messrs. Doherty, Durgin and Boman.

Mr. PACKARD of Knox: Mr. President, I move that the Senate insist and that a committee of conference be granted.

The motion was agreed to.

The PRESIDENT: The Chair will state that under the rules where there is a yea and nay vote taken, it is necessary to appoint as members of the committee of conference members who voted with the prevailing side. The Chair appoints as Senate members of the committee on the disagreeing action of the two branches, the senator from Penobscot, Senator Bailey, the senator from Aroostook, Senator Hersey, and the senator from Franklin, Senator Wing.

From the House: Senate Document 578, An Act relating to the jurisdiction of the superior court in the county of Kennebec.

This bill was introduced in the Senate under suspension of the rules and was tabled for printing without reference to a committee, was given its two readings and passed to be engrossed. In the House it was passed to be engrossed, and on its passage to be en-

acted, the vote whereby it was passed to be enacted, was reconsidered, and House Amendment A was adopted.

Mr. DUTTON of Kennebec: Mr. President, I move that the vote whereby this bill was passed to be engrossed in the Senate be reconsidered.

The motion was agreed to.

On motion by the same senator, House Amendment A was adopted in concurrence and the bill, as amended, was then passed to be engrossed in concurrence.

From the House: Senate Document 569, Resolve in favor of the State highway department to provide for deficiencies on certain contracts for bridge construction at Old Town and to legalize acts of the Governor and Council.

In the Senate this resolve was amended to be engrossed. In the House it was amended by the adoption of House Amendment A.

Mr. RICHARDSON of Penobscot: Mr. President, I think that perhaps a word of explanation in regard to this bill may be due before a vote is asked for.

The appropriation is to cover the rebuilding of the west bridge at Old Town, contracts for which were placed last Fall by order of the Governor and Council. It was found, there was no appropriation that was legally available for paying for the work done, and at this time there is due under the contract over \$12,000 that is more than 30 days past due. The man to whom this amount is due has been waiting for his money and this appropriation is asked to take effect immediately. I think the Senate will agree with me that there should be no further delay.

I move that the vote be reconsidered whereby Senate Document 569 was passed to be engrossed.

The motion was agreed to, and House Amendment A was then adopted in concurrence, and the resolve, as amended, was passed to be engrossed in concurrence with the House.

From the House: An Act to legalize and confirm the action of the Litchfield Plains Cemetery Association at the annual meeting of September 7, 1912.

This bill was originally introduced in the House under suspension of the rules. It came to the Senate and being a private matter, unanimous consent to its admission was denied. The House receded and concurred with the action of the Senate.

Subsequently the matter was revived in the House and the bill came from the House, that branch insisting upon its consideration and asking for a committee of conference.

Mr. RICHARDSON of Penobscot: Mr. President, I move that the Senator insist and that a committee of conference be granted.

Mr. DUTTON of Kennebec: Mr. President, I think it is proper to say that I have just learned about this matter. It is a trifling matter, and my recollection is that it has something to do with the annual meeting of a cemetery association in Litchfield. Nobody has any interest in this bill except that association, and if it is proper to do so, I do not see why we should not recede and concur with the House.

Mr. RICHARDSON: Mr. President, as I understand it, this is simply a technical error. In holding the annual meeting by their by-laws, they should have held the meeting in the afternoon at 2 o'clock. They overlooked that fact and inadvertently held the meeting in the forenoon. I move the Senate recede and concur with the House in the suspension of the rules in the admission of this bill.

A viva voce vote was taken and 23 senators voting in the affirmative, the rules were suspended and the bill was received.

On further motion by the same senator, under suspension of the rules, the bill was tabled pending first reading without reference to a committee.

From the House: Resolve in aid of the sufferers from the recent flood in Ohio.

In the House this resolve was received and under suspension of the rules was read twice and passed to be engrossed without reference to a committee, as amended by House Amendment A and B.

A viva voce vote was taken and 22 senators voting in the affirmative, the rules were suspended and the resolve

was received in concurrence with the House.

The PRESIDENT: The pending question is the adoption of House Amendment A in concurrence. The effect of House Amendment A is to change the amount appropriated from \$2000 to \$5000.

House Amendment A was adopted in concurrence.

The PRESIDENT: The pending question is now the adoption of House Amendment B. "House Amendment B. Amend by striking out the words 'Governor of Ohio,' and substituting therefor, the words 'the treasurer of the Red Cross society for the benefit of the sufferers of the flood in the valley of the Ohio river.'"

Mr. MURPHY of Cumberland: Mr. President, it seems to me from the communications that have passed between the board of trade and the Governor of Ohio that it might be proper to consider this matter further.

It seems to me that the Red Cross society does not get in touch with a case of this kind like the regular officials that are appointed in cases of fires or floods.

It seems to me it would be better to consider this further before we take this amendment. I move that the Senate non-concur with the House in the adoption of House Amendment B.

Mr. DUTTON of Kennebec: Mr. President, I wish to say that I heartily concur with the sentiments expressed by the senator from Cumberland.

This is a matter between the State of Ohio and the State of Maine and has been conducted in that way. Official action has been taken by the executive department of this State, and I think this appropriation should go as originally provided, rather than to any institution however honorable or however much it might carry out the wishes of this State, and that we ought not to recognize anybody except the State of Ohio.

On motion by Mr. Maxwell of Sagadahoc, pending action on the motion of the senator from Cumberland, the resolve was tabled and assigned for consideration this afternoon.

The following communication was received from the office of secretary of State:

To the Senate and House of Representatives.

Gentlemen:—I am in receipt of House Order, asking for any further information that I have in my possession with regard to the failure of any sheriff or county attorney to enforce the so-called prohibitory law in any of the counties of the State.

In reply thereto, I will say again that I have nothing further than what I have already furnished you as indicated in my message, House Document No. 693, and wherein I said:

"I herewith submit to you all that I have bearing upon this subject with reference to any county."

In my original message, I stated "I am informed that the so-called prohibitory law is fairly well enforced in eleven counties of the State; that it is partly enforced in two or three counties of the State in the rural sections, but in the cities of at least five counties, it is not fairly or honestly enforced by the sheriffs of those counties and the deputies under them."

When I wrote that message, I was informed by word of mouth that the so-called prohibitory law was not fairly enforced in the city of Bath, and I was promised a list of witnesses, with affidavits to what they would swear to concerning the same in the city of Bath, but that list has not been furnished to me or any other statements except what I have seen in the newspapers with reference to the city of Bath in this matter, and when I submitted to you my first message upon this subject, I felt that as it amounted to an indictment against a public officer for not complying with the mandates of the statute that I should not make such indictment upon hearsay testimony, or at least that which was not backed by the names of witnesses who would testify to certain things of a positive nature with reference to the matter, and nothing of that kind did I have in my possession about the city of Bath.

(Signed) WILLIAM T. HAINES.

Received and placed on file and sent down for concurrence.

The PRESIDENT: The Chair announces that in the matter of An Act for the better protection of automobile garage keepers and owners, in which a committee of conference was appointed, the House has joined on such committee: Messrs. Plummer, Austin and Bass.

#### Senate Bills in First Reading.

Resolve in favor of the clerk and stenographer to the committee on ways and bridges.

Resolve in favor of the clerk and stenographer to the committee on towns.

Resolve in favor of Charles R. Kingsbury.

Resolve in favor of Charles R. Kingsbury.

Resolve in favor of Charles R. Kingsbury.

Resolve in favor of the appointment of three commissioners by the Governor to act with the commissioners from certain other states in proposing and recommending a uniform code of laws for motor vehicles to be adopted by the Legislatures of said states.

#### Passed to Be Engrossed.

An Act to incorporate the trustees of the John B. Curtis Free Public Library in Bradford.

An Act in relation to Main street in the city of Westbrook and certain streets in the City of Portland.

Resolve in favor of Fred F. Lawrence.

Resolve in favor of Warren B. Clark.

Resolve in favor of the clerk and stenographer to the Committee on Inland Fisheries and Game.

Resolve in favor of Clyde Scribner, messenger to the Committee on Inland Fisheries and Game.

Resolve in favor of John Metcalf.

Resolve in favor of W. V. Peebles.

Resolve in favor of W. A. Ricker, secretary of the Committee on Education.

#### Orders of the Day.

The Chair laid before the Senate for consideration the first matter assigned for today, Senate Document No. 568, an Act to amend Section 2 of Chapter 250 of the Public Laws of 1909, relating to the payment of fees accruing to State institutions and departments.

The pending question was its passage to be engrossed.

Mr. DUTTON of Kennebec: Mr. President, I want to ask the indulgence of the Senate this morning to the reassignment of this matter until tomorrow afternoon.

The PRESIDENT: The Chair will suggest for the consideration of the Senate the possibility that an afternoon session tomorrow may not be necessary.

Mr. DUTTON: I move that it be tabled and reassigned for tomorrow morning.

Mr. BOYNTON of Lincoln: Mr. President, I cannot see the necessity of putting this stuff over, passing it, resurrecting it, digging it up, passing it again, putting it over. Why isn't every senator here ready? Why ought he not to be ready to consider these matters as they come before us, and let us get this business of the Legislature out of the way before the impeachment trials which are to follow. It seems that the business of our session should not drag along when, to my mind, it is entirely unnecessary.

Of course if the senator from Kennebec has any good reason, very good reason, hasn't had time to consider this matter properly, why it might be well to grant his request, but as a rule it seems to me we should consider these things now, and if we are not in a position now, it seems to me it is our fault.

Mr. DUTTON: Mr. President, I am in hearty accord with the sentiments expressed by the senator from Lincoln, and I do not think I have shown any disposition, or any great disposition, to delay the matters of the Senate during the session, and I assure the senator it is an entirely personal reason why I ask for a reassignment of this for tomorrow morning. I desire to present my views to the Senate on the matter, and I do not feel like doing it this morning.

The motion was agreed to and the bill was tabled and reassigned for tomorrow morning.

The Chair laid before the Senate for consideration the second matter assigned for today, House Document No. 587,

an Act to amend the act which constitutes the police court for the city of Rockland. The pending question was its passage to be enacted.

Mr. PACKARD of Knox: I have an amendment which I desire to offer, Senate Amendment A to House Document No. 587, "amend by striking out all of Section 6 of said bill."

I will say that Section 6 relates to the increase of salary and in view of the fact that no increases of salaries are being made, I thought it would be well to amend this by keeping the bill as the original salary was at \$500. The chances are it will save us more trouble as if we do not it may get vetoed.

On motion by Mr. Packard, the rules were suspended and the vote whereby this bill was passed to be engrossed was reconsidered.

On further motion by the same senator, Senate amendment A was adopted.

On further motion by the same senator the bill as amended was passed to be engrossed.

The Chair laid before the Senate for consideration the next matter assigned for today, Senate Document No. 411, an Act to amend section sixty-seven of chapter fifty-two of the Revised Statutes relating to accidents on railroads.

Mr. COLE of York: Mr. President, that came through without any knowledge on my part of what had been done in the House, or any knowledge of the bill. Thinking that possibly it might have to do with the utilities bill in some way, I tabled it to look into it. And I think perhaps it went through the House the same way without any person realizing what the bill was or the intent of it, and as I understand, Mr. President, it was indefinitely postponed or did not receive a passage.

The PRESIDENT: The Chair will state that this bill was originally reported to the Senate by the committee on railroads and expresses. The report was accepted. The bill had its first reading. Pending its second reading it was laid upon the table and subsequently, on motion of the senator from Aroostook, Senator Hersey, it was indefinitely postponed. The papers then went to the House and in the House

the report of the committee was accepted, the bill has had its several readings and has been passed to be engrossed. The pending question now is the motion that the Senate recede from its former action, indefinitely postponing the bill and that it take its stages in concurrence with the House.

Mr. COLE: I will just explain, in a few words, Mr. President, what this act is.

Whenever there is an accident, under the present law, the railroad commissioners must make an investigation and must take the statements of witnesses. That law has been on the Statute books a great many years, in fact a great many years before it became so common to use stenographers in the taking of evidence. In the old days when they went out and took their evidence in longhand, the witness was required to sign the statement which he or she made and make oath to it. That was known as a deposition. In case of an accident at the present time, however, they go out with a stenographer, take the evidence and come back to the office and take up the report. And then under the law it becomes necessary to go back to the witness and have it signed and sworn to. This bill is put in by the railroad commissioners to obviate that difficulty, because there does not seem to be any need of going all over this State back to the witnesses to get them to sign the typewritten statement and make oath to it. If they need to do it they can do it, but if they do not need it, they are not obliged to do it. This bill is simply to save the trouble and expense of that, and I move, Mr. President, that the Senate recede and concur with the House.

The motion was agreed to and the bill was assigned for second reading this afternoon.

Mr. RICHARDSON of Penobscot: Mr. President, I ask unanimous consent to present at this time, out of order, reports of a committee.

Unanimous consent was granted and the senator presented the following reports of the committee on appropriations and financial affairs:

"Legislation inexpedient" on an Act to amend chapter 13 of the Public Laws of

1911, relating to the purchase of supplies by competitive bids.

The report was accepted.

"Ought to pass" on Resolve in favor of the clerk of the committee on sea and shore fisheries.

Also "ought to pass" on Resolve in favor of Lewis O. Haskell, clerk of the committee on agriculture.

Also "ought to pass" on Resolve in favor of clerk, stenographer and messenger for the legal affairs committee.

Also "ought to pass" on Resolve in favor of C. M. Conant.

Also "ought to pass" on Resolve in favor of T. W. Prince for services rendered as clerk, to the Senate committee on bills in second reading.

Also "ought to pass" on Resolve in favor of clerk, stenographer and messenger of the committee on appropriations and financial affairs.

Also "ought to pass" on Resolve in favor of Cassie K. Turner for services as stenographer to sub-committee of public utilities commission.

Also "ought to pass" on Resolve in favor of Lewis O. Haskell, clerk to the committee on agriculture.

Also "ought to pass" on Resolve in favor of M. S. Hill, clerk of the committee on taxation.

Also "ought to pass" on Resolve in favor of the clerk for the committee on labor.

Also "ought to pass" on Resolve in favor of Lewis O. Haskell, clerk to the committee on education.

The report was accepted and the several resolves were tabled for printing under the joint rules.

Mr. BAILEY of Penobscot: Mr. President, I ask unanimous consent to present at this time out of order, the report of a committee on conference.

Unanimous consent was granted and the senator presented the following report:

The committee of conference on the disagreeing action of the two branches of the Legislature on an Act for the better protection of automobile garage keepers and owners, ask leave to report that the same ought to pass.

Signed, Bailey, Patten and Allen on the part of the Senate; Austin and Bar- on the part of the House.

The PRESIDENT: The effect of this report is the recommendation of the conference committee that the House recede and concur.

The report was accepted and sent down for concurrence.

On motion by Mr. Stearns of Oxford, recess was taken until 11 o'clock.

#### After Recess.

Senate called to order by the president.

On motion by Mr. Stearns of Oxford, Adjourned until this afternoon at 3.30 o'clock.

### SENATE.

Wednesday afternoon, April 2, 1913.  
Senate called to order by the President.

Prayer by Charles G. Mosher of Augusta.

Journal of previous session read and approved.

On motion by Mr. Stearns of Oxford, unanimous consent was given, and that senator presented out of order and moved its adoption, an order in relation to adjournment:

Ordered, That when the Senate adjourn, it adjourn to meet, tomorrow morning, at half past nine o'clock.

The order was given a passage.

Papers from the House disposed of in concurrence.

From the House: The committee of conference on the disagreeing action of the Senate and House, on the resolution for the removal from office by address to the Governor, of Lewis W. Moulton, as amended by House Amendment A, have had the same under consideration and report as follows:

We recommend that the House recede and concur with the Senate in the indefinite postponement of Amendment A.

And further recommend that said resolution be amended so as to fix the day for appearance and hearing for Saturday, April 5th at half past nine o'clock A. M.

And further recommend that in the matter of John W. Ballou, the resolution be amended so as to fix the time

of his appearance and hearing for Friday, April 4th, at half past nine o'clock, A. M.

And in the matter of Adelbert J. Tolman, that the resolution be amended so as to fix the time for his appearance and hearing for Monday, April 7th, at half past nine o'clock, A. M.

And that in the matter of Wilbert W. Emerson, the resolution be amended so as to fix the time for his appearance and hearing for Tuesday, April 8th, at half past nine o'clock, A. M.

And in the matter of Hewitt M. Lowe, the resolution be amended so as to fix the time of his appearance and hearing for Wednesday, April 9th, at half past nine o'clock, A. M.

And in the matter of William H. Hines, the resolution be amended so as to fix the time for his appearance and hearing for Wednesday, April 9th, at half past nine o'clock, A. M.  
(Signed)

ALBERT J. STEARNS.  
H. S. WING.  
IRA G. HERSEY.  
JOHN C. SCATES.  
BERTRAM L. SMITH.  
E. E. NEWBERT.

The report was accepted in concurrence.

From the House: Resolve in favor of the adoption of an address to the Governor for the removal of Lewis W. Moulton, sheriff of the county of Cumberland.

This resolve came from the House with House Amendment A indefinitely postponed in concurrence with the Senate, and House Amendment B adopted.

House Amendment B was adopted in concurrence, and the resolve, as amended was adopted in concurrence.

From the House: Resolve in favor of the adoption of an address to the Governor for the removal of William H. Hines, county attorney of the county of Androscoggin.

House Amendment A was adopted in concurrence, and the resolve, as amended, was adopted in concurrence.

From the House: Resolve in favor of the adoption of an address to the Governor for the removal of Wilbert W.



Emerson, sheriff of the county of Penobscot.

House Amendment A was adopted in concurrence, and the resolve, as amended, was adopted in concurrence.

From the House: Resolve in favor of the adoption of an address to the Governor for the removal of Adelbert J. Tolman, sheriff of the county of Knox.

House Amendment A was adopted in concurrence, and the resolve, as amended, was adopted in concurrence.

From the House: Resolve in favor of the adoption of an address to the Governor for the removal of John W. Ballou, sheriff of the county of Sagadahoc.

House Amendment A was adopted in concurrence, and the resolve, as amended, was adopted in concurrence.

From the House: Resolve in favor of the adoption of an address to the Governor for the removal of Hewett M. Lowe, sheriff of the county of Androscoggin.

House Amendment A was adopted in concurrence, and the resolve, as amended, was adopted in concurrence.

#### Passed to Be Engrossed.

An Act to amend Section 67 of Chapter 52 of the Revised Statutes relating to accidents on railroads.

Resolve in favor of Clerk and Stenographer to Committee on Ways and Bridges.

Resolve in favor of Clerk and Stenographer to Committee on Towns.

Resolve in favor of Charles R. Kingsbury.

Resolve in favor of Charles R. Kingsbury.

Resolve in favor of Charles R. Kingsbury.

Resolve in favor of the appointment of three commissioners by the Governor to act with the commissioners from certain other states in proposing and recommending a uniform code of laws for motor vehicles to be adopted by the Legislatures of said states.

An Act to amend Chapter 120 of the Private and Special Laws of 1890 relating to the establishment of a Municip-

pal Court in the town of East Livermore.

#### Orders of the Day.

The Chair laid before the Senate for consideration the first assignment for this afternoon, House Document No. 647, Resolve in favor of the Commission on Enlargement of State House, the pending question being the commitment to committee on bills in second reading.

Mr. MURPHY of Cumberland: Mr. President, yesterday when this matter was up I questioned the advisability of voting for it. I contended that no good and sufficient reason was given for so doing.

I find on investigation this resolve: "Resolved, that the Governor of the State, and four members to be appointed by him, two of whom shall be members of each of the two leading political parties, are hereby constituted a commission, and are directed to take immediate steps to obtain plans and specifications for such an enlargement and alteration of the present State House, or in their discretion, for such an alteration of the present State House and such an office building adjacent to and communicating therewith, as will provide ample, convenient and fire-proof apartments for the State library, and the various departments of the State government." I will cut out the most of this and simply read the following: "And shall thereupon proceed to contract for, prosecute and superintend the construction and completion of such enlargement and alterations, or of said alterations and office building; and that the sum of \$175,000 for the year 1909, and \$175,000 for the year 1910, be and hereby is appropriated for the purpose of this resolve, to be expended under the direction of said commission, and for the reasonable expenses of said commission, to be fixed and determined by the Governor and Council, and audited by the State auditor."

I do not believe, Mr. President, that I have any further talk to make on this subject. It seems it went over, last year, and although it was not sufficiently plain, yesterday for me to vote intelligently, I find on investigation

that most every one who has considered the subject is satisfied that the order ought to have a passage.

The bill was then assigned for second reading, tomorrow morning.

The Chair laid before the Senate for consideration the second matter of the calendar, Resolve in aid of the sufferers from the recent flood in Ohio, the pending question being the motion to reject House amendment in non-concurrence.

Mr. MAXWELL of Sagadahoc: Mr. President, I move that we non-concur with the House.

Mr. FLAHERTY of Cumberland: Mr. President, I merely wish to say a few words. The reason why Amendment B was put on this order was because the flood had extended beyond the state of Ohio into the state of Indiana, and in the discussion in the House they thought it would be a great deal better to have this appropriation go to the Red Cross Society, so that all the people who are suffering from the flood might be cared for. That was the only reason for this amendment being put on this bill. They are doing this in several states. Instead of designating any states they are merely letting the Red Cross Society handle the fund, so that all those suffering along the Ohio river may share alike.

Mr. MAXWELL: Mr. President, I would say that I made this motion with the idea of asking for a committee of conference, that the two branches may consider this, as to how much money shall be paid and also the amount that shall be appropriated to be paid.

The question being on the indefinite postponement of House Amendment B in non-concurrence with the House, the motion was agreed to.

On motion by Mr. Maxwell, the vote whereby House Amendment A was adopted in concurrence was reconsidered.

On further motion by the same senator, House Amendment A was indefinitely postponed in non-concurrence with the House.

On further motion by the same senator, the Senate insisted and asked for a committee of conference on the disagreeing action of the two branches.

The Chair appointed, as members of the committee of conference, on the part of the Senate, the senator from Sagadahoc, Senator Maxwell, the senator from Somerset, Senator Walker, and the senator from Androscoggin, Senator Morey.

Mr. MURPHY of Cumberland: Mr. President, I move to reconsider our vote whereby we asked for a committee of conference in relation to the election of Portland city assistant assessors by the assessors.

The PRESIDENT: Will the senator inform the Chair if the committee of conference has met and made a report?

Mr. MURPHY: It has. The report has not been turned in.

The PRESIDENT: In the opinion of the Chair the motion to reconsider the vote would not be in order after the committee has met and made a report but the action that the senator desires may be had when the question comes upon the acceptance of the report of the committee.

Mr. WING of Franklin: Mr. President, I desire to ask unanimous consent to present at this time, out of order, a resolve relating to amendments to the Constitution.

Unanimous consent was granted and on motion by the same senator the resolve was tabled for printing and assigned for consideration, tomorrow morning, without reference to a committee.

On motion by Mr. Cole of York, the rules were suspended and that senator presented a resolve in favor of Fred W. Lawrence, stenographer to the joint special committee on public utilities, and on motion by the same senator the resolve was referred to the committee on appropriations and financial affairs.

On motion by Mr. Conant of Waldo, the vote was reconsidered whereby House Document No. 656, Resolve in favor of the reconstruction of the easterly span of the Old Town-Milford Bridge, was assigned for Thursday forenoon.

The same senator then offered Senate Amendment A to House Document No. 656.

The PRESIDENT: The parliamentary

situation is as follows: The committee on ways and bridges reported to the House Resolve in new draft relating to the construction of the Old Town-Milford bridge. The House substituted for the report of the committee the original resolve which had been referred to the committee, which has been printed and is House Document No. 656. That resolve was passed to be engrossed in the House. The Senate has accepted the report of the committee and the senator from Waldo now offers Senate Amendment A to the resolve which is House Document No. 656:

"Amend Resolve relating to the construction of the Old Town and Milford bridge, by striking out all of said Resolve after the word 'Resolved' and substituting in place thereof the following:

Section 1. That there is hereby appropriated for the year 1913 for the purpose of constructing that part of the Old Town and Milford bridge that connects the town of Milford with Treat and Wenster Island, so-called, the sum of sixty-two thousand four hundred dollars (\$62,400); said construction to be under the supervision of the State highway department, on such location as said department may determine.

Section 2. Said easterly span of the Old Town and Milford bridge shall be hereafter maintained under the supervision of the State highway department by the city of Old Town and the town of Milford in proportion to their respective State valuations. And in case of failure on the part of either said city or town, after reasonable notice by said State highway department, to pay its due proportion as determined by said State highway department, the State assessors shall add such city or town's proportion of said expense to the next tax assessed against such city or town by the State, and it shall be collected in the same manner as other State taxes are now collected from said city or town.

Section 3. The westerly span of said Old Town and Milford bridge shall be hereafter maintained under the supervision of the State highway department

by the city of Old Town. And in case of failure on the part of said Old Town, after reasonable notice by said State highway department, to pay the expense of said maintenance, the State assessors shall add such expense of maintenance to the next tax assessed against said Old Town by the State, and it shall be collected in the same manner as other State taxes are now collected from said city.

Section 4. In the event that any public utility should wish to use said bridge in any way, the compensation for such and the mode and manner thereof shall be fixed by the Public Utility Commission, and the compensation so fixed and paid shall be disposed by said Public Utility Commission as justice may require.

The resolve was given its first reading.

On motion by Mr. Conant, the rules were suspended and the resolve was given its second reading and passed to be engrossed.

The PRESIDENT: The joint order adopted March 27th relating to the appointment of a committee of three on the part of the Senate with such as the House may join to be appointed to consider and report the order of proceedings to be observed upon the hearing proposed by the resolve of the two branches upon the alleged causes of removal in the case of Lewis W. Moulton, sheriff of the county of Cumberland, in the House was amended by House Amendment A. In the Senate House Amendment A was indefinitely postponed in non-concurrence. The order comes from the House as originally adopted in the Senate, adopted in concurrence. The House has joined as its members of the committee of conference on the disagreeing action of the two branches: Messrs. Smith of Patten, Smith of Presque Isle, Wheeler, Duntun, Sanborn, Thombs and Connors.

The other orders relating to Emerson, Ballou, Lowe, Hines, Tolman, all of the same tenor, have been received back from the House, adopted in concurrence. The House has joined as its members of the committee in each case the same members as in the case of Lewis W. Moulton.

The Chair announces the appointment

on the part of the Senate as members of the committee on procedure in each case the same members as in the case of Sheriff Moulton: Senators Stearns, Cole and Boynton.

On motion by Mr. Stearns of Oxford, unanimous consent was given and that senator presented out of order the following report of a committee:

The committee appointed to consider and report the order of proceedings to be observed upon a hearing proposed by the Resolve of the two branches of the Legislature upon the alleged causes of removal in the case of John W. Ballou, sheriff for the county of Sagadahoc, submit the following rules:

First. For the purpose of granting a joint hearing, agreeably to a vote of the two branches of the Legislature, they will meet in convention in the Hall of the House of Representatives on Friday, April 4th, at 9.30 o'clock in the forenoon.

Second. The President of the Senate shall preside in convention and in his absence, or with his consent, the Speaker of the House may preside. Both, when present, shall hear and determine the questions of the admissibility of testimony and any other questions of law that may arise and their judgment given by the one presiding, or by the other, at his request, shall be final and not subject to appeal.

Third. The attorney general, with such legal assistance as he may see fit to employ, may appear in support of the resolve and be heard by himself, assistants and witnesses, and the respondent by himself and by counsel and witnesses.

Fourth. The same rules of evidence shall govern as in the trial of civil actions in the supreme judicial court. All depositions shall be taken forthwith, but no deposition shall be admitted unless it is shown that the deponent is unable to be present. The presiding officer shall decide all questions of the admissibility of evidence, procedure, practice and pleading, and from such decisions given in the manner provided in rule second, there shall be no appeal.

Fifth. No debate whatever shall be admitted in the convention.

Sixth. No motion shall be submitted or entertained except to take a recess to a time certain or to dissolve the convention and such motion shall be decided without debate.

Seventh. No person shall be admitted to the floor of the House except members of the convention, counsel, witnesses, reporters for the press and the officers of both branches, except by order of the President of the Senate or the Speaker of the House.

(Signed) STEARNS of Oxford  
for Committee.

The report of the committee was adopted.

The same order of proceedings was presented by the same committee upon each case. The date assigned for the different hearings was as follows:

Lewis W. Moulton, Saturday, April 5th at 9.30 o'clock in the forenoon.

Adeibert J. Tolman, Monday, April 7th at 9.30 o'clock in the forenoon.

Wilbert W. Emerson, Tuesday, April 8th, at 9.30 o'clock in the forenoon.

William H. Hines, Wednesday, April 9th, at 9.30 o'clock in the forenoon.

Hewett M. Lowe, Wednesday, April 9th, at 9.30 o'clock in the forenoon.

The several reports of the committee were adopted.

**THE PRESIDENT:** In connection with the matter of committees of conference, the Chair desires to call attention to the fact that a committee of conference should be in possession of the papers of the case just as much as any other committee. It having been appointed to consider a matter of the disagreeing action of the two branches, should at once request the papers in the case from the secretary of State or the clerk of the House, and those papers should be filed with the report of the committee, and the report of the committee of conference should be made to the branch that asked for the committee, with all the papers.

On motion by Mr. Packard of Knox,  
Adjourned until tomorrow morning at 9.30 o'clock.