

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Second Legislature

OF THE

STATE OF MAINE.

1905.

SENATE.

Thursday morning, March 23, 1905.

The Senate called to order by the President.

Prayer by the Rev. Mr. Spencer of Augusta.

Reading of yesterday's journal read and approved.

Papers from the House passed in concurrence.

The following order came from the House, "Ordered, the Senate concurring, that the report of the committee on appropriations and financial affairs on resolve in favor of the town of Eristol, be taken from the files and laid before the House." On motion by Mr. Tupper of Lincoln Senate amendment A to the foregoing order was adopted, the amendment being as follows: To amend said order so as to read as follows: Ordered, the Senate concurring, that the report of the committee on appropriations and financial affairs, referred to the next Legislature on resolve in favor of the town of Bristol, be taken from the files and laid before the Senate. The order as amended was passed.

Bill, "An act to amend chapter 180 of the private and special laws of 1879, establishing a police court in the city of Belfast," came from the House reported by the committee on judiciary "ought to pass." In the House the report was accepted, and the bill was indefinitely postponed. On motion of Mr. Clark of Hancock the bill and report were tabled.

Resolve in favor of James Chase came from the House reported "ought to pass" by the committee on appropriations and financial affairs. Upon motion of Mr. Phileon of Androscoggin the title of the resolve was amended to read, "Resolve in favor of James A. Chase." As amended the report of the committee was accepted in concurrence, and on motion by Mr. Putnam of Aroostook under a suspension of the rules the bill took its several readings and was passed to be engrossed.

Resolve in favor of the secretary of the committee on insane hospitals. Under suspension of the rules this re-

solve took its several readings and was passed to be engrossed.

Resolve in favor of Sereno T. Kimball, secretary of the joint select committee on State printing. On motion of Senator Putnam the rules were suspended and the bill took its several readings and was passed to be engrossed.

Resolve in favor of towns for reimbursement of moneys spent on State roads in the year 1903. House amendment A was adopted in concurrence, and on motion by Mr. Curtis of Cumberland Senate amendment A was adopted, and on further motion by the same Senator the resolve as amended took its several readings under suspension of the rules, and was passed to be engrossed.

An act to regulate the taking of white perch and black bass in Whitney and Hogan ponds in the county of Oxford, and also Phipps pond in the county of Aroostook. On motion of Mr. Furbish of Franklin the bill took its several readings under suspension of the rules, and was passed to be engrossed.

An Act to change section 34 of chapter 41 of the Revised Statutes relating to the taking of clams. House amendments A and B adopted in concurrence. On motion by Mr. Shackford of Washington the rules were suspended and the bill took its several readings and was passed to be engrossed.

An Act to prevent the wilful destruction of trailing arbutus, accompanied by report of the committee on Agriculture that same "ought to pass." Report accepted in the House, and the bill indefinitely postponed by that branch. Mr. Stetson of Penobscot moved that the Senate non-concur with the House, and Mr. Staples of Knox called for a yeas and nays vote. A sufficient number not voting the yeas and nays were refused. The question being put the Senate voted to non-concur with the House in the indefinite postponement of the bill. Senator Sturgis of Cumberland offered Senate amendment A, and the amendment was refused. On motion of Mr. Staples the bill took its second reading and was passed to be engrossed.

The majority and minority reports of the committee on temperance on bill, "an act to provide for the proper labeling of proprietary medicines containing alcoholic or narcotic drugs,"—majority report "ought not to pass," and minority report "ought to pass in new draft" were received from the House. In the House majority report was accepted. On motion of Mr. Mills of Washington the majority report was accepted in concurrence.

Bill, "an act additional to chapter 113 of the Revised Statutes in relation to the assigning of wages." This bill was received in the House, and under suspension of the rules took its three readings and was passed to be engrossed without reference to a committee. On motion by Mr. Gardner of Penobscot the bill was tabled.

The committee of conference on the disagreeing action of the two branches on House amendment A to House document 225, reported that the committee had agreed to recommend in place of the amendment the following,—Strike out the words "legal and usual" in the third line of section 4 in said document, and insert instead thereof the word "all." The report of the committee was accepted. The question being upon the motion of the senator from Penobscot to reconsider the vote whereby this bill was passed to be engrossed, the motion prevailed. House amendment A was adopted on further motion by the same senator, and on his still further motion the adoption of the amendment recommended by the committee of conference was adopted. The bill was then passed to be engrossed as amended.

Bill, "an act enlarging the duties and fixing the compensation of the attorney general, which was amended in the House by amendment A, which was adopted in the Senate, the Senate also adopted Senate amendment A, the bill was returned to the House, coming then to the Senate with House amendment B adopted by the House. On motion by Mr. Stetson of Penobscot House amendment B was adopted in concurrence, and the bill as amended was passed to be engrossed.

An act to exempt soldiers and sailors of the Civil War from poll tax was amended in the Senate by the adoption

of Senate amendment A, and sent to the House. It came back with House amendment A adopted by that branch. House amendment A was adopted by the Senate in concurrence, and the bill as amended was passed to be engrossed.

House document 545, being charter of the city of Augusta, which was amended by House amendment A and passed to be engrossed by the Senate and sent to the House, subsequently returned with House amendment B. On motion by Mr. Heselton of Kennebec the Senate reconsidered the vote whereby the bill was passed to be engrossed. House amendment B was adopted in concurrence, and the bill as amended was passed to be engrossed.

House document 340, relating to negotiable instruments, which was passed by the House and defeated in the Senate. The Senate adhering to its action it was sent to the House, and returned therefrom, the House adhering to its action.

House document 528, which is known as the "Cider bill," was passed by the House, defeated in the Senate, the latter branch adhering to its action, and sent to the House, being returned therefrom, the House adhering to its action.

Bill "An Act relating to trustees," was returned from the House the Senate having adhered to its action, the House also adhering.

An Act to amend Section 112 of Chapter 6 of the Revised Statutes relating to political caucuses, passed in the House to be engrossed, and indefinitely postponed in the Senate. The Senate adheres to its action, and the House also adheres in its action.

House document 518, "An Act to incorporate the Monterey Association," passed in the House and indefinitely postponed in the Senate. The House adheres to its action, and the Senate adheres to its action.

Mr. Putnam of Aroostook, presented resolve in favor of the stenographers of the presiding and recording officers of the Senate and House, which was referred to the committee on appropriations and financial affairs.

Orders.

Ordered that all the officers and employes of the Senate remain on duty for 24 hours after the Legislature adjourns.

An Act relating to corporations, being Senate document 253, took its second reading under suspension of the rules, and on motion by Mr. Clark of Hancock same was passed to be engrossed.

On motion by Mr. Putnam of Aroostook resolve in favor of Albert W. Buck, messenger to the President of the Senate, took its second reading under a suspension of the rules and was passed to be engrossed.

Reports of Committees.

Mr. Pike for the committee on appropriations and financial affairs on resolve in favor of A. I. Russell, reported that the same "ought not to pass." Report accepted.

Mr. Putnam for the same committee on order of the Legislature relating to payroll of the members, officers, employes, chaplains, and members of the Senate and House, reported resolve on the payroll of the Senate, and that the same "ought to pass." Report accepted. The resolve then took its first reading without being printed, and on motion by Mr. Putnam the same took its second reading, and was passed to be engrossed.

The same senator for the same committee on order relating to payroll of members, officers, employes, chaplains and members of the House and Senate, reported accompanying resolve on the payroll of the House, and that the same "ought to pass." Report accepted. The bill then took its first reading without being printed and on motion by the same senator took its second reading under suspension of the rules, and was passed to be engrossed.

The following committees submitted their final report:

The committee on public buildings and grounds.

The committee on libraries.

The committee on taxation.

Said reports were accepted.

The committee on conference on Insane Hospitals on disagreeing action of the two branches of the Legislature

on the majority and minority reports of the committee on Insane hospitals, in relation to the appropriation of \$120,000 for the Eastern Maine Insane hospital, submitted majority report that the minority report "ought not to pass," (signed) Morse, Pike and Brown, on the part of the Senate, and Baxter on the part of the House. And minority report of the same conference committee on the same matter, reporting that the majority report "ought to pass" be accepted; (signed) Whitmore, and Buzzel on the part of the House. Mr. Stetson of Penobscot moved that the minority report be accepted, and called for the yeas and nays. The yeas and nays were ordered, and the vote being had resulted as follows: Those voting yeas were, Messrs. Ayer, Furbish, Gardner, Irving, Knowlton, Pierce, Plummer, Putnam, Shackford, Staples and Stetson (11). Those voting nays were, Bailey, Bartlett, Brown, Clark, Curtis, Heselton, Mills, Morse, Philoon, Pike, Potter, Randall, Simpson, Sturgis, Tarte and Tupper (16).

So the motion to accept the minority report of the committee of conference was lost, and on motion by Mr. Morse of Waldo the Senate voted to adhere.

The same Senator further moved to reconsider the vote whereby the Senate voted to adhere, and the motion was lost.

Passed to be Enacted.

An Act to incorporate the Kittery Water and Electric Light Co. On motion by Mr. Simpson of York the vote whereby this bill was passed to be engrossed was reconsidered. On further motion by the same Senator Senate amendment A was adopted, and the bill as amended was passed to be engrossed.

An Act to create the Portland Bridge District.

An Act to prohibit the throwing of sawdust and other mill waste into Breakneck brook and tributaries in Cumberland county.

An Act to amend Section 38 of Chapter 32 of the Revised Statutes relative to enforcement of penalty for illegal seining.

An Act to provide for the representation of the State of Maine at the Lewis and Clark and Jamestown Exposition, without State appropriation.

An Act authorizing the payment of an annuity by the city of Portland to Charles D. Skillin.

An Act to amend Section 52 of Chapter 32 of the Revised Statutes, relating to search.

An Act to amend Section 1 of Chapter 116 of the Revised Statutes relating to the salary of public officers and compensation of members of the government.

An Act to incorporate the Old Town Water District.

An Act to repeal acts incorporating Skowhegan Village Corporation.

An Act authorizing the compilation of the sea and shore fishery laws.

An Act to organize the plantation of Sandy river in the county of Franklin, State of Maine.

An Act additional to Chapter 27 of the Revised Statutes, relating to alien paupers.

An Act to amend a special act enacted and approved March 8, 1905, amending the charter of the Geo. A. Young Co., organized May 3, 1899.

An Act to amend an Act authorizing a topographic survey of the State.

An Act for the protection of clams in parts of the county of Sagadahoc.

An Act to amend Chapter 11 of the Revised Statutes relating to Register of Deeds.

An Act to provide for the appointment of a commissioner of highways and economy in municipal expenditures.

Finally Passed.

Resolve in favor of J. Perley Dudley.

Resolve in favor of Edward K. Milliken.

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

Resolve in favor of the clerk and stenographer to the committee on appropriations and financial affairs.

Resolve in favor of Thomas Anderson for services as postmaster to the Senate at the organization of the 72d Legislature.

Orders of the Day.

On motion by Mr. Staples of Knox, House document 524, bill relating to assessment of damages for property taken for public uses, was taken from the table. Permission was given, at the request of said senator, to withdraw Senate amendment A. The pending question being upon

the adoption of House amendment A, the same was adopted in concurrence. The same senator moved that the rules be suspended, and the bill take its second reading. The motion prevailed, and the bill was read a second time and passed to be engrossed.

On motion of Mr. Heselton of Kennebec, Resolve in favor of a feeding station for the Sebago lake fish hatchery was taken from the table, and on further motion by the same senator the resolve was finally passed.

On motion by Mr. Tartre of York, bill recognizing the Pepperell Manufacturing Company as a corporation legally organized, was taken from the table, and on the same senator's motion the Senate concurred with the House in indefinitely postponing the bill.

On motion by Mr. Sturgis of Cumberland, House document 357, bill to amend Revised Statutes relating to the election of selectmen and overseers of the poor and assessors, was taken from the table. On further motion by the same senator the Senate voted to reconsider the vote whereby this bill was passed to be engrossed. On his further motion Senate amendment A was adopted, also Senate amendment B was adopted, and the bill as amended was passed to be engrossed.

On motion by Mr. Gardner of Penobscot, Senate document 146, bill in relation to the taxation of mortgages on real estate, was taken from the table.

Mr. GARDNER of Penobscot: Mr. President and Gentlemen of the Senate, at this late hour in the day, and at this late time in the session I shall not attempt any discussion of the technical merits of the bill, which I have offered as an amendment to the original proposition, and which is in substance an attempt to reform the present tax laws, and to do away with double taxation.

Any attempt to discuss the technicalities of this bill at the present time would be a physical impossibility. I wish to state to the senators here that after the discussion by the Senate of this matter, and its going to the House and being defeated—the proposition to exempt mortgages from taxation, the proponents of the original proposition wished to do away with double taxation, and decided that as they had been defeated in the House on that specific proposition, to offer this other, which has received much

encouragement and many suggestions from members of the other body who voted against the first draft. It was suggested that at this time an amendment of the bill might meet the approval of those who rejected the original draft.

I think I am frank in saying, as I am honest in saying, that I believe enough members of the present House of Representatives have stated frankly and freely that they would vote for the proposition to tax mortgagor and mortgagee—that is, to tax the lenders' money; and enough support has been assured this measure so that there is little doubt, unless technicalities on the matter of parliamentary procedure should obstruct its passage, that this bill would be very likely to pass.

Now, without going into a discussion of the technicalities of the bill, this proposition is that of the Massachusetts law to tax mortgages and loans on mortgaged real estate, reduced as best we could in the time we have had to meet the conditions so far as our statute will admit; and it is in substance a statement that mortgagor and mortgagee shall be joint owners in the property in which they are interested, and that that mortgage held by the mortgagee shall be taxable as real estate in the locality where the real estate is.

Then the bill provides that the interest of the mortgagee shall be taxed, and it also makes them joint owners in that real estate—and it is substantially the Massachusetts law, with the changes which the law of this State requires.

Now, gentlemen, as I see it, and as I said, many parties who are interested in tax reform see it, in this State we are now carrying out a law which is double taxation, and which especially works injustice and hardship against the small borrowers of this State, makes savings banks' the favorite investment, which investments are reloaned to favored individuals and not the common people—those who are interested in tax reform have no particular notion that they must insist on the original draft, nor have they any favorite method, but they wish in substance to get at the same proposition—to do away with double taxation.

The position they argue is one of prejudice; they have argued that the original draft exempted the rich man from taxation; they have argued the constitutionality of such a bill, and labored and lab-

ored in the House to work on prejudice to defeat the original proposition.

I am going to state again that the proponents of this idea of relief from double taxation, so far as I can find, are not selfish, nor have they a pecuniary interest in this matter; and I want to state to the senators here that it does not make a cent's worth of difference to me or my property whether the bill passes or not.

I believe the original draft was a better way to get at it, and I firmly believe the passage of that law would have been better; but I am going to ask the senators here to vote for me on the proposition to adopt this new draft as an amendment to the original bill, in order to satisfy the fear of many that the original bill was a rich man's measure. I am going to ask the senators here to adopt this bill as an amendment, and then vote to refer the whole matter to the next Legislature, and I will explain briefly why.

In the hurry of drafting a bill which would meet the approval of those who feared that the original bill was a rich man's measure, we were obliged to incorporate the Massachusetts law, and change it to meet the requirements in this State. It was a matter of great importance—a matter of a great deal of technicality, and for that reason at the conference last night of those who favored reform in the matter of double taxation, and who favored the original bill, and who are only anxious to urge some method of fair taxation, it was decided to refer this matter to the next Legislature.

In view of the fact that it is a complicated method of arriving at the result, we did not feel justified, at this late time, even though having some chance of success in passing the bill. We did not feel justified in urging the passage of a law every question of which, regarding its operation and result we could not specifically, definitely and honestly answer; and for that reason, while we believe there is nothing improper in this, and while we believe it will result in all the benefits we hope for, we are going to ask that this matter be referred to the next Legislature; and that then, as this matter has been heard and discussed all over the State, that then the people of the State through their representatives and senators here may de-

cide whether tax reform is due this State, and do something to relieve the operation of the present law of double taxation; and I ask the Senate here, first, to adopt this amendment, and then that we take proper steps to refer this matter to the next Legislature.

Mr. PUTNAM of Aroostook: Mr. President, I rise to a point of order.

The PRESIDENT: The senator will state his point of order.

Mr. PUTNAM: My point of order is this: As I understand it, the present status of this Senate bill, No. 146, is this: It came back to us from the committee to the Senate some two weeks ago, reported to this Senate in the form of two reports, the majority report after some debate in this Senate was accepted; and the bill was passed to be engrossed. It then went down to the House of Representatives for that branch to concur or non-concur with our action. Day before yesterday they debated this question, and refused to concur with the Senate to substitute the minority report for the majority report. It now comes back for our action to concur or non-concur with that branch. It seems to me, from all the authorities I can find, that parliamentary practice says we are in position now to do one of three things: Either, 1, to recede from our former action in accepting the majority report and to concur with the House in accepting the minority report; 2, insist upon our action and call for a committee of conference; or 3, we can adhere to our former action. And, Mr. President, I ask for a ruling as to a motion on the proposition that this amendment which the senator from Penobscot has introduced is not in any way germane or relative to the bill under discussion; and also, Mr. President, I raise this point that it violates the spirit if not the letter of general rule No. 14, which says that no measure containing the same subject matter shall be introduced and given to the House of which the member who offers it is a member. It violates the letter if not the spirit of that rule. The senator from Penobscot covers up in the form of an amendment an attempt to substitute for this bill a new bill.

I raise this point and I ask the ruling of the Chair.

Mr. GARDNER: Mr. President, I will ask the Chair if a motion to recede from our former action, will leave the matter where it started; and then if the offering of the amendment would be in order.

The PRESIDENT: The Chair thinks that the proper motion for the Senator from Penobscot to have made yesterday was a motion to recede; but the Senator from Penobscot made a motion to reconsider the vote whereby we passed this bill to be engrossed. The Senate entertained the motion. No point of order was raised against the same, therefore the Chair thinks that the motion of the Senator from Penobscot to reconsider, having been adopted by the Senate, they waived the parliamentary objection that the Senator from Penobscot should have moved to recede, the point of order not being raised at that time. Therefore the Chair thinks that the matter is properly before the Senate, as far as that point is concerned. In regard to the second point, that the amendment is not germane to the bill, the Chair sustains the Senator from Aroostook. An appeal can be taken from the ruling of the Chair if the Senate desires.

Mr. GARDNER: Mr. President, I have no desire to appeal from the ruling of the Chair; but, for information, I will ask the President, in order that the subject may come before the Senate, what the Chair would rule as the proper motion to make.

The PRESIDENT: I wish the Chair knew. It would certainly help you if it could. The Chair does not know how you can get this matter referred to the next Legislature, without the concurrent action of the House and Senate, and without over-ruling the decision of the Chair that the amendment offered is not germane to the bill.

Mr. GARDNER: Having no desire, Mr. President to over-rule the ruling of the Chair, I would make the motion now that the original proposition that the Senate recede from its former position; and then I shall move that the matter be referred to the next Legislature, if such action is in order. I ask the Chair if that motion is proper and in order.

The PRESIDENT: I think a motion to recede is in order.

Mr. GARDNER: I will ask the Chair if a motion then to amend the majority report by inserting instead of "ought to pass" the words "referred to the next Legislature" is in order?

The PRESIDENT: I do not think the Senator from Penobscot could offer his substitute, as it would not be germane. The Chair thinks the Senator could move to refer the whole matter to the next Legislature.

Mr. GARDNER: Leaving out the subject-matter in order that the matter of tax reform and double taxation may be referred to the next Legislature?

The PRESIDENT: That is the opinion of the Chair.

Mr. Gardner of Penobscot, thereupon moved to recede from the former position of the Senate in accepting the majority report, "ought to pass."

The motion prevailed.

The same Senator further moved that instead of accepting the majority report "ought to pass," the Senate substitute referred to the next Legislature on the original bill, and the subject-matter contained therein.

The PRESIDENT: The Chair is of the opinion that the Senator from Penobscot, should not attempt to amend the report of the committee by striking out the words "ought to pass" and inserting the words "referred to the next Legislature." The Chair is of the opinion that the motion of the Senator should be that the Senate refer the matter to the next Legislature, and that such motion would be in order.

The motion as suggested by the president was accepted by the Senator from Penobscot and at his request the motion was put, and prevailed.

Mr. GARDNER: I understand that that motion includes the report.

The PRESIDENT: It carries all the papers with it except the senator's amendment, which the Chair ruled was not germane.

On motion by Mr. Heselton of Kennebec the Senate voted to reconsider the action whereby it passed to be engrossed Senate document 253, An Act relating to corporations. Senate amend-

ment A was adopted and the bill as amended was passed to be engrossed.

Bill relating to the protection of trailing arbutus, House document 290, was returned from the House, that branch insisting upon its action to indefinitely postpone, and asking for a committee of conference. On motion by Mr. Stetson of Penobscot, the Senate voted to insist and that a committee of conference be appointed; and the Chair appointed as such committee on the part of the Senate Messrs. Stetson, Heselton and Clark.

Senate document 199, "An Act relating to the compensation of registers of deeds," was passed to be engrossed by the Senate, as recommended by the committee on salaries. It went to the House, and the House amended by striking out the provision in regard to Knox county for \$300 additional for clerk hire. The bill was returned to the Senate and the Senate insisted upon its action. It was then returned to the House and that branch insisted upon its action and a committee of conference on the part of the House was appointed, consisting of Messrs. Littlefield, Marshall and Hale; whereupon the bill was returned to the Senate. On motion by Mr. Stetson of Penobscot the Senate voted to insist, and to join the committee of conference; and the Chair appointed as conferees on the part of the Senate, Messrs. Stetson, Staples and Pierce.

On motion by Mr. Simpson of York the Senate voted to reconsider the vote whereby it passed to be engrossed House document 322, and on further motion by the same senator, Senate amendment A was adopted for House amendment A, and the bill as amended was passed to be engrossed.

Mr. Heselton of Kennebec, by unanimous consent, introduced out of order, bill entitled "An Act to amend Section 23 of Chapter 119 of the Revised Statutes of the State of Maine, relating to offenses against persons, and to prevent the improper use of telephones." The bill was received, and under suspension of the rules, and on motion by the same senator, took its two several readings and was passed to be engrossed.

On motion by Mr. Plummer of An-

droscoggin, Senate document 255 "Resolve in favor of Moses Moon, Civil war veteran," was taken from the table. And on further motion by the same senator the resolve received its several readings under suspension of the rules, and was passed to be engrossed.

On motion by Senator Stetson of Penobscot the Senate voted to adjourn until 3 o'clock, P. M.

Afternoon Session.

Thursday, March 23, 1905.

Bill "An Act to amend section 2 of chapter 25 of the Revised Statutes relating to ferries." On motion by Mr. Potter of Cumberland the bill took its several readings under suspension of the rules, and was passed to be engrossed.

An Act to amend section 16 of chapter 90 of the Revised Statutes relating to partition of real estate. On motion by the same Senator this bill took its several readings under suspension of the rules, and was passed to be engrossed.

An Act to grant certain powers to the town of Eden. On motion by the same Senator the bill took its two several readings under suspension of the rules, and was passed to be engrossed.

On motion of Senator Staples of Knox, the following resolves took their two several readings under suspension of the rules and were passed to be engrossed:

Resolve in favor of Samuel H. Hill.

Resolve in favor of the secretary of the committee on Sea and Shore Fisheries.

Resolve in favor of State House employees.

Resolve in favor of Eugene Thomas, secretary of the Committee on Education.

An Act to amend section 15 of chapter 57 of the Revised Statutes relating to free public libraries.

Bill "An Act to encourage the cultivation and preservation of forests and wood lots." This bill was tabled on motion of Mr. Clark of Hancock, pending its second reading.

Bill "An Act relating to the powers of the Portland Gas Light Co." This bill under suspension of the rules took

its second reading and was passed to be engrossed.

Bill "An Act making valid the action of the town of Standish in uniting the former school districts of South Standish and Bonny Eagle." This bill was passed to be engrossed in the Senate, and went to the House, and was there indefinitely postponed. Mr. Sturgis of Cumberland moved that the Senate insist and ask for a committee of conference.

Mr. POTTER of Cumberland: Mr. President, I know nothing about this matter, but I have a remonstrance which I have been requested to present, and ask that it be read by the Chair.

(Remonstrance of Orrin E. Southwick and others against the proposed bill read by the Chair.)

The question being put on the motion of the Senator from Cumberland, the same prevailed.

Mr. STURGIS: Mr. President, I would like to have the foregoing remonstrance sent to the committee with the bill, and whenever they get ready to report, if it ever comes back here, I will take up and digest the remonstrance of the people from Bonny Eagle.

Said remonstrance was referred to the conference committee, and the Chair appointed as such committee Messrs. Sturgis, Potter, and Tartre.

The committee on Claims submitted their final report.

Bill, An Act to amend Chapter 180 of the private and special laws of 1879, establishing a police court in the city of Belfast. This bill unanimously reported by the committee "ought to pass" was indefinitely postponed in the House. On motion by Mr. Clark of Hancock the Senate concurred. A motion to reconsider prevailed, and on motion by the same Senator the Senate non-concurred with the House in the indefinite postponement of the bill, and the Senate voted to accept the report of the committee on Judiciary that the same "ought to pass" in new draft. Under suspension of the rules the bill took its several readings and was passed to be engrossed.

On motion by Mr. Gardner of Penob-

scot House bill 240, "An Act additional to Chapter 193, being an Act in relation to the assignment of wages," was taken from the table. This bill was received in the House under suspension of the rules, and in that branch passed to be engrossed, and on motion by the same Senator the bill was indefinitely postponed.

On motion of Mr. Philoon of Androscoggin the Senate took a recess.

At the close of the recess the Senate was called to order by the President.

Resolve in favor of the stenographers to the presiding and recording officers of the Senate and House. On motion of Mr. Staples of Knox this resolve took its two several readings under suspension of the rules, and was passed to be engrossed.

Resolve in favor of clerk of the Committee on Taxation. On motion by the same Senator this bill took its two several readings under suspension of the rules, and was passed to be engrossed.

Bill "An Act to amend Section 2 of Chapter 62 of the Revised Statutes relating to proceedings for divorce." In the House report was accepted, and the bill was subsequently indefinitely postponed. On motion by Mr. Staples of Knox the Senate concurred in the same.

Bill "An Act to enlarge the jurisdiction of the municipal court of Dexter." On motion of Senator Knowlton of Penobscot this bill took its several readings under suspension of the rules, and was passed to be engrossed.

Bill "An Act to repeal Section 12 of Chapter 84 of the Revised Statutes in relation to taking the testimony of a party prosecuting or a party defending as executor or administrator." This bill was indefinitely postponed in the House, and on motion by Senator Philoon of Androscoggin the Senate voted to concur in its indefinite postponement.

Bill "An Act to amend Section 3, paragraph 6, entitled Oxford county, of Chapter 407 of the private and special laws of 1903 relating to fishing in the tributaries of Little Magalloway river. On motion by Mr. Gardner of Penobscot the rules were suspended, and this bill took its several readings and was passed to be engrossed.

Bill "An Act to repeal Chapter 317 of the private and special laws of the State of Maine for the year 1903, relating to the taking of clams in Scarborough. (House amendment A adopted in concurrence) As amended the bill was passed to be engrossed.

Bill, "An Act enlarging the duties of the county attorney," went to the House, was amended in that branch, and as amended passed to be engrossed there. On motion by Mr. Stetson of Penobscot, the Senate non-concurred with the House in the adoption of the amendment. The Senate insisted upon its action, and asked for a committee of conference. The Chair appointed as conferees on the part of the Senate Messrs. Stetson, Pierce and Heston.

Bill, "An Act to amend Section 35 of Chapter 65 of the Revised Statutes relating to costs in contested cases. This bill passed to be engrossed by the Senate was sent to the House, and in that branch indefinitely postponed. On motion by Mr. Potter of Cumberland, the Senate non-concurred with the House in the indefinite postponement of the bill, and on further motion by the same Senator the Senate insisted upon its action, and requested a committee of conference. The Chair appointed as conferees on the part of the Senate Messrs. Potter, Philoon and Staples.

Bill, "An Act to establish the Lincoln county municipal court, having been amended by Senate amendment A was in the House passed to be engrossed, House amendment A having been adopted by that branch. On motion by Mr. Potter of Cumberland, the Senate insisted upon its action, and requested a committee of conference. The Chair appointed as conferees on the part of the Senate Messrs. Potter, Tupper and Pierce.

Passed to be Enacted.

An Act to amend Paragraph 7 of Section 4 of Chapter 48 of the Revised Statutes for Maine, relating to fire insurance policies.

An Act to apportion the expenses of bridges between towns.

An Act to amend Chapter 24 of the Revised Statutes relating to registering the number, and regulating the speed of automobiles and motor vehicles, and for licensing the operators thereof.

An Act relating to the compensation of registers of probate.

An Act to amend Section 22 of Chapter 6 of the Revised Statutes relating to the regulation and conduct of elections.

An Act to amend an Act, entitled an Act to amend Chapter 9 of the Revised Statutes relating to the assessment of taxes on lands in unincorporated places.

An Act to amend Sections 116 and 117 of Chapter 6 of the Revised Statutes, relating to caucuses in cities of over 25,000 inhabitants.

An Act to revise, consolidate and amend the charter and laws of the city of Augusta.

An Act to extend the charter of the Bluehill and Bucksport Electric Railway

An Act to authorize the town of Castine to construct for itself, persons and corporations a system of water works within said town.

An Act to reimburse the town of Chelsea.

Finally Passed.

Resolve to amend Chapter 194 of the Revised Statutes of 1893, relating to industrial exhibits.

Resolve in favor of C. O. Purington, secretary of the committee on agriculture.

On motion by Mr. Irving of Aroostook, the Senate here took a recess.

After recess the Senate was called to order by the President.

Mr. GARDNER of Penobscot: Mr. President, I rise for a parliamentary inquiry. I would like to inquire of the Chair if the Senate has a right at this stage of its proceedings to take from the table any subject matter which any senator has tabled, who is not present to look after it, or who declines or refuses to take the matter from the table.

The PRESIDENT: The Chair would say in reply to the inquiry of the Senator from Penobscot that it is within the province of the senator to take from the table any matter that has been tabled by any senator.

Mr. GARDNER: In view of that ruling, while I have no intention whatever to be discourteous to Senator Clark of Hancock, I find that he has tabled subject matter carrying a unanimous report of the committee on taxation—that he has tabled this matter, and left the Senate chamber, and we are not able to reach him. I un-

derstand he is out driving on the streets for pleasure.

Now at this stage of our proceedings, when we must necessarily hurry matters, it seems hardly good business to do this; and while, as I say, I wish to offer him no discourtesy, I desire to take this matter from the table, that I may as chairman of the committee on taxation offer a brief explanation why we submitted a unanimous report in favor of this bill in relation to the cultivation and preservation of forests and woodlots.

I will state that I do this because I cannot be here when this matter comes up, and I feel it my duty to offer an explanation to the Senate as to why we returned this unanimous report. And I will suggest that when the senator from Hancock returns I think it would be the duty and pleasure of the Senate to reconsider it that he may have an opportunity, if he has anything to say in reference to the bill.

On motion by Mr. Gardner the bill was taken from the table, being an Act to encourage the cultivation and preservation of forests and woodlots, with report accompanying same "ought to pass."

The report of the committee was accepted. The pending question being upon the first reading on motion by Mr. Gardner the bill was tabled.

Bill "An Act relating to the Northern Electric Company, ratifying and confirming its organization." This bill was passed by the Senate, and in the House was indefinitely postponed. On motion by Mr. Staples of Knox, the bill was tabled.

Bill An Act to amend Section 1 of Chapter 423 of the Private and Special Laws of 1885, Section 5 of Chapter 180 of the Private and Special Laws of 1879, as amended, etc., relating to police court of the city of Belfast. This bill was passed to be engrossed in the House; the House insisted upon its action, and asked for a committee of conference. Senator Morse of Waldo, moved to insist and join the committee of conference.

On motion of Senator Staples of Knox, the Senate adjourned to meet at 8 o'clock this evening.

Evening Session.

Senate called to order by the President. Bill in relation to police court of the city of Belfast. On motion by Mr. Morse of Waldo, the Senate voted to insist on its action and that a committee of con-

ference be appointed. The Chair appointed on the part of the Senate Messrs. Morse, Clark and Philoon.

On motion by Mr. Sturgis of Cumberland, bill in relation to the cultivation and preservation of forests and woodlots, was taken from the table. The pending motion that the same be referred to the next Legislature, was withdrawn. On further motion by Mr. Sturgis of Cumberland, the bill was indefinitely postponed.

Bill, An Act to make valid the action of the town of Standish in uniting the former school districts of South Standish and Bonny Eagle. This bill was passed to be engrossed in the Senate, and went to the House. In the House the bill was indefinitely postponed. The bill came back to the Senate and the Senate voted to insist and asked for a committee of conference. Sturgis, Potter and Tartre were appointed upon that committee. The bill went back to the House, and that branch adhered. The senator from Cumberland moved to farther insist, and requested a committee of conference.

Senate document 146 relating to mortgages on real estate, which was referred to the next Legislature by the Senate, was returned from the House, that branch refusing to concur with the Senate and adhering to its action in accepting the minority report. On motion by Mr. Plummer of Androscoggin, the Senate voted to insist and asked for a committee of conference. The Chair appointed Messrs. Plummer, Irving and Gardner.

The conference report on matter of appropriation for the Eastern Maine State hospital, went to the House, and the House voted to adhere.

The committee of conference on the disagreeing action of the Legislature Report that the Senate concur with the House in its reference to the next Legislature, of the bill. Report accepted. On motion by Mr. Plummer of Androscoggin, the Senate voted to recede and concur with the House in referring the bill to the next Legislature.

The committee of conference on disagreeing action of the Legislature on House amendment A of Senate 199, being Act relating to the compensation of registers of deeds, reported that House amendment A ought not to pass; and that the following amendment ought to pass: Amend by striking out all but the word Knox in the 18th line, and inserting in-

stead thereof the words "nine hundred dollars with two hundred dollars additional for clerk hire," so that the 18th and 19th lines as amended, shall read as follows: "Knox nine hundred dollars, with two hundred and fifty dollars additional for clerk hire." On motion of Mr. Morse of Waldo, this was laid on the table.

Subsequently the bill was taken from the table by the senator from Waldo, and the Senate voted to reconsider the vote whereby the amendment was adopted. And on further motion by the same senator the Senate voted to non-concur with the House in the adoption of the amendment, also voted to amend the bill so that lines 18 and 19 should read: "Knox nine hundred dollars, with two hundred and fifty dollars additional for clerk hire." The bill as amended received its two several readings and was passed to be engrossed.

The order passed by the Senate relating to inquiries by the committee on legal affairs in relation to assessing and describing wild lands in the State, etc., came back from the House indefinitely postponed. On motion by Mr. Pierce of Aroostook, the Senate receded and concurred with the House in indefinitely postponing the order.

The action of the House in relation to the order of the Legislature in regard to the rate necessary for the State tax for 1905 and 1906, was concurred in by the Senate.

Resolve in favor of the town of Bristol which was reported by the committee on appropriations and financial affairs, "referred to the next Legislature," was returned from the House, the report of the committee not accepted in that branch, and the resolve passed to be engrossed. The Senate voted to reconsider the vote whereby the Senate accepted the report of the committee that it be referred to the next Legislature. On further motion the bill took its two several readings and was passed to be engrossed in concurrence.

Bill, "An Act relating to advertising hearings before Legislative committees," which was passed by the Senate, with Senate amendment B, went to the House, and in that branch was indefinitely postponed. The Senate voted to recede and concur with the House in indefinitely postponing the bill.

Bill, "An Act to secure proper and uniform records in the municipal courts, and providing for supplies," which was passed to be engrossed in the Senate was returned from the House indefinitely postponed in that branch. The Senate voted to concur with the House in indefinitely postponing the bill.

Bill, "An Act relating to the Northern Gas Electric Light Company," was taken from the table on motion by Mr. Owen of Piscataquis. This bill had been passed to be engrossed in the Senate, and went to the House, and in that branch was indefinitely postponed. On further motion by the same senator the Senate voted to non-concur with the House in the indefinite postponement of the bill, and a committee of conference was requested. The Chair appointed as conferees on the part of the Senate Messrs. Clark, Owen and Morse.

On motion by Mr. Bailey of Somerset, the Senate adjourned to meet on Friday, March 24, 1905, at ten o'clock in the forenoon.