

# MAINE STATE LEGISLATURE

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**Legislative Record**

of the

**Seventy-Third Legislature**

of the

**State of Maine.**

1907.

## SENATE.

Friday, March 15, 1907.

Senate called to order by the President.

Prayer by Rev. Mr. Hope of Augusta.

Journal of the previous session read and approved.

Papers from the House disposed of in concurrence.

**House Bills Read and Assigned.**

An Act to amend Section 2 of Chapter 46 of the Revised Statutes, as amended by Chapter 90 of the Public Laws of 1905, relating to interest on loans on personal property.

An Act to amend Section 11 of Chapter 61 of the Revised Statutes, relating to the solemnization of marriages.

An Act additional to and amendatory of Chapter 3 of the Private and Special Laws of the year 1887, entitled, "An Act to supply the people of the town of Presque Isle with pure water."

An Act to prohibit the taking of lobsters in Hancock County.

Bill, "An Act for the protection of gray squirrels and black squirrels, so called," which was passed to be engrossed by the Senate on February 25th comes back from the House in that branch passed to be engrossed as amended by House Amendment A. On motion by Mr. Putnam of Aroostook the Senate reconsidered the vote whereby the Bill was passed to be engrossed, and on further motion by the same Senator, House Amendment A was adopted in concurrence, and the Bill as amended was passed to be engrossed.

Bill, An Act to provide for sewerage in the town of Stockton Springs, passed by the Senate to be engrossed March 12th came back from the House in that branch passed to be engrossed as amended by House Amendment A.

On motion of Mr. Irving of Aroostook the Senate reconsidered the vote whereby the bill was passed to be engrossed; and on his further motion House Amendment A was adopted in concurrence, and the bill as amended was passed to be engrossed.

The President: As the conference committee on the part of the Senate in relation to the matter of Resubmission the Chair will appoint Messrs. Heselton,—

Mr. HESELTON of Kennebec: Mr. President, I recognize the futility of a committee on conference in such a matter as this. I do not wish to take up the time of the Senate or my own time in attempting to negotiate upon that matter. I move that we reconsider that part of the motion whereby we ask for a committee of conference.

The motion prevailed. On further motion by the same senator the Senate voted to adhere.

The majority and minority report of the committee on Judiciary on Resolve proposing an amendment to article four of the Constitution of the State of Maine, came from the House, that branch having accepted the majority report and the accompanying Resolve finally passed.

Mr. Staples of Knox moved that the minority report be substituted for the majority report.

Mr. Deasy of Hancock: Mr. President, I do not deem it necessary to make any speech on this matter, to make any extended remarks or to present any extended argument. The Republican State convention adopted a plank at its last session, declaring for a referendum as applied to the statutes. The Grange have asked for a referendum for the same. Labor organizations, with one voice all over the state, have approved the Weeks bill so-called which applies to the statutes.

A large number of people from all over the State appeared before the committee on Judiciary asking for the enactment of a resolve submitting this matter to the people; and almost all with hardly a dissenting voice, representing all classes and representing both parties, asked for the amendment of the so-called Weeks' bill submitting statutes, and not amendments to the Constitution, to the people by referendum. The committee by a vote of 8 to 2 have reported this Resolve and I trust that the motion of the senator from Knox, Mr. Staples to substitute the minority report, will not prevail.

Mr. STAPLES of Knox: Mr. President, I do not propose to discuss this matter this morning. I think everybody is familiar with the position of every member in this senate upon it. Being entirely in favor of the referen-

dum, both parties having declared for it in their platform, I believe that the people in the State at the present time want the referendum. I would rather have had a constitutional referendum together with the statute referendum. I am never afraid, Mr. President, to submit a constitutional, as well as a statute referendum, to the people of this State. I have taken that course of referring to the people in great questions ever since I have had the honor of being a member of this body and I tell you that the people of this State are looking to us not for a statute referendum only, because that amounts to a very little. Every two years the Legislature meets and can remedy the statutes but a constitutional referendum is what strikes at the hearts of the people and they are demanding it at our hands today and are looking for a referendum to abolish the 15th amendment and every other important question. You can never tax the wild lands of the State until you have a constitutional referendum. I believe we ought to support the minority report and I ask that when the vote be taken that it be by the yeas and nays.

The PRESIDENT—Before we vote upon this matter, the Chair will suggest that the bill comes from the House in a rather unusual form. It appears to have been finally passed by the House without being engrossed, and without being engrossed is signed by the Speaker.

The question being put upon the motion of the senator from Knox, Mr. Staples, that the minority report be substituted for the majority report the yeas and nays were called for. A sufficient number did not vote for the yeas and nays. A viva-voce vote being taken on the motion of the senator from Knox, the motion was lost.

Mr. Deasy of Hancock thereupon moved that the majority report "ought to pass" on the Weeks bill so-called be accepted.

The question being put the yeas and nays were called for and ordered and the vote being had resulted as follows: Those voting yea were Messrs. Ayer,

Bailey, Brown, Clarke, Curtis, Deasy, Eaton, Foss, Garcelon, Hastings, Irving, Libby, Merrill, Mills, Page, Parkhurst, Philoon, Proctor, Putnam, Heselton, Rice, Simpson, Staples, Stearns, Tartre, Wyman (26), and no senator voted in the negative. Senator Houston responded to his name when called said: I would rather not vote on the question if I may be excused.

So the motion prevailed and the majority report was accepted.

On motion of Mr. Heselton of Kennebec, under suspension of the rules, the resolve took its several readings and was passed to be engrossed.

The following resolves and remonstrances were presented and referred:

#### Salaries and Fees.

By Mr. Irving of Arrostook—Resolve in favor of secretary of committee on banks and banking.

By Mr. Barrows of Penobscot—Remonstrance of S. C. Vittum and others of Concord against the removal of the seat of government.

Also: Remonstrances of L. M. Sanborn and others; of C. W. Harding and others of Gorham; of F. L. Clark and 10 others of Gray, severally against the duplication of the liberal arts courses by the University of Maine at expense of State, which were placed on file.

By Mr. Mills of Hancock: Bill, "An Act to amend Section 11, Chapter 23, of the Revised Statutes, as amended by Chapters 7 and 9 of the laws of 1905, relating to boundaries of ways. Received under suspension of the order ann referred to the committee on legal affairs.

#### Read and Assigned.

An Act to amend Chapter 9 of the Public Laws of 1903, relating to the compensation of selectmen.

An Act for the better preservation of plans of cities, towns and plantations.

Senate Document No. 248, Bill, "An Act to amend Section 24 of Chapter 2 of the Revised Statutes establishing the seat of government," came up for its first reading.

Mr. HESELTON: Is not this bill properly before this body on the ques-