

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fourth Legislature

OF THE

STATE OF MAINE

1909

Resolve in favor of the clerk to the committee on interior waters.

Resolve in favor of the clerk, stenographer and messenger to the legal affairs committee.

Resolve in favor of L. A. Davis, clerk of the committee on public health and public buildings and grounds.

Resolve in favor of Verdi Ludgate, chairman of the committee on education.

Resolve in favor of M. S. Hill, clerk to the committee on temperance.

Resolve in favor of H. R. Thompson for services as clerk and stenographer to the committee on library.

Resolve in favor of the Eastern Maine Insane Hospital.

Memorial to Congress in relation to the requirement of wireless telegraphy on passenger steamships and tug boats on ocean voyages.

#### Passed To Be Enacted.

An Act to amend Chapter 40 of the Revised Statutes relating to inspectors of factories, workshops, mines and quarries.

An Act to amend an act authorizing the county commissioners of Cumberland county to erect a county building in Portland.

An Act to amend Section 1 of Chapter 128 of the Revised Statutes, in regard to malicious mischief.

An Act to establish the board of police for the city of Waterville.

An Act to create a State water storage commission.

An Act to amend Section 78 of Chapter 9 of the Revised Statutes in relation to appeal from the County Commissioners.

Mr. Staples of Knox moved that this bill pending its passage to be enacted, be indefinitely postponed. Upon this motion the Senator from Oxford, Mr. Hastings, called for the Yeas and Nays and the Yeas and Nays were ordered.

The vote being had resulted as follows: Those voting Yea were Messrs. Donigan, Gowell, Hamilton, Hill, Kellogg, Macomber, Mullen, Osgood, Reynolds, Shaw, Smith Staples, Wyman, (13). Those voting Nay were Messrs. Baxter, Boynton, Colcord, Eaton, Hastings, Howes, Irving, Knowlton, Looney, Lowe, Milliken Minott, Warren, (13).

So the motion to indefinitely postpone was lost.

Resolve in favor of immediate expenses for the support of the Maine School for Feeble Minded. (This resolve contained the emergency clause, and a vote being had, 25 Senators voted in favor of its passage, and there were no votes opposed.)

On motion by Mr. Milliken of Aroostook, Bill, "An Act to make uniform the standard in relation to alcohol in intoxicating liquors", was taken from the table.

Mr. MILLIKEN of Aroostook: Will the Chair kindly state the parliamentary situation?

The PRESIDENT: The Senate passed this bill to be engrossed. The House passed it to be engrossed as amended by House Amendment A. The Senate reconsidered its vote whereby it passed it to be engrossed and adopted House Amendment A and passed the bill to be engrossed as amended by House Amendment A, and the bill was laid on the table.

Mr. MILLIKEN of Aroostook: Mr. President: I move that, having been taken from the table, be placed upon its passage, whatever the next step is.

The PRESIDENT: The Chair has to beg the pardon of the Senator from Aroostook. I misunderstood the endorsement upon the back of the bill. House Amendment A has been adopted by the House, but has not been adopted by the Senate. I inadvertently read the House endorsement, which I took to be the Senate endorsement.

Mr. MILLIKEN: Mr. President: The question then is upon the adoption of House Amendment A in concurrence. Has the vote whereby the bill was passed to be engrossed been reconsidered?

The PRESIDENT: It has not.

Mr. MILLIKEN: Mr. President: I move that the Senate reconsider the vote whereby the bill was passed to be engrossed.

The motion prevailed.

The same Senator thereupon moved the adoption of House Amendment A.

Mr. MILLIKEN of Aroostook: This bill simply provided for a uniform standard with that of the United States Government as to what should be con-

sidered intoxicating liquors. The only effect of the bill so far as a sale in the State goes, would be upon those beers—Uno Beer, etc.—which are sold as a beverage and which contain less than three percent. The bill would not have any effect upon anything which is not a beverage, or anything containing more than three per cent, or anything that does not require the stamp of the United States Government. The purpose of the bill is entirely plain to all of you. The House has added an amendment specifically including cider in the bill. I do not know what the purpose of the amendment was. I want to say, the only persons who can and do object to this bill are those persons who derive a profit from the sale of Uno Beer, and those people do not dare to come before the Committee and oppose the bill, and all opposition to it has been indirect. I do not say this amendment was proposed by these people, but its purpose is to kill the bill; but I want to point out what the effect of the amendment is. The effect of the amendment is absolutely nothing. The amendment is futile and foolish and makes no addition to the laws of this State in the sale of cider, as will be apparent when I call attention to the fact that the bill in any case applies only to the standard that the United States Government applies, and calls any liquor an intoxicating liquor which requires the stamp of the United States Government. It never has required a stamp in the case of cider. The amendment has no effect upon liquor which contains more than three per cent of alcohol, and as cider we know does contain that percentage, those liquors are held to be intoxicating liquors. And in the case of cider, the statute provides expressly the way in which it may be sold and expressly excepts it from other provisions of the statutes. The amendment is foolish and adds nothing, but I assume it was introduced for the purpose of killing the bill. The amendment will have absolutely no effect, and, as today is the first day of April and as it has been observed from time immemorial as April Fool's Day, that may have had something to do with its introduction.

On motion by Mr. Milliken of Aroos-

took, the bill was passed to be engrossed as amended.

On motion by Mr. Baxter of Cumberland, the Senate took a recess until 5:00 o'clock P. M.

5 o'clock P. M.

The Senate was called to order by the President.

"Resolve in favor of L. S. Sanborn" came from the House. On motion of Mr. Hastings of Oxford, under suspension of the rules, this resolve took its two several readings and was passed to be engrossed.

"Resolve in favor of E. E. Chase, Jr." (On motion by Mr. Walker of Hancock, under suspension of the rules, this resolve took its second reading and was passed to be engrossed.

On motion by Mr. Hastings of Oxford, the Senate took a recess until 8:00 o'clock P. M.

#### Evening Session.

8:00 o'clock P. M.

Senate called to order by the President.

"An Act to amend Section 21 of Chapter 32 of the Revised Statutes relating to hunting on Sunday."

The PRESIDENT: This bill was by the Senate passed to be engrossed as amended by House Amendment A. By the House it has been passed to be engrossed as amended by House Amendment A and House Amendment B.

(House Amendment B read by the Secretary.)

Mr. DONIGAN of Somerset: Mr. President: It seems to me that we are making a good deal of law for the people in the rural districts in respect to the Fish and Game matters. I move that the bill be indefinitely postponed.

Mr. MILLIKEN of Aroostook: Mr. President: I understand that the amendment agreed upon is satisfactory to the Commissioners and has been agreed upon by the House. I think the bill contains a principle that is important in its present form and it is satisfactory to all who wish the bill to become a law. The purpose is to make it easier to enforce the Sunday law. I hope the motion of the Senator from Somerset will not prevail, and that the bill will