

MAINE STATE LEGISLATURE

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Legislative Record

of the

Seventy-Third Legislature

of the

State of Maine.

1907.

HOUSE.

Thursday, March 21, 1907.

Prayer by Rev. Mr. Grosvenor of Augusta.

Papers from the Senate disposed of in concurrence.

An Act to confirm certain proceedings of the town of Eden authorizing an issue of High school building bonds, came from the Senate passed to be engrossed in that branch under a suspension of the rules.

On motion of Mr. Joy of Eden the rules were suspended, the bill received its three readings and was passed to be engrossed in concurrence.

Majority and minority reports of the committee on temperance on bill to regulate the purchase and sale of intoxicating liquors by State liquor commissioner and by town liquor agents, came from the Senate, the majority report accepted in that branch and the bill passed to be engrossed.

On motion of Mr. Newbert of Augusta the reports were tabled pending the acceptance of either and Tuesday of next week assigned for their consideration.

Senate Bills on First Reading.

An Act to establish a salary for the judge of the municipal court at Rumford Falls.

This bill came from the Senate amended by Senate amendment A.

The House adopted Senate amendment A, and the bill received its two readings and was assigned for tomorrow morning.

An Act to amend Section 95 of Chapter 49 of the Revised Statutes as amended by Chapter 121 of the Public Laws of 1905, relating to notice of injury to casualty insurance companies.

An Act to provide for a clerk for the register of deeds of the northern registry for Aroostook county, came from the Senate read twice under a suspension of the rules and passed to be engrossed.

The House reconsidered the vote whereby it adopted the report of the committee, the bill was then substituted for the report in concurrence, and the bill then received its two readings

and was assigned for tomorrow morning.

Majority and minority reports of the committee on telegraphs and telephones on bill relating to the duties of telegraph companies, came from the Senate the majority report accepted in that branch and the bill read twice under a suspension of the rules and passed to be engrossed.

On motion of Mr. Davis of Poland the reports and bill were laid on the table.

An Act to provide for the preservation of the records and history of the Grand Army of the Republic, department of Maine, came from the Senate referred to the next Legislature in non-concurrence with the House.

The House reconsidered the vote whereby the bill was referred to the committee on public buildings and grounds and referred the bill to the next Legislature in concurrence.

An Act to amend Sections 13 and 124 of Chapter 15 of the Revised Statutes relating to the mill fund and school tax, came from the Senate amended by Senate amendment A.

The House reconsidered the vote whereby the bill was passed to be engrossed, Senate amendment was adopted in concurrence, and the bill was then passed to be engrossed as amended in concurrence.

Mr. Folsom of Norridgewock presented remonstrance of Bonneg Beg Grange against removal of State capital. (Placed on file.)

Mr. Mayo of Foxcroft presented resolve in favor of Walter J. Mayo, secretary of the committee on military affairs. (Referred to the committee on appropriations and financial affairs.)

Reports of Committee.

Mr. Joy from the committee on appropriations and financial affairs, on order of the Legislature to inquire into the expediency of requiring supplies purchased by the State for all State institutions to be purchased on the basis of competitive bids, reported "legislation thereon inexpedient."

The report was accepted and sent to the Senate.

Mr. Montgomery from the committee on the judiciary, reported "ought to pass in new draft under same title" on Bill "An Act to incorporate the Calais Water District."

Mr. Jordan from the committee on appropriations and financial affairs, reported "ought to pass" on Resolve in favor of W. G. Fuller.

Mr. Scates from same committee, reported same on Resolve in favor of F. H. Parkhurst, chairman of the committee on State School for Boys.

Mr. Stubbs from same committee, on Bill "An Act" entitled "An Act creating a State Board of Charities and Corrections," reported resolve entitled Resolve providing for the appointment by the Governor of a committee to inquire into the advisability of creating a State Board of Charities and Corrections.

Mr. Newcomb, from same committee, reported "ought to pass in new draft" on Resolve in favor of J. Merrill Lord, chairman of House committee on elections, in payment of expenses incurred by contestees and contestants and fees of witnesses and stenographer in the election contest of representatives to the 73d Legislature from the towns of Dexter and Fort Kent, under title of Resolve in favor of J. Merrill Lord, chairman of House committee on elections.

Mr. Joy from same committee, reported "ought to pass" on Resolve in favor of W. S. Knowlton, to pay expenses of investigation of office of State superintendent of schools.

Same gentleman from same committee reported same on Resolve in favor of C. Bradstreet, clerk of the committee on banks and banking.

Same gentleman from same committee reported same on Resolve in favor of James A. Chase, mail carrier of he House.

The reports were accepted and bill and resolves ordered printed under joint rules.

Mr. Merriman, from the committee on appropriations and financial affairs, reported "ought to pass" on Resolve in favor of Benjamin F. Colcord.

The report was accepted and on motion of Mr. Dunton of Belfast, rules were suspended, the resolve was giv-

en its two several readings, passed to be engrossed and sent to the Senate.

Majority report of the committee on temperance reporting "ought not to pass" on Bill "An Act to repeal Chapter 92 of the Laws of 1905," entitled "An Act to provide for the better enforcement of the laws against the sale and manufacture of intoxicating liquors."

(Signed)

BROWN,
IRVING,
LIBBY,
MILLS,
DOW,
PERKINS,
HASTINGS,
WALDRON.

Minority report of same committee, reporting "ought to pass" on same bill.

(Signed)

NEWBERT,
POOLER.

Pending acceptance of either report, both were tabled, on motion of Mr. Newbert of Augusta, and Tuesday, March 26, assigned for their further consideration.

Majority report of the committee on temperance reporting "ought to pass on Bill "An Act to amend Sections 5 and 9 of Chapter 92 of the Public Laws of 1905, providing for the better enforcement of the laws against the manufacture and sale of intoxicating liquors."

(Signed)

BROWN,
IRVING,
DOW,
MILLS,
LIBBY,
PERKINS,
WALDRON.

Minority report of same committee reporting "ought not to pass on same bill.

(Signed)

NEWBERT,
POOLER.

Pending acceptance of either report, both were tabled on motion of Mr. Dow of Brooks, and Tuesday, March 26, assigned for their further consideration.

Majority and minority reports of the

joint select committee appointed to investigate the fish and game department of the State of Maine and to ascertain what changes, if any, are advisable in the existing laws, and to report by bill or otherwise.

Both reports were tabled pending the acceptance of either, and reports and accompanying papers ordered printed, on motion of Mr. Hill of Monticello.

First Reading of Printed Bills and Resolves.

An Act to amend Section 73 of Chapter 10 of the Revised Statutes relating to the collection of taxes.

An Act to extend the open season on wild ducks.

An Act to prohibit fishing in the brooks and streams flowing into George's river between the outlet of Quantebacook pond in Searsmont and the dam across said George's river at North Appleton and in the tributaries to said brooks and streams. (Read a third time and passed to be engrossed under a suspension of the rules, on motion of Mr. Skidmore of Liberty).

An Act to amend specification 10 of Section 6 of Chapter 9 of the Revised Statutes, relating to the exemption from taxation of lands set apart for the production of forest trees.

An Act to amend Section 2 of the Private and Special Laws of the year 1907 entitled "An Act to amend the third paragraph of Section 51 of Chapter 79 of the Revised Statutes, relating to supreme courts."

An Act in the interest of humanity to animals.

An Act to authorize the county commissioners of Washington county to create a sinking fund for the purpose of paying the bonded debt of said county.

An Act to amend Section 19, Chapter 55 of the Revised Statutes, relating to the cutting and removal of wires and poles. (Tabled pending second reading on motion of Mr. Murphy of Portland).

An Act to provide for the State of Maine to take land for the purpose of building and operating fish hatcheries.

An Act to correct clerical errors in Chapter 32 of the Revised Statutes and acts amendatory thereto, to regu-

late the length of trout, landlocked salmon, white perch and black bass which may be taken, to prohibit the sale of trout, landlocked salmon, white perch and black bass and to regulate the transportation of deer out of the State.

Mr. Hathorn of Milford offered Amendment A, which was adopted, and the bill was then read twice and assigned for tomorrow morning.

An Act to amend Section 8 of Chapter 51 of the Revised Statutes, relating to railroad maps.

An Act to amend Sections 4 and 7 of Chapter 92 of the Revised Statutes, relating to the foreclosure of mortgages.

An Act for the better collection of taxes.

An Act to amend Section 11 of Chapter 80 of the Revised Statutes, in relation to the power and duties of county commissioners.

An Act to amend Section 50 of Chapter 41 of the Revised Statutes, relating to the taking of eels in Pem-aquid river.

An Act to amend an act entitled "An Act additional to Chapter 49 of the Revised Statutes, relating to insurance and insurance companies," approved March 6, 1907.

An Act to amend Section 42 of Chapter 8 of the Revised Statutes, relating to the taxation of express companies.

An Act to amend Section 18 of Chapter 8 of the Revised Statutes, relating to the taxation of corporate franchises.

An Act to amend Section 25 of Chapter 8 of the Revised Statutes, relating to the taxation of railroad companies.

An Act to amend Section 44 of Chapter 9 of the Revised Statutes, relating to the assessment of taxes on lands in places not incorporated.

Resolve in favor of the Moosehead fish hatchery. (Tabled pending second reading on motion of Mr. Cobb of Gardiner).

Resolve relating to the disposal of the insurance due on the Moosehead lake hatchery, recently burned. (Tabled pending second reading on motion of Mr. Hall of Dover.)

Resolve in favor of Rose Kelley.

Passed to Be Engrossed.

An Act for the preservation of forests

and water powers. (Tabled until tomorrow on motion of Mr. Skidmore of Liberty.)

An Act for the preservation and better protection of ballots.

An Act to amend Sections 47 and 48 of Chapter 106 of the Revised Statutes, relating to proceedings to quiet title to real estate.

An Act to incorporate the Livermore Falls Water District.

An Act concerning the appointment of married women as guardians.

An Act to amend Section 116, Chapter 84, Revised Statutes, relating to witnesses.

An Act to amend Section 12, Chapter 135, of the Revised Statutes, relating to the challenge of jurors in certain criminal cases.

An Act to amend Chapter 139 of the Public Laws of 1905, relating to registers of deeds.

An Act to amend an act approved Feb. 22, 1907, entitled "An Act to amend Chapter 107 of the Private and Special Laws of 1905" entitled "An Act to incorporate the Stockton Springs Water Co."

An Act to provide for the remuneration of deputy sheriffs.

An Act to incorporate the trustees of Machiasport bridge.

An Act relating to the attendance of witnesses at court.

An Act additional to an act providing an additional term of the supreme judicial court for the county of Oxford, approved by the Governor March 9, A. D., 1907.

An Act relating to the assessment of taxes.

Resolve in favor of the Maine Insane hospital.

An Act to amend Chapter 6 of the Revised Statutes relating to elections.

An Act to amend Section 11 of Chapter 23 of the Revised Statutes as amended by Chapter 79 of the laws of 1905, relating to boundaries of ways.

Passed to Be Enacted.

An Act to regulate fishing in Boneg Beg pond in Sanford and North Berwick in the county of York.

An Act to amend Section 41 of Chapter 23 of the Revised Statutes relating

to the powers, liabilities and penalties of plantations.

An Act to amend Section 12 of Chapter 142 of the Revised Statutes relating to the earnings of prisoners committed to houses of correction.

An Act to prohibit the throwing of sawdust and other mill waste into Bear river lying within the towns of Newry and Grafton in the county of Oxford.

An Act for the protection of deer in York county. (Tabled on motion of Mr. Horigan of Biddeford.)

An Act to extend the open season on duck in Lincoln county.

An Act to amend Chapter 144, R. S., relating to the commitment and support of the insane.

An Act to amend Section 1 of Chapter 405 of the Private and Special Laws of 1901, relating to the taking of herding.

An Act to amend Section 1 of Chapter 317 of the Private and Special Laws of 1901 entitled, "An Act to protect lobsters in the waters adjacent to the shores of the town of Lubec and Tre-scott.

An Act to amend Chapter 419 of the Private and Special Laws of 1897 as amended by Chapter 155 of the Private and Special Laws of 1899, and by Chapter 308 of the Private and Special Laws of 1901 entitled "An Act to incorporate the Penobscot West Branch Log Driving Company."

An Act to repeal Chapter 248 of the Private and Special Laws of 1905 amendatory to Section 3 of Chapter 407 of the Private and Special Laws of 1903, relating to the time of fish that can be taken in the streams lying wholly or partly in the towns of Freeman, Salem and Strong.

An Act to repeal Chapter 582 of the Special Laws of 1868 and Chapter 191 of the Special Laws of 1903, relating to the taking of codfish, pollock, hake and haddock in the waters of Frenchman's bay.

An Act to amend Section 6 of Chapter 113, Revised Statutes, providing for the recording of assignments of wages.

An Act to amend Section 1 of Chapter 129, Revised Statutes, relating to the pollution of water.

An Act to enable the town of Danforth to purchase the stock or franchises of the Danforth Water Company or any part thereof.

An Act to amend Chapter 193 of the Private and Special Laws of 1903 entitled "An Act to incorporate the East Branch Improvement Company."

An Act to regulate fishing in Collins pond, so-called, in the town of Windham.

An Act to extend the charter of the Peaks Island Railroad Company.

An Act to amend the charter of the Mt. Desert Trust Company.

An Act to regulate fishing in Wessersunnet stream and tributaries in the county of Somerset.

An Act to secure the preservation of and make public the early records of towns and plantations.

An Act to legalize the doings of the Free Will Baptist Parish church of Limerick.

An Act relating to the Old Town municipal court in the county of Penobscot.

An Act to legalize the acts of Pleasant Ridge plantation in the county of Somerset.

An Act to amend Chapter 49 of the Revised Statutes relating to life insurance.

An Act to regulate fishing in Spear stream in the county of Oxford, also its tributaries.

An Act to regulate fishing in Loon lake and in Cow pond, so called, in the county of Franklin.

An Act to regulate fishing in Meadow brook, so called, and its tributaries in the county of Oxford.

An Act to amend Section 24 of Chapter 144 of the Revised Statutes relating to insane hospitals.

An Act to amend Section 76 and Section 80 of Chapter 15, R. S., relating to State aid to academies.

An Act to amend Sections 41, 42, and 43 of Chapter 15, R. S., relating to district superintendents of schools.

An Act to incorporate the Danforth Trust Company.

An Act relating to corporations.

An Act to regulate fishing in Jimmy, Buker, Sand, Long, Purgatory and Lit-

tle Purgatory ponds in the county of Kennebec.

Finally Passed.

Resolve in favor of the town of Concord.

Resolve in favor of the Maine Insane hospital.

Resolve in favor of the town of New Portland.

Resolve in favor of L. C. Morse.

Resolve in favor of the inhabitants of Whitneyville.

Resolve in favor of the town of Meddybemps.

Resolve in favor of the town of Trescott.

Resolve in favor of the town of Bingham.

Resolve in favor of the city of Gardiner and the town of Randolph.

Resolve in favor of building a bridge in the town of Forest City.

Resolve in favor of Wilbur Grant of Kingman, Maine.

Resolve in favor of the town of Baring, Washington county.

Resolve to provide for the maintenance of the University of Maine.

Resolve in favor of the town of Howland for the purpose of repairing bridge across the Piscataquis river.

Resolve to appropriate \$100 to screen lake Webb in the county of Franklin.

Resolve in favor of the town of Howland and Enfield for the purpose of repairing bridge across the Penobscot river.

Resolve providing for assistance in rebuilding the East Branch bridge in the town of Enfield.

Resolve in favor of the town of Howland for the purpose of repairing bridge across the Sebais river.

Resolve in favor of bridge across the Little Madawaska river in Connor Plantation, county of Aroostook.

Resolve authorizing the State land agent to sell certain lots in the towns of St. Agatha and Madawaska in Aroostook county.

Resolve to rebuild the State bridge across Depot stream in township number 13, range 15, in the county of Aroostook.

Resolve in favor of the town of Deer Isle in the county of Hancock in aid of building bridge across Robbins bar, so

called, between Deer Isle and Stinson's neck in said town.

Orders of the Day.

The Speaker appointed on the part of the House on the joint special committee to investigate the advisability of establishing a State board of education and report to the next Legislature, Messrs. Knowlton of Monson, Danforth of Skowhegan and Murphy of Portland.

Unfinished business: Bill to enable cities to assess taxes for street sprinkling.

On motion of Mr. Tolman of Portland the bill and amendments were tabled for further consideration.

On motion of Mr. Montgomery the rules were suspended and that gentleman introduced a resolve in favor of the clerk and stenographer and messenger to the judiciary committee. (Referred to the committee on appropriations and financial affairs.)

Special assignments: Majority and minority reports of committee on temperance, reporting on bill for repeal of State liquor agency law "ought to pass" and "ought not to pass."

On motion of Mr. Waldron of Dexter the reports were re-assigned for Tuesday of next week.

State Capital Removal.

Special assignment: Reports "A" and "B" of committee on public buildings and grounds, reporting on order to inquire into the expediency of changing the seat of government, a Bill "ought to pass," and "legislation inexpedient."

Mr. SPEAR of South Portland: Mr. Speaker, the report of the committee on public buildings and grounds I believe to be probably as thoroughly understood by every member of this House and by every person attending this session of this body this morning as any measure which has been presented for consideration at this session of the Legislature. I do not feel called upon, neither do I think it necessary for the proper and intelligent action of this House, to discuss any of the details of the proposition which we commonly call the State House removal question. I wish simply to call the attention of this body to the principle of the referendum adopted by both political parties

of the State, subscribed to and voted for by every member present and voting in this House when the question was before us, and in regard to which the gentleman from Waterville (Mr. Johnson) said he believed in the referendum of any important question to the people.

I wish to say, Mr. Speaker, that in support of my motion I ask only that every member of this body conscientiously, soberly ask himself, "Am I justified in arrogating to myself the arbitrary disposition of this question?" And further, I wish to say that at the proper time I have an amendment to offer to substitute the word "October" for the word "June," relating to the time of holding the election for the ratification or rejection of this measure by the people of the State, and substituting the words "October 1908," for "November 1907" in relation to the time of making the financial payment on the part of Portland. It is my intention to offer the amendment if report A should be accepted.

Mr. PIKE of Eastport said:

Mr. Speaker and Gentlemen of the House: It seems to me, that no more important question has come before the Legislature in recent years than the order introduced in the upper branch to inquire into the expediency of a change in the seat of government of this State. The committee on public buildings and grounds to which this order was referred fully realized the grave responsibility thrust upon it. In order that the people of Maine might have knowledge of this question we advertised, I think in every paper in the State. At our first meeting held in this House the City of Portland through her Representatives came before our committee and submitted a proposition for our consideration. After a full hearing upon one side the Attorneys for the City of Augusta, asked for more time. We granted the request and continued the hearing for two weeks. When the day arrived for our final hearing upon this question we found such an array of distinguished counsel as is seldom seen in any court of law, or before any legislative body. It was then that your committee rested assured that every conceivable argu-

ment bearing upon either side of this question would be produced. We have heard all the arguments. We visited the City of Portland and examined the various sites upon which a capital could be erected and I want to say here to the honor of the Mayor of Portland that through our entire visit in that city he never once pressed upon us any arguments in favor of his city or inquired if we had reached any opinion upon the matter. We returned to our duties here and after much discussion and careful consideration your committee presents to this House a divided report. Five of the committee reports legislation inexpedient and God only knows how they could reach that conclusion. I confess that it is beyond my comprehension. The remaining five of your committee report the following bill and the accompanying statement of facts which I will read in full.

BILL

STATEMENT OF FACTS

An Act to amend section twenty-four of chapter two of the Revised Statutes, establishing the seat of government.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Section 1. Section twenty-four of chapter two of the Revised Statutes is hereby amended by striking out the word "Augusta" in the first line thereof and inserting the word 'Portland,' so that said section as amended shall read as follows:

'Sect. 24. The city of Portland shall be the seat of government, until otherwise provided by the Legislature.'

Sect. 2. Within thirty days after the approval of this act by the Governor, the Governor, the President of the Senate and the Speaker of the House of Representatives, shall jointly appoint, and the Governor shall commission not less than three nor more than seven citizens of the State, who, when so appointed and commissioned, shall constitute a commission with full power and authority to determine upon the suitability of, and, if found suitable, to accept a lot as a site for a capitol in said city of Portland, to be conveyed to the State by said city of Portland as hereinafter provided, and

further with full power and authority to consider and adopt plans for the construction of a capitol upon said lot, including the excavation and grading of said lot and the equipment and furnishing of said capitol, and to make all contracts on behalf of the State and to do all other things necessary or essential to a full and complete construction, equipment and furnishing of said capitol in accordance with said plans and modifications thereof to be adopted by said commission. Said commission may act by a majority of its members and, upon the approval and acceptance of this act by the legal voters of the State as hereinafter provided and upon the tender of a conveyance to the State by said city of Portland of a lot, or one of several lots, for a site for a capitol, as hereinafter provided, shall at once proceed to determine the suitability of said lot or the suitability and superiority of one of said several lots, and having so determined the suitability and superiority of one such lot to accept the same and thereafter, upon payment by said city of Portland into the State treasury, for the use of the State, of the sum of seven hundred and fifty thousand dollars, as hereinafter provided, shall at once proceed with the construction, equipment and furnishing of a capitol upon said lot in accordance with the power and authority hereinbefore in this section conferred upon them. Provided, however, that said commissioners shall, in no event, have power to expend or incur indebtedness on behalf of the State under this act in excess of the amount to be paid by the said city of Portland into the State treasury for the purposes specified in section five of this act and the additional amount appropriated under section three of this act.

Sect. 3. In addition to any sums to be paid by the city of Portland to the State treasurer, as hereinafter provided, the sum of one hundred and twenty-five thousand dollars is hereby appropriated from any moneys in the State treasury not otherwise appropriated for each of the years nineteen hundred seven, nineteen hundred eight, nineteen hundred nine and nine-

ten hundred ten, for the excavation and grading of the lot selected by said commissioners in said city of Portland and for the building, furnishing and equipment of said capitol thereon. In the event that said commissioners, in the due prosecution of the work authorized hereunder, shall find necessity therefor, the State treasurer is hereby authorized to make a temporary loan or temporary loans, in no event, however, to exceed in the aggregate the sum appropriated by the State under this section, and to devote the proceeds thereof to the uses and purposes for which said appropriations are made. Said loans shall be paid from said appropriations as the same shall become available.

Sect. 4. Except as to the appointment and commissioning of commissioners as hereinbefore in section two provided, this act shall not take effect unless accepted and approved by a majority vote of the legal voters of the State, voting at an election to be specially called and held for the purpose on the second Monday of September, nineteen hundred seven. Due proclamation for such special election shall be made by the Governor and said election shall be called, notified and conducted in the several cities and towns in said State pursuant to the provisions of the statutes relating to elections for the determination of questions submitted to the people by the Legislature. The Secretary of State shall reduce the subject matter of this act to the following question: "Shall the act to change the seat of government from Augusta to Portland be accepted?" and the voters shall indicate by a cross placed over the words "yes" or "no" their opinion of the same. The ballots shall be prepared and distributed and the votes cast shall be counted, declared and record thereof made by the several cities and towns as in an election for governor; provided, however, that the clerks of the several cities and towns shall make return of the votes cast to the Secretary of State and such returns shall be opened and canvassed and the result declared by the Governor and Council as in the case of a special election to fill a vacancy in

the representation of the State in the National House of Representatives.

Sect. 5. This act shall in no event be of force or effect, except to authorize the appointment and commissioning of commissioners as provided in section two and the ordering and holding of a special election of the legal voters of the State with reference to the adoption and acceptance of the act, as provided in Section 4, unless the said city of Portland shall, on or before the first day of January, 1908, convey or cause to be conveyed to said State, free of expense to said State, a lot suitable in the judgment of said commissioners, for a site for said capitol in said city of Portland, and in addition thereto shall pay into the State treasury the sum of seven hundred and fifty thousand dollars for the use of said State in the excavation and grading of said lot and the construction, equipment and furnishing of a capitol thereon.

Sect. 6. This act shall take effect (1) to authorize the appointment and commissioning of commissioners under section two, when approved by the Governor; (2) to authorize the said commission to proceed with the acceptance of a lot and the construction, equipment and furnishing of a capitol thereon, when this act shall be approved and accepted by a majority of the legal voters of the State voting thereon as provided in section four and when the city of Portland shall have complied with all the conditions imposed upon it by section five; (3) to change the seat of government from Augusta to Portland on January 1st, 1910.

I

The evidence laid before the committee proved conclusively to be true.

That the assembly rooms of the Senate and the House of Representatives are inadequate and improperly arranged both in reference to business and sanitation.

(b) That the official records and the historic collections of the State whose value is not to be estimated in money and whose destruction would be a public calamity, are constantly exposed to the risk of destruction by fire, and the fire hazard of the present capitol being so large in the opinion of the executive

department as to warrant the maintenance of the insurance thereon to the extent of \$500,000 and an annual expenditure of \$1500 in premiums.

(c) That the accommodations in Augusta for legislators and citizens having occasion to attend sessions of the Legislature, are wholly inadequate and the price of living for that reason exorbitant and burdensome. That the population and business of Augusta do not permit of a different condition; that there being no commercial requirements for larger or better hotels, they can be enlarged only at the further expense of patrons during legislative sessions.

II

These facts existing, there are but two alternatives: (a) To expend sufficient money to remodel and enlarge the present capitol or build a separate office building for State officials, or

(b) To erect a new, modern, fire-proof capitol of adequate dimensions in a city of such size that its normal hotel capacity will easily take care of legislators and others having occasion to be present during legislative sessions, without strain and so without possibility of unusual or exorbitant prices.

III

The members of this committee signing this report, therefore conclude:

(a) That it is impossible to enlarge the present capitol and to build a new office building without a larger expense to the State than would be required to erect a new capitol in Portland, and that even by much expenditure the old capitol cannot be made fire-proof or adaptable or sufficient for the modern business requirements of the State.

(b) That, in their opinion, a new and thoroughly modern fire-proof capitol can be built in the City of Portland upon more advantageous terms. The city of Portland has already made a cash offer of \$500,000 which has since been increased to \$750,000 and a site. If it pays \$750,000 cash and furnishes a suitable lot, a building costing without the lot, one million two hundred and fifty thousand dollars can be built at a total expense to the State of \$500,000, payable over a period of four years at the rate of \$125,000 a year.

(c) That such an arrangement would be for the best interests of the State and would give it the superior advantages of an adequate new fireproof capitol arranged with reference to present and future business requirements and situated in a city equal to all demands upon it by legislators and others and more easily accessible by rail and steamboat lines than any other city in the State.

(d) That a matter of this importance, affecting the interests of all the people of the State, should be submitted to their determination at a special election held therefor.

(e) That, embodying the above conclusions the accompanying bill be reported.

Now, gentlemen, this infamous scheme as our Augusta friends have called it, to build a decent capitol building for our State did not originate in Portland nor was this order introduced into the Senate without adequate reasons therefor. I ask you, gentlemen, what first called the serious attention of the people of this State to this question. I say to you that it emanated from the highest source from which any recommendation could come namely from our honored chief executive in his inaugural address delivered at the beginning of this session. It is true that he did not recommend the removal of capital, but, gentlemen, it is also true that the offer since made by the city of Portland was not before him for consideration. What did the Governor say? He said "the business of the departments having offices at the State House has expanded very materially in recent years, and it is apparent that very many of the rooms in this building are no longer commensurate with the demands made upon them. In these particular cases they have been put to uses other than those for which they were originally designed, are over crowded and inconveniently arranged, and lack even the ordinary requisites of good light and air." Now, gentlemen, mark what he further says upon this question, he says "that in his judgment it would be unwise to enlarge the State House and suggests the lease or erection of an

office building to relieve the congestion of which there is so much just complaint." In the face of these unanswerable truths how can the opponents of this bill say that it had its inception on Bramhall hill and was concocted by the money changers of our Commercial Metropolis.

No, gentlemen, this agitation sprang from the calm, deliberate recommendation of our Chief Magistrate, and that they are worthy of your most earnest consideration we all will admit. This great question is not to be decided by the Representatives of Cumberland county, neither is it to be decided by the selfish interests of this city and county. I believe it will be decided by the impartial members of this House by whose judgment I am willing to abide. Portland has no strings on me, neither has Augusta. I come from a little city by the sea, two hundred miles from either Portland or Augusta, and I claim that I have considered this question from a non-partisan, unbiased, and unselfish standpoint and I say to you, gentlemen, that the time is now at hand when Maine, progressive Maine, should crawl out of the shell of 1830 and build a Capitol commensurate with the dignity and standing of a state which boasts of the proud motto of which we are all familiar. We have outgrown this old State House. Portland offers a million dollars for a new one provided you build it within her borders. Now, gentlemen, can you say honestly and consistently that this proposition is so insignificant, and so unworthy of notice that you cast it aside with a sneer and say to the people of Maine "You have no right to decide this question for yourselves." My Brother Heath in his masterly presentation of the argument against the removal of the capital said in closing, that Augusta had some equities in this matter, and gentlemen I fully agree with him upon this question. She has equities, but we have none. She has had and exercised the right to charge to the members of the Legislature \$30 per week for board, a rate which is on par with the Waldorf Astoria. There has grown up within her borders a state ring of unscrupu-

lous politicians, who for graft has not a peer on the American Continent. Look, gentlemen, at that printing establishment within the shadow of this Capitol, and look back with shame for our State at the scandals in connection with our State Printing. Yes, Augusta has equities here, and when the Burleigh and Flynt Pub. Co. sought to compel the members of this Legislature, by law to read that sheet, called the Kennebec Journal, she was attempting to take advantage of some of her so-called equities, and by our vote we repudiated the attempt and that ended it.

I believe that it is the consensus of opinion of all impartial men that Augusta is not in any way fitted at the present time to properly take care of the members of the Legislature and the people who come here on legislative business. I think we can all agree upon the inadequacy of this building to the present and increasing needs of the State, and having agreed upon that question, the next question which logically follows, can the State reasonably afford at this time the expense of the erection of a new Capitol provided one of her cities pays half of the expense?

Now, gentlemen, in the first instance this is a question on which the sober intelligent voters of this State should decide for themselves. And bearing upon this question I will again quote from the Governor's address. He says that Maine is more prosperous now than ever before in her history; visible evidences of this are on every hand and commercial and industrial statistics prove it beyond a doubt. No better or more eloquent statement can be made of the wealth of the State and the growth of that wealth than is furnished by the State assessors in their report for the year just closed. In 1904 the total valuation was \$366,514,014; in 1906 it is \$394,732,990; a gain in two years of \$28,218,976. The Governor further says that the finances of our State are in excellent condition and the cash on hand in our treasury on the first day of last January was nearly \$600,000. So much for these specious arguments that Maine is

practically a pauper and cannot afford to build a decent home to shelter her officers.

And now, gentlemen, I want to refer to one or two other points and then I am done. I want to call your attention to the Referendum in this bill. In that immortal first inaugural address of Abraham Lincoln he said these words: "Why should there not be a patient confidence in the ultimate justice of the people?" It was here, I believe, the Referendum had its birth. This principle is alive today, and will live so long as this is a government by, for and of the people. A Referendum bill indorsed by both political parties has unanimously passed this house and will soon become a law. Why not be consistent and vote to submit to the people of Maine this great question. My friends upon the other side will argue that there is no initiative, that there is no public demand for this question to be settled by the people. Ah, gentlemen, they cannot be sincere in this. Without any effort, nearly seven thousand petitioners have subscribed their names to petitions on file before our committee, a silent refutation that there is no initiative for this question.

I desire to state briefly what I believe would be the cost of a suitable Capitol. The cost has been estimated by the opponents of this bill at from \$4,000,000 to \$15,000,000. They have attempted to prejudice the people by the wildest estimates ever made by sane men. Cumberland county has at present under construction a new Court House which contains 20,000 square feet on the ground floor, larger than this Capitol by 3,000 square feet, and it is built of North Jay granite. The cost of this building will not exceed \$850,000 and the contracts have already been let. A year or two ago the state of Mississippi erected a handsome new state capital building at a cost of \$1,093,000, including furnishing, lighting and fixtures. This capitol is 3,000 square feet larger than ours and if we could have one like it in Maine it would be an honor to the State and adequate to our needs for many years to come. I am informed

that the Mississippi Capitol is constructed of Indiana limestone, and if this is true we should add \$100,000 for granite, making the total cost for a new Capitol constructed of Maine granite which would contain 3,000 square feet more than ours, with fixtures, furnishing and lighting, for the sum of \$1,193,000, two-thirds of which amount is to be paid by the city of Portland. As you all know, the Senate has already passed this bill and gave it its second reading by an increased majority. I trust that this House will have faith enough in the integrity and ability of the people of Maine to concur in the action of the Senate. The star of Maine's prosperity is in the ascendant, and I hope the day is not far off when she will take her place among her sister states with a capital building of which she is not ashamed. (Applause.)

Mr. MURPHY of Portland said:

Mr. Speaker and Gentlemen, I have been with you every day except when on committee work, since the session opened. I am here to represent the people of Portland. Ever since the day of my arrival I have worked from early morning until midnight, for the interest of my city. There are many gentlemen here who spend their entire evening in this house talking over matters that interest them. Mailing papers to their constituents and answering their correspondents. I am always among the last to leave here every evening and first to arrive, I have made it a point to leave Portland Monday morning arriving at the State House after dinner. I have been down on the street three times only during the season. Now, gentlemen, a boy can't play all the time and be a good scholar neither can a man hustle among the members of this house day after day and find any time to think, and if you don't think how can a man make a success at speech making. This is my case. However I must say a few words on Portland's side of the State House proposition. Most every one of you individually have heard me talk the matter until you are without doubt tired of it.

Portland's proposition is to give the

State \$750,000 and a site, the site to be selected by the commission appointed by the Governor. The Mississippi court house cost \$1,093,000 complete. \$1,300,000, would construct a suitable capitol in Portland, according to gentlemen who are able to give evidence in the matter. Many members of this House have freely expressed themselves on the subject of removal. I have in my mind now men that have said to me that personally they prefer Portland for many reasons, business and otherwise, and they would hail the change with pleasure. But they say we are afraid of our constituents.

Any Representative who spends a session in Augusta will realize soon after his arrival that everything at the capital city is behind the times, but when an opportunity presents itself to better himself and at the same time better the State by accepting the magnificent offer made by the city of Portland, he won't vote as his conscience dictates, because he is afraid of his constituents.

But why are his constituents so determined against a change? They say their people are against it because of the great expense to the taxpayers of the State. If the State pays \$135,000 each year towards the erection of a new State House how much will the balance of the State pay after Cumberland and York counties pay their share?

Who is responsible for such misleading stories as have been circulated through the State?

Why should any one that is honestly interested in the State's welfare circulate any such stories among the voters of the State of Maine?

Why should any one wish to expend \$500,000 for additions or alterations to this building when they can take the same money and with the magnificent offer of Portland erect a State House that will be a honor to the State, and adequate to all business demands made on it for a hundred years to come, and at the same time give the members of the Legislature and the citizens that have business at the Capital an opportunity to avail themselves of the up-to-date hotel accommodations, car

service, and places of amusement that a city like Portland can offer?

Why is any Representative afraid of his constituents? It is because some one has misrepresented the position of Portland in the case, and deliberately and dishonestly deceived the voters of the State as to the cost of the building. They did not acquaint the people with the fact that Portland would give the State two-thirds of the entire cost of site and building.

Do you think, gentlemen, that it is fair for any honest man to get the people from remote parts of Maine to write to their Representative remonstrating against the removal of the Capitol on false pretenses? That is just what the friends of Augusta have done and are doing today. Will you, gentlemen, endorse such methods?

Here is a sample of a letter sent to the Grangers throughout the State from which so many replies have come to the Augusta paper:

To the Patrons of Maine—Greeting.

Brothers and Sisters:—As you doubtless know, there is a well-organized movement to change the Capital of the State from Augusta to Portland, which we regard as entirely unnecessary and unwarranted, as it would entail an added expense of several millions of dollars upon the taxpayers of the State without adequate reason and one that the taxpayers of Maine are in no condition to assume. The present Capitol has been ample for the needs of the State and at comparatively small outlay can be made so for all future time. We enclose blank remonstrances and ask you, if you are opposed to this movement, to take action at your next meeting, and return the remonstrances with the signatures of your Master and Secretary and the number of your members under seal of the Grange to Hon. M. L. Merritt, Hotel North, Augusta. We would also advise that you write a personal letter to the Representative from your district, advising him how you feel in regard to this very important matter.

Please act promptly, as the time is short and the influences at work are well organized and powerful.

Please continue your petition for the mill tax school bill.

Fraternally,

(Signed) OBADIAH GARDNER.

Do you think this is a fair way to consider an honest proposition from the city of Portland? Are you going to allow the friends of Augusta to deliberately cheat you and the city of Portland out of the fruits of a fair, honest business proposition?

Do you think the friends of Augusta are looking after the interest of the remote sections of Maine, or their own selfish interest?

I want to say right here that as a representative of the city of Portland I am looking after my city's interests, at the same time I want you, and every one to understand that the interest of every citizen of Maine will be better served by the removal of the capital to Portland.

Gentlemen, I have said about all I wish to on this subject. I hope you will be honest, and vote as your conscience dictates. (Applause.)

Mr. MONTGOMERY of Camden said:

Mr. Speaker and Gentlemen of the House: This beautiful morning, so near the close of our arduous labors at this session, it has been given to me to say some things why it is not expedient or necessary to remove this capital and transfer our future efforts in statehood—not business—statehood, from this place. I speak not for the people of Augusta especially but for this historic place. Perhaps with such short notice of what would be required of me it would have been better if I had prepared what I am about to say and read it to you with exactness. But I prefer to say what I deem necessary out of the fullness of the heart as it shall come to me in this hour.

What has started this idea? When and whence did it come? The first I knew of it was one morning when I came into this hall with the business of the session on my mind and a busy member of the House said to me that

there was a movement on foot to move the capital of this State to the commercial city of Portland, that the costs of living here were so great that it appeared like robbery. I felt perhaps that that might be true, and in a manner I acquiesced. I laid aside that idea soon afterwards; and the gentleman who gave me the information at that time, did the same. I presume there are many here with a like feeling in the matter. Now, gentlemen, on this beautiful morning let us congratulate ourselves on something. We have listened to the carefully prepared statement of the reasons somewhat for moving this capital, but let us congratulate ourselves that not a word in it is said against this historic spot. Let us congratulate ourselves that nothing that might appear fearful to us in the suggestions contained in that statement has happened. We are here in the best of health; we have done a work that is truly magnificent; and we may well congratulate ourselves, and we may congratulate the gentleman who made the statement on his fine appearance and his good health that he has retained and improved upon all the time he has been in this city of Augusta. (Applause.) And we hope that he will return to his constituents more popular if possible even after making that declaration and that statement, and be returned to another Legislature to renew his health, his education and his abilities. (Applause.)

After my change of heart—or you might say, or expression, for it was only an expression on my part at the time—and the change on the part of my friend who announced it to me, I thought no more of it until one day when I was called before the committee here to speak my mind in relation to it; and at the moment, without properly considering the question, I could only determine that any movement of the kind should be referred to the people before we decided it; and that expression has been put into this bill to remove the capital. But it is not necessary. We have heard, or I have

heard from my constituents and I have heard that they don't want to move the capital from Augusta. Now, how did this start? I tried to ascertain, and I asked a gentleman at the time—I didn't know whether he was a member of this Legislature or not but he was intelligent looking and had all the marks of intelligence and fairness—and he said to me that it was because they thought they could get better accommodations at Portland, at the commercial city of Portland. That was all the reason he gave me. I saw another gentleman from another part of the State about it, and he told me there existed at this capital a ring in the dominant party of this State that must be got rid of and to get rid of it the only way was to move it to Portland. (Laughter and applause.) I thought perhaps there could be an equally as bad a ring established at Portland. I met a gentleman from Portland, intelligent and frank, and I asked him why we should move the capital to Portland, and he told me frankly that it would be an almighty big thing for Portland. (Laughter and applause.) It is a great thing, gentlemen, to build a capitol in any spot; but I have not considered those reasons for doing it. I cannot believe that you will consider those reasons sufficient for doing it, and they seem to be those reasons embodied in this statement which has been read to us this morning.

I happened to carry my investigations farther. I happened to carry them where they met the innocence of wisdom. I came to this State House building one morning earlier than most of us, and as I climbed the steps and reached the summit of them I found there a young man, almost a boy, who wore on his head the hat emblematical of the University of this State. He was looking upon the glittering snow and down the river beyond. He said to me, "Mr. Montgomery, are they going to move the capital from Augusta?" I said, "I don't know. What do you think about it?" He said, "I came up here this morning to think about it. Why," said he, "this is a historic spot, is it not, here?" I said yes. He said, "Great things have

happened here, have they not?" I said, "I so understand it." He said, "Young men can come here and receive the same inspirations as those who have gone out from here, can they not?" I said, "Yes; there are spots even in Maine where radiations of the imagination are natural, and this seems to have been that spot from the beginning of this State." I could not help saying it. He was a young man from the University of Maine, coming from the country, and hoping, as he said to me, to stand some day in one of these houses and become educated, as the great men of this State have come here and have become educated and have gone out to labor for the State and for other states and have become known, many of them, as the greatest orators and the greatest statesmen of the world. I came into this building afterwards, and the busy cares of our labors here perhaps withdrew from my mind the thoughts which my conversation with that young man had suggested; otherwise I might have allowed my imagination to have recalled the things that have taken place here and perhaps I might have been able to give you something which would appeal more to your understanding and judgment. But the young man's reason for not moving this capital to my mind, and I think they appeal to many of you, was greater than anything in commercial life. Why, this is historic ground here. Beneath this floor are the things that make for the imagination, and make for energy, and make for all that goes to make statesmen, to make philosophers and to make orators. You cannot go through the rotunda of this capitol without feeling an inspiration and being glad that all those things are there—the pictures, the banners are there, and you cannot help saying that you hope they will remain there. (Applause.)

It is this point that has always been the center of Maine. When it was necessary to drive any enemy back, it was here they came to start to do it. Church came here with his men and went northward and destroyed the Indian and the French power and left Maine free from ail aggression. It was

here that Arnold came and prepared himself to march into Canada. It was hopeless, the task was, as it proved, but here is where it was begun; and I tell you that whenever we undertake any great thing hereafter, it will be here. (Applause.) Those things demonstrate that this is the place; and when we make a stand in this State as possibly we may some day, this will be the center around which every loyal heart will gather, and here we will make the last stand. (Applause.)

Now this spot we as men should not ignore, not for sentimental reasons alone but for business also. Look at these grounds. Take this building. What would you have it converted into? What would you have these historic halls converted into? Anything other than what they have always been used for? Your own good sense of propriety revolts at any such thing as that. This muster field in front, now not used for that purpose and remembered only as one of the places where the manhood of the country used to gather, would you convert it into a field or pasture or anything of that kind? And more than that, the public buildings around here, the public affairs that have been built up here. The old Home at Togus could not be located anywhere but in this vicinity. The soldier naturally comes here. And this muster ground on the higher land in the rear, one of the finest in the world. I have visited others. Its elevation, its sanitary arrangements, everything around it—it could not be duplicated in Portland. You could not furnish a field in Portland like this one we have here. This State House is surrounded by these things. They are here and they belong to the capital of the State, and they belong to the State House and the things that make up the State. And Augusta is built up around this State House. All its institutions, its schoolhouses, its public buildings, its churches, have all been built on the plan of the State as it has been developed by the influence of this capital, its being the capital, and because the State House is here in its midst. When the gentleman told me that removal would be a mighty good

thing for Portland I felt myself that it would be a great injustice to Augusta and her institutions. Shall we take from one to give to the other? When was that policy ever inaugurated in the State of Maine? I cannot recall it.

We have heard enough from the referendum. I believe that the representatives in this House have sufficiently heard from the State of Maine and their constituencies and have found that they are not anxious to vote upon this question. They are willing to leave it to us to settle. If they wanted it otherwise they have a constitutional provision that would give them a proper chance to tell us all they want. The constitution of this State has a referendum already. It says that the people may at all times congregate for the purpose of instructing their legislators about public affairs. If the people of this State wanted to tell us especially about it you would find that they would congregate in their towns, they would assemble in their public places and they would send us their votes. Some have done that in their town meetings. It needs no special referendum. It is there in the constitution now. They have a right to do it and they have not done it.

Now I have spoken not only my feelings to you but my convictions, and my ideas of what is right both from a sentimental standpoint and from a business standpoint, and I know that my people support me in it. (Applause.)

Mr DANFORTH of Skowhegan said:

Mr. Speaker and Gentlemen of the House: Perhaps it is proper at this time for me to explain to you in some respect what acted upon the minds of the five members of the committee on public buildings and grounds when they reported that they believed legislation was inexpedient in regard to this matter. As you have already heard this morning, the Governor in his address spoke of some of the offices in this building as being crowded, and he said, "In my judgment it would be unwise to enlarge the State House. I believe that a proper regard for public

convenience and efficiency should influence you to approve of the erection or lease of an office building in this city for State purposes." It seems to me that we have a right to conclude that there were other reasons that actuated him in writing that sentence than the construction that has been put upon it this morning. It seems to me that there was passing through the Governor's mind the fact that the funds that might be used for the enlargement of the State House or the erection it may be of a new State House could be better used for other purposes than those for which the gentlemen who represent the cause of Portland ask it. Still further he says that in his judgment it is wise to build an office building IN THIS CITY, or to lease one. From that I believe our Governor had no thought in his mind that it was for the best interests of this State to transfer her seat of government from the city where it has been for all these eighty years to another place.

Now why is removal inexpedient in the judgment of one-half of the committee? It is an undoubted fact that Augusta is nearer the center of the State than Portland. It is an undoubted fact that Augusta is nearer the center of the population of this State than Portland. It is a fact that those coming from the north and the east in order to reach the city of Portland would have to pass through Augusta—unless they might go by the back road, but they can pass through Augusta as conveniently as the other way. Therefore it seemed to us that this city was better fitted for the location of the seat of government than Portland. Still further, we have here a capitol building, a building of which it has been said, and was said at the hearing by one of the attorneys who represented the city of Portland, that it is an eminently respectable building; and you will all agree with him in that expression. It has done good service in the past; it is destined I believe and I hope to do equally as good service in the future. The construction of the front of this building is one of the historic facts of

our State. No other State capitol save one has a front like it, that of Massachusetts. It has been commented on favorably throughout all New England. In Boston when they changed their State House over they were careful not to disturb that front that had been such a feature of the State House for all those years. Even if the office rooms in this building are inadequate, and I believe a few of them are, it is a fact that an office building can be erected back of the State House upon ground that the State owns for a comparatively small amount, placing it back far enough so as not to interfere with the light of the present building; and I believe that it can be erected at an expense of from \$50,000 to \$100,000 so that it will adequately accommodate the affairs of this State.

Then, again, what would you do about building a new capitol? It is true that the city of Portland made an offer of \$500,000 at the hearing. One-half of the committee in drawing up their report put in the proviso that Portland should make that offer \$750,000, and I am informed that the city of Portland is willing to do that. Then you have quite an amount more to be raised. You have the fact that the building of State Houses is an expensive luxury. Among the State Houses that have been built the Kansas State House cost in round numbers \$3,200,000. The Minnesota State House cost \$4,500,000, a State House that is not very much larger it may be than would be desired in the city of Portland. The Rhode Island State House, one for that little state of Rhode Island, cost in round numbers \$3,000,000. The Indiana State House cost about \$2,000,000; South Carolina, \$2,500,000; Iowa, \$2,876,000. And then we strike another class of State Houses that cost a very, very much larger amount. I think it would be unfair for our purpose today to compare the State Houses of Pennsylvania, of New York and of Massachusetts, for you all know that they were expensive, and perhaps in those cases they did not receive their full value for the money expended. It is said by Portland's representatives that Mississippi has built a State House costing only a little over

a million dollars; but, gentlemen, we are not building State Houses in Mississippi. The labor there is different from our labor; the prices of material are different. I submit to you that for no less than two million dollars above the amount offered by the city of Portland can a new State House be erected there. If that be true, where is the money coming from? Do we not need this money for other purposes if we can raise it? And our constitution limits the amount that can be raised by loan to \$300,000, an amount less than our present debt. Then it must come by taxing the people. Do you think, with the amount of money that you have already raised in this Legislature this winter, that the people will feel grateful to you for increasing their taxes to that amount? In my own town alone it would mean a tax of from \$15,000 to \$20,000. Think you that you would be received with joy when you went home and told your constituents that you had voted for the raising of an additional amount of money for building a State House when you already have one here that you propose to abandon which cost the State something like a million of dollars? It seems to me that is too much to throw away. What are you going to do with this present house? What can you do with it? It would be a dead loss to the people.

There has been much said in regard to the referendum. I don't think that the people of this State want any referendum upon this question. The law that you passed a few days ago required in order to initiate a proceeding the signatures of 12,000 votes of this State. What have we in this case? Petitions to the amount of a little over a hundred sent in by 6,500 individuals. Is that such a strong clamor for the removal of the seat of government from this city that we should declare it was necessary to submit this question to the people, when upon the other side remonstrances have been presented to this Legislature of more than 600 having upon them the names of more than 40,000 residents of this State—more than six to one? Is that a call from the people for a referendum upon this question? No; it is rather a call from

the people that you yourselves should do the duty for which they have elected you, decide this question here and now and decide it in the interests of economy, in the interests of the people and in the interests of the taxpayers of this State. (Applause.) These petitions for the removal of the seat of government seem to be largely local. They come nearly all of them from the county of Cumberland—I am informed that the signers from the county of Cumberland number over 5,000—whereas the remonstrances come from every county in the State, including the county of Cumberland. It seems to me that the people of this State who send us here have been heard from in an emphatic manner.

Then for whose convenience and comfort is the seat of government to be changed? It certainly cannot be for the great mass of the people for they can reach this city better than they can reach the city of Portland. It is true that the gentleman has said that Portland is upon the seacoast; but there are not very many inhabitants of the great Atlantic that desire to visit the capital of the State of Maine. (Laughter and applause.) It is true that the city of Portland is one of the most beautiful cities on this continent. It is true that she is admirably situated, near the sea, looking down upon her islands in the bay, with beautiful surroundings; and I have often thought as I have visited that city and visited other cities in this Union that I knew of no more beautiful spot than the city of Portland. But, gentlemen, the city of Portland has nearly everything now. To transfer the seat of government there would not enhance her charms. She could not be very much better off than she is. But on the other hand, you take from this city, the magnificent city of Augusta located upon the beautiful banks of the Kennebec, the seat of government, and you tear her down, she goes to her destruction; you strike the death blow to this city simply for the purpose of building up another city. Is it right when it does not accommodate the people of the State so well? Is it right when you are taking from the rest of

the State \$2,000,000 in order to do it? They present to us no plans of specifications in regard to the cost of a new building. Therefore I believe that we have a right to assume that the expense would be far greater than they have talked. If a State House in Portland could be built for \$1,000,000 think you that they would not have plans here and specifications or something from some reliable parties to show that it could be built for that amount?

It has been said that the members of this Legislature have been inconvenienced in regard to being properly housed, that there have been times when they have been charged exorbitant prices for what they have received. Gentlemen, I will not take issue with you in regard to the hotels of this city but the people of this city have opened their homes to the members of this Legislature and have housed them and fed them in a proper manner for a proper compensation; and there appeared before our committee the fact that already there have been plans made for the enlargement of the hotel accommodations, and it was pledged that the prices for those in the future should be no more than what was right and fair. On the other hand, the gentleman from Portland presented to us a list of the prices of their hotels, and I noticed that in the large hotels there, there was no price that was less than \$2.50 a day. Go to Portland and I assure you that you will have to pay what the board is worth. They will want their money back for what they give. It seems to me that the real convenience, so far as that goes, is simply for the members of the Legislature, and you can get around that all right by refusing—and you won't have to refuse very hard—to come back to this Legislature another term. (Laughter and applause.) Only last fall I venture to say that nearly every one of you was somewhat exercised because there was another fellow that wanted the nomination to come here this winter; and you will find that that same other fellow will be around and will be willing to come although the seat of government remains in Augusta. (Applause.)

Gentlemen, shall we abandon this

State House and go to a far-off city sixty miles from here and erect a new building? Is it wite for us to do it? That is the question for us to decide. It is a question that I believe our constituents have placed upon us for decision. They expect us to assume the responsibility of deciding these questions as they come up. They don't wish us to refer them back to them. Why did they send us here? Simply because they expected us to do our duty and to do what we believe is right; and I believe firmly that today is the time and this is the place for us to decide this important question and end it for this time. (Applause.)

Mr. LIBBY of Amity said:

Mr. Speaker, I want to make a statement. I have heard from the people from my county. I live in Aroostook, and the people there have referred the question to me and they want me to settle it here and now. But I want to say that it has been put up to me that we couldn't get good accommodations in Augusta, that you couldn't get proper food to eat. Now I want to say this: the Portland folks have the ablest-looking man they could find to champion their cause here today, and that gentleman sits in the same dining-room with me, his food is brought to him by the same waiter that brings mine to me, and I have gained about twenty pounds since I came to Augusta (laughter and applause,) and he has gained about forty (laughter and applause), and we get our rooms and board for the magnificent sum of seven dollars a week. (Laughter and applause.)

Mr. HASKELL of Deer Isle said:

Mr. Speaker, I was one of the committee of five who signed the report asking that this matter might be referred to the people, and on that I want to make myself plain. In the first place we took into consideration the conditions existing outside and inside this building. I will not go into the details of the conditions outside of the building in the city of Augusta. As far as the conditions in this building came to our notice I felt that this building was inadequate for the business that was to be done. I was appointed by

the Speaker on the committee on towns and we were assigned to a room in the basement of this House in the fish and game room. I want to say that I have never been in a place where I suffered as much as I did in that room, and on two occasions that committee had to adjourn from that room because we could not stay in there. I want to say that on several occasions I have been up in the judiciary room and my observation while I was there was that the conditions were very bad. I felt if that was the condition of all the rooms in this building the sooner we had a new house the better.

Our committee went to Portland and looked over the sites in Portland and we were satisfied that the city of Portland had several locations as good as there was in the State of Maine. Then we took into consideration again that part of the Governor's message in which he stated that the building was inadequate and that a new building should be erected for office purposes; and in looking over the building, and knowing the conditions of the building as to its being fireproof, and the size of the rooms, I as one of the committee believed that it would cost this State to remedy the defects and build a new building at least \$500,000. I want to say that I heard a conversation between a Portland and an Augusta gentleman in regard to some alterations to be made upon this building. The Augusta gentleman's plan was, as I understood it, to build a wing on this end of the building and put the Senate chamber farther out in that direction, and also a wing or projection on the south side in the same way. That would cost this State \$1,000,000. I think that any one who understood that problem would say the same thing.

In regard to the expense of a new capitol—we knew of the building in Portland of the Cumberland county court house. We found by the plans which were presented to us by the architect that that building was 3,000 feet larger upon the ground floor than this capitol building, that that building was two stories in height, that there were to be three court rooms in that building, that there were 79 rooms in

that building, that there was a heating, lighting and ventilating plant in that building, that it was to be up to date in every particular, and that when the whole building was completed ready for occupancy it would not cost with the site over \$900,000. Now I believe that a capital building, and those of the committee who signed the report with me believe the same, that a capital building could be built in the State of Maine, with the material we have in our State, that would be sufficient for the use of the State of Maine for the next fifty years to come, that would be an honor to our State and a pleasure to do business in, for not over \$1,500,000. We took into consideration the \$750,000 that the city of Portland offered as a donation to the State of Maine. We added to that the \$500,000 that we believed it would cost to remodel and build an office building, and then you have \$1,250,000 to erect a new capitol. That would leave \$250,000 extra to be supplied by the State. We believed that it was the duty of the people of the State of Maine, considering the conditions we find here, to erect a new capitol building on the terms that Portland had offered to us.

I want to say that it has been stated that this is an old historic building. We all know that. Looking back we will find that our country has preserved the old war vessel, the "Old Ironsides." Now under those same conditions our government might have kept the "Old Ironsides" and still had it as our navy. (Applause.) But they believed that we should go forward, that we should keep up with the times; consequently the "Ironsides" is laid to one side and we have a new navy. Now I believe it would be a good plan if the State of Maine should by a vote of the people decide to build this capitol building in the city of Portland, for this one to be used for a State museum where the young men as they came up here from the University might walk around these rooms and get inspiration, and after they had received the inspiration of this old historic building, go down to Portland and there take off their coats and get into the work of the State of Maine.

As to this matter of the referendum, the people of Maine have demanded a referendum on these questions. The platforms of both parties asked for the referendum, and the Legislature this winter has voted unanimously that the people should have a referendum, should have a right on matters as important as the matter before us today to decide the matter for themselves. It is true they sent their representatives up here to Augusta to represent them; but why, if they expect us to take up all these matters and thrash them out here in the Legislature, why do they ask us for the referendum if it isn't upon these questions as we have them before us today? These are the matters that the committee took into consideration in making the report that they did.

I want to add a word in regard to a statement that the gentleman from Camden made. I was talking last evening with one of the most influential men in the town of Camden, and he told me that the capital should go to Portland. And I want to say in regard to my own town—I represent four towns and one plantation, and while this agitation has been going on for over two months, I want to say that my constituents have never sent word to me against the removal or against submitting this proposition to the people. There hasn't been but one letter that has come to my hands on the subject, and that was that the capital should be removed to Portland. (Applause.)

Mr. PIKE of Eastport: I want to ask the gentlemen from Skowhegan if he will state that the 40,000 persons who signed those remonstrances are remonstrants against the referendum on this capital question? What did the remonstrances state?

Mr. DANFORTH: You can read them; they are on file.

Mr. PIKE: Will you say that those were not remonstrances against capital removal? The caption of the petition was that we remonstrate against the removal of the capital, was it not?

Mr. DANFORTH: The remonstrances will show. I haven't one here.

I haven't in mind what the original remonstrance is.

Mr. STEVENS of Jonesport said:

Mr. Speaker and Gentlemen: I ask the indulgence of the House for a few moments, only for a few moments, for I realize that any extended or lengthy remarks from me would be a waste of words and time.

Seldom, if ever in the history of the State of Maine has a Legislature been called upon to settle a question so momentous, a question fraught with such tremendous and unknown possibilities for evil as the proposition that is now before this honorable body as to the expediency of changing the seat of government to Portland. Now Portland has always appealed to me, and in my love for the beautiful queen city of the Atlantic, in my pride in all her marvelous achievements in whatever direction they may have been, and they have been in many, I yield to none of her sons upon this floor, no, nor to none within her gates. Even in my boyhood days I looked upon the Forest City as the best and dearest spot on all the earth, and the years as they pass only serve to intensify my feelings toward her the more. With pride have I watched her grow and expand into a great and mighty metropolis. Always have I hoped, always have I believed that she was destined in God's own good time to become the metropolis of all New England as she is already acknowledged to be its most beautiful city. Yet much as I love her people, much as I admire her institutions, and her scenic beauty, I have not yet reached that point and I trust to God that reach it I never will, when I would be willing for Portland rich, powerful and beautiful almost beyond comparison as she is, to profit at the expense of a smaller, a poorer but a sister city. (Applause.)

It is with feelings of sadness—I borrow the thought from Portland; immortal son whose works will live as long as the English language lasts and whose name America and Europe will ever honor and revere—it is with feelings of sadness, sadness that is almost akin to pain that I am forced, forced if I do my duty to myself, my con-

stituents and my State, to take sides against the city of Portland in this proposition I trust that none of my Portland friends have been misled in regard to my position on this matter. I have always endeavored to be consistent and I have but little use for men who for political advantage or financial gain are willing to trim their sails to every wind that blows. And I have but scant courtesy for a man who when he knows that he is right does not have the courage to stand up and defy his constituents, if necessary, and trust to time and history to vindicate the correctness of his judgment. (Applause.) The lamented McKinley speaking after America had, for good or ill, launched out upon a policy of expansion and imperialism; after the yellow flag of Spain and all her ships went down beneath the waters of Manila Bay and in its place went up the starry emblem of the giant, young colossus of the West, said: "When one flag has once been hoisted we must never, never, never haul it down, at least not until every question that made it necessary to go there have been settled to the entire satisfaction of the Government and people of these United States." Now in this chamber a few weeks since before the committee on Public Buildings and Grounds, I helped, in a humble way, to hoist Augusta's standard to the peak and if it is to be lowered only when I help to haul it down then it will continue to float from the cupola of this building and kiss the free air of heaven forever and forever. (Applause.) Portland is rich and powerful and for her to try and take the seat of government away from Augusta is a right down mean thing to do. Why do you do it? Yes let my friends from Portland answer why, let Murphy, True or Tolman answer why. Now in regard to my esteemed and distinguished friends from Portland, whose friendship I prize and which I hope I may always be able to retain I want to say that it has been decades and it will be decades more before Portland sends an abler delegation to these halls to champion her cause. If courage, persistency and ability are valuable assets, then Portland's delegation passes those quali-

cations in full and in rounded measure. Like Wellington's Scotch Grays at Waterloo they do not know when they are whipped. (Applause.) And while I believe that when the vote is taken that they will meet their Waterloo, I also believe that the Portland people will recuperate there forces and continue this campaign to move the seat of government to Portland as long as this planet of ours shall continue to whirl through space. I believe that if, perchance, a Portland man should be the last of human kind to stand upon this earth, and was to view creations death as Adam viewed its birth, that he would be declaiming Joseph Reed's famous oration on the expediency of removing the seat of government to Portland. (Applause.) Such persistency must in the end prevail and I predict that Portland will eventually, be victorious, but gentlemen, it will be when tamarinds and pineapples ripen upon the banks and alligators and crocodiles swim in the blue waters of the dear old Kennebec instead of being seen as now in the dreams of our legislators after drinking prohibition whiskey. (Laughter and Applause.)

Mr. DAVIES of Yarmouth said:

Mr. Speaker, I am inclined to think that our over-zealous friends from Augusta and their supporters have suffered their zeal to lead them a little distance at least beyond the bounds of reason. I ask you to bear in mind that we are concerned here with a practical question. We are concerned with the question as to whether we shall move the seat of government, whether it is for the best interest of the inhabitants of this State that that should be done. I desire to say in answer to the gentleman from Camden who said it was not expedient or necessary, that I cannot for the life of me bring myself to believe that any gentleman who has lived in this House for the last three months could decide that it was not necessary that we should have some additional quarters to what we have here at the present time for the purpose of carrying on the work of this Legislature. It seems to me that that statement is refuted by a casual look

at this House at the present time. Is there any member who believes that there is sufficient room in this Legislative hall to carry on the work here? Is the Senate chamber of sufficient size? Remember, please, that we are dealing with a practical question here. Does it fill the need of a Senate chamber in a great State like the State of Maine? Our judiciary and legal affairs committee rooms, I think there are seventeen committees to occupy those two rooms. Is the judiciary room sufficiently large? Is the legal affairs room of sufficient size for them to do their work with any degree of comfort? Do you consider the place where we have had various meetings of the delegation, down in the cellar, in the fish and game commissioners' room, sufficient for the purposes for which we have used it? Do you consider that the State superintendent of schools has adequate quarters for the purpose of filing his records and carrying on his work? Those are the questions we should ask ourselves. We like the Augusta people very much but the question is not one of sentiment. The question is a question of business pure and simple, and to us is committed the duty of protecting the interests of the State of Maine. The gentleman from Camden said something about its being a historic place. It is all of that. But is there no history and romance woven about Casco Bay? I yield to no one in my admiration for the historical associations connected with this building. It has been to me an inspiration and a delight to go through the rotunda of this house. But the question is practical. That is what we are confronted with.

The gentleman from Camden asks who started this movement. I will tell you who started it. The people in the State of Maine started it; and for the only reason that the quarters here are not adequate to protect their interests properly. Great things have happened here of course. But suppose the State House had been situated in the city of Portland. Don't you believe that great things would have happened there? Do you think that the reason that great things have happened in the

State of Maine is because the Capitol building has been located in Augusta? Do you not believe that the same blood would have flowed in the veins of those great men who have accomplished those great things if the Capitol had been located in the city of Portland? Something has been said about the militia meeting here, and that there was no room in the city of Portland for them to gather. Is that argument? Is there anything about such statements as that which can convince you that the city of Portland is not the proper place for the location of the capitol building? Something has been said about Togus, but I don't see that this has any particular bearing on the matter. I yield to no one in my respect for the old soldier. Better than wealth crowned with all its comforts, better than the ability to cope with mighty problems, is the quiet consciousness that when the call to duty came you answered "Ready" and sacrificed all, if need be, that this nation might live. But what has that got to do with the capitol building? Do any of you believe that the soldier would not be just as happy and just as contented and just as patriotic and love the flag just as well if the capital city was located near the shores of Casco Bay?

I want to say a word about the referendum. We have heard a great deal about the referendum at this session; and the reason why the referendum should not be given in this matter, expressed as I remember it by the distinguished gentleman from Camden, was that a great many petitions had been offered by the proponents and the remonstrants and that that was the reason why we should settle the question. That is exactly the reason why we should not. No one has made a better argument for the referendum of this question than the gentlemen from Camden and the gentleman from Skowhegan. The petitions and the great number of names signed thereto is all the proof that I want that the matter should be submitted to the people. I am willing to trust them. I believe they know the needs of this State; and we have asked for nothing more than that.

Several gentlemen who have spoken here have anticipated what the city of Portland might do. But that measure has merely asked that the electors of this State should have the right to express their power and their influence through the ballot; and that is objected to, in the light of the fact that within a few days we have unanimously passed the initiative and referendum. The gentleman from Waterville (Mr. Johnson)—and there is no gentleman in or out of the profession for whom I have a more unfeigned esteem and respect—was the champion of that cause on the floor of this House, and he said repeatedly that he believed in putting it up to the people and letting them say what they wanted. That is all we ask here. Are you afraid to trust them? Are you through some sentimental feeling, some prejudice, afraid to let them pass on the question? You will remember that the amendment that was offered by the gentleman from South Portland provided that there should be no election on this question until next October. Can anybody urge the objection that by that time the people would not have had sufficient time to consider it? Then why this opposition? The city of Portland offers the sum of \$750,000 and a site. It is generous, aye, it is magnanimous; and how much the State might be obliged to pay I have no reason to give any idea for I don't know, I have not looked into it. The State of Mississippi built a capitol building for \$1,200,000. It is true that labor there costs very much less than it does here; but I believe it was built of Indiana granite, and the freight necessary for the transportation of that granite would bring the expense of the building of that State House about the same as it would be here. But be that as it may.

Now the reason why no plans and specifications were brought here is that in my opinion it would be ill-advised and premature to think about submitting to this Legislature plans for a capitol building until the people had voted on the question as to whether they wanted it in Portland or not. I did not happen to get the force

of that argument, for that point had never occurred to me that it would be of the least service or would help the cause in any way to submit to the Legislature, previous to the time of the referendum, how much the capitol would cost. The gentleman from Skowhegan said it is sixty miles from home and in a foreign city. I desire to say to the gentleman, providing this House votes to remove the capital to Portland, I will take the burden upon myself to supply him with a pocket compass so he will always be able to find the location of that building. (Applause.) He asks further if this is a disreputable building. Of course it is not. It is a building that has served the purpose well for which it was erected. But we live in an age of progression when education is liberal and where the wants of individuals at the present time can hardly be compared with the wants of the individuals in the year 1850, or in the year 1880, yes, in the year 1890. The proposition is merely whether we need here for the business of the State of Maine or in some other place a capitol building, and that question is to be decided by the electors of the State of Maine. Is there a fairer tribunal? Are you afraid to trust them with the question? Provided a majority of you vote for a change of the seat of government to Portland, that city offers to pay the magnanimous sum of \$750,000 and to furnish a site for that building free. Does the State of Maine need it? I plead with you to let the inhabitants of this State answer that question at the polls; and I for one, Mr. Speaker, will be satisfied, and perfectly so, with whatever answer they may see fit to render. (Applause.)

Mr. MILLIKEN of Island Falls: I would like to ask if the people of the city of Portland have ever had an opportunity to vote on the question of whether they endorse this offer of \$750,000 to the State of Maine?

Mr. DAVIES: Not that I am aware of, no, sir.

Mr. MILLIKEN: By whom was the vote passed in the city of Portland?

Mr. DAVIES: By the city government.

Mr. MILLIKEN: May I ask the gentleman if in his opinion the city government decided that question because they were afraid to trust to a vote of the people of the city of Portland?

Mr. DAVIES: They were not; but I desire to tell the gentleman from Island Falls that there was a public meeting called in the city of Portland for that purpose, and the only way that we have found to express the sentiments of the majority of the electors of a place is through the municipal officers.

Mr. MILLIKEN: I would like to ask one further question: Is it not true at that public meeting a suggestion was made that a referendum vote of the city of Portland be had and that suggestion was turned down by the proponents of this measure.

Mr. DAVIES: I am not able to answer as to that. (Applause.) I am advised by the gentleman who sits with me (Mr. Tolman of Portland) that he never heard of it. I think that can be classed with a number of other rumors that have been disseminated in regard to the removal of the capital. (Applause.)

Mr. TOLMAN of Portland said:

Mr. Speaker, I don't think the people of Portland have been fairly treated in this matter by your paper called the State paper in the city of Augusta. I do feel that this paper which aspires to be the State paper has not treated the people of Portland fairly and above-board. I have here a sample which I cut from the paper of March 5th or 6th. It says that "Portland puts forth the claim that she has suitable accommodations for the Legislature. Let any one ask any traveling salesman who sells goods through Maine as to Portland's hotel accommodations, and he will receive the reply that she has the poorest hotel accommodations of any city in Maine." Is that fair, when they refused to publish our statement of facts even after we offered to pay them for it? Does that paper want the people to know the facts?

In regard to your hotel accommodations here, I stopped here over thirty years ago for two winters. In the city of Augusta you have two hotels less than you had thirty years ago. I feel that Portland is not represented fairly

in this matter. We have in Portland the finest hotels there are in New England. These other matters that have been gone over by the different speakers I don't propose to touch upon because we are limited for time; but I do hope that the gentlemen of this House will vote to submit this matter to the people. It is only fair and just for you to do it.

Mr. DUNTON of Belfast said:

Mr. Speaker, I wish to say a word upon this question of the referendum, as it is called. It is very deceptive in connection with this matter, and I do not see how anybody who is not in favor of moving the capital to Portland can vote for the adoption of the report A. The very first section of the bill reported by that portion of the committee provides that Portland shall be the seat of government of the State of Maine. If adopted, it is the expression of this Legislature that it shall be so. It is true that at the end it provides that it shall not take effect until it is ratified by the people by vote. Governor Cobb's inaugural address has been referred to. What did he say in relation to resubmission? He advanced the only sound argument that to my mind has ever been used against resubmission, and it was unanswerable, that a resolve submitting that proposition to the people must necessarily carry with it the condemnation of our prohibitory policy by the Legislature of the State of Maine. And the adoption of this report A must necessarily carry with it the expression of this Legislature, of every member who votes for it, that the seat of government be moved to Portland. Not only that, gentlemen, but it adopts every section and every portion of that statement of facts which has been read here by the gentleman from Eastport. I say that the adoption of this report now under discussion is an adoption of that statement of facts which has been in controversy all through this session of the Legislature, before the committee, in the Press, by able arguments upon both sides; and now they come here with this proposition to submit it to the people. How can you, my fellow representatives, how can I, go back to our

people and oppose this measure at the election in October? I am opposed to the removal of the capital, my people are opposed to it, but how can I face my people after voting in this Legislature to change the seat of government from Augusta to Portland—how can I face them and oppose that after having voted to adopt that statement of facts? We cannot do it. This argument to submit this to the people is simply for the people to ratify what the Legislature has done. Our Legislative action goes forth as an expression of the opinion of the representatives of the people; and from the day it is passed until the next election it will be used by these men who favor the removal to Portland, it will be used and it will be the great point of their argument that the representatives of the people from all over this State, from different sections, have voted for it—voted for it under a guise which is innocent on its face—to submit this matter to the people. Can you do it? Can any member of this Legislature who is opposed to the removal of the capital vote for the adoption of that report? If he can he has rules of consistency which I have not learned. It is not, it cannot be consistent, and it will shut the mouth of every member of this Legislature from opposing, at least consistently, the removal of the seat of government to Portland in accordance with the act which he has voted for, the vote of the committee which he has adopted providing for that thing. (Applause.)

Mr. DAVIES: I would like to ask the gentleman from Belfast a question. Have you read section six of this act?

Mr. DUNTON: I think I have.

Mr. DAVIES: Would you do me the great kindness to read it aloud in this House?

Mr. DUNTON: I think the gentleman has a much better voice and a stronger one than I have. (Applause.)

Mr. DAVIES: I thank the gentleman from Belfast: I want to read it myself. (Applause.) "This act shall take effect"—when? Act, mind you. Is there anything said there that the first part shall take effect at any particular time and the rest of it at some

other time? I was not able to discover it. I will read section six:

"Sect. 6. This act shall take effect (1) to authorize the appointment and commissioning of commissioners under section two, when approved by the Governor; (2) to authorize the said commission to proceed with the acceptance of a lot and the construction, equipment and furnishing of a capitol thereon, when this act shall be approved and accepted by a majority of the legal voters of the State voting thereon as provided in section four and when the city of Portland shall have complied with all the conditions imposed upon it by section five; (3) to change the seat of government from Augusta to Portland on January 1st, 1910."

That is the provision of this act. Is there anything in the nature of a gold brick about that? Is there any refinement of construction by which or through which any man, irrespective of how prejudiced he might be or how much ill-feeling he might have to gratify, could misunderstand just when that act is to take effect? For my part I cannot see how there could be. I cannot see how it could be construed to mean anything different from what it says on its face. I give you my positive assurance as one who lives near Portland that the city is altogether too dignified, they believe too firmly in right and in justice and in character and in high ideals, to come here to the city of Augusta and present a proposition to the 73d Legislature that is conceived and is founded in fraud. Irrespective of how many constructions that act may be capable of, irrespective of what may be thought by people whose minds are warped on account of their geographical location, let me give you my fullest assurance that the people of Portland are not here on any gold brick racket. They are here with a plain, simple, logical argument. I must protest against any statement that would lead people to believe that Portland was insincere and that this proposition was conceived in deceit and in fraud. (Applause.)

Mr. DUNTON: If I have made any talk about gold bricks or the insincerity of anybody I wish to withdraw it.

I spoke of the act as it reads, and I don't understand that the time when the act is to take effect qualifies the expression; and I would like to ask the gentleman from Yarmouth if he can vote against removal after voting to adopt this measure here to remove the seat of government to Portland?

Mr. DAVIES: I think so.

Mr. DUNTON: Can any one in your opinion vote to adopt that report A without adopting the statement of facts with it? That is a part of the report, is it not?

Mr. DAVIES: You will please notice that the statement of facts is merely appended to the report; and it is that fact which influences me.

Mr. NEWBERT of Augusta: Mr. Speaker, is there a motion before the House?

The SPEAKER: There is, to adopt this report A.

Mr. NEWBERT of Augusta said:

Mr. Speaker, I do not rise to talk. I think there are gentlemen in this House who may wish to discuss this question in the interests of all the people of the State of Maine, and feeling sure that my Augusta constituents will understand my silence because they know that I want this thing to come to a vote so that at last under this dome we may have something like Legislative peace when traffic and trade shall not be rife and when men and measures shall not be for sale. I give way to the gentleman from Waterville if he wishes to close this debate. (Applause.)

Mr. JOHNSON of Waterville said:

Mr. Speaker, (applause,) and Gentlemen of the House: Certainly the scene is an inspiring one and the subject upon which I have arisen to speak is an inspiring theme; and were it not for the lateness of the hour and the fact that we have pressing business I should like to make a speech and take advantage of this occasion, but I am not going to try to do so. I want to make a statement of facts. I feel as a legislator in this Seventy-third Legislature that the business of this House has been seriously handicapped by the injection into it of this very great question—**injected here, I submit, Mr. Speaker and Gentlemen, by gentlemen**

from a section of the State who would be immensely benefited were the State capital removed there—brought here by them. One gentleman asks who were the movers. This resolve was introduced in the other chamber by a Senator from Lincoln county. Although a resident of Lincoln county his office is in the city of Portland; and this measure has been championed by the members of this House from Portland and the immediate vicinity. It is Portland's demand; and I say I am sorry that at this time the business of this House has been interrupted by this question.

Shall the capital, the seat of government be removed? My friend the gentleman from Yarmouth says frankly that the question before us and for our consideration is that question. The question has been correctly stated by the gentleman from Belfast. You are voting here when you vote today, upon that question; and it will be so considered by the people of the State of Maine. What is the necessity for this change? Is it because Portland needs it, or wants it for her adornment and to please and satisfy her civic pride? Our chief executive in his message told us that there was need of more office room—a need which could be easily supplied—no reference to any move to change the seat of government; and that was the opportunity seized upon by our friends to bring into this Legislature at this time this question. And how it has been pressed! I received last night from a citizen of this State in an adjoining county this letter enclosing those postage stamps to pay for a telegram to be sent to members of this House. Signed by whom? The president of the board of trade of Portland. A letter which some of you may have seen, asking the citizen who received it to make use of these stamps, twenty-five cents' worth, in sending a telegram to his representative in this House. Those have gone broadcast over the State of Maine for that purpose. Coming from the people of Maine, or coming from the Portland board of trade, Portland's commercial interests which feel that they would be benefited by such a change? Now I

love the city of Portland. I have in it many friends of years' standing whose friendship I value beyond that of almost anything else in the world. I have been hospitably entertained by the City of Portland and by her citizens. I glory as much as any one in her prosperity. I don't know but this question strikes me differently than it does others, but when I have tried to place myself outside of my own county of Kennebec and consider this question, as I ought to as a legislator from the point of view of what is best for the State of Maine, I tell you the question that comes before my mind and the objection that rises in it is this: the State of Maine is bigger, she is mightier, she is richer than Portland, beautiful city as she is. The State of Maine does not want charity from the city of Portland. (Applause and cheers.) Magnanimous offer, our friend from Yarmouth says, generous offer of the City of Portland. The City of Portland is only a part of this grand old State of Maine, and she would hold up this alluring prize and ask us to forget the State of Maine. Would you have a capitol built in that beautiful city by her magnanimity and her generosity and call it the capitol of the State of Maine? When Maine needs a capitol she will build it when and where she desires. (Applause and cheers.)

Maine needs no bounty. She is not seeking charity, I repeat, nor asking aid. My friend from Eastport put the question, is Maine so much a pauper that she would be impoverished by building a State House? I answer him no. Maine from her riches is able to build a State House and have it as her own. I cannot escape the conclusion that as a man proud of my city and as a citizen glorying in her prosperity I should lose my independence, and that the State would lose its independence to some extent, by receiving such a gift and having a capitol built by any city in Maine. It strikes me it would be like an individual case, as if somebody should say to me, "Come down to the City of Augusta, we will give you a beautiful home, we would like to present it to you." But how would that strike me, or you, Gentlemen of this

House, as independent men? Wouldn't you rather live in the little home that you earned yourself and that was all yours, paid for with the money which came from your own labor of brain or muscle and which belonged to you and was your own home than to accept charity which might bring you a more palatial residence? (Applause.) The State of Maine need put herself under no obligation to any city within her borders. I object to the bill before us because of that feature of it which strikes at my love of independence, that independence which is always characteristic of the men and women of Maine, that independence which has made them hew their way in the far West to success, that same independence which has brought to the front the great leaders in civic life whom we all admire, that same independence that has characterized the great soldiers and the great statesmen of Maine; and that same independence I believe still exists in the State we love.

Now as to the question of a referendum. My friends who have spoken upon this floor have referred to the fact that I was in favor of the referendum. I am in favor, as I have stated to you in this House, of the initiative and referendum. To it I have given all the thought and study of which I am capable. I believe in it as a principle of government. As I said to you on another occasion I say now that I believe with Lincoln that the great heart of the people always beats true. But the initiative and referendum should be guarded by proper methods of procedure. My own desire would have been, and those of you who read my bill will remember that I had this provision in it, that not more than fifteen per cent. of the petitioners should come from any one county of the State. That did not meet the approval of my associates; and I was willing to yield. It is still my idea as to a proper initiative. But take the bill which was presented here and passed by you unanimously. It provides that for an initiative there shall be 12,000 signers with their names verified by the clerks of the cities or towns that they are legal voters in those cities or towns,

and that goes to a Legislature and the matter may be considered by the Legislature and the Legislature may choose to submit a competing measure to the people to go along with that for the people to vote upon. But how is it in this case? As has been said by a member of the committee, here are but 6,000 signers, about half the number we thought necessary to demand a referendum, and about 4,000 of those from the county of Cumberland. It is not a proper referendum. There is too much of this principle in it, illustrated in this way, that I might go to one of you fellow members and say, "Why, I am willing to leave it to the people whether you shall give me your horse or not," or whether you shall sell it to me for a low price. It is a question in which the people of Cumberland county are deeply interested of course; but I say it does not come here with the general broad desire and demand for it that it should have to meet the principles of a referendum. I am sorry as one who believes in that principle that for the first time when it is discussed we are asked to apply it in such a manner. It is a new method of government for this State and we have tried to throw around it in the bill which was presented all the safeguards possible. Those are lacking entirely in this proposed so-called referendum. (Applause.)

Mr. MCKINNEY of Bridgton said:

Mr. Speaker, It seems to me that the great majority of the words spoken to-day has been simply in regard to a contest between the city of Augusta and the city of Portland. I do not look upon it in that way. I am in favor of this bill but I am not an enemy to Augusta; but realizing that there isn't the lease comfort for any representative who comes to this hall of legislation I feel that something ought to be done to provide suitable quarters for the legislators of this State. We are glad to see these ladies of Augusta here. We welcome the citizens of Augusta who have come here to applaud in unison with the ladies those who speak in favor of keeping the capital here. But our corridors here have small accommodations; our aisles are full of people; there are hundreds who want to be here who cannot get into this place.

There isn't a particle of ventilation in this hall. You have breathed over the air that is in this hall five hundred times since you came here this morning. Two little holes in the top for ventilation, and that is all. This State house is not a proper State house for the great State of Maine, and there is hardly a suitable room for a committee in this house. You can never enlarge this house and make it symmetrical and make it what it ought to be; and you know very well that there is not an opportunity to-day to enlarge this hall to make it a fit place for the representatives of the people of Maine. I have nothing against the city of Augusta. They do not give us the accommodations I think that legislators ought to have, not because they are not willing but because there are not enough of them. I found when I arrived that the good rooms were all taken. There isn't an elevator in a hotel in the city. Your street car service is inadequate. I say we want to go to a larger place where we will have more accommodations, more facilities, and where we can erect a building that will not only take care of the representatives but will have galleries that will take care of their friends who have a right to come in and listen to our discussions.

With regard to the referendum, I was the only man who dared to say that I was opposed to the referendum but that I would vote for it because people of both parties demanded it. But when we come to a question of a referendum, here are men who advocated it who stand up and say that this is not a proper referendum. If they were to amend this bill to take the capital to Bangor I would vote for a referendum; if it was to remove the capital to Lewiston I should vote for a referendum. I am willing it should go wherever the people want it to go. This is not a fight between Portland and Augusta, it is a question for the people to settle; and I am perfectly willing to submit it to the people and allow them to settle it. If you ever attempt to enlarge this building to make it what it ought to be you will spend more money before you get through than you will have spent if you accept the proposition that Portland has made to you if the people should

vote to sustain that measure; and when you get through you will not have what you want. This is a matter that I believe is right, and because I believe it is right I shall vote for this proposition. From my town of Bridgton with 3,000 inhabitants I have not heard one word said either for or against this measure. I believe I shall represent the will of the people in my town when I shall vote for this proposition. (Applause.)

Mr. Davies moved the previous question.

The question being, shall the previous question be now put,

The motion was agreed to.

On motion of Mr. Charles of Mechanic Falls the yeas and nays were ordered.

The SPEAKER—All those who are in favor of the motion to accept report A in concurrence with the Senate will answer yes as their names are called; in other words, those who are in favor of removing the capital to Portland will answer yes; those opposed will answer no.

Mr. MOORE of Saco—I don't think that is a correct way to state that question, Mr. Speaker.

The SPEAKER—I will put it so that perhaps the gentleman from Saco will be satisfied. All those who are in favor of accepting report A, on the motion of the gentleman from South Portland, will answer yes; all those opposed will answer no. The clerk will call the roll.

Mr. WALDRON of Dexter—Mr. Speaker, I would like to inquire what has become of the amendment offered by the gentleman from South Portland?

The SPEAKER—The amendment has not been offered. We will proceed with the roll-call.

YEA:—Blanchard, Brackett, Chase, Clark, Cyr, Davies, Davis, Decker, Dyer, Emery, Farnham, Flaherty, Frost, Fulton, Gallagher, Giddings, Gleason, Goodwin, Gordon, Grinnell, Harris, Harthorn of Milford, Haskell, Hawkes, Horigan, Irving, Johnson of Calais, Jordan, Langley, Leader, Leighton, Lord, Loring, Lowe, Martin of Rumford, McClutchy, McKinney, Meriman, Michaud, Minahan, Moore, Murphy, Oram, Perkins of Alfred, Perkins of Kennebunkport, Pike, Skillin, Smith of Lisbon, Snow, Spear, Stearns, Stover, Strickland, Tarbox, Theriault, Thomas of Harpswell, Tolman of Portland, True, Waldron of Dexter, Waldron of Portland, Walker, Whitehouse, Wight, Witham, Young.

NAY:—Allan of Dennyville, Allen of Columbia Falls, Allen of Mt. Vernon, Al-

len of Richmond, Baldwin, Barrows, Brawn, Brown, Cobb, Crosby, Danforth, Davidson, Dondero, Denigan, Dow, Duncan, Dunton, Edwards, Emerson, Farrac, Folsom, Hadlock, Hall of Caribou, Hall of Dover, Harriman, Hathorn of Detroit, Havey, Hibbard, Higgins, Hill of Machias, Hill of Monticello, Jacobs, Johnson of Waterville, Joy, Kelley, Kendall, Knowlton, LaBree, Libby, Lovejoy, Lynch, Martin of Bangor, Mayo, Merrill, Merry, Milliken, Montgomery, Morneau, Mullen, Newbert, Newcomb, Newton, Noyes, Perry of Fort Fairfield, Pooler, Powers, Preston, Reynolds, Scates, Skidmore, Smith of Patten, Sprague, Stevens of Jonesport, Stevens of Portage, Lake, Stuart, Stubbs, Thomas of Howland, Pitcomb, Tolman of Glenburn, Wardwell, Weeks, Weld, Wood.

ABSENT:—Colcord, Herrick, Perry of Randolph.

Yeas, 65.

Nays, 73.

Absent, 3.

Paired: Barker, no; Safford, yes. Charles, yes; Pinkham, no. Copeland, yes, Tucker, no. Lane, no; Peacock, yes.

So the motion was lost. (Applause and cheers).

Mr. JOHNSON of Waterville: Mr. Speaker, I move that we reconsider the vote whereby we voted to non-concur with the Senate in accepting report A; and I want to say that I hope every member of the House will vote me down. (Applause).

Mr. SPEAR of South Portland: Mr. Speaker, I move to lay the motion of the gentleman from Waterville on the table.

(Cries of "No.")

The question being on the motion to lay on the table the motion of the gentleman from Waterville,

Mr. Flaherty of Portland moved to adjourn.

The motion was lost.

The question being on the motion to lay on the table the motion of the gentleman from Waterville, Mr. Spear of South Portland moved that the yeas and nays be called.

This motion was agreed to.

The SPEAKER: Those who favor of laying the motion of the gentleman from Waterville on the table will answer yes as their names are called; those opposed will answer no. The clerk will call the roll.

YEA:—Blanchard, Brackett, Chase, Davies, Davis, Decker, Dyer, Emery, Flaherty, Giddings, Gleason, Goodwin, Gordon, Grinnell, Harris, Haskell, Hawkes, Horigan, Irving, Johnson of Calais, Jordan, Langley, Leader, Leighton, Lord, Loring,

Martin of Rumford, McClutchy, McKinney, Merriman, Michaud, Minahane, Moore, Murphy, Oram, Peacock, Perkins of Alfred, Perkins of Kennebunkport, Pike, Scates, Skillin, Snow, Spear, Stearns, Stover, Tarbox, Theriault, Thomas of Harpswell, Tolman of Portland, True, Waldron of Portland, Wake, Whitehouse, Witham, Young.

YAY:—Allen of Dennysville, Allen of Columbia Falls, Allen of Mt. Vernon, Allen of Richmond, Baldwin, Barrows, Erawn, Brown, Charles, Clark, Cobb, Crosby, Cyr, Danforth, Davidson, Dondero, Donigan, Dow, Duncan, Dunton, Edwards, Emerson, Farrar, Folsom, Fulton, Gallagher, Hadlock, Hall of Caribou, Hall of Dover, Harriman, Hathorn of Detroit, Havey, Hibbard, Higgins, Hill of Machias, Hill of Monticello, Jacobs, Johnson of Waterville, Joy, Kelley, Kendall, Knowlton, LaBree, Libby, Lovejoy, Lowe, Lynch, Martin of Bangor, Mayo, Merrill, Merry, Milliken, Montgomery, Morneau, Mullen, Newbert, Newcomb, Newton, Noyes, Perry of Fort Fairfield, Poole, Powers, Preston, Reynolds, Safford, Skidmore, Smith of Lisbon, Smith of Patton, Sprague, Stevens of Junesport, Stevens of Portage Lake, Strickland, Stuart, Stubbs, Thomas of Howland, Titcomb, Tolman of Glenburn, Tucker, Waldron of Dexter, Wardwell, Weeks, Weld, Wight, Wood.

ABSENT:—Earker, Colcord, Copeland, Frost, Harthorn of Milford, Herrick, Lane, Perry of Randolph, Pinkham.

Yeas, 56.

Nays, 54.

Absent, 9.

So the motion was lost.

The question then being on the motion to reconsider the vote whereby the House non-concurred with the Senate in accepting report A,

The motion was lost.

On motion of Mr. Johnson report B was then accepted.

On motion of Mr. Pike of Eastport, majority and minority reports of the committee on railroads and expresses, reporting on bill relating to fares on the Washington County Railroad, "ought not to pass," and "ought to pass" was taken from the table.

Mr. Pike moved the adoption of the minority report.

On motion of Mr. Strickland of Bangor,

Adjourned till 2.30 in the afternoon.

Afternoon Session.

Met according to adjournment.

Inconvention.

The convention met according to adjournment.

The examination of witnesses for the petitioners was continued, in relation to the adoption of an address to the Governor for the removal of Harry J. Chapman, judge of the municipal court of the city of Bangor.

The examination of witnesses for the petitioners having been concluded, Mr. Newell addressed the convention in behalf of the defendant.

The examination of witnesses for defence was then begun.

On motion of Senator Parkhurst of Penobscot the convention took a recess until 7.45 P. M.

In House.

The House was called to order by the Speaker.

On motion of Mr. Scates of Westbrook the House took a recess until 7.40 P. M.

Evening Session.

Met according to adjournment.

On motion of Mr. Scates of Westbrook the House took a recess until completion of evening session of convention.

In Convention.

The convention met according to adjournment.

The examination of witnesses for the defendant was continued.

On motion of Mr. Smith of Patten the convention adjourned to meet Friday at 3 P. M.

In House.

The House was called to order by the Speaker.

On motion of Mr. Havey of Sullivan, Adjourned.

E. M. THOMPSON, Clerk.