

MAINE STATE LEGISLATURE

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Legislative Record

Seventy-Fifth Legislature

SPECIAL SESSION

STATE OF MAINE

1912

SENATE.

Friday, March 22, 1912.

Senate called to order by the President.

Prayer by Rev. Mr. Livingston of Augusta.

Journal of yesterday read and approved.

Papers from the House disposed of in concurrence.

Orders of the Day.

Mr. STAPLES of Knox: Mr. President: I move that the rules be suspended so that all bills may be referred to a committee of the whole.

Mr. MILLIKEN of Aroostook: Mr. President: Do I understand by these motions that there is to be no reference of any matters to committees?

Mr. STAPLES: Except to a committee of the whole.

Mr. MILLIKEN: And may I ask the Senator whether the committee of the whole is to be simply the Senate sitting under the same rules and hearing discussion, or whether it is technically a committee of the whole as contemplated by Reed's rules?

Mr. STAPLES: I understand the whole of the members of the Senate are the committee.

Mr. MILLIKEN: Mr. President, as I understand the situation we are obliged to return here a week from next Tuesday to vote for a United States senator.

Mr. STAPLES: I understand so.

Mr. MILLIKEN: Mr. President: I think the members of the Senate will bear me witness that it has never been my desire to inject any technicalities or obstructions of any nature into matters of business. And it is my feeling now that all these matters should be considered, taken up man-fashion and debated without any resort to unfair tactics.

When the suggestion was made, yesterday, by the Senator from Knox, in a proper manner, that he, today, would ask for a suspension of the rules, in order to avoid the reference of these important matters to committees, and public hearings and report to the Legislature in the usual

form, it seemed to me that the action was unwise, but in view of the fact that I understood the plan of the administration was to get through with this session and get away, next Tuesday or Wednesday, it did not seem wise to object.

But it seems to me, Mr. President, that the situation, this morning, is entirely different. We find ourselves now obliged to continue the session of this Legislature, this special session, until a week from Wednesday. There is ample time, next week, as every senator knows, to have these four important administration matters heard by committees in the usual way, reported back to the Senate and House, discussed and disposed of. And we then would be able to adjourn by Wednesday, April 3, the date we are obliged to adjourn, anyway.

There are two reasons why it seems to me it is unwise, in view of the fact that we have an idle week ahead of us, to insist upon this extraordinary procedure. The most important reason is that this procedure will deprive every man outside of the Legislature from being heard. I submit, without arguing the point further, that it is unwise, in my judgment, that measures of so great importance as to warrant the calling of a special session by the Governor of this Legislature, be railroaded through here without giving the public outside an opportunity to be heard.

The next reason, and one that appeals to me as important, is that members of the Legislature themselves have had very little opportunity to consider these matters. I assume that they have been duly considered in Democratic caucuses, but the rest of us have not had much opportunity to peruse the bills, and, in fact, I understand the bill introduced by the senator from Knox, introduced, yesterday, printed by his courtesy, is to be amended, this morning, and we presume it is to come up here now and be disposed of, so far as discussion is concerned; a measure that we have not really seen until this morning.

In view of this situation I feel that

I ought to object, personally, to the suspension of the rules, so far as it forbids reference of this matter to a committee and a report in the usual form, and I ask that the yeas and nays be had upon the motion of the senator from Knox.

The PRESIDENT: Is it the pleasure of the Senate that the vote on the motion of the senator from Knox be taken by the yeas and nays?

A sufficient number having arisen, the yeas and nays were ordered, and the secretary called the roll. The roll being called those voting yea, were: Boynton, Clifford, Dodge, Farrington, Foss of Androscoggin, Fulton, Hanson, Hill, Kellogg, Leach, Mayo, Moulton, Mullen, Noyes, Osborn, Reynolds, Sanborn, Staples, Winslow—19. These voting nay were: Chandler, Gowell, Irving, Milliken, Stearns—5.

So the rules were suspended and all bills were referred to a committee of the whole.

Mr. STAPLES of Knox: Mr. President, I move to take from the table Senate Document No. 1, which is Resolve providing for an amendment to the Constitution relating to the sale and manufacture of intoxicating liquors, introduced by me, yesterday.

The resolve was taken from the table and the same senator offered the following amendment: Amendment A. Amend Senate document No. 1 by striking out the word "shall" in the 13th line thereof and substituting the words "may in its discretion," and by adding after the word "town" in the 18th line, the words "approval must be expressed only at the municipal election held in said city or town." The word "town" in this section shall not be construed to include plantations.

Mr. STAPLES: Mr. President, I move you that the amendment be adopted and that the vote be taken by the yeas and nays.

The PRESIDENT suggested that it would be well to refer the bill and amendment to the committee of the whole.

Mr. Staples changed his motion in accordance with the suggestion of the

President, and the motion was adopted.

Mr. STAPLES: Mr. President, I now move that the Senate go into a committee of the whole for the purpose of considering the Resolve providing for an amendment to the Constitution relating to the sale and manufacture of intoxicating liquors.

The motion was adopted.

The PRESIDENT: Following the rules of your House, unless you desire otherwise, I will appoint Senator Mullen of Penobscot chairman of the committee of the whole.

IN COMMITTEE OF THE WHOLE.

Senator Mullen took the chair.

The CHAIRMAN: Gentlemen of the committee, I will be glad to serve you to the best of my ability in this capacity. I will ask you to bear with me in all respects possible.

The Chair awaits your pleasure.

Mr. STAPLES of Knox: Mr. chairman: As the author of the Resubmission bill it might be expected that I would have something to say in the start, in regard to the merits of this bill and its amendments, but it occurs to me as it will to everybody in this Senate that has been here for the past 12 years, that I have been making resubmission speeches during all that period of time. I do not think I could add any further light to this question, which I regard as a very important one to the people of this State. It is a question that should be settled in one way or the other, and for that reason, as everybody knows my position, Mr. Chairman, upon this matter as I introduced the first resolution for resubmission 12 years ago in this body when I was the lone member of this Senate, and I continued it until I saw it carried by a majority vote in this body, last session.

I may later on have something further to say in regard to this matter, but for the present time, that we may have a new member, somebody to discuss it outside of myself, for ever since I have been here I have been the only man that has discussed this matter, and the people must be weary of it.

For the present time I yield the floor to the Senator from Waldo.

Mr. HANSON of Waldo: Mr. Chairman: I do not clearly understand the rules governing this committee of the whole. Are they the rules that pertain in the body at other times or the rules that usually pertain in a committee of the whole?

The CHAIRMAN: The Chair understands that is a question for the committee to decide.

Mr. HANSON: There is quite a difference in the method of parliamentary procedure; any member can talk as many times as he can get recognition, while under the general rules you are to discuss the question at two different periods. Am I right?

Mr. STAPLES: You are right. Mr. Chairman, this matter presents a new thought to me. I apprehend that the same rules apply in the committee of the whole, as would if we had not suspended the rules; the same rules apply I think.

Mr. HANSON: Then, Mr. President, each member would be limited to addressing the body on this subject to two different periods, unless by consent or otherwise it changed to a different proposition.

It was not my intention at this time, gentlemen, to enter into any labored or general discussion of this matter. The Senator from Knox is the prophet of the people. He has for years as he has told you stood in your presence in this chamber and endeavored as best he could to remedy the existing evil. And undoubtedly he has brought very many pregnant and forceful illustrations of why there should be a change in the conditions in this State pertaining to the handling of rum.

I do not know that I can evolve anything new, but I have some well grounded ideas in my own mind as to why this bill as amended should go in the constitution of the State of Maine. But as I am only one of this great and sovereign body, constituting the State, I recognize the fact that every factor, every voter, and some day every person of mature years when woman's suffrage comes as it will come as civilization

advances, will have something to say on important subjects like the present that has to do with our home life, our civic life and all that we hold most sacred.

Now as a matter of fact the term prohibition has been known from the very beginning of the world, and I am not going to give you pages of ancient history. I do want to call your attention to the fact that the great and good God who made this universe, the master architect, and placed our forefathers, our father and mother, in the Garden of Eden, and according to the record gave them everything they could possibly desire to make life replete with joy; but in his wisdom he told them of one tree that they must not partake of. Sometimes I have wondered how God in his wisdom could have placed that prohibition upon that tree, knowing that they were his handiwork. They looked upon that tree with longing, and so it came to pass that the tempter came and the woman was persuaded to partake of the fruit and handed it to Adam, and like a good husband he took it, as I would, but Adam said the woman gave it to me to eat. And that is the first mean streak that ever appeared in man, and it was born of prohibition.

I have not any set subjects, but I have a few points here that I want to keep in my mind. Sumptuary laws strike the average citizen in a way not entirely satisfactory to his nature. He is perfectly willing the statute shall say: "Thou shalt not kill thy fellowman." Thou shalt not steal his goods. Thou shalt not do the things that do violence to the home, but when the law says you shall not eat this or drink that, or wear this, he shys right away. You are getting down now to personal privileges for which you have no right to govern him. He declares it is my privilege as a citizen to drink hard water or soft water, new cider or old cider, rum or wine, just as I choose and as my taste may require. And so in a moment he rebels against the prohibitory law. You never have seen the man yet who believed in the prohibitory law for himself.

Many prohibitionists in the little town where I hold forth most of my

time are strenuous in prohibiting the use of intoxicating liquors by others, but the expressman occasionally rings the door bell and suspicious-looking packages, labelled on the outside some kind of liquor are left there. It may be that they are set up as a terrible example to those who come in, but I have a suspicion that that is not the primary cause that brings those packages to those households. It is a matter of fact, gentlemen, that appetites and tastes are matters of individual interest to us. I respectfully submit that you have no right to insist I should exist on roast beef if I do not like it. And so far as what I drink within the realms of my own household or in places where I do not affect the rights of others is no business of this commonwealth, individually or collectively.

Fifty years ago ministers of the Gospel drank New England rum, and the stimulus of the spirit in that rum, mingled with the good spirit in their hearts, would send them into unwarmed churches where their hearers would have warming pans under their feet and on their laps, and for two hours they would pour out the gospel somewhat warmer than our present ministers dare preach.

Up in the old farm house in Lincoln, where I was born and reared, my father always kept a jug of New England rum, also a jug of molasses. The mixture was nauseous to me, but not to his visitors. Elder Bessey, a good old Calvinist preacher, who I presume preached infant damnation, used to come up in a cold day and take off his fur collar and sit down before the open fire in the kitchen. They would mix up a concoction and sit there and discuss theology. Nobody thought then that was wrong; it was the custom of the people.

As a matter of fact, gentlemen, prohibition and temperance in my opinion are not synonymous terms. They have very little relation to each other. I do not know that they have ever been fairly introduced yet. Prohibition is one thing. Temperance is quite another thing. We used to have people who worked in the interests of temperance. Good Templars, I be-

longed to them as a boy. We had the Sons of Temperance, and such men as John B. Gough and Murphy went forth to rescue their fellow-men from the jaws of the terrible foe, inebriety, and they succeeded, and many a poor old trembling wreck of manhood has been saved by one of these temperance orators, imbued with fire that came down from Heaven to assist him in the rescue of his fellow-men, and with trembling hands has signed the pledge and gone to his home a man in whose heart had been born a new life, and with the determination that from that hour he would keep away from the demon Rum.

I do not know of any Good Templars in our town, save one publishing a Templar's paper and he seems to be the sole survivor in our section. I guess it is a survivor for revenue only, from what I hear.

As a matter of fact, gentlemen, we have as their successor, as the gentlemen of this Legislature know, Mrs. L. M. N. Stevens. Did you ever hear of her? Undoubtedly a fine woman. Undoubtedly imbued with zeal to help her fellow men and women. Mrs. Stevens, instead of going forth as the apostle of old, without script or purse, has a good salary. She has a secretary to help her, and an automobile to take her around, and I would ask you this question; have you ever known a single person being reformed in the meetings of Mrs. Stevens or any of her followers? Have you ever heard of a single home where peace and plenty has been brought through the labors of the W. C. T. U. as it is now carried forward in this country? I only ask for information. You may know of a great many. Before the session is over I may visit one of those homes if you will show me where they are.

Moral suasion is one way, and driving men is another. The first succeeds, the latter fails. Do you recognize the fact that there is more or less of the swine disposition in every man? As I look over some of these men who live on the farm I realize that they know when a shote

gets out of the pen, and they try to drive him back, he will go in any direction except where you want him to. There is only one way, take him up by force and throw him into the pen.

Gentlemen, we have tried all sorts of law that we can think of. At least I do not think there is any left out. We have tried statutory law. That is sufficient to take care of horse thieves, but not the liquor question. So we put it into the constitution, and they said no man will dare to go against the constitution. We failed to accomplish what we desired with out constitutional amendment. Down in the city of Belfast where I live we had a city constable, a man by the name of Mitchell. His father was an inebriate and Mitchell was about the only honest prohibitionist I ever knew and I know he was honest. He hated rum as they say the devil hates holy water. He put his whole will into the work of suppressing the rum traffic in our city. He closed every bar. There is no question about that. And when the bars were closed—I had an office at 64 High street, up one flight—and I used to have to wait sometimes for the gentlemen who occupied the hallway. The police court worked overtime, and the records show more arrests, more convictions for drunkenness than any other period in Belfast.

We closed the bars but the young men from the country would send off and get a gallon. They would take that gallon of liquor to some stable and sit down beside it and commence to drink, each one afraid he would not get his share. So he would drink what he wanted, and then some for the future, and soon could not sit up or walk and would be gathered in. The police force worked, and the jail took them in. That was the result. We never had any Sturgis commissioners in our county, but we have had some pretty good sheriffs. We have a very good class of people as a whole, good as you find in Maine generally. We have got some people from sunny Italy not as desirable as they ought to be, and those men always had and do today have their liquors come in large receptacles for their own use, and no sheriff ever mo-

lests them, for if they did they would get out and we would be left without anyone to do the work in our quarries.

We have the lid on yet everybody gets all they want to drink, but they are not getting the quality they would like to have. They would like to have some real liquor but they are getting this prohibition article, manufactured in fifteen minutes and in fifteen minutes after it goes down over your mucous membrane you cannot tell your latitude or longitude. We had a murder in our city, and every ingredient in that murder was contained in a half-pint bottle, and there was enough to put three people out of commission, one into the arms of death. Father's New England rum never did that. There was no murder in it, just a little stimulus that set the cockles of his heart to work.

What has prohibition accomplished? That is a fair question. Our friends will tell us and I shall listen. I want to assure you that I hold my mind open to receive information upon any and all subjects, and I hope I never will get so bigoted that I will not acknowledge it. I will trade one hundred errors for one truth and never ask any boot.

This is what the prohibitory law has accomplished, this is my observation—I am not going to extend this subject as did the orators in the last campaign. They told you about Chicago, and how many saloons it took to feed the houses of ill fame and satisfy crime. That has nothing to do with the State of Maine and its honorable citizenship. In our section we used to have bars where men could walk in any buy beer on draught. Many of them would take a drink of beer and be satisfied. Now the beer is in bottles and is pretty poor stuff. Some of it is labeled Uno, but the fellow doesn't know what he is getting, and so they have refused to buy this bottled concoction, and they go up against something more powerful.

So we have done this, my friends. The old farmers that I used to know for miles around,—being in the carriage business for years,—came to Belfast, on Saturday afternoon. They would go and get a drink of rum, brandy or whatever their appetite called for. That made them feel a bit liberal and they went out and

bought what they wanted. On going home they would call in and get another drink, and the way seemed shorter than coming to town, and when they got back home they were in a normal condition. What has happened? One of my friends made an automobile trip throughout our county, last fall, and he told me that he called at 12 farm houses. He was asked in 10 on the sly if he would take something for his stomach's sake. Ten out of 12 had it on tap. Instead of getting one or two drinks a week they buy it by the gallon, and old Farmer Brown brings it home and sets it in the pantry. He gets up with a bad taste in his mouth, and he exchanges the taste in his mouth for the taste in the bottle. At noon he comes in weary with his labors and takes another, and at night he waits until mother is abed and he takes a night-cap. The boy watches him. He says father seems to like that. "I guess it is all right for me." And the influence of our homes in our county has gone against temperance and we are turning them into tippling shops and making drunkards at a rate never made before, and the prohibitory law stands indicted for the work being performed.

Kitchen bar rooms, dives, and holes where a respectable hog would not go in to eat or drink, men will go into after this vile stuff, for when the thirst for intoxicating liquors gets into a man's breast it robs him of all power and he loses his manhood and self-respect, and he lets everything go in order to get hold of liquor.

I want to say to you right here before you make a mistake, that I am not an habitual drinker, at least I never get so drunk but what I could tell where I was in the morning if I saw the sun come up. I can get all the liquor I want, and I believe in temperance, and I work at the job of practicing it part of the time to say the least, and because I believe in temperance, because I allow no man to say that he is a stronger or more strenuous advocate for the protection of the home, is why I stand here today to ask that the citizens of the State of Maine have an opportunity to decide for themselves whether they wish to continue the present condition or not.

I looked across from my office, a few days ago, and two boys not over fourteen years of age were going down the sidewalk and having considerable difficulty to keep on it. Where did they get their liquor? Pocket peddlers are everywhere. If you get one of them you only get a pint at most. He has a pint here and another there, hidden all around over the city, and he is the hardest man to run down. Why are they patronized? Because the people who seek them cannot buy liquor as they should buy it, openly before the public.

I charge this prohibitory law with being a promoter of hypocrisy. If that is not broad enough tell me how I can make it broader. Judas Iscariot sold Christ for thirty pieces of silver. He had a reaction; his conscience troubled him and he threw away the silver. When you get to one of these fellows, dealing with the prohibitory question, if you ever see him show any symptoms of acknowledging he is a hypocrite you have seen something I have never seen. Down in our city we had a man by the name of Cy Wilkins—no relation to the Cyrus I see over there. He was an Englishman. At one time he studied to be an actor, but he had become a perfect wreck from the use of alcoholic stimulants. Now the prohibitionists thought that Cyrus would make a terrible example, and so he was employed to go through the country and deliver lectures on prohibition. Now at the same time we had in our city a man by the name of Dr. Homer, a prominent physician. I am giving you names. I am telling you these men's names and I would do it if they were in this audience, as quick as I would tell you now, for I always believe in talking to a man plainer to his face than behind his back. Wilkins came into a drug store where a friend of mine was clerking, and in a trembling voice he said, "Walter, I have a prohibition lecture to deliver and if I could only get half a pint it would settle my nerves and I could do better." He got it. He and Dr. Homer started for the country. They came to a steep hill, and Cyrus said to the doctor that he wished he would let him out. He got out and took a drink and when he went to get in again behold, the doctor had a longnecker! He

was studying astronomy. Cyrus said, "I have caught you doctor." He said the doctor and he drank from the longneck-er after that and no doubt they made some strong prohibitory speeches.

Men will go before our grand juries—I don't know as you all like to hear this. I wouldn't make this talk in Massachusetts; when I go over the line I have to lie a little myself, but here we might as well get to plain talk and state it as it is—I had occasion to talk to a citizen who went before a grand jury, pretty well loaded. They asked him where he bought his liquor. "Bought liquor? I haven't bought any." "Have you not drunk any liquor since the last term of court?" He replied, "No sir, not a drop." You could lay your hand on his breath then and it would rise and fall. I asked him when he came out how he could lie that way, and if he didn't know he had committed perjury. He looked up, almost paralyzed to think I could think such a thing and he said, "If I did commit perjury I am in pretty good company. What about your sheriff, has he not taken his oath of office? What about the county attorney who not pressed a hundred cases and bought Nol Pros row on the street up here? What about the judge who goes to Bangor and takes a fine in rum cases, and then comes down here and sends them up on the hill?" There are times when even I stop talking, and I stopped right there. It was too much of an argument for me.

This prohibitory law has made perjurers of sheriffs, county attorneys and judges, and that is why I am for the recall of judges. I want some of them to go way back and sit down. It has begetten disrespect for all law. The very fact that a man will commit perjury about drinking rum places that man where he will swear your life or mine away. He has lost all respect for the sanctity of an oath. There is no protection in the homes of this country, today, from the evil effects of rum. There is no protection for even the rum seller, and I do not argue that he ought to have any. But I know some rum

sellers who are human, and if I wanted to get \$50 for a poor widow, wanted to get the real money, I should go among rumsellers and get \$100 while I was getting 10 cents from some other men that wouldn't shake hands with them.

I once visited Thomas Haugh in durance vile. He said to me: "Mayor, I am going to tell you something that as God is my judge is true. That I have sold rum everybody knows, but the man who sent me in here to serve my time I refused to sell rum to and he told me squarely that if I didn't sell him rum he would go before the grand jury, and here I am." There is no protection for the home, for the boy, or for the rum seller. It is a terrible condition from my standpoint.

They tell us that the majority of the people want enforcement, and they cry out against Governor Plaisted because he has not played at hypocrisy like some of his predecessors. Governor Plaisted could have sat in his chair and written an appeal to the sheriffs to enforce the law, but he could not have forced a single sheriff to go about the business of enforcing the law, and it would have had no more effect than what Governor Cobo did, and he came to the conclusion that free rum was better than the present condition.

At one time I was foolish enough to take the nomination for sheriff. I thought I didn't want it, my wife thought I didn't want it, and the public decided later on that I ought not to have it. I stood in the Belfast Opera house, where standing room was at a premium, and was foolish enough to tell them the truth. No man can handle this subject and expect to win, and tell the truth about it, if he is catering for either the rum or prohibition vote. I stood up in the Opera house and when the question was propounded: "What will you do if elected for sheriff? Will you enforce the law?" I said: "I will, to the best of my ability. I will make this place as dry as the Sahara, if I can." A fellow away back in the hall spoke right out and he used the word beginning with d and ending with n, and he said, "He means it." And they went out and told the rumsellers to

get under shelter, and they said: "If he is elected he will drive us all out of business."

I was between the devil and the deep sea. Then they flooded the country with money and trimmed me to the tune of 165 votes. Under the Corrupt Practices act that same section gave me a majority of 914, and my platform was local option. That seems strange to you, for Waldo county has been one of the most rabid prohibition counties. I had been telling them facts in my little paper, week by week, and they knew they were facts. When I came before the people for the position I now occupy I came out with an announcement telling them where I stood on the important issues before the people. I told them where I stood on this matter of prohibition or local option. There was no uncertain sound. I said: "If I am elected to the Senate of the sovereign State of Maine, and it comes within my province to vote whether you shall have an opportunity to decide whether you want local option or a continuation of the present conditions, I shall vote for you to decide for yourselves. I will vote for any town to have control of liquor within its borders if the majority of the people so desire. I will never vote to put a saloon in any town where it is opposed by the people." I went to the people on that issue and they sent me here. This declaring that rum selling is a crime is a peculiar proposition. Up here on the borders of Maine it is a crime on one side of an imaginary line, and the width of that paper on the other side it is not. Rum sellers on one side and wine sellers on the other. It is legitimate on one side to sell liquor and criminal on the other. But over it all is the great United States government which issues licenses in every state allowing a man to sell intoxicating liquor. The government receives the money and sanctions the business. The State says "You shall not sell." Government says: "If you don't take out a license I will be after you," and the State says: "If you do I will be after you."

That reminds me of a description of the Calvinist doctrine. They were

holding a revival and there was a fellow there who was very profane. They were putting the gospel out strong, and they asked him what he thought of it. "Well, it looks to me that you will and you won't, you shall and you shan't, you'll be damned if you do and damned if you don't."

The question is can we minimize this evil? That we can stop the sale of rum in the State of Maine no sane man believes. That we have decreased its sale is fallacious. The Mississippi river inundates the country and destroys property. What did those people do, pass a prohibitory law prohibiting those waters from swelling? No, they built great embankments to keep the waters within limits. Why is not that good logic? You say "Will you license crime?" Of two evils I will choose the least under all circumstances if I know how to do it. I was once waited upon by every preacher in Belfast. They asked me to set the machinery of my city government in motion to stop the sale of rum. I called their attention to the fact that my city marshal drew a salary of one hundred dollars and the mayor \$2.88 a week. Upon the hill was the sheriff with a salary of \$1200, with deputies, and a police judge drawing his salary. I said: "Gentlemen, why don't you swear out the warrants? You have all the machinery needed for your purpose in Maine." They didn't like the sound of that. They had heard of the monkey that used the cat's paws to draw the chestnuts out of the fire, and I explained to them that I didn't propose to be the cat.

Those ministers asked me if I was in favor of licensing this evil, and I said "License it or tax it, anything is better than the present condition." They said will you license a man to murder? and I said "Prove to me that an average of 29 men are being murdered each year, and if I can sign a license for a man to go out and kill one man, and thereby save 19 I would do it, and if you let me pick the men, I will make it two." (Applause)

Now gentlemen, I am no prophet or the son of a prophet, but I

stand here to say I believe, as yonder sun shines, that the State of Maine is coming to local option. Why? Because every other New England state that has tried both ways has abandoned prohibition, and Maine will follow suit. The long suffering of this people has come to a climax. There is no question about that. They say "How can we regulate this traffic with a license?" Well, with no more ability than I have got, and I am one of the least of the great State of Maine, I could draw a license plan that would keep things so straight that like the Indian's sapling it would lean the other way. First I would take the handling of liquor out of the spring elections. I would decide how many saloons a city should have to serve the public so that they would not hunt up the dives. I would sell the right at auction for each one of these places for an indefinite time; they simply pay for the right. I would issue a license to each, they paying annually for the license to conduct the business. Upon the wall hang restrictions that mean something; compel them to sell pure liquors, no selling decoctions; no shades at the window. Let the public look in, when I am ashamed to step up to the bar then has arrived a period where I had better keep out. Have no tables, no chairs, let a man walk in and get his drink and then walk out. Prohibit treating.

There is no question about controlling this business. Put a black list of habitual drunkards who go home and abuse their families, on the wall. Say that to sell to them means the revoking of the license. Suppose the dealer oversteps his bounds. Shut his door for 30 days, and the second time, shut him up for 60 days, and the third time, sell that privilege to another man. There is no way to make a man obey the law, so well as to reach down into his pocket and take out a good handful.

The difficulty with this subject has been, not because the intelligence of the citizen was not sufficient to handle it, but because it has been made a political football. Both parties have been afraid of it, and they would shy around it, and shy around it, and

everybody looking on knew that was the fact. Up in the old city of Bangor the good old Republican party—and there are some very good men in it—not so many as there used to be in it, for they are coming to our party in our section—they stood up there and said "we reaffirm our allegiance to prohibition and the enforcement of the prohibitory law, in the future as in the past." Talk about comic opera! Talk about cold-blooded, premeditated sarcasm! If you can beat that, let me know. Why, the Democratic party has had the greatest struggle for years to get in such a position that it could deal honestly with this subject. Step by step they came along, and at last really dared to submit an amendment to the people, and then they went to bed. They did not dare to be out on the street.

They tell us that last September the people of the State of Maine settled this question. No question is ever settled until it is settled right. That question was not settled for very many good reasons, one of which is the fact that the discussion of the subject was left to its opponents, and our little county was invaded by prohibition workers and so was almost every man's dooryard. They had music, and they told the people they must not forget about the glorious benefits derived from Prohibition. It would seem a little mite far-fetched, if I were sitting at your table and I said "Is not that good? Eat some more of it. I am afraid you do not realize what is going down your throat." You would say, "Put him in the insane asylum, he doesn't know what he is talking about." Those people came here to tell us to keep the prohibitory amendment. It was simply absurd. They imported orators from far off places. Judge Blair came to our State. It is said, you know, that fools rush in where angels dare not tread. A petition was signed for a joint discussion between myself and Judge Blair. Judge Blair came from Ohio to Maine, but he said he was not prepared to meet one of our down east hay-seeders. He was asked why he left his state to come here without preparation. I went to hear him, and I heard the most

masterful argument for free rum ever heard in this State. He said, "In the morning when I looked out of the car window I was passing beautiful residences, nicely kept grounds; there were blinds on the windows. My heart leaped up and I said, 'I am in prohibition Maine, where they put their money into their homes instead of into their mouths.' I reached Bangor and almost thought I had struck another kind of people, I had got into another world. Splendid citizenship, great magnificent buildings in Bangor." He said, "I stayed in Bangor four days and saw four men under the influence of liquor. I went across the river to Brewer, and there saw only four unpainted houses." It was a strange co-incidence, four painted noses and four unpainted houses.

They say Bangor never recognized the prohibitory law in its history; it has had free rum, the Bangor plan, and if Bangor has prospered to that extent people say "Give us the Bangor plan, free rum."

I noticed that these orators could reverse quickly. Blair said, "You talk about local option; it will not help you a particle." Then he told about his town in Ohio where they had 36 rum shops, and he said under local option we drove them out and the people are prosperous and the banks are filled with money. That was what local option had done. Wasn't that a good argument for local option? I didn't think it necessary to reply to that. He was simply doing the work we would liked to have done, but could not do it as well as he.

Last fall the Democratic party got into a state of coma. It reminded me of the fellow they had ready to bury. Just as they were placing him in the casket he showed symptoms of life. He got up, and they said, "We thought you were dead." He said, "I knew better." "How did you know you were not dead?" He said, "I was hungry and so knew I wasn't in heaven, and my feet were cold and I knew I wasn't in hell." The party had cold feet, there is no doubt about that, and just left the one important issue before us to the hands of the enemy. Had we put speakers throughout the

State and met their speakers, this State would have cast 10,000 more votes for the amendment. How do I know it? The city of Belfast, three days before the election showed that it was going "No." I went to the Opera house, and delivered the only speech on the Yes side.

It was said, "Is it possible that our mayor is going to try to destroy our homes?" I said, "No, you are on the wrong track. Come and hear me." They came with a stenographer. The next night they held a meeting in the Opera house and my friend, who was to refute my argument, told that audience that the mayor had presented the subject fairly. Then he proceeded to tell about the terrible effects of rum, and I could have said "Amen" to every word he said. I know it is one of the greatest curses that ever came on any community. I know of the broken hearts, the wrecked homes, and the young men who have gone down to the demon's grave. And because I know these things is the reason why I stand here, today, and say it is time for the sovereign State of Maine to take hold of this hydra-headed monster, and control it.

I say it is time for the people to rule themselves. I believe, as the husband and wife is the head of the family, so each community is, and should be the judge of how it shall handle things pertaining to its own mutual interest. I believe that every town should have the privilege of saying just what it will have to serve its interests best.

I do not stand here, today, to vote for a local option law, nor would I vote for any law to be binding upon the people of Maine, unless they have the power to say whether they will accept it or not. I believe in the initiative and referendum. I believe the people of this State are well qualified to judge of what they want. I believe that I would vote to have any question submitted to the people that might appear reasonable and then let them be the judges as to what they will do. I do not believe that even this august body assembled, consisting of representative citizens gathered from the different parts of our State, are the

people. I do believe the voice of the people is the voice of God, but I do not believe the voice of the Legislature, is the voice of God. Do you?

Let the people decide. This amendment which is here submitted I believe places this matter wholly within the hands of the people. I should have no hesitation in going on the stump next fall and challenging any opponent to show why the people should not have the privilege of governing themselves, and I cannot for a moment see how any citizen of this State can stand up and say that the people are not to be trusted; that he has been appointed guardian for the people in his section, and that it is not safe to let them vote upon it. If I did that, I should expect to get a reception when I got home. They would undoubtedly say, "You got a swelled head in Augusta. You forgot that we know what we want. We will let you stay at home after this."

I therefore, in behalf of this act, or amendment, move that it be adopted by a yea and nay vote. (Applause.)

Mr. MILLIKEN, of Aroostook: I would like to ask the Chair to rule whether the question before the committee is the amendment offered by the senator, this morning, or the whole proposition contained in the bill?

The CHAIR: If the Chair understands the proposition correctly the amendment was incorporated in the bill.

Mr. STAPLES of Knox: That is correct, Mr. Chairman, that the amendment has become a part of the original bill, the same as if it was in a new draft.

Mr. MILLIKEN: I think the amendment has never been adopted, but I do not care about that. No one has any objection to the majority party making any amendment they see fit.

Mr. STAPLES: I will say to the senator that the amendment was adopted, as I understand it.

Mr. MILLIKEN: I assume, Mr. Chairman, that no yea and nay vote can be had in committee of the whole. This matter must be reported, as I suggested.

The CHAIR: Do you mean that a yea and nay vote cannot be taken on any subject?

Mr. MILLIKEN: I do not wish to make any suggestion to the Chair. I was only quoting from Reed's rules.

Mr. Chairman, as I pointed out a few moments ago, the members of the minority party find themselves in a peculiar situation, so far as any discussion on the merits of this entire proposition is concerned. We are asked to take up and discuss, as I understand it, and finally dispose of, this morning, so far as discussion may be concerned, the main question for which this Legislature was called.

This bill was brought in, yesterday, and when I saw my good friend, the senator from Knox, extract the document from the official envelope bearing the stamp of the Executive Department, I supposed that was the official measure, and that the combined wisdom of the frequent caucuses of the majority party had borne its final fruit.

It now appears that various new amendments have been offered, this morning. Nobody has read in my hearing, the Constitution as it would appear as finally amended. But I am not going to discuss this whole question. I wish to reserve the right to say a few words upon the final passage of the matter, if necessary.

Some things have been suggested by the remarks of the senator from Waldo. It has been a great relief and pleasure for me to be entertained for an hour or more, and to be relieved during that time from the necessity of thinking about anything pertaining in any way to the real question before us.

Something was said in the opening remarks of the senator about the Garden of Eden. For myself I always have a feeling of shrinking from any reference to the things we all respect and hold sacred, that places them in any light or trivial aspect in a discussion of this kind. But let me call the senator's attention to the fact that the prohibitory law having been violated in the Garden of Eden, the Almighty did not upon that change to a license system. But if I remember the Scripture correctly, the prohibitory law was immediately enforced.

The next point referred to, as I recall the senator's remarks, was something about the Sumptuary law, the personal privilege, over which no Legislature should have any control. The inference is from the senator's remarks that no other attempt could properly be made to control what he calls personal liberty, except in this particular instance of the prohibitory law. I wish the senator, or somebody, would point out to me where he draws the line in the matter of personal liberty. I suppose he would not want his remarks to be brought to their ultimate conclusion; he would not want to say that no law ought to be enforced against a man's rights to gamble; that no law ought to be enforced against the practices that are generally assembled under the name of the White Slave traffic, if any person was found engaged in that sort of thing.

Where shall the line be drawn? He has drawn it in a very glittering and general way. Where is the distinction?

The senator has also been pleased to refer to a woman whom all of us respect; who is not here to defend herself; who has been denied by the majority of this Legislature the privilege of appearing before a committee of the Legislature and stating her views upon this question. He is welcome to any credit he can gain by that sort of argument.

He has asked us to show him where drunkards have been reformed in the meetings of the W. C. T. U. and he has been pleased to cast a general slur upon that organization. I suppose he expects me to believe from observation of what has been going on around this city; of disgraceful scenes that have occurred at the Augusta House, where high State officials have participated; that the best place to reform drunkards is at Augusta during a session of the Legislature.

He said something about good sheriffs. I should like to have that term defined by somebody, some member of this majority party. What is a good sheriff? I have had some ideas on that subject. We have one man sitting with us in this chamber, a member of the Democratic party. To me that man

has been a good sheriff. One of the best and bravest in the State of Maine. If I understand the remarks of the senator from Waldo, the whole trend of his remarks has been a slur against the work of that sheriff. Italian laborers must have their beer, according to the senator from Waldo. Is it not possible that, assuming the proposed amendment is passed, some Italian laborers might stray into the plantations that are excluded from the provisions of this bill. Is it not possible that the Italian laborers might find themselves in a town that did not petition for this relief. How would the senator take care of that situation?

Hypocrisy! "Nobody could have compelled the sheriffs to do their duty; the Governor could not have done it," says the senator from Waldo. What did the Democratic platform, upon which the Democratic members, excepting the senator from Waldo, were elected, mean? What did the Governor mean when he said that all laws, so long as they are on the statute books should be enforced?

The senator says that his platform was rum, and that he came here on that platform with a 900 majority. The platform upon which most of the senators that belong to his party were elected, was not ostensibly rum. He says, the Governor could not have compelled the sheriffs to have enforced the law. I do not know what the present Governor meant when as a candidate for Governor he went around the State making certain promises. I do not know what mental reservations he made. I do know perfectly well, and so does every senator here, and the evidence can be substantiated by a hundred witnesses, that the Governor in town after town, in Grange halls and other places, made statements like this: He said in one town, "If I am elected Governor and a sheriff declines to enforce the law I will personally see that he is impeached." And to my mind that situation, that neglect of certain sheriffs within this State to enforce the law, would have been a proper cause to call this Legislature together. And now that we are here, I believe that we could put this idle week that is coming to no better use

than to consider whether any sheriff in this State has been recreant to his duty. The remedy is ample and within the reach of any Governor in Maine. And we have a peculiarly fortunate situation now for the Legislature has convened, the first time for many years, not as usual at the beginning but right in the middle of the term of office of the sheriffs. What do we find? The majority party outlines their plan that does not include anything in regard to the duty of these sheriffs and then the senator passes it off on the general denial of hypocrisy, and the assertion that nothing could have been done about the nullification of the Prohibitory law.

The senator asks for an instance of hypocrisy to surpass an extract he has read from an old Republican platform. I do not defend anything of the kind in any party, but if he wants something surpassing, I will give him what I think is a good instance, it is an instance of a party that came into power promising to enforce all law, and when they got into power never made an attempt to fulfill that pledge. It is an instance of a Governor who went into office after holding up his right hand in great audiences in this State, and promising upon his sacred word of honor that as soon as he should be elected Governor, the law would be prosecuted in every city, and town, with all the power of the State, and after going into office, and having made no attempt whatever to enforce that law, calls a special session of the Legislature and says, in effect, "this law cannot be enforced. I found out, as sheriff and mayor, it could not be enforced, and I never expected to be able to enforce it."

Let the people rule! What a catchword. Oh, Charity, what sins have been committed in thy name! Is there any point beyond which the senator would not go in letting the people of a locality rule themselves? It strikes me, that a serious violation of that liberty has occurred recently. What about the poor creatures on Malaga Island, who I understand, were willing to continue in their old condition? Yet the authority of the State was exer-

cised to remedy that condition and with the approval of every right-thinking citizen of the State of Maine.

As I said a moment ago, it was a great treat to have a rest from the question before us, and hear the senator talk about another measure that he would approve, but I see his measure is to be a Prohibitory measure. I see it is different from the one under discussion, for he wants to take liquor out of the spring election, whereas this one puts it into the spring election.

I see he wants to prohibit treating. Why? If personal liberty is to prevail, why should a man be prohibited from treating his friends? That is a feature of Prohibition that has never been attempted. Nobody has attempted to say by law that a man shall not drink, and this is pretty nearly that sort of Prohibition.

The senator says the lid is on in Belfast. I would like to know whether this present Waldo sheriff is a good sheriff, I would like to know whether the senator believes the law ought to be enforced in Belfast so long as it remains in the Constitution of the State. If he does think so, I presume he is doing what he can in Belfast to help in the enforcement of the law.

Mr. Chairman and Gentlemen, I am not going to take time to go into the discussion of the real question before us. I could not avoid some suggestions that occurred to me in connection with the remarks of the senator from Waldo. It seems to me this whole question has been passed upon by the people once. I have had nobody explain to me just how this proposition differs from the proposition voted on in September. I think myself that it may be worse in some respects. Here is a case where a party has come into power, and where thousands of men have voted for the present Governor with the distinct understanding that he would first enforce the law, and, then ask whether the people want to keep the law in the Constitution or not.

I say to you, and I wish to be cour-

teous to everybody; I do not wish to trespass on the laws of debate or the laws of higher courtesy, that no man, whether Governor or any great man, has any right to come to this Legislature after declining to fulfill that pledge, and say that this law cannot be enforced. When did he find out that it could not be enforced? Did he know it when he promised the citizens of Maine from the platform that he would enforce it? If so, I do not need to name the alternative here. He has given it himself in Democratic caucuses, if the papers report him correctly. If he did not know it, then, when did he find it out? Did he know it when this Legislature was in session in the early part of 1911? If so, no attempt was made through the Legislature toward enforcement. Instead of that every provision of law for giving to the executive any authority whatever toward the enforcement of the law was repealed, so far as the Legislature could get at them.

The fact is, the Governor has made a mistake. Nobody has any more sympathy than I have for temperance men who voted for him, supposing he would enforce the law. Nobody has any more sympathy than I have with the members of the majority party here who realize the mistake he has made in neglecting to enforce the law, and in calling this special session, which is to be, in my mind, the greatest farce of the century. He is laboring under a misapprehension. He believes a lot of the support he has received has been occasioned by his personal popularity, when, as a matter of fact, thousands of votes were thrown on this particular promise, and that promise has been disregarded. Since classical allusions and parables seem to be the order of the day, I cannot help alluding to a fable which represents this situation more aptly than any other illustration I have seen. It seems that in the ancient times it became necessary to move a popular idol from one temple to another. In carrying the idol through the streets of the city, it was borne upon the back of an ass. As the idol was taken through the streets, the people bowed down before it and prostrated themselves in the dust until

the beast of burden stopped, and refused longer to engage in any such menial toil, in view of the obeisance of the populace. Then the owner said, "Oh, thou stupid ass, the reverence of the populace is not for thee, but for the idol which thou bearest on thy back."

The Governor has gone into office in this State, promising enforcement, then refusing it, and then finally denying it, and he is going to find when he hears from the people again that it was that promise, it was the idol, that they revered.

Mr. CLIFFORD of Cumberland; Mr. Chairman, I move you that the chairman of this committee be instructed to report to the Senate progress, and ask leave to sit again, this afternoon.

The motion was adopted and the President took the chair.

The PRESIDENT: Has the chairman of the committee of the whole any report to make?

The CHAIRMAN: Mr. President, I report the progress we have made, and request the privilege of sitting again, this afternoon, at 2 o'clock.

The report of the committee was accepted and the request granted.

Adjourned until 2 o'clock, this afternoon.

Afternoon Session.

Senate called to order by the president.

Mr. MILLIKEN of Aroostook: I wish to ask the Chair to make a ruling before the committee of the whole begins its session in regard to the question of debate in the committee of the whole.

The PRESIDENT: The chair will rule that unless the body constituting the committee of the whole establishes the rule, the debate in committee of the whole will be unlimited.

Mr. MILLIKEN: I find myself in entire accord with the chairman in his ruling.

In pursuance of the vote this morning the Senate went into committee of the whole.

In Committee of the Whole.

Senator MULLEN presided.

The CHAIRMAN: The Chair awaits the pleasure of the committee.

Mr. STEARNS of Oxford: Mr. Chairman, it was not my intention when I came to this city for the purpose of attending this special session to have anything whatever to say upon this question which is now being debated, and when the Chairman this morning asked me in a pleasant way whether I was to make a speech, I shook my head with sincerity, because I did not intend even then to attempt to submit any remarks in this Senate.

And the reason, Mr. Chairman, is this: That I did not think the Senate would undertake to shut out from debate before a committee of this Legislature, those who might wish to come here and be heard upon a question of the importance of this one now under consideration by this committee.

There are those in my own county who expected to be here, not only to appear before the committees of this Legislature, but who also expected to be here to be heard, and to hear what might be said in this Legislature. I feel that they had a right to expect that, and I also feel that we who, if we were to take their place and present our views upon this question, had a right to a little time for preparation; time to examine the question which was to be discussed here, and then given an opportunity to discuss it intelligently.

The Constitution of the State of Maine has some provision in relation to calling a special session. I think the wording of the law is that upon extraordinary occasions the Legislature may be convened. I am inclined to think that this is fast becoming one of those occasions, but I did not think that when the Governor called the Legislature together in this extraordinary session, when he considered that there were matters which needed to be legislated, that the Legislature would then consider those matters so frivolous that it was unnecessary for us to proceed in an orderly manner, in the manner which has been prescribed for the transaction of the business of the State. Not since the Civil War, I think, has it been necessary to do this—call this special session, and why are we here?

Three reasons have been given. One of them is now being discussed. And it is to my mind about the only one that

causes our presence here. Now if we were to ask, why are we here? What is the reason for it? What is the occasion of it? some little time ago, during the last session, at least a chorus of Democratic voices would have exclaimed, "Republican extravagance!"

We do not hear that today, I am glad to say. I wish before this committee to make that point emphatic, that I do not feel that this is the proper way to proceed. I should have said something about that this morning, had not the question been disposed of quickly in the way in which it was. Because there was nothing said to justify it upon the other side. No one has said one word to justify this action. I speak of this at this time because I wish to make that point emphatic. I believe thoroughly that it is a mistake.

I listened with a great deal of interest to the remarks of the senator from Waldo. I feel that I cannot allow this occasion to pass without complimenting the senator upon the wonderful command which he has—and which he is able to control—the English language. I can only say to him that it is a pity that that gift could not be used in a better cause. He says he came here to tell the Legislature, to tell this Senate, and the members thereof, why the people of his county sent him here. And I think you will all agree with me that we ought now to make no mistake as to why he is here. He says frankly that he came here because of rum, and I believe that we are safe in assuming that this is the honest reason, and that he has told us frankly what his reason is.

He goes back to his ancestry, and says that was surrounded by the influences of rum. He says that ancestry stood for rum. And I assume that he wants posterity to be nurtured and nursed in rum. That seems to be the position which he takes, and, Mr. Chairman, I do not believe that it is wise for us to indulge in any personalities. I believe that those things should be left so far as possible in the background.

I wish that the senator who has such an interest in this proposition, who has made such a study of this question, who only made one speech on rum during last fall, with the knowledge that he has of the question, might have gone out

through the State of Maine and enlightened the people somewhat upon the question which he discussed so ably here this morning.

What kind of a campaign was waged last September? Those who believed in the prohibitory law were fighting a peculiar battle. It was indeed a peculiar campaign. That campaign was the outcome of what was started years ago. No, I will not say, by the venerable senator from Knox, but by the vigorous senator from Knox, who vigorously every session, I think, very many sessions, at least, has introduced measures and stood here representing the democracy upon the floor of this Senate. He started his resubmission measures here, and he has always continued them down to the last Legislature, and thus he has been the exponent of resubmission up to the present time. That campaign was the outcome of the work which the senator from Knox carried forward. The campaign was fought out. The friends of prohibition went out upon the stump and presented their case. Did we hear anything from anybody upon the other side? Did a single orator, did the senator from Waldo come to Oxford county and preach the gospel he has preached now, and tell us of the wonderful things he has disclosed here this morning? Not a word did we hear from him. I suppose we did not know at that time that he made a speech. No one came out into the country and preached the gospel to the voters, and only one speech was made down in Waldo county in the city of Belfast.

We were fighting a hidden foe. You say that the campaign, gentlemen, was not so conducted that the people understood it or had an opportunity to vote intelligently upon it last fall. Why, Mr. Chairman, the people last fall got the information from such sources as they could. They were talked to by the friends of prohibition, and certainly you upon the other side had an opportunity to discuss the question the same way, but you did not do it. Now, why? If the proposition is so good, why didn't you come out and discuss it? Why didn't you come out and tell the people the glorious things which this would bring to them? Not one word was heard from you during the whole campaign,

and yet you say now that they did not have, or did not at least express their real desire in the matter.

Well, if the people of Maine did not express their desire last fall, do you expect that they are going to do so on the next resubmission resolve?

When the senator from Knox introduced his resolve into the other Legislature it was debated here. Previous to that not one word had been said about license. The question of license during all those first years was not intimated. The senator from Knox, when he first introduced his resolve, did not touch upon the question of license; it was simply to give the people an opportunity to vote upon it, and so down through the years. At our last session some of the Democrats rose in their seats when we voted upon the proposition, and expressed themselves heartily in favor of the proposition, but only to resubmit for the purpose of letting the people vote upon it. I hope they have not yet changed their minds.

The situation has not changed. Oh, but they say "public sentiment." Moral suasion, the senator from Waldo says is good, and public sentiment is the thing that must be followed. What are you doing for public sentiment? Are you helping to create a public sentiment against that which none of you claim to be right? You who advocate license do not undertake to claim that it is a good thing to sell rum and distribute rum and other alcoholic liquors. You do not put it that way. There the matter stands. You are not undertaking, you are not assisting in the creating of a public sentiment against it. That is true. Now it would seem that about the only persons who are consistent and honest in this question are those who devote their whole time, their whole strength, to the suppression of the rum traffic. In this way, according to the expressions of the gentleman who has led this fight in this committee, unless he presents himself as a living sacrifice, then he is not consistent, and he is not honest in his views upon the question. That to my mind is rather a ridiculous proposition.

The home and fireside. How many times, oh, how many times have we

heard that the home and fireside should be protected against the evil of the liquor habit. You have resubmitted it to the people in order that the home and the fireside should be protected; the people have voted upon the question and they have voted that they wanted nothing of license; that prohibition was good enough for Maine. Yes, the home and the fireside are still in danger and resubmission must come again. We must have resubmission over again.

Now, Mr. Chairman, I will grant you that I may not be following closely the bill which is here before us. I do not think that you would expect a close analysis of the particular bill we have here before us, not having had an opportunity to study it.

If that bill means anything, to my mind it means that you will have license in the cities; that you almost must have it in the cities, and local option in the towns. You will have local option in the towns whenever 51 per cent. so vote, and then the matter is submitted to the town and that is your local option plan for them.

Already one joker has been discovered in the plan that has been presented here, in the bill as drawn, and only this morning an amendment has been presented to cure some defect or to cure some joker which was discovered there. How many more jokers are there in this bill, anyway? Does anyone know? If there are any more it might be well at this time to have them acted on.

It seems to me that the whole thing, fellow senators, is being discussed here at this time at an ill-advised date. I may not understand why it should be so, but it is so, and we must accept it as it is. As I said at the beginning, I did not intend to have anything to say. It might be as well for me, and perhaps as well for the cause which I honestly am endeavoring to espouse if I did not try to say anything, but I could not allow the matter to go, without at least expressing something of my feeling upon this proposition.

I can only say this: That the course which is now being pursued, in my

judgment, will sometime or other confront the members of this body. My judgment is that you will be called to account for the farce and the burlesque which is being enacted in this special session of the Legislature; that you will be called to account by the voters of the State of Maine for this attempt to railroad through this Legislature at this time this iniquitous bill, which nobody knows anything about except the senator from Waldo county, who has evidently known more about this than any of the rest of us, and whose eloquence it would be useless for me or perhaps anyone else in this body to answer, if we had all the time from now to eternity to answer.

Mr. HANSON of Waldo: Mr. Chairman, I somewhat regret that I have entered into the work of your deliberative body under conditions that have perhaps injected me into the forefront of the battle before I got used to the smell of the smoke. But I am pleased to know that the able senator from Aroostook county, tall and straight, physically and mentally as the pines of his own lands, received some rest for his gray matter, this forenoon, while I discussed the matter under consideration.

He said that it was restful, if I remember rightly, and he thought I wandered far from the subject, anyway it carried him to the islands of the sea. So perhaps we were both traveling in the realm of imagination. I tried to keep down to the matter germane before me and to give some reasons why this amendment to the constitution should be submitted to the people. It cannot be railroaded when it strikes them, can it? When all men will have weeks and months to read and ponder in their own homes, they will come pretty near knowing when they come to the ballot box whether they approve of this amendment to the Constitution or not.

I would fain believe that my peers are better qualified to judge of what they want collectively in the State of Maine, than I or even this august body. There is one thing about this

discussion that to me seems passing strange, and that is that there should be such a strenuous objection to the people deciding what they want. How long have we had them under guardianship? Has it been a fact that through the years past the Legislatures of Maine have looked upon the citizens of this State as their proteges, incapable of handling their own business? I think not, and I think they think so no longer.

I wish to reply very briefly to a few of the propositions presented by the honorable senator from Aroostook county. He deprecated my reference to the Garden of Eden and the good book. I did it with more or less reverence. Of course all of us do not have a development of reverence equally, but my bump is somewhat respectable. I did not intend to say anything that would cast reflections upon the people. I simply called attention to the first prohibitory law and the results. To be sure, I learned that the respected senator has read his Bible, which pleased me very much. And he learned that God did not inflict the penalty right away. That has been a mooted question for theologians for a long time, and I am not prepared to say that I can settle that question. It is too far removed.

It is a fact that God did not issue any license, so far as we know, but the representatives of God since that time have been issuing licenses to sin in one large ecclesiastical body and that they think they have a right to do so I do not question. That is out of my line of thought. I will say that when God gave his commandments to Moses He did not put any prohibition in them against the drinking of stimulating liquors. I do not know why He didn't put it in. As time ran on the world got into such a condition that the Lord thought the best thing for Him to do was to clean off the old race, merely save a little seed. He had a flood, and He selected Noah, I suppose the best representative, and Noah planted a vineyard after he got over the wet spell, and as soon as he could get enough juice from the grapes he commenced to celebrate. I never learned that God reprimanded him. Later on they got to doing things in Sodom—worse than in Augusta—and the Lord said He would destroy them. So He told Lot to get out. Lot said: "I am not the only good fellow here; I can find some more." The Lord knew better, but He told him to try. Finally it was proved that Lot was the only real pebble on the beach. Anyway, the Lord told Lot to get out and he knew enough to go. Fire and brimstone came down and destroyed the city. Mrs. Lot had a little curiosity and she was turned into salt. What did Lot do? He went on a little way and then got drunk. The senator from Aroostook will corroborate me in that. I think if we could only live together a while we would agree. My friend from Aroostook county brought up the Island of Malaga. That appealed to his vision while I wandered in other lands. Certainly their condition was not any way desirable. Those people lived in very filthy hovels; they didn't know what the term marriage meant. They had terrible diseases. They were degenerates of the most pronounced type to be found, and it is a wonder how they ever could have existed. The Governor and Council decided to buy that island, and I have no doubt the senator from Aroostook would call that a good thing. I do not think the senator really meant to take this as a basis of comparison. I am feeling a little mite liberal toward my fellow-men and sometimes I think they do not mean what they say when they put a bad meaning on things. I would not take these people to compare with any other portions of Maine. When I struck a condition like Malaga island I would put in the strong arm of protection.

Of that respectable lady, Mrs. L. M. N. Stevens, the senator suggested there was a slur in what I said of her. I say to you if there was anything appeared in my address, this morning, that looked like a slur, it was wholly unintentional. And if there was anything in my discussion that you feel is entitled to be called by that name I tender you my apology now. I will try and not do it again. Mrs. L. M. N. Stevens is no doubt an honor-

able woman. I know nothing to the contrary.

As to her work she attends to it strictly. She draws her salary, has her secretary and is no doubt very much interested in the work in which she is engaged. I did not intend to cast any reflections upon her or upon the W. C. T. U. As a matter of fact, I have had the honor of welcoming that body to my city, and I never failed to render them assistance when I could. I do not think their methods are the best, but their intentions are all right.

Now I wanted to get at simply a statement of the facts as I understand them. I do not think that I get everything wholly right. I revise my opinion quite often. I want to come to the statement right here that the senator made as to what is going on in this city. I am going to take his word for it that Augusta needs reform. I have no doubt it is true and it is true of every other city on this mundane sphere.

Would it be admissible to compare present conditions with a Democratic Governor sitting in the chair, with former conditions when a Republican Governor sat there? If that is right I have some very interesting matter. Some say it is fiction. It is real facts. I do not want to get personal so I will leave the names out. About 1894 there was an honorable gentleman mayor of the city of Augusta. A good mayor no doubt. It was 1894 or 1895. I am told by a citizen whose word would be taken anywhere, that the city here was run wide open. In the words of Bret Harte, "with a nigger squat on her safety valve and her boiler crammed rosin and pine." In 1901 a Republican Governor sat in the State House in your city, and the principal hotels in this city were owned by Republican Governors. If I am wrong tell me about it as I go on. A man right here in the city told me this. He is a gentleman who holds an honorable position as an official of the State, and he tells me that on that year with a Republican Governor sitting here and the hotel owned by a Republican Governor, that down at the Augusta House, where I can't find a drop of anything to take, for my soul, that a gentleman offered them twenty-five hundred dollars for the privilege of running the bar through the

legislative session, and they asked him five thousand because they said it was worth it. That could not have been a water session. \$5000 with a Republican Governor in Augusta! \$5000 profits from the bar at the Augusta House, and I will wager a reasonable amount that you could not get five thousand cents out of the profits down there through this session or the last one. Augusta may need reforming, but it has reformed in some spots. I give you that for what it is worth. Just a little comparison. A Democratic Governor, no rum at the Augusta House! A Republican Governor, the bar worth \$5000! It don't make much difference what party a man belongs to, if he gets impregnated with the germ of hypocrisy. The senator asked what is a good sheriff? A good sheriff is the sheriff who attends to his duty, performing the duties of his office according to his oath to the best of his ability. That does not mean the sheriff must stop everybody from drinking rum. If he did, he would be put where he would stay good.

There is one thing I don't just like, and that is the assailing of the Governor, our Chief Executive. Governor Plaisted was elected to office by a large majority of the people of Maine. I believe they will re-elect him by a larger majority. I do not think anybody questions Governor Plaisted's honesty or integrity. He was mayor of this city and proved to be a good one. He was sheriff of this county and undoubtedly fulfilled the duties of his office as well as any of his predecessors.

As Governor he has done a great many things that most of us approve. That he has done some things we do not approve is what we would expect from any man. When we find a citizen that can step into that office and sit down in his chair and never make a mistake, I am going to tell you that you have got to take great care and put him into a box that can't be broken into or you will have a third translation for the Lord sends chariots after perfect men.

The record of Governor Plaisted stands before the public where all can read. He is aided by an able council. I can name some of whom there are none abler in the State of Maine. I believe that our Chief Executive and his councilors are work-

ing to the best of their knowledge and understanding for the benefit of the our State of Maine.

This special session is being denominated a farce. Are all of the members of this honorable body, are we all here enacting a farce? That is a strong characterization of a deliberative body of representative citizens coming together here. It strikes me that we are here to do business and we are trying to do it in a right way, and instead of smothering discussion we go into a committee of the whole where a man can talk until he drops in his tracks if ne wants to.

So far as the citizens of this State can be heard, I do not think it is necessary here. They will tell you what they think of it at the ballot box. So far as the idol illustration of the senator from Aroostook county is concerned, I took great interest in that. He told us the story of the idol being borne by the ass and how at last the ass thought he was the object of the people's adoration. They began to thump him to get him along. I could not help thinking how that applied to our modern conditions. Here is prohibition, absolutely useless. You might pray to it forever and you never would get anything. The ass that is carrying it is the Republican party, and the people are thumping it and I guess it is going to get a move on. (Applause.)

Now as a matter of fact the senator from Oxford discusses this question very fairly and ably, and I am glad to know that in this discussion it is not the multiplicity of words that win. He undoubtedly represented his side of the proposition very fairly. The great trouble lies right here. Though we are all citizens of Maine, unfortunately some are marked with a D and some are marked with an R, and we come up here and go to contending on things because we want success for our parties, and we sacrifice the interests of the State rather than jeopardize the interest of our party. That is the spirit of the swine in us which has come down to us just as has the savagery of our ancestry that makes us fight.

As a matter of fact the fellows who have been fighting me for years have got very much discouraged over my age

limit. They found that my grandmother lived to a hundred and three years of age. My grandfather lived to be ninety. Fifty-nine carnations were handed to me by the ladies of the city recently on my birthday. I got enough to run a small conservatory. In our family we begin to cut our wisdom teeth at about eighty-five. So I expect to live and see some changes in the old State of Maine for the better. And there is one important change, gentlemen, and that is that we come to the point where we are willing to try to get the thing that is best of us; willing to find out whether there is a better way to do anything than the way we do it now. I submit if a man should plant the same kind of seed potatoes for fifty years he would be a subject for an insane asylum. We have worked on the prohibition problem for more years than that. I think the time has come for us to test something else, and this amendment simply places this matter in the hands of the people, and when they try it for a year and find it unsatisfactory, at the next town meeting they can send it up Salt river.

Are you not willing they should try it one year? Are you afraid with the grade of whiskey and beer they will get that they will not let it go? Don't be worried, for if they get the same kind they get now they will not be there. After all this discussion is all superfluous. Here is a large majority of this body, enough to pass the bill through this branch, and if it goes to the people they will tell you what they think about it. If they don't want it they will tell you so. What is the use of standing here and talking for a week upon this matter? I do not see how we are getting ahead any. If you wish to make political thunder I can stay with you, though we don't need political thunder in our bailiwick. Why not bring this to a vote and pass it or not pass it and then take up something else? I think the time has come when we should get into action.

Mr. GOWELL, of York: Mr. Chairman:

The question under discussion is not a new one to the people of the State of Maine. The so-called rum question has always been a popular one with the Democratic party, and there is no

reason why it should not be a favorite topic with our Democratic friends, because it is on account of rum and issues incident to the liquor traffic that has made the Democratic party the dominant party in this State. The Republican and Democratic parties have differed somewhat in regard to some phases of the Prohibitory law, but there is one thing upon which we can all agree, and that is that this liquor question always causes trouble, it has brought our party to defeat, and it don't require much of a political prophet at the present time to foresee that it will cause the downfall of the Democratic party in the near future.

I am not a temperance crank or even claim to be a total abstainer on all occasions, but I have tried to represent the best interests of my constituency since I have been a member of this body, and I believe I would be untrue to the people I represent if I did not publicly refute any amendment to our Constitution that would tend to establish the saloon within our State with all the evil influences pertaining thereto.

The so-called resubmission amendment has been before the Maine Legislature for the past 12 years, it was introduced by Senator Staples of Knox county in the Legislature of 1899 and he has faithfully promulgated the doctrine at each session since that time until the present Legislature at its regular session passed the resolve submitting the amendment to the legal voters of our State in September of the present year. At that time it was urged by both parties to pass the resolve to get the liquor question out of politics. The special election was held and constitutional prohibition reaffirmed, and now in less than six months from the time the vote was declared, the Governor in his wisdom has deemed it necessary to convene the Legislature in extraordinary session for a further expression from the people in regard to regulation of the liquor traffic. It was urged in the campaign just closed by many Democratic lawyers that the subject matter of the so-called prohibitory amendment was not properly a constitutional question, and now since the people have voted

not to repeal the amendment, these same gentlemen seek to remedy the defect by proposing an amendment to the amendment that they say is not properly in the Constitution of our State.

If it is not properly a constitutional question, why not submit its repeal again to the people along the same lines?

The people of the State have voted to ratify the prohibitory law, and although the majority in favor of the law might be small, who can say it was not the expression of the people of our State, whose interests we are here to serve.

The truth is, gentlemen, because it was not settled according to the Democratic mind they call a special session, because a majority of the voters in the cities voted to repeal the law according to the tabulated returns.

The Democrats have elected more than half of the sheriffs in the State on the proposition that the law was not properly enforced, and now they parade up and down the State saying that prohibition is a failure and cannot be enforced.

Rum and hypocrisy have been their watch words, probably both parties contain enough of each, but I can remember that three years ago the Democrats nominated a sheriff in York county that stood for enforcement and a congressman that represented nullification in Cumberland county and supported both on the same ticket and at the same election. This comes pretty near to riding two horses at the same time.

The people of York county have reaffirmed prohibition time and time again, and I am opposed to this resolve because it does not represent the best interests of the constituency of my county.

Mr. MILLIKEN: Mr. Chairman, is the entire debate on the part of the majority party to be in the hands of the senator from Waldo?

Mr. STAPLES: I think so.

The CHAIRMAN: I will state that the Chair has no information upon that subject whatever.

Mr. MILLIKEN: Mr. Chairman, the important thing about what I tried to say, this morning, and the important question I left with the senator to answer, has no doubt been overlooked, perhaps in the multiplicity of other issues. I stated, this morning, that I understood and that in my opinion many thousands of people in Maine, understood in the campaign of 1910 that the Democratic party in its platform promised enforcement of the prohibitory law so long as it remained on the statute book; that the Governor in particular made that promise. If the senator from Waldo or somebody will tell me whether that is true or not, I will be much obliged. I think that is the main point in this discussion.

Mr. HANSON: Mr. Chairman, the senator asks whether the Governor has enforced the law in the State of Maine.

Mr. MILLIKEN: No. Whether he promised to enforce it.

Mr. HANSON: No, I never heard it. I have heard he said he would make it as dry as a covered bridge, but whether he meant a bridge where you could count the stars through the roof I don't know.

Mr. MILLIKEN: Does anyone here, Mr. Chairman, know what the Democratic platform promised?

The CHAIRMAN: I will say that the Democratic platform has been accessible to every citizen.

Mr. MILLIKEN: Mr. Chairman, I say then as I said, this morning, that that platform promised to the voters of this State that the Democratic party, if entrusted with power, would enforce this prohibitory law. If I am wrong somebody will correct me. I say now if I understand the Governor correctly, that he has called this special session to announce to us that it cannot be done; that he knew when sheriff and mayor that it could not be done.

I think I am willing to give as large a measure of charity to those who differ with me as any man can in discussion. The objection I have to the situation that confronts us is that the campaign of 1910 was not made upon a square issue, if I am correct in my

understanding of the Democratic platform. In other words, if that promise was made, and I think it was, the Governor and the party have not only failed to make good, but the Executive of the State, so far as I know, has made no attempt in any way to encourage the enforcement of the prohibitory law and now says it cannot be enforced. If that is true, as I said, this morning, many hundreds of men voted for him under a mistaken notion of what he promised he would do. In other words, what he promised he would do what the platform promised, and what he promised in many places in the State. That promise has not been kept, and no attempt has been made to keep it. And now we are met with the cowardly whine that it cannot be done.

The senator from Knox has discussed this question often, and it is some satisfaction to me to know that I have lived to find the Democratic party out in the open on this proposition. That party has carried water on both shoulders long enough, and we heard in the discussion of resubmission in the last session, and in other sessions, so far as I recall now, statements like this: That men were in favor of resubmission; the Democrats were in favor of resubmission for the purpose of trusting the people. That they were in favor of it, as I know hundreds were, for the purpose of having this amendment submitted to the people and have it reaffirmed by them, and if I am not mistaken at the time of the recent vote in September, 1911, while the votes were being counted the paper published by the senator from Waldo, and I assume he is the editor, stated that if the vote of the people showed even a small majority, it would be his endeavor by every means in hand to uphold resubmission and uphold the law.

Now having deceived the people and having failed to keep those promises, having had a vote upon the so-called prohibitory amendment, the Democratic party again attempted to carry water on both shoulders by saying to many voters throughout the State: "Take this thing out of the

Constitution and let the Legislature make the prohibitory law. The difficulty in this State is that this law is hidden away in the Constitution, where the public and the voters cannot reach it. Take it out of the Constitution; that does not mean license. We do not favor license, but let the prohibitory law be in force at the will of the Legislature."

I say the party carried water on both shoulders on that proposition and got the vote not only of those who favored local option, but the votes of many men who believed it might be well to leave the Legislature in control of the prohibitory law.

I think if that course, that same sinuous course, that has been pursued, were out in the open,—it is some satisfaction to me that at last the issue is clearly drawn. The Democratic party said: "We will enforce this law as long as it is on the statute books," and now they say it cannot be done and they knew it could not be done, and now we want local option.

I do not know as there is anything in the remarks of the senator from Waldo that needs any answer from me. I do not know that I have anything more to contribute to this discussion, if the case is closed for the other side. I had hoped that somebody in this majority party would explain the precise meaning of this amendment; that we would have read to us the constitution as it would be if amended, and especially I hoped that somebody would make plain the precise position the administration occupies, and the precise platform the majority regards themselves as elected upon.

Mr. OSBORN of Somerset: Mr. Chairman and fellow senators, it was not my intention to take any part whatever in this discussion until it had opened and continued to some extent. And I feel very much, after listening to its discussion by the able and eloquent gentlemen, as the little boy felt when he undertook to follow a brass band with a jewsharp. But there was a question put up quite plausibly by the senator from Aroos-

took, and it seems to be fair that some of us should answer it to some extent.

He asks in regard to the Governor's statements and promises—and I am not to speak for the Governor, and I am not going to undertake to say what he might have promised at different places in the campaign two years ago. I stood upon the platform at Pittsfield when he spoke there, and listened carefully and attentively to his statements, and when I commenced to hear these stories told that he had promised this thing and that thing; that he had promised to enforce the law and make the State as dry as a covered bridge, I was surprised, for certainly he did not make those statements at Pittsfield.

I believe if there was one point more than another in the Governor's address at Pittsfield that he made more plain and distinct than another, it was the fact that enforcement should be by the local officers. He made the statement distinctly that if he was Governor there would be no more Sturgis commissioners employed, as I understood it, that although he might not have a Legislature that would repeal that law, he would not have the commission doing business. He did say, I think, that if this question was submitted to the people, and the officers elected did not bow to the needs of the people, he would not look on that indifferently, if he was obliged to call the Legislature together to deal with the situation.

He has been true to that promise and we are here. It is up to us to deal with the proposition. I do not see that the Governor can direct us what to do. If it is believed by our friends on the other side that the right way to do would be to impeach officers who do not do their duty, it certainly occurs to me that in all the years past they might possibly have found an opportunity to practise that sort of thing. It does occur to me there must have been some time in the past, a time when they were confronted with the fact that the officers elected by the people were not enforcing the law, and it was up to them.

It might have caused some trouble

and lost them some votes. I am inclined to think, and I believe now, from a political standpoint, if this Legislature, to say nothing about the Governor—the Legislature is a responsible body, and if they should undertake to impeach officers in Penobscot, perhaps Cumberland and Androscoggin counties, why, that would bring a smile from our Republican friends. They would say: "What a chance we have got. They don't know enough to play politics on an A B C line," and they would be right.

It seems to me like this: They come in here and give us their version of what the Governor promised. What have they got to offer us to lead us to believe that we would get anything else than nullification of law or license by the fining system? They have nothing. It is true they had an enforcement commission, and they were making a farce of the enforcement of the law through the Sturgis deputies. When that law was repealed, last winter, I was somewhat amused. They almost held a jollification. They said we had lost our grip, and wanted to know what we would do now.

Here is an idea. The Sturgis law is repealed, and if we are to have enforcement in those localities where there is no local sentiment that will enforce it, it is up to us to either submit some proposition for the people to act upon, or to put through some sort of a law that will place in the Governor's hands something to enforce it. Would they not be pleased if we would pass the Sturgis law? We didn't believe in that method. We believe the people should settle these questions. The fact was revealed in the late election that the country towns are satisfied with constitutional prohibition. The cities are not satisfied. Every man knows that the law cannot be enforced successfully by the local officers without the support of the people. Talk about the recall. What is the use of recalling an officer that is enforcing the law just as the people who elected him want it enforced? The recall might be worth something in one county; if we should happen to get a man elected as sheriff in Somerset county, I be-

lieve, with the sentiment existing there, today, he could not be recalled, but how about counties where there are large cities and the majority of the population would not be satisfied with the enforcement of the law?

A short time ago a prominent gentleman from another portion of our county, a candidate for office, a Republican and a good fellow, was over to my town and a Democratic friend of mine remarked, "Why, are you going to support Sheriff Mooers, a Democratic sheriff?" And he replied that he was in favor of the Republicans nominating him. My friend asked him why, and he said: "You know we never have been able to elect a man sheriff in this county that would give us a straightforward enforcement of the law. Here is a man that will enforce it and we are going to elect him." That seemed to me to be a pretty open confession. This party that always had it in their platform, did not succeed in 20 years in electing a man in Somerset county that dealt honestly with this question. I think that was quite a compliment to the man we elected, and also to the party.

In 1902, the Democrats of Somerset county in convention assembled took up the matter. The matter was getting serious in our county. Open selling, license by fine; and in some towns the license amounted to quite a little. Not so much as it would under a local option law, but quite a good deal for a county that believed in prohibition. There was quite a lot of feeling about it and the Democrats pledged themselves to the enforcement of the law. They were successful in electing a sheriff; and the balance of the Republican ticket was successful by about 2000. No sooner was this man elected sheriff than the sheriff that had been serving for nearly four years, says, "If that is what you want I can give it to you as well as a Democrat." And the whole thing changed right around. Where there had been open selling of liquor, he closed them up, and throughout the balance of the administration of Mr. Lang we had enforcement straight and square.

They tried another man who came up with a new set of promises and

held it for two years, but his administration was not satisfactory to his own party, and we elected another man with the same understanding, and that is what we shall do in the future, stand for the enforcement of law. We can do that there because the people will stand behind us, and I believe both parties in the future will be obliged to enforce the law.

They tell us this question is settled. It is settled in just this way; unless something is done other than what we have before us at the present time. We have a man for Governor who is endeavoring to serve the State of Maine in a straightforward manner. If he wanted to play politics he would not have called this extra session. We are to be confronted with the candidate on the other side, not committed to the enforcement of the law; nor committed through his past record to enforcement through a Sturgis Commission or any other form of State control, as I understand it. Whichever party wins out, this thing must come up; nullification in a large part of the State. We all know what it is. I am not here to say that a Democrat is any better than a Republican as a politician. Each side will get what they can out of the rum influence when they attempt to play politics. And that will be the question, which side can get the rum element. If we could settle this in a practical way it seems to me it could be taken out of politics to a great extent. I know something about the feeling a man must have who has been taught in early life that prohibition is the thing to have. My father was a Prohibitionist and my mother was, also. They believed in prohibition. My father would sometimes tell me when I was a little fellow, years before my friend from Aroostook was born, that if I lived to mature years I would have an opportunity to reap the fruits of prohibition, and I believed it at that time.

It was pointed out to me that the rum evil was the great cause of trouble in the world; that the cost of government was due to ignorance, dissipation and vice, and could be stopped by prohibition. Another thing that was pointed out to me was that it was the

great cause of divorce, the breaking up of families, the cause of crime and the responsibility for the criminal classes; and also the cause of insanity. I really thought in 50 years I should be living under conditions bordering on the millennium. Our criminal records, our county records, how do they compare? Only a short time ago the sheriff of one of our counties found it necessary to get a new book of records. It took a good many years to fill the old book, but the fact was disclosed that in the last 10 years there has been a great many more criminals committed than there were years ago. They did not live under State-wide prohibition at that time. It has not done what its friends believed it would do; that it would stop the drink habit in the State. Let us pass its control to where it will be handled by the people.

Mr. MILLIKEN: Mr. Chairman, might I ask the senator from Somerset a question? I wish he would tell me if in his opinion the local option proposition would be better for Somerset county than the present enforcement of the prohibitory law by the present sheriff, who, I agree with him, is a splendid officer?

Mr. OSBORN: Mr. Chairman, I do not believe that the present prohibitory law in Somerset county would be changed one atom by the passing of this proposition. I believe it leaves Somerset county absolutely to work out its own propositions. I do not believe there is a town in Somerset county that would have a license.

Mr. FULTON of Sagadahoc: Mr. Chairman, this discussion it seems to me is getting rather tiresome to the committee. I wish to say in behalf of my people in Sagadahoc that we are not afraid to trust the people. We have been crying for the referendum, and we have it. Let every question go before the people and let them decide it.

Mr. MILLIKEN: Mr. Chairman, may I ask the senator from Sagadahoc a question? I wish the senator would point out to me the difference in the question now proposed to the

people, and the question voted on in September, 1911?

Mr. STAPLES: Mr. Chairman, I did not intend to say one word upon this subject, but I do want to answer the question that the senator last asked.

There is a great difference between what the platform was in 1910, or what resubmission was in 1911, this last September. That was simply resubmission of the constitutional amendment to the people. This matter, today, if you will take the pains to read it, is local option, fair and square for the cities, but the country towns of this State it leaves it right with the people.

Let me say, furthermore, in the platform of 1910, the issue of the Democratic party was not made a rum issue; it was made upon the extravagance of the Republican party, and that is what turned the country over, and it will keep there as long as Governor Plaisted has control of the business of the State.

I think it comes with ill grace for anybody to attack the Democratic party with the history of the last 10 months in this State; when you loaded upon the Democratic party a burden of a million dollar debt that you created and turned over to us to pay, and when you say that we have brought this session of the Legislature here for the sole purpose of this issue, you are greatly mistaken. Governor Plaisted and his councillors have brought this Legislature here, today, because the people demanded it by their voices from all the cities and towns, almost throughout the State of Maine. And it is different from what it was at the last vote; it is a different proposition. Nothing was said then about local option or high license. I say to you now the Democratic party believes in local option. They have said so by this bill, and by the amendment to that bill it is surrounded by all the safeguards that the human mind can create. It leaves it entirely with the people. Are you afraid of the people? You carried it by a small vote upon resubmission by misrepresentation. There is no question about that.

I am in favor of local option because

I believe that is the best way to control it. You tried to control it for 50 years and you have a line of drunkards throughout the State of Maine and temperance has not been benefited. Let us try local option and if it does not work well we will go back to prohibition.

Mr. MILLIKEN: Mr. Chairman, may I ask the senator from Knox if the people decided anything in September, 1911, and if so, what?

I understood the senator to say: "Let the people decide it," and I understand his explanation in response to my former question is, in effect, that the proposition voted on in September, 1911, was whether or not prohibition should be taken out of the Constitution, and this proposition is whether local option should be put into the Constitution, but it seems to me the people decided that, last September.

Mr. STAPLES: I do not think they did.

Mr. STEARNS: Mr. Chairman, I have heard something about "swapping horses while crossing a river," and I think you will agree with me that you are crossing a river, and I had supposed that the swap had been made; that you had swapped horses and that the senator from Waldo was leading the fight, but you have hitched horses in the middle of the river, which I think will be equally disastrous.

Mr. STAPLES: If the senator from Oxford will get upon the Democratic band wagon we swear we will not trade him while crossing the river.

Mr. MAYO of Hancock: Mr. Chairman, it seems to me that I am the only ex-sheriff that is present in this body here, today. I have listened to the arguments, and the only sympathy with the sheriff has been that he did not do his duty. Of course, I thank the senator very much from Aroostook for complimenting me as he did. I want to say to you, today, go into Hancock county and inquire whether I did my duty or not. If they say I did not I will accept it, but up to the last minute I was in office I was true

to my oath. I will say that the sheriff gets but little credit for what he does.

I was doing my duty as thoroughly as I knew how to do it, and was nominated for the third term, which I did not want, what came of it? Right in the midst of my work there came out an article in a Republican Journal, published very near here with the most fabulous lies ever printed about me, and they went into Stonington and took a team loaded with empty Uno beer kegs and hauled it a little ways and took a picture of it and a little ways further took another picture, and still further on another picture, and some of the leading men, one of the promoters and one of the writers of the Republican platform for the Republican Convention was one of the men who helped to get up that scandalous story on me.

I am a Democrat and I do not believe in local option. I do not believe in legalizing the sale of liquor, but can you blame me, as a Democrat, when I have all this before me for standing up and voting for this and asking the people to tell us again whether they want this thing? I have not changed my position, but I have got to the place where the people should not put more upon the sheriffs to do when they are doing all they can.

Mr. IRVING of Aroostook: Mr. Chairman, I arise to ask a question out of pure curiosity. It has been stated that nothing was decided by the election of last September, and I have the curiosity to ask the question, how much of a majority it would be necessary to have in order to accomplish anything? That just occurred to me and I would like to know. We certainly had something like seven or eight hundred. Would it not be a good thing to determine how much majority we must have to determine this question when we submit it to the people?

Mr. STAPLES: The proposition submitted here, today, is different from the one of last year. That was straight resubmission; this is local option, and it is another question entirely. Therefore your question I think is not pertinent.

Mr. Chairman, I now move that the amendment to Senate Document No. 1 as presented to this committee be adopted.

The motion was adopted.

Mr. STAPLES: Mr. Chairman, I move you that Senate Document No. 1 as presented to this committee and amended, be adopted, and that the Chairman of this committee be authorized to report the amended bill to the Senate with the recommendation that it ought to pass.

Mr. MILLIKEN: Let me say now, in behalf of those opposed to this measure, as we understand it a final vote involving a roll call is to be taken after the measure has been engrossed and returned here. I see no reason why we should make any delay by roll calls, and so far as I am concerned I will make no objection and ask for no roll call.

Mr. CLIFFORD: Mr. Chairman, I understand that is the intention.

Mr. HANSON asked that the roll be called now.

The CHAIR ruled that the motion of the senator from Knox called for a division of the committee only.

The motion of the senator from Knox was adopted by a rising vote, two-thirds of the members rising in favor of the motion.

On motion by Mr. Staples the Chairman of the committee left the Chair to report to the Senate.

In Senate.

The President in the Chair.

Mr. MULLEN of Penobscot: Mr. President and Gentlemen of the Senate: The committee of the whole Senate of which I have been acting as Chairman wish to present to the Senate unanimously the following resolve and that it ought to pass: Resolve providing for an amendment to the Constitution relating to the sale and manufacture of intoxicating liquors.

Mr. OSBORN of Somerset: Mr. President, I move for a yea and nay vote on the acceptance of the report.

The PRESIDENT: The question is shall the report of the committee of the whole recommending the passage

of the resolve providing for an amendment to the Constitution relating to the sale and manufacture of intoxicating liquors, be accepted? Those in favor of accepting the report will vote yea, and those opposed no.

Mr. MILLIKEN: Mr. President, I suggest if the senator would permit, that the acceptance of the report be without a roll call, and subsequently have the roll call.

The PRESIDENT: It is only necessary for a majority vote to accept the report of the committee.

The motion of the senator from Somerset was withdrawn, and the report of the committee was then accepted.

The PRESIDENT: Is it the pleasure of the Senate that the rules be suspended and this bill receive its first reading?

Mr. OSBORN: Mr. President I now move that the rules be suspended and that this bill receive its first reading at this time, and upon that question I ask that the roll be called.

Mr. STEARNS: Mr. President, I was in company with Senators Blanchard and Moulton, and understood that they were paired. Mr. Blanchard would have voted no and Mr. Moulton would have voted yes.

The roll was called and those voting yea were: Allen, Boynton, Clifford, Dodge, Donigan, Farrington, Foss of Androscoggin, Fulton, Hanson, Hill, Kellogg, Leach, Mayo, Mullen, Noyes, Osborn, Reynolds, Sanborn, Staples, Winslow—20.

Those voting nay were: Chandler, Clark, Gowell, Irving, Milliken, Smith, Stearns—7.

The resolve was then declared carried and was given its first reading. Upon further suspension of the rules the resolve was given its second reading and was passed to be engrossed.

Sent down for concurrence.

Mr. MILLIKEN: Mr. President it has been suggested to me as to whether on the final vote the necessary two-thirds must be of the members elected or those present and voting. I wish the Chair would rule upon that question.

The PRESIDENT: It will be two-thirds of those present and voting providing a quorum is present and votes; not two-thirds of the entire body, but two-thirds of those present and voting.

The report of the superintendent of public schools for the year 1911 was received from the office of the secretary of State and ordered placed on file.

The report of the department of vital statistics of the State of Maine for the year 1911 was received from the office of the secretary of State and ordered placed on file.

The twenty-first annual report of the State assessors was received and ordered placed on file.

Papers from the House: Resolve amending Section 15 of Article 9 of the Constitution relating to a bond issue for State roads. In the House this bill was reported from the committee of the whole, the report of the committee was accepted, the bill received its several readings and was passed to be engrossed.

Mr. DONIGAN of Somerset: Mr. President I have an amendment I wish to offer and I want to say that it has the sanction of the Governor, and I think it will have the sanction of all the members of the Senate.

The PRESIDENT: In the House the original resolve was amended as follows: "Section 14 of said Article 9 is amended by adding after the word 'except' in the fifth line thereof, the following words: 'for the purpose of building and maintaining State Highways,' so that said Section 14 as amended shall read as follows: 'Section 14. The credit of the State shall not be directly or indirectly loaned in any case. The Legislature shall not create any debt or debts, liability or liabilities, on behalf of the State, which shall singly or in the aggregate with previous debts and liabilities hereafter incurred, at any one time exceed three hundred thousand dollars, except for the purpose of building and maintaining State highways, to suppress insurrection, to repel invasion, or for the purposes of war; but this amendment shall not be construed to refer to any money that has been or may be

deposited with this State by the government of the United States, or to any fund which the State shall hold in trust for any Indian tribe.' ”

The Senator from Somerset presents the following additional amendment: “Senate Amendment A to House Document No. 1. Amend by adding to Section 17 the following words: ‘The expenditure of said money to be divided equitably among the several counties of the State.’ ”

The amendment presented by the Senator from Somerset was adopted, and the bill as amended sent to the House for concurrence.

Mr. MAYO of Hancock: Mr. President, I notice in the eighth and ninth lines “at any one time.” Does that mean that any Legislature can borrow two million dollars?

Mr. DONIGAN: Mr. President, I think that is taken care of in the House amendment, that there cannot be a bond issue for roads for over two million dollars in the aggregate.

(Senator Stearns inquired in relation to the status of the road bill and was informed that it had been sent back to the House.)

Mr. STEARNS: Mr. President, I lost track of it for a moment, and inasmuch as I know very little about the amendments and the bill as it stands, and inasmuch as it appropriates a large sum of money for roads, and inasmuch as, if the State is about to countenance this proposition, being myself something of a crank on alien paupers and the bills growing out of that, and for other reasons, I would like to reserve the right when the bill is on its final passage to say something at that point.

The PRESIDENT: Your right shall be reserved.

Mr. SANBORN of Piscataquis: Mr. President, When the temperance bill comes up to be voted again, I wish to express my views upon the matter.

The PRESIDENT: Your right shall be reserved.

(Recess taken subject to the call of the President.)

After Recess.

From the HOUSE: House Docu-

ment No. 8. An Act to provide for the use of uniform Ballot Boxes and for the Preservation of Ballots cast at elections. This bill came from the House, reported ought to pass, to that body by the Committee of the Whole.

The report of the committee was accepted, in concurrence. Under suspension of the rules the bill was then given its two readings and was passed to be engrossed.

An Act to apportion Representatives to Congress. This bill came from the House, reported ought to pass to that body from the Committee of the Whole.

The report of the committee was accepted in concurrence.

Mr. MILLIKEN: Mr. President, I do not think there is any change I wish to make, but I wish to reserve the same privilege that the senator from Oxford reserved.

The PRESIDENT: There will be no objection.

Under suspension of the rules the bill was then given its two readings and was passed to be engrossed.

On motion by Mr. Boynton of Lincoln it was

Ordered, That the messengers, folders, postmasters and door keeper of the Senate shall receive the same compensation as members of this special session.

Mr. MILLIKEN: Mr. President, may I ask what that compensation is, and whether it runs on next week when we leave here?

The PRESIDENT: I believe it does.

On motion of Mr. Noyes of Kennebec a recess was taken until 7.30 o'clock this evening.

Evening Session.

Senate called to order by the President.

On motion by Mr. Staples of Knox, it was

Ordered, That the clerk and stenographer to the judiciary committee shall receive the same compensation in proportion as that received at the last regular session.

On motion by Mr. Gowell of York, it was

Ordered, That the stenographer to the presiding and recording officer of the Senate shall receive the same compensation in proportion as that received at the last regular session.

On motion by Mr. Donigan of Somerset it was

Ordered, That the secretary and assistant secretary of the Senate shall receive the same compensation in proportion as that received at the last regular session.

On motion by Mr. Sanborn of Piscataquis it was

Ordered, That the compensation of the official reporter of the Senate be \$225 for all services at this session.

From the House: A Resolve amend-

ing Section 15 of Article 9 of the Constitution relating to a bond issue for State Roads. This bill came from the House, Senate amendment A concurred in by that branch. It was given its second reading in this body under suspension of the rules and was passed to be engrossed.

A recess was taken at this point subject to the call of the president.

After Recess.

An adjournment order came from the House and was concurred in by this body.

On motion by Mr. Reynolds of Androscoggin adjournment was taken until tomorrow morning, at 9 o'clock.