

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Seventh Legislature

OF THE

STATE OF MAINE

1915

SENATE

Wednesday, February 17, 1915.

Senate called to order by the President.

Prayer by Rev. John Evans of Gardiner.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

From the House: Report of the committee on ways and bridges, "ought not to pass," on Resolve in favor of the town of Prentiss.

In the House the report of the committee was accepted. (On motion by Mr. Leary of Penobscot, the report was tabled.)

From the House: The report of the committee on ways and bridges "ought not to pass," on Resolve for rebuilding a section of Marsh Hill in the town of Stockton Springs.

In the House the report of the committee was accepted.

On motion by Mr. Conant of Waldo, the report was recommitted to the committee on ways and bridges, in non-concurrence, and sent down for concurrence.

The following bills, petitions, etc., were presented, and on recommendation of the committee on reference of bills, were referred to the following committees:

Agriculture

By Mr. Allen of Kennebec: Petitions of N. T. Gordon and twenty others, of M. T. Newton and seventeen others, of Herbert W. Lord and forty others, of P. E. Carey and nineteen others, of W. W. Taylor and twelve others, of William Wood and twenty-two others, of W. C. Smiley and six others, in favor of Resolve in favor of Maine Wesleyan Seminary and Woman's College.

Appropriations and Financial Affairs.

By Mr. Boynton of Lincoln: An Act to enable the State of Maine to balance and settle its accounts with the various municipalities of Maine by the first day of December of each year. (Ordered printed and referred.)

By Mr. Murphy of Cumberland: Resolve in favor of the Maine General Hospital.

Banks and Banking.

By Mr. Bartlett of Kennebec: An Act to amend Section Two of Chapter 69 of the Public Laws of nineteen hundred and thirteen, relative to the restriction of regulation of private banking. (Ordered printed and referred.)

Claims

By Mr. Conant of Waldo: Petitions of W. T. Hall and thirty-one others of Winterport, of George A. Palmer and twenty-six others of Monroe, of Albert Pierce and twenty-four others of Frankfort, of Charles C. Clements and seven others of Winterport and Monroe, of James A. Carlton and fifteen others of Winterport for passage of Resolve in favor of Gorham P. Grant to refund money paid in lieu of military service in the late war of the Rebellion.

Education.

By Mr. Murphy of Cumberland: An Act to amend Section three of Chapter eighty-four of the Private and Special laws of the year eighteen hundred and seventy-five entitled "An Act relating to the schools in the city of Portland." (Ordered printed and referred.)

On motion by Mr. Murphy the vote was reconsidered whereby this bill was referred to the committee on education, and the bill was referred to the Portland delegation.

Subsequently, on motion by Mr. Walker of Somerset, the vote was reconsidered whereby this bill was referred to the Portland delegation, and on motion by the same Senator the bill was tabled.

Inland Fish and Game.

By Mr. Herrick of Franklin: Petition of Kennebago Hotel Company of Kennebago Lake and twenty-two others relative to extending the open season for fishing on Little Kennebago Stream and other waters to October first in Franklin County.

Mercantile Affairs and Insurance.

By Mr. Bartlett of Kennebec: An Act relating to taxation of insurance in companies not authorized to do business in Maine.

By Mr. Chatto of Hancock: Resolve for an investigation of the Hancock Mutual Fire Insurance Company.

Judiciary.

By Mr. Butler of Knox: An Act to extend the charter of Rockland—South Thomaston and St. George Railway.

By Mr. Murphy of Cumberland: An Act to permit the citizens of Maine to express their desires regarding constitutional provisions. (Ordered printed and referred.)

Legal Affairs.

By Mr. Dunton of Penobscot: An Act to incorporate the Maine Real Estate Title Company.

By Mr. Swift of Kennebec: An Act to amend the charter of the city of Augusta. (Ordered printed and referred.)

Military Affairs.

By Mr. Butler of Knox: Petition of M. R. Mathews and thirty-three others, residents of Warren, in favor of a Knox Memorial.

By the same Senator: An Act to enable the cities and towns of the State of Maine to appropriate money to aid in the erection of the Knox Memorial building.

Legal Affairs

By Mr. Walker of Somerset: An Act to amend Chapter seventy of the Private and Special laws of eighteen hundred and eighty-seven, entitled, "An Act to Incorporate the Spencer Dam Company" as amended by Chapter one hundred ninety-five of the Private and Special laws of nineteen hundred and eleven, and in addition thereto.

By Mr. Cole of York: An Act to ratify, confirm and make valid the proceedings of the First Congregational Parish at Kittery, Maine.

By Mr. Herrick of Franklin: An Act to incorporate the Oquossoc Light & Power Company. (Ordered printed and referred.)

Pensions.

By Mr. Murphy of Cumberland: Resolve in favor of Charles B. Pettengill, a veteran of the Civil War, for retirement.

By Mr. Swift of Kennebec: Resolve in favor of Mrs. Georgie S. Bates of Augusta.

Portland Delegation.

By Mr. Murphy of Cumberland. An Act to regulate hotels, lodging houses, and eating houses in the city

of Portland. (Ordered printed and referred.)

Public Health.

By Mr. Moulton of Cumberland: An Act to amend Section 25 of Chapter 129 of the Revised Statutes, relating to the sale of cigarettes. (Ordered printed and referred.)

Railroads and Expresses.

By Mr. Scammon of Hancock: An Act to extend and enlarge the charter of the Ocean and Northern Railroad Company.

By Mr. Swift of Kennebec: An Act to authorize the Maine Central Railroad Company to retire a portion of its common stock and issue preferred stock in place thereof. (Ordered printed and referred.)

State Lands and Forest Preservation.

By Mr. Butler of Knox: Resolve that the Land Agent be authorized to sell and convey a certain ledge known as Indian Ledge in Matinicus Harbor in Knox county.

By Mr. Colby of Somerset: An Act creating the Southern Maine Forest District, and providing for protection against forest fires therein. (Ordered printed and referred.)

By Mr. Scammon of Hancock: Resolve authorizing the land agent to convey the State's interest in a certain island.

State School for Boys and Industrial School for Girls.

By Mr. Allen of Kennebec: Petitions of Mrs. C. E. Cook and 45 others, of Ethel McLaughlin and 14 others, of Mrs. L. Quimby and 16 others, of Emma O. French and 18 others, of York Pomona, of Mrs. Harriet L. Kilbreth of Winthrop, of Julia S. Maxcy and 13 others, of Mrs. B. W. Jackson and eight others, of Miss Harriet A. Libby and seven others, of Mrs. Addie F. Fish and seven others, of Mrs. Charles H. Gray and 11 others, of Regent of Gardiner D. A. R., of Eleanor B. Danforth and nine others, of Penobscot Pomona Grange, of Mrs. Anna J. Guild and 13 others, of Cas-tine Conference Committee, of Current Events Club of Gardiner, in favor of a woman's reformatory.

By Mr. Garcelon of Androscoggin: Petition of Ellen Moseley of Lewiston and 34 others in favor of a State reformatory for women.

By Mr. Butler of Knox: Petitions of Arthur B. Packard and ten others, of Glen Cove Study Club of Rockland in favor of a reformatory for women.

Ways and Bridges.

By Mr. Durgin of Piscataquis: Resolve for aid in repairing highway in the town of Orneville, Piscataquis county.

By Mr. Cole of York: Resolve in favor of surveys, plans and estimates for a new Inter-State Bridge between Maine and New Hampshire.

By Mr. Ames of Washington: Petition of the citizens of Whitneyville for an appropriation to build an abutment to the bridge across the Machias river.

Bills in the First Reading.

Senate 101. Resolve in favor of Lord Bridge over Marsh Stream in the town of Franklin.

Senate 102. Resolve in favor of aid in repairs on highways in the town of Otisfield.

Senate 103. Resolve in favor of a bridge across the easterly part of the west channel of Sebec river in the town of Milo, county of Piscataquis.

Senate 104. Resolve in favor of bridge in the town of Montville.

Reports of Committees.

Mr. Conant from the committee on ways and bridges, to which was referred petition of V. Babnow and other residents of Sidney, and W. E. Crosby and other residents of Vassalboro, praying that members of the Legislature of the State of Maine for the year 1915 make an appropriation for the construction of a suitable bridge across the Kennebec river between the towns of Vassalboro and Sidney, reported petitioners have leave to withdraw.

Mr. Colby from the same committee, to which was referred resolve in favor of an appropriation to repair the bridges now existing across streams in Township 31, Washington

county, reported same ought not to pass.

The same Senator from the same committee, to which was referred resolve in favor of eliminating bridge on causeway at Machais, reported same ought not to pass.

The reports were accepted and sent down for concurrence.

Passed to Be Engrossed.

Senate 84. Resolve increasing the retiring pay of Thomas Clark.

House 105. An Act to amend Section 5 of Chapter 63 of the Revised Statutes, relative to claims against insolvent estates.

House 106. Resolve appropriating money to aid in widening the turnpike road in Camden and Lincolnville and providing for future maintenance thereof.

House 107. Resolve providing an increase of State pension for Sibae S. Andrews. (On motion by Mr. Murphy of Cumberland, tabled pending passage to be engrossed.)

House 108. Resolve appropriating money to aid the plantation of Wallagrass in the construction of a bridge.

House 109. Resolve granting to Ernest F. Merrow permission of the Legislature to build a bridge from Thorp's Island to the main land in Boothbay.

House 110. Resolve appropriating money to aid the plantation of New Canada to construct a bridge across Perley Brook.

Senate 89. Resolve providing for the completion of the book of plans of Knox county and appropriating money therefor.

Senate 90. An Act to incorporate the Mopang Dam and Improvement Company.

Orders of the Day.

On motion by Mr. Murphy of Cumberland the vote was reconsidered whereby Senate Document 84, Resolve increasing the retiring pay of Thomas Clark, was passed to be engrossed, and on further motion by the same Senator the resolve was tabled pending its passage to be engrossed.

The PRESIDENT: The Chair lays before the Senate the majority and

minority reports of the committee on legal affairs on Resolve proposing an amendment to the constitution of the State of Maine providing for the election on the Tuesday next after the first Monday in November, biennially, of Governors, Senators, Representatives, and other officers now required to be elected on the second Monday of September, biennially. The majority report, ought to pass, is signed by Messrs. Greenleaf, Garcelon, Lewis, Hill, Perkins and Clifford. The minority report, ought not to pass, is signed by Messrs. Walker, Bartlett, Hanson and Thombs.

The pending question is upon the acceptance of either report.

Mr. WALKER of Somerset: Mr. President: The resolve providing an amendment to the Constitution of the State of Maine, providing for the election on the Tuesday next after the first Monday in November, biennially, of governors, senators, representatives and other officers now required to be elected on the second Monday of September, biennially, was introduced in the Senate, January 14th, by Senator Boynton of Lincoln and referred to the Committee on Legal Affairs.

On this resolve a hearing was ordered by the committee soon after. It was held February 10th, having been advertised in the leading papers of the State. At this hearing, Senator Boynton was the only person who appeared for the resolve. No petitions asking for this change had been received by any member of this Legislature and referred to our committee. No resolves of any organization had been received by us, no letters favoring repeal were on file. Senator Boynton was the whole push. The reasons which he gave for changing the date of our State election from September to November were: that Maine was the only state that had its election in September; that it was a very busy time of year for the farmers; and that it would save expense to the State. The Senator was very gentlemanly in every way, as he always is, and made a nice little speech, yet, when he was through, I hardly thought he had made out a

prima facie case, for he was supported by nobody, not a scrap of paper was put in supporting his contentions. If the people of Maine wanted the date of our State elections changed for the reasons given, or any other reasons, we had no way of knowing it. Much as I respect Senator Boynton, I hardly thought myself justified in subscribing to the faith which was in him on this proposition. I, therefore, signed the report, ought not to pass. I would not feel justified in voting in this Legislature to change our State Constitution on any subject matter, unless I had some reason to believe that there was a demand of our people for this change. That there is no demand, in the present instance, the lack of interest at the hearing demonstrated. The fact is the people of Maine are satisfied with the date of holding State elections. It has stood the test of time. Ever since Maine became a State in 1820 and years before that date, the men of Maine have been voting in September. While the work of the farmer is never completed, yet I submit to you, Mr. President, that from the farmer's viewpoint, the latter part of August and the first part of September is the best time to conduct a political campaign and the farmer desires to vote at the most psychological moment. Experience has proved that the vote thrown in our elections held in September is larger by many thousands than in those held in November. The matter of extra expense would come only once in four years and the increased vote in September or over the vote in November more than justifies the increased cost. The men of Maine are leaders rather than followers and the fact that other states hold their state election in some other month does not appeal to them. The climatic conditions in Maine are against the proposed change. The chivalry or man for women should be against it and we should give her an opportunity to deposit her first ballot on an ideal day in September rather than on a chilly and cloudy day in November.

Further, there is a great advantage in having our State and local issues

considered as much as possible by themselves, separate from national issues. It is true we vote for representatives to Congress in September, but we elect our Congressmen to carry out issues which we believe are for the interests of our State. It would hardly seem proper to vote on State and national issues at our annual town meeting, yet if there is any force in the argument submitted by Senator Boynton, the election of the town, State and national officials should be held the same day. One fault of these modern forms of elections is the length of the ballot, too many names being placed upon it, and there is a widespread demand for what it called the short ballot. By consolidating the elections we would be tending toward confusion.

For these reasons and others which I will not take time to enumerate, I move that the minority report of the Committee be accepted.

Mr. BOYNTON of Lincoln: Mr. President, the genial Senator from Somerset, Senator Walker, has laid great stress upon the fact that there was no interest anywhere, and that no-one other than myself appeared.

I presume had there been those taking the interest that they do in a great many other things, getting together petitions with thousands of signatures, and had there been a large hearing, taking up the time of the Committee for two or three hours possibly the minority of the legal affairs committee might have thought that was an awakening of interest.

It again becomes my very pleasant duty in behalf, as I firmly believe, of a very great majority of the people of the State of Maine, to urge upon this Legislature the passage of such laws as will change the date of our State election from September to November, and so that once in four years the Presidential election and the State election will come on the same day.

The farmers of our State, whose comfort and convenience should be considered second to none, on the second Monday in September find themselves busy harvesting their crops. It is to my mind an entirely unnecessary hardship for them to leave for a half or whole

day to exercise the right of suffrage which every citizen of our State ought to exercise. It is our duty that that patriotic duty be made as pleasant and convenient as possible. Those that can leave seek employment in the many canning factories of our State; to leave and cast their ballot means a loss of time and money. In November their harvesting is over, canning factories are closed, and they can and I have no doubt cheerfully would give the day at the polls.

Our fishermen from Kittery to Eastport, numbering thousands, if the weather is pleasant on the second Monday in September, leave their homes at daylight and do not return until too late to get to the polls. They do not, will not, and cannot be prevailed upon to give up a good day's fishing to vote, and they cannot be blamed for not doing so. In November conditions have entirely changed, and a greater part can, and I have no doubt would avail themselves of their political rights.

The expense of holding the State election in September once in four years is perhaps \$16,000, which would be saved to the State.

The State Grange two years ago unanimately adopted a resolution asking the Legislature to submit this question to the people, and State Master Stetson of that body appeared before the Legal Affairs Committee and in their behalf urged that this action be taken.

The national committees of both parties have in the past sent large sums of money into this State at different times, to be used for campaigning purposes. A large portion of this money is used in defiance of law to debauch and corrupt our voters, the idea being to make the best possible showing in this State, so that it may influence the vote in other states in November. If our date was made in conformity with others so that all might come at the same time, that money would be needed elsewhere and the disgusting scenes now enacted in many polling places would be lessened in my opinion.

Once in four years we have practically three campaigns and three elections. Our direct primary demands in many localities and many instances a campaign almost as strenuous as that

in September immediately following. We must at once prepare for and conduct the campaign for the election of President in November, and our citizens are in a continual ferment from June to November. One third of which may be removed by changing the date of the State election from September to November.

I believe that I am correct when I state that now the State of Maine is the only State in this Union that does not hold its election in November, and in no state where it has been submitted to the people have they refused to make the change by a large majority.

I believe that when any considerable number of the citizens of our State come to the Legislature and ask year after year that any matter of legislation be submitted to them for their approval or disapproval, that right ought not to be denied them. It is their right, and we should heed it.

This is in no sense a political question, and I sincerely hope that it will not be so considered by any member of the Senate. It affects the whole State and all its people alike.

Gentlemen of this Senate, our beloved State, that should be first in all useful reforms, is now last in this important one. Do not longer delay.

I want to emphasize, Mr. President, right here again, that when the people of this State demand that any question should be submitted to them for their approval or disapproval, it is the duty of this Legislature to grant it.

For two years in this body I have voted against Woman's Suffrage because I did not believe in it, but they have come here—the people demand the right to vote on it—and this year, because of that demand, not because my ideas on Woman's Suffrage have changed, but because the people demand the right, I believe they should have it, on that and all other questions which affect them.

Mr. SCAMMON of Hancock: The fact that an election in September is a time-honored custom in Maine is no criterion by which we should judge in this matter; nor is the much-mooted matter that has been brought up here that we are the only State that is practicing it at the present time. The conditions in Maine are different from almost any other state

in the Union. It is a State of small population and immense distances, a State of towns and plantations instead of large cities.

I don't intend to take but just a moment or two of your time, but there are some conditions which would arise under the provisions of this bill that would assuredly disfranchise as large a number of voters in this State as any law that you could pass. In these small towns, sparsely settled, there is a large class that are only able to exercise their right of suffrage at the September election. There are two classes. They are the old soldiers and other persons and decrepit persons of other ages, who are only capable of voting by reason of the good condition of the roads at that time of year, and the climate, the condition of their health not allowing them to exercise their right to suffrage at any other time.

I submit to you that if this becomes a law you will disfranchise a most honorable portion of our voters. The old soldiers of Maine think more of their votes than they do of almost anything else in this world. They have passed through scenes years ago which have brought the value of their vote home to them very strongly, and it is a fact that the older voters of the State think more of their votes, and are taking a more vivid interest in the affairs of the State of Maine than the younger men—be it said to their shame.

There are other conditions, which everyone knows—and perhaps a moment in passing would not be lost. I will take my own town, for instance, which is a fair sample of hundreds in the State. We have lumber mills there, and granite works. Now those stonecutters do but little in the winter time, and a very large percentage go up river. All of the men from the mills go up as early as October. I think our vote in our town doesn't average as much as two-thirds in November of what it is in September, and I have been in a position for a good many years to know about the vote, having helped count it a great many times; and I know that in almost all the towns in our county, and many others of which I have personal knowledge, that the same condition of affairs exists.

Everyone that knows the condition in Maine generally knows that that is the fact, and not to be denied. I submit to you that if this bill receives a passage it will disfranchise some of our most valuable voters, and will be a hardship to all the small towns and plantations of the State, which form no inconsiderable part of our population.

Mr. BARTLETT of Kennebec: As a member of the committee which considered this bill, I have felt to sign the minority report, feeling there wasn't any seeming call, any evidences from the people of a demand for this law. I might agree with the senator from Lincoln in submitting the matter to the people, if there was any call for it, as there seemed to be last week on the question of suffrage for women; but in a matter where it has been advertised so widely, as the senator from Somerset has said, it seems to me that, nobody except the senator who put in the resolve appearing for it, there is nothing to show that there is any call from the people; it seems to me under those conditions there is no reason for submitting the matter to the people.

As the senator from Hancock has said, it seems to me that in our rural communities—and a large part of our voters are outside of the cities and towns—it would work a great inconvenience to a great number of voters in going to the polls. In the early part of November the roads of Maine are very likely to be deep mud or frozen ground, and with so many voters having to travel from three to six miles to vote—or double that distance before they get home—it would make it very hard for many of them to get there.

On the question of following other states, it seems to me there can be no merit in that argument. We don't always follow our neighbors in every act they do. We would get into a great deal of trouble if we tried to do it a great many times.

It seems to me the arguments are all against any change of election. The date was fixed by the wisdom of those who drew our Constitution. At that time the date of the Presidential election was the same as now; and there don't seem to be any reason why we

should pass this vote or submit the matter to the people, as they don't seem to call for it.

Mr. COLE of York: Mr. President, I am not going to take but a moment's time. I took occasion this morning to go into the Secretary of State's office, and draw off the vote of three years ago and of last election.

When this matter came before the Committee two years ago, presented by the same Senator who presented it this time, I was a member of that Committee. I think we gave the matter all the consideration that any bill could have got before any Committee. The Senator from Lincoln appeared before the Committee as he did this year; the Master of the State Grange appeared before the Committee, and I think that was about the representation that the bill had—I don't understand that the Master of the State Grange came wholly in his official capacity. The matter came to a vote and was defeated, and if there had been a state-wide feeling in favor of this matter, it seems to me that the three political parties, which have been very active since that time, would have taken some notice of it in their platforms; for these political parties are supposed to represent the people. They are all, or a part of the people. Neither of these parties have taken any notice of it in their party platform. It doesn't seem to me that there is any pressing demand that this legislature submit it to the people. If two of the political parties had adopted it, or even if one of them had adopted it, it might be plausibly argued that the matter should be submitted to the people because a large portion of the people demand it. But when a bill is submitted by only one man, even though, as good a man as the Senator from Lincoln, it doesn't seem to me that the 250,000 voters of the state will put themselves to the test; they haven't asked anyone to put them to the test.

We all understand that when a thing comes before the people, there must be a campaign of education, so called, in behalf of a measure, or of education against it. Now we have been jogging along in the good old way for a good many years. We have kept our national issues separate from our state issues,

and Maine has prospered; we have not been under bosses; we have had a great deal of legislation which has been beneficial to us, and have done it by simply going into state matters and discussing those issues apart from the political issues of the actual campaign. In other words, Maine has been a strong Republican state in its national elections, simply because the people in their state affairs do not divide politically, wholly; and I believe that is right. It doesn't matter whether it is the Prohibitory law or some other law. We know, perhaps, that it is the Prohibitory Law which has made the Democratic party a power in the State in the last few years. It is all very well that it should be so, and that our people should not go to the polls and vote blind, one ticket straight through. I believe that it is for the safety of our state that we keep these issues apart, and would be better for other states if they did the same.

Two years ago I looked up some of the statistics to see how our people vote, and I found that since 1881 there had been an average of from twelve to fifteen thousand and more votes cast in September than in November, showing that our people are more interested in state affairs than in national affairs. This morning I went into the Secretary of State's office and took off the figures for the last national election and the election for Governor of two years ago.

The Presidential vote was as follows:

Taft	26,545
Wilson	51,113
Roosevelt	48,495
Debs	2,541
Chapin	947

The total was 129,641; and there cannot be a member of this body say that that campaign was not carried into every nook and cranny of the State of Maine, and that any man escaped going to the polls if anyone could get him there. Every available man was brought, and yet the total vote cast in the most strenuous campaign we have ever seen in our lifetime was 129,641.

In the 1912 gubernatorial campaign there were 141,931 votes cast for Governor, and in the 1914 campaign there were 141,580 votes cast, showing that at the state election there was a difference of less than four hundred votes from

three years ago, and at the Presidential election there was a falling off of about 13,000 votes, or about 12,000—12,300 in round numbers.

It seems to me that those prove conclusively that our people are more interested in state affairs than they are in the November elections. The Senator from Lincoln has told you of the vast amount of money brought in here in September to corrupt the voters. That may be so in the party that he represents, because he may have seen it, but in the party that I represent I don't know of any. I should say there would be a greater corruption in November when the slush fund of the nation would be dumped in here.

If the great mass of the voters demand this, they should be heard from, but if you will take a map of the State of Maine you will find that the great mass of the voters live far north of the great tier of states extending from New Hampshire to the Pacific coast. Calais is farther north than the White Mountains of New Hampshire, and we think of them as a cold climate in November. North of Calais is a stretch of more than two hundred miles until you get to Madawaska, as the crow flies, so that all that territory which lies north of that is north of the northernmost point of the tier of states which extend west-erly to the Pacific.

I believe there is a great education in our political campaigns, and one that the State of Maine may well profit by. When we hold our election in September we get the best material that the political parties of other states can send into this state. As has been said, Maine is looked to for the result of our election through the Union. We get the best orators that the country can afford in both political parties, but when it comes November we don't hear anybody, and we wouldn't hear them—we might hear someone in Portland; they might possibly get as far north as Augusta—but to send those men into the northern part of our state, and have your orators there in November, and have the people come from their homes, would be almost an impossibility; while the states that are south of us, and the states

that are west of us are able to take those national speakers and send them across the continent, without the loss of a single day. We should have to depend wholly to educate our people, upon local speakers, as they are called. But at the present time, as I have said, we found at the last campaign almost the whole Cabinet of President Wilson in the State of Maine; we found nearly all the leading orators of both parties from the Senate and House of Representatives in the State of Maine, and it is not only a pleasure but an education for every citizen to be able to listen to these men. His mind may be made up in advance, or it may not be made up in advance, but every intelligent citizen is not only willing to go to hear them, but delights to hear these men, and if we should change our election it seems to me we would be debarred not only from the privilege, but also the opportunity, of learning something that would be of benefit to us.

For that reason, Mr. President, and the reason that there doesn't seem to me to be any insistent demand on the part of the people. I believe the minority report, ought not to pass, should be accepted.

Mr. BOYNTON: Mr. President, I just want to congratulate the genial Senator from York, and I want to congratulate the County of York that it is a county where the Republican party receives and uses no money for the purpose of corrupting voters, and if I were to move my residence tomorrow I should be a neighbor to the Senator from York.

Mr. FULTON of Aroostook: Mr. President, I have the misfortune or the good fortune, as you may term it, of coming from the northern-most county in the state of Maine. It seems to me—while I have not armed myself with any of the figures which some others of our fellow Senators have armed themselves with—I simply want to place myself on record as opposed to the proposed constitutional amendment.

Now, Gentlemen, our geographical position and the climatic conditions which prevail at the season of the

year in November, would place a large part of the State of Maine very much at a disadvantage in getting out our voting strength.

As the Senator from York has said, if you consult your map you will find a large part of the State of Maine lies north of the very northern most part of the states of Vermont and New Hampshire. At that season of the year in northern Maine, especially in Aroostook, Penobscot, Piscataquis and a large part of Somerset and Washington Counties, we have either very bad roads, snow storms or deep mud or frozen roads to contend with. And it would be a very great disadvantage to get out to the polls at that time.

In September generally we have ideal weather conditions, and the roads are good. While it may be said that it is a time when the farmers are busy, yet in most of the towns, where the polling places are located, it does not make but a few miles for men to go to vote and back to their work. In a town of six miles square, supposing the voting place were near the center, each voter would have a very short distance to go. The roads are good, and the weather conditions are usually good, and the hardship, compared to what it would be at the season of the year proposed, would be small.

Again, in a large part of the state which is north of the 45th parallel of north latitude, the people in the fall of the year, quite early in October, and from then up to the first of November, go away to work in the woods—a large part of the population—and it would be impossible to get them out at the season of the year to vote. So that quite a large part of the population of that part of the state would be practically disfranchised.

Mr. President, I did not intend to say anything on this question, but I see many reasons why I should oppose this measure and I see no reason why I should be in favor of it at this time.

I hope the report of the minority committee will prevail.

Mr. GARCELON of Androscoggin: Mr. President and fellow senators, as a mem-

ber of the committee which signed the majority report, and as one who has listened patiently and carefully to the arguments pro and con, I thought it incumbent upon me to declare the faith that is in me.

My memory runs back to the time when the State changed its policy in regard to annual elections. And I recall that it was to prevent disturbing the public and distracting the people from their business affairs to attend to political matters, and to give the State and the people of this State a rest from political interference.

Now the central idea of this proposition is simply to refer this matter to the people, and for one I am free to say that I am perfectly willing to trust to the judgment of the people of this State the privilege of deciding this question.

The matter of expense is an item for consideration. Unnecessary expense, as it has been said here, is a matter of something like \$16,000, just to separate the State from the national election.

We do not expect to change any man's mind. Every senator here is competent to decide this question through his own reasoning powers. We might go on and multiply and increase argument pro and con, but the fact is I have every confidence that every senator will make up his own mind from his own judgment.

Mr. WALKER: Mr. President, I move that when the vote be taken it be taken by yeas and nays:

Mr. DURGIN of Piscataquis: Mr. President, I do not deem it necessary to add anything to what has already been said upon this question, but there are one or two things I would like to call attention to.

I presume that when the builders of our constitution formulated that document, they took into account our geographical situation on the face of the earth, and that by reason of our inclement season and the fact we were situated so far north a large portion of our voters would be disfranchised if we were obliged to go to the polls and cast our votes in November.

At the time of the November election the people in my county and the counties of Aroostook and Somerset, would

be obliged, most of the time, to travel through six inches of snow or mud to get to the polls.

It is true that now our voters are gotten to the polls largely by automobiles. When I was younger people used to go out and vote because they thought it their duty and they felt a desire to cast their vote one way or the other. Now people are brought to the polls in automobiles. Campaigning is done largely by automobiles, and we know that in November it would be impossible to run the machines and get the voters out, or to campaign that way.

In November a large part of our voters are in the woods hunting and guiding—a very large portion of them are in the woods, in the lumber camps, earning their daily bread by the sweat of their brow. They are not attending to political matters at that time and it would be impossible to get them out to the polls.

I believe that the matter of the expense is not to be considered so largely as the matter of disfranchising a large number of the voters of our State, and if our elections were held in November instead of September it would practically throw the selection of our officials into the cities instead of the country towns, and our State officials would be elected largely by the city and not the country vote. I do not believe that we should by our action here disfranchise the country vote. For that reason I feel it my duty to support the minority report of the committee.

Mr. BURLEIGH of Aroostook: Mr. President, I did not intend to say anything in regard to this matter. If I was satisfied that a large majority of the people of this State demanded that they have an opportunity to vote upon this question I should certainly vote for the majority report, but I fail to see any demand by the people of this State that this matter should be submitted to them. I do believe that the election in November would disfranchise more voters than at any other season of the year. In my county the snow frequently comes early. I have known heavy falls of snow to come in October, and the ground would be frozen and it would be almost impossible to get the voters out. It would be expensive for them.

Further than that a large proportion of our voters in Aroostook county are away from home at work in the woods, and it would be impossible to get them to come back to vote. Take Penobscot county and the city of Bangor. The three Democratic wards of the city of Bangor are Wards 1, 2 and 7. In those wards nearly all the men work in the woods, and they go early in October and sometimes in September up to the head waters of the Penobscot, and they are a long distance away from the polls. Those men never would come back to vote.

I did not intend to say anything in regard to political matters, but if our last election had been held in November the Republicans would have carried the city of Bangor, because the Democratic vote, largely in those wards, was away at the head waters of the Penobscot.

I do not believe in disfranchising anyone. I believe we should give Republicans and Democrats an opportunity to get to the polls at the best season of the year. In our county we frequently hold open-air meetings in the day time, and it would be impossible to hold them in November with the cold blasts of winter upon us.

I have no doubt, I know the people of my county would stand favorably for having the election remain as it is in September.

Mr. COLE: Just one thing more regarding the expense. A great deal of the argument has been on the expense which is entailed upon the State. Basing it upon Senator Boynton's figures, I find that we are spending a total of 11 cents per vote to hold the State election in September.

That may be an enormous sum, but if the senator from Lincoln, or the senator from Androscoggin, believes that we ought to save that enormous sum, and honestly believes it, then it is his duty to move that this Legislature adjourn at once. We are spending a thousand dollars a day as a result of that 11 cent vote, and we are giving away to institutions in the State of Maine not a part of our State government \$30,000 a day for every day we are in session. It doesn't seem to me that the idea of disfranchising people because it costs 11 cents a vote to

get the vote out, is any argument, when the State is doing business, spending money of the people lavishly, and perhaps not doing any good, as the result of that 11-cent vote. It doesn't seem to me it is worth argument at all; it is a small thing.

Mr. AMES of Washington: I intended to simply affirm the statements made by Senator Scammon, and the other gentlemen have covered the ground so well I won't say anything at this time.

Mr. WELD of Penobscot: I have only heard one reasonable argument advanced here, and that is the size of the vote.

Now isn't it a reasonable proposition that if you should combine State issues and national issues into one campaign, the size of that vote would increase, perhaps to 160,000 instead of 140,000? I just want to offer that as a suggestion.

The PRESIDENT: The pending question is the acceptance of either report of the committee on legal affairs on Resolve proposing an amendment to the Constitution of the State of Maine providing for the election on Tuesday next after the first Monday in November, biennially, of Governors, senators, representatives and other officers now required to be elected on the second Monday of September biennially.

The senator from Somerset, Senator Walker, asks for the yeas and nays. Those in favor will rise and stand in their places until counted.

A sufficient number having arisen the yeas and nays were ordered.

The pending question being on the motion of the senator from Somerset, Senator Walker, that the minority report be accepted, ought not to pass, the secretary called the roll.

Those voting yea were: Messrs. Allen, Ames, Bartlett, Burleigh, Chatto, Clark, Colby, Cole, Conant, Durgin, Emery, Fulton, Hersey, Peacock, Scammon, Swift, Walker—17. Those voting nay were Messrs. Boynton, Butler, Dunton, Flaherty, Garselon, Hastings, Herrick, Jillson, Leary, Moulton, Murphy, Price, Thurston, Weld—14.

Seventeen having voted in favor and 14 having voted against accepting the

minority report the motion was adopted, and the report of the minority was accepted.

Sent down for concurrence.

On motion by Mr. Walker of Somerset, An Act to abolish the Western Somerset Municipal Court, was taken from the table.

On further motion by the same Senator the bill was referred to the Somerset County Delegation, in non-concurrence.

Sent down for concurrence.

On motion by Mr. Thurston of Oxford, An Act to incorporate the Centre Lowell Cemetery Association in the town of Lovell was taken from the table.

On further motion of the same Senator the bill was referred to the committee on judiciary in concurrence.

On motion by Mr. Murphy of Cumberland, Senate 54, Resolve in favor of the joint special committee on salaries and fees of the 76th legislature, was taken from the table.

On further motion by the same Senator the resolve was given its second reading and passed to be engrossed.

On motion by Mr. Murphy, Senate Doc. 56, Resolve providing for co-operative work with the U. S. Geological Survey was taken from the table.

On further motion by the same Senator the resolve was given its second reading and passed to be engrossed.

On motion by Mr. Murphy, Resolve

in favor of Saine Joseph's Home for aged women, Locust street, Portland, was taken from the table.

On further motion by the same Senator the vote whereby this resolve was referred to the committee on education, was reconsidered, and the bill was then referred to the committee on appropriations and financial affairs in concurrence.

On motion by Mr. Chatto of Hancock, Resolve authorizing the land agent to sell and convey whatever interest the state has in and to a certain island, known as Mink Island, in East Blue Hill Bay in the County of Hancock was taken from the table.

On further motion by the same Senator the resolve was referred to the committee on state lands and forest preservation, in concurrence.

On motion of Mr. Boynton of Lincoln, it was

Ordered, that the use of the Senate Chamber be granted to the committee on military affairs for a public hearing Thursday, Feb. 25.

Mr. BURLEIGH of Aroostook: Mr. President, I wish to inquire if petitions and bills placed in the box today will be considered as of today?

The PRESIDENT: The Chair will rule that all private matters of legislation put into the box of either House up to mid-night tonight will be received and acted upon under the rules.

On motion by Mr. Flaherty of Cumberland,
Adjourned.