

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

STATE OF MAINE

SPECIAL SESSION

OF THE

Seventy-Fifth Legislature

1912

AUGUSTA

KENNEBEC JOURNAL PRINT

1912

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES,
April 3, 1912.

On motion of Mr. BEARCE of Eddington,

Ordered, That the Clerk of the House prepare and cause to be printed, under his supervision and direction, six hundred copies of the Journal of the proceedings of the present session of the House.

HOUSE OF REPRESENTATIVES,
April 3, 1912.

Read and passed.

C. C. HARVEY, *Clerk*.

A true copy,

ATTEST:

C. C. HARVEY, *Clerk*.

JOURNAL OF THE HOUSE

State of Maine

SPECIAL SESSION.

HOUSE OF REPRESENTATIVES,
AUGUSTA, Wednesday, March 20, 1912.

At 10 A. M. Speaker Morey called the House of Representatives to order.

Prayer was offered by Rev. Mr. Boothby of Augusta.

The Clerk read the following proclamation:

STATE OF MAINE.

By the Governor.

A PROCLAMATION.

Our laws relating to the conduct of elections, the making of returns to the Governor and Council, the tabulating of such returns and the declaration of the result thereof are uncertain in their wording and inadequate in substance. There is no provision in our statutes for an official inspection or recount of ballots or even for the depositing of such ballots in a place of safety. These defects in the law became startlingly apparent after the special election of last September. They afforded opportunity for overriding the will of the people as expressed at the polls. It is imperative that before we enter into another State-wide election a careful and thorough revision of these important laws should be made by the Legislature.

In order to comply with the requirements both of our State law and of the act of Congress concerning the division of the State into congressional districts it is necessary that the Legis-

lature should pass a re-districting bill before we again elect representatives to the national Congress.

The situation with regard to the prohibitory law and its enforcement is the cause of universal complaint and criticism. No thinking man in Maine is satisfied with present conditions. Those who are pleased with the law are dissatisfied with the manner in which it is enforced. Others regard the law itself as impracticable and incapable of State-wide enforcement. The problem is vital and pressing. The Legislature should find a means to solve it or, at least, should be able to submit to popular vote some one or more possible solutions of it.

In consideration whereof, I, Frederick W. Plaisted, Governor of the State of Maine, by virtue of the power vested in me by the constitution, convene the Legislature of this State, hereby requiring the senators and representatives to assemble in their respective chambers, at the Capitol, in Augusta, on Wednesday, the 20th day of March, 1912, at 10 o'clock in the forenoon, in order to receive such communications as may then be made to them, and to consult and determine on such measures as they may consider will best promote the welfare of this State.

In testimony whereof, I have hereunto set my hand and caused the seal of the State to be affixed.

Done at Augusta, this 29th day of December,
in the year of our Lord 1911, and of the
Independence of the United States of
America the 136th.

FREDERICK W. PLAISTED.

By the Governor.

Attest:

CYRUS W. DAVIS,
Secretary of State.

On motion of Mr. OTIS of Rockland a roll-call of the House was had, which showed 125 members present, which was a quorum.

A communication was received of Secretary of State, containing the certificates of election of new members of the House to succeed members who have died or resigned. The communication was as follows:

STATE OF MAINE.

OFFICE OF SECRETARY OF STATE.

To the Clerk of the House of Representatives:

I hereby certify that the following are the names and residences of the representatives-elect to the 75th Legislature to fill the vacancies in the following representative districts, as appears by the report of the Governor and Council under date of March 15, 1912.

ANDROSCOGGIN COUNTY.

E. W. Penley.....Auburn.
Charles K. Campbell.....East Livermore.

AROOSTOOK COUNTY.

Charles F. Thomas.....Caribou.
August Peterson.....New Sweden.
Cyrus Chase.....Westfield.

FRANKLIN COUNTY.

Eugene E. Flood.....Farmington.
Fred O. Smith.....New Vineyard.

KENNEBEC COUNTY.

Elmer E. Newbert.....Augusta.
Cornelius B. Kelleher.....Waterville.

SOMERSET COUNTY.

Frank O. Thompson.....Palmyra.

[L. S.]

In testimony whereof, I have caused the seal of the State to be hereunto affixed at Augusta this nineteenth day of March, A. D. nineteen hundred and twelve and of the independence of the United States of America the one hundred and thirty-sixth.

CYRUS W. DAVIS,

Secretary of State.

Mr. HASTINGS of Auburn informed the House that Messrs. Penley of Auburn and Campbell of East Livermore had appeared and were ready for qualification as members.

Mr. HASTINGS was charged with the duty of conducting Messrs. Penley and Campbell to the Governor for the purpose of taking the required oath necessary to qualify them to enter upon the discharge of their official duties.

Mr. HERSEY of Houlton informed the House that Messrs. Thomas of Caribou, Peterson of New Sweden and Chase of Westfield had appeared and were ready for qualification as members.

Mr. HERSEY was charged with the duty of conducting Messrs. Thomas, Peterson and Chase to the Governor for the purpose of taking the required oath necessary to qualify them to enter upon the discharge of their official duties.

Mr. AUSTIN of Phillips informed the House that Messrs. Flood of Farmington and Smith of New Vineyard had appeared and were ready for qualification as members.

Mr. AUSTIN was charged with the duty of conducting Messrs. Flood and Smith to the Governor for the purpose of taking the required oath necessary to qualify them to enter upon the discharge of their official duties.

Mr. SKEHAN of Augusta informed the House that Messrs. Newbert of Augusta and Kelleher of Waterville had appeared and were ready for qualification as members.

Mr. SKEHAN was charged with the duty of conducting Messrs. Newbert and Kelleher to the Governor for the purpose of taking the required oath necessary to qualify them to enter upon the discharge of their official duties.

Mr. HASTINGS subsequently informed the House that he, Mr. Hersey, Mr. Austin and Mr. Skehan had performed the duties assigned them in conducting representatives-elect to the Governor for qualification.

On motion of Mr. STRICKLAND of Bangor,

Ordered, That the Clerk of the House be directed to invite

the clergymen of Augusta, Hallowell and Gardiner to officiate as Chaplains of the House in rotation during the present session.

On motion of Mr. PACKARD of Rockport,

Ordered, That the Clerk of the House be directed to furnish each member and officer of the House with two copies of daily papers printed in the State, such as each member and officer of the House may select.

On motion of Mr. SCATES of Westbrook,

Ordered, That the Clerk of the House be authorized to procure the services of a stenographer.

On motion of Mr. PETERS of Ellsworth,

Ordered, That Arthur H. Whitman of Portland be appointed Official Reporter of the House for the present session.

On motion of Mr. PETERS of Ellsworth,

Ordered, That the Official Reporter of the House be authorized to procure the services of a typewriter operator during the present session for the preparation and completion of the Legislative Record.

The foregoing orders were read and passed.

A message was received from the Senate through Mr. Hanson, the Secretary of that body, informing the House that the Senate was in session, a quorum being present, and that body ready to proceed to business.

On motion of Mr. STRICKLAND of Bangor, the Clerk of the House was directed to convey a message to the Senate informing that body that a quorum of the House of Representatives was present, that body was in session and ready to proceed to business.

The Clerk subsequently informed the House that he had performed the duty assigned him.

A message was received from the Senate through Mr. Hanson, Secretary of that body, proposing a Joint Convention of both branches of the Legislature in the Hall of Representatives this day forthwith for the purpose of listening to a communication from the Governor.

On motion of Mr. STRICKLAND of Bangor, the Clerk conveyed a message to the Senate informing that body of the concurrence of the House in the proposition of the Senate for a Joint Convention.

Thereupon the Senate came in and a convention was formed, Hon. Nathan Clifford, President of the Senate, presiding.

IN CONVENTION.

On motion of Mr. STAPLES of Knox, the President appointed a committee consisting of three Senators and five Representatives to wait upon the Governor and inform him that the two Houses of Legislature were assembled in convention ready to receive any communication he might be pleased to make. The following were appointed on that committee:

Messrs. Staples of Knox,
Boynton of Lincoln,
Milliken of Aroostook,
Strickland of Bangor,
Peters of Ellsworth,
Otis of Rockland,
Scates of Westbrook,
Sleeper of South Berwick.

The committee retired and on its return reported that the Governor would at once attend upon the convention.

Whereupon the Honorable Frederick W. Plaisted, Governor of the State, attended by the Executive Council and heads of departments, came in, and communicated to the Convention by address information upon the condition of the State, as follows:

Members of the 75th Legislature of Maine:

The work of the last session of this Legislature was indeed great in accomplishment and it has been found necessary for you to re-assemble, not on account of any act of omission or commission on your part but because problems which were not and could not have been presented to you a year ago, press for prompt and intelligent solution.

I desire first of all, to congratulate you on the work which you have already done. No one can look over the record of

your labors, spread upon the statute books of our State, without being impressed with your fidelity, zeal and watchful interest in the public welfare. The self-denial which you practised in the matter of appropriations authorizing the expenditure of the people's money has made it possible for the present administration to reduce the public debt almost a million dollars in fourteen months, a record unprecedented in the history of our State.

That alone would be sufficient credit to one Legislature. But you did more. You placed Maine in the first rank of sanely progressive states. You put the seal of your approval on the proposition to elect United States Senators by vote of the people and added Maine to the list of states favoring a national income tax as a means of procuring public revenue. You enacted a Direct Primary law, now superseded by the more comprehensive law adopted by the voters last September. You passed a corrupt practice act, the good effects of which have already been apparent. You paved the way toward equalizing the burdens of taxation by wisely amending our existing tax laws. You did much more of benefit to all of us whose lives are to be spent within this splendid state of ours and whose hopes are centered upon her future growth and prosperity.

Among the subjects to which I called your attention in my inaugural address was that of the advisability of imposing upon automobiles a sufficient tax to create a substantial state highway fund. The law which you passed on that subject is proving a remarkable success. It will yield this year at least \$100,000 in net revenue and with the development of the automobile business is likely to yield double that amount annually, within a few years. We did not anticipate such a splendid result from that law. The accomplished fact, however, speaks for itself and suggests an opportunity to do what the State has long wanted to do but has been prevented from doing by reason of lack of funds, namely, the entering upon State road building on a large scale.

Good roads are to the farmer, the merchant, the manufacturer and the traveler, as important, in a local sense, as are railroads and steamship lines in a wider sense. Local pros-

perity depends as much upon the one as does world-wide prosperity upon the other.

We have 25,000 miles of roads in Maine. We spend annually about \$1,500,000 in building new roads and in maintaining old ones. We do not obtain nearly the results we should by that expenditure, principally for two reasons: first, we do not spend enough of the money in one place at one time, and, second, we do not spend it under proper supervision. In the course of twenty years it costs more to patch up poor roads and keep them barely passable than it would to build good roads the first year and maintain them during the entire period. But poverty always compels extravagance and many towns that can raise \$1,000 a year for 20 years cannot raise \$10,000 all at one time to do work which would last 20 years, although the adoption of the latter course would mean a large saving of money.

The State of Maine has for the past eight years been aiding the towns in road building. We are now appropriating \$250,000 annually for that purpose. That is well but it is not enough. The tax on automobiles furnishes us the means with which to take hold of this work in earnest.

If the State should issue \$2,000,000 of 4 per cent bonds, falling due serially during a period of 30 years, and set aside so much of the proceeds of the automobile tax as is necessary to meet the principal and interest of the loan, a substantial fund for road building would be at once available, good roads would become an immediate reality, and no property owner in Maine would find his taxes increased a single cent by reason of the act.

The only obstacle in the way of entering at once upon this undertaking is the clause in our constitution which prohibits the issuing of State bonds excepting for one specific purpose. I therefore recommend that you submit to the people, to be voted upon next September, an amendment to that section of the constitution which shall permit the carrying out of the plan herein outlined.

At the time of your adjournment last year Congress had not determined the number of Representatives to which Maine was entitled, hence it was not possible for you to pass a con-

gressional apportionment bill at the regular session, as would ordinarily have been done. It is your duty to pass such a bill at the present session and in framing it you will necessarily have in mind this provision of the national law: "Congressional districts are to be contiguous in territory and as nearly equal in population as practicable."

The State of Maine has four Congressional districts. One-fourth of our population is, in round numbers, 188,000. The first and second districts, at present, contain approximately 362,000 people, about evenly divided between the two districts, while the third district has a population of 158,000 and the fourth of 222,000. In any reasonable plan of re-apportionment the great inequality between the two eastern districts should be taken into account. In view of the fact that the fourth district embraces the portion of the State which is growing most rapidly this inequality is likely to increase rather than diminish.

A revision of the laws relating to the carrying on of elections, the making and tabulating of returns and the correction of errors made by election officers, will be presented to you as a basis for action. This is a matter of the greatest importance. It required a close election to call sharply to public attention the weakness of the machinery which our law-makers had constructed for the purpose of ascertaining and recording the will of the people as manifested at the polls. As our laws now stand, the popular will may readily be defeated by technicality, ignorance, carelessness or fraud. A fair ballot, an honest count, and a true return, is the desire of honest men of all parties and while it may be impossible to always secure these by legislation we should go as far in that line as human ingenuity will permit.

You attempted last year to settle a problem which has disturbed Maine for more than half a century when you submitted to the people an amendment to the Constitution which took from that instrument the section relating to the prohibitory law. The people rejected the amendment, although by a majority so small and by a vote so peculiarly divided as to leave the question still unsettled.

In the 20 cities of Maine a majority of more than 12,000 recorded itself as opposed to constitutional prohibition. That majority was barely overcome in the 500 towns. The issue was so presented through the press and from the platform that the great mass of the voters did not cast their ballots on the actual question before them but really voted on the proposition of license or no license as applied to the particular towns in which they lived. It is no reflection upon the intelligence of the voters to say this. They were confronted daily with the query, "Do you want rum sold in your town?" Cool argument and calm reasoning were displaced, in great measure, in such discussion of the subject as was had, by appeals to prejudice, by abuse and misrepresentations. The real issue was hidden behind a mass of false issues. Questions were heatedly debated in the negative on which no sane man ever had presented or ever could present an affirmative. It is not strange that the people were misled.

The ballot box is the court of last resort and the decision of that court is worthy of all respect. No one who analyzes the vote of last September can fail to learn a lesson from it. The result showed that the smaller towns and the agricultural sections of the state desire to continue prohibition in the Constitution. They are satisfied with the working of the law in their communities and they have the undoubted right to retain it.

I know of no safe principle upon which government can be administered excepting that of permitting the people to govern themselves. The majority of the people of Maine who live outside of our cities have declared for prohibition and I would deem myself unworthy of citizenship if I did not respect their wishes and assist them in retaining the law. On the other hand, the cities, the large manufacturing towns and certain of our summer resort towns, just as emphatically object to prohibition and desire to experiment with some legal form of local option such as has proved satisfactory in the other New England states. In the absence of that opportunity they continue to experiment, as they have done for many years, with certain forms of illegal local option, the exact form differing according to circumstances and ranging from open nullification to a hidden yet none the less determined defiance of the law.

Lawlessness is abhorrent to all good citizens and lawlessness in one respect breeds lawlessness in all respects. But one thing I hold self evident—that no people constituted as are the people of the State of Maine can be governed by force. We can and do govern ourselves. It is as impossible to effectually enforce a law in Maine in the face of adverse public sentiment as it is to turn back the tide that flows against our shores.

Local self government is the corner stone of New England civilization and the voice of the voters of Maine's cities must be listened to by their neighbors in the country with the same respect with which the resident of the city must listen to the voice of the voters in the towns.

It is easy to say that honest officials can enforce the prohibitory law anywhere and everywhere if they will endeavor to do so. It is easy to blame our county attorneys, sheriffs and mayors for their failure to secure enforcement of the prohibitory law in communities where it is not sustained by public sentiment. Having served as Mayor of this city and as sheriff of this county I know something at first hand of the problems which confront an officer directly charged with the law's enforcement. The voters of Oxford and Aroostook may stand firmly behind the principle of state-wide prohibition but they lend no aid or comfort to the man on the firing line in Bangor, Portland or Lewiston and unless state-wide enforcement accompanies state-wide prohibition then the law becomes a mocking and a farce.

What is the remedy? I am willing to suggest one and am as ready to listen to the suggestions of others. The logic of the late election convinces me that the remedy is to so amend the Constitution as to preserve prohibition for the country and permit regulation, by local option, in the cities. Is there a better solution of the problem? If there is, present it. I can think of but two alternatives, nullification or another Sturgis law. The people of Maine have tried both. They want neither. Cannot we, the servants of the people, chosen to do their bidding, trusted, honored and respected by them, find a solution of this problem?

Shall we not, regardless of party, regardless of personal ambition, actuated solely by a desire to promote the welfare of our great state, here and now, present to the people of Maine

for their consideration some plan of legislation which will relieve a situation which is not creditable to an enlightened State?

There may be men in Maine who fail in patriotism but they are too few in number to count and too insignificant to appear in public life. I have full confidence, gentlemen, in your intelligent judgment and patriotic purpose and therefore entertain no fears but that you will with thoughtful care and still without undue delay perform the work for which you are assembled and I assure you that you may, so far as it is permitted me to render it, safely count upon my cordial cooperation and assistance.

On motion of Mr. DEERING of Portland, the purposes of the convention having been accomplished, that body was dissolved, the Governor and attendants and the Senate retiring.

IN HOUSE.

An order came from the Senate stating that when that body adjourned it would adjourn to meet Thursday, March 21, at 10 A. M.

Mr. SCATES of Westbrook, with appropriate remarks, offered the following resolutions and moved their adoption:

Whereas, Death, the great leveler of all human distinctions, has, in the midst of his activities and usefulness, while many years of happiness and service seemed opening before him, struck down an honored ex-Governor of Maine in the person of the Hon. John Fremont Hill of Augusta, Therefore be it

Resolved, That in the death of Governor Hill the State of Maine loses a man whose conscientious and unselfish service shed luster upon her name, and the nation a distinguished citizen who was ever ready to give his best efforts for the public good.

Resolved, That the members of the Seventy-fifth Legislature of Maine learn with the deepest sorrow of the untimely death of this honored public servant and private citizen; that the sincerest sympathy of this body be extended to the stricken family in their bereavement; and that a copy of these Resolu-

tions be spread upon the records of the Maine Senate and House of Representatives and a copy sent to the bereaved family.

The foregoing Resolutions were unanimously adopted by a rising vote and sent to the Senate for concurrence.

On motion of Mr. SCATES of Westbrook, as a mark of respect to the memory of the late ex-Governor John Fremont Hill,

Adjourned to meet Thursday at 10 A. M.

C. C. HARVEY,
Clerk.

AUGUSTA,

THURSDAY, March 21, 1912.

Met according to adjournment.

Prayer by Rev. Mr. Mosher of Augusta.

Journal of yesterday read and approved.

By Mr. STRICKLAND of Bangor: An Act to provide for the use of uniform ballot boxes and for the preservation of ballots cast at elections.

Same gentleman gave notice that, at the proper time, he should move consideration of this bill in Committee of the Whole, and on further motion of same gentleman, the bill was tabled for printing pending such reference.

By Mr. SCATES of Westbrook: A Resolve amending section 15 of Article 9 of the Constitution, relating to a bond issue for state roads.

Same gentleman gave notice that, at the proper time, he should move consideration of this bill in Committee of the Whole, and, on further motion of same gentleman, the bill was tabled for printing pending such reference.

On motion of Mr. NEWBERT of Augusta,

Ordered, That one thousand copies of the Governor's message be printed for the use of the House.

The order was read and passed.

Mr. MILLER of Hartland informed the House that Mr. Thompson of Palmyra had appeared and was ready for qualification as a member.

Mr. MILLER was charged with the duty of conducting Mr. Thompson to the Governor for the purpose of taking the required oath necessary to qualify him to enter upon the discharge of his official duties.

Ordered, The House concurring, that no bill, resolution or resolve be considered, except by unanimous consent, in either branch of the Legislature at the Special Session except such bills as may be necessary to carry out the recommendations contained in the Governor's message, viz.:

1. A Resolve amending Section 15 of Article 9 of the Constitution, relating to a bond issue for state roads.
2. An Act to amend the election laws.
3. A Bill to divide the state into congressional districts.
4. A Resolve amending the 26th amendment to the Constitution.

Foregoing order came from the Senate read and passed and sent down for concurrence, and by the House was read and passed in concurrence.

Ordered, The House concurring, that the Committee on Apportionment be directed to present a bill dividing the state into congressional districts made necessary by the U. S. Census of 1910.

The foregoing order came from the Senate read and passed, and by the House was read and passed in concurrence.

The Speaker appointed the new members to the same places on the various committees that were held by their predecessors.

Mr. MILLER of Hartland, who had been charged with the duty of conducting Representative-elect Thompson of Palmyra to the Governor for the purpose of taking the required oath

necessary to qualify him to enter upon the discharge of his official duties,

Reported that he had performed the duty assigned him, and Mr. Thompson took his seat in the House.

At this point a recess of half an hour was taken.

AFTER RECESS.

A communication from the Governor was received, as follows:

STATE OF MAINE.

EXECUTIVE DEPARTMENT,

AUGUSTA, March 21, 1912.

To the Senate and House of Representatives:

I hereby notify you that a vacancy occurred in the representation of this State in the Senate of the United States on the eighth day of August, 1911, by the death of the Honorable William Pierce Frye, and that under the provisions of Section III of Article I of the Constitution of the United States, that vacancy was temporarily filled on the twenty-third day of September, 1911, by the appointment of the Honorable Obadiah Gardner. Your attention is respectfully called to the duty of filling said vacancy.

FREDERICK W. PLAISTED.

The message was read and placed on file.

Ordered, The House concurring, that when the Senate and House adjourn, they adjourn to meet Friday, March 22, at 10 o'clock in the forenoon.

The foregoing order came from the Senate read and passed, and by the House was read and passed in concurrence.

Mr. DAVIES of Yarmouth presented the following resolutions, accompanied by feeling remarks, and moved the adoption of the resolutions:

Whereas, The inhabitants of the State of Maine have been called upon to mourn the loss of a beloved son in the death of ex-Governor Frederick Robie, who, bearing his four score years and more as an ornament rather than a burden to him, passed to the Great Beyond on February 2nd last, and,

Whereas, The finer edge of morality, the care for the delicacy and dignity, the sweetness and graciousness of living always remained in his keeping, and,

Whereas, The distinguished services rendered to his country during the years of the Civil War are worthy of our recognition and unstinted gratitude; that his loyal devotion and keen sense of duty to the interests of the state marked his administration of the state's affairs by exciting our admiration to a study of every detail of it; and his close and honored association with the industrial, educational and civic life of the state challenged general admiration and the greatest respect; therefore be it

Resolved, That the members of the Special Session of the 75th Legislature express their profound sorrow for a loss overwhelming and that a copy of this resolution be spread upon the records of this House.

The foregoing resolutions were unanimously adopted by a rising vote, and sent to the Senate for concurrence.

Mr. GOODWIN of Biddeford asked unanimous consent to introduce the following resolution:

Whereas, It is reported upon good authority that the only living ex-President of the United States, Colonel Theodore Roosevelt, is shortly to honor Maine with his distinguished presence, and

Whereas, Colonel Roosevelt has cast his hat into the Presidential ring, and is a strenuous candidate for a third Presidential term,

Resolved, By the House of Representatives, the Senate concurring, that Colonel Roosevelt be cordially invited to extend his journey from Portland to Augusta, and to address this Legislature upon the political issues of the day as viewed from the Rooseveltian standpoint.

Unanimous consent for the introduction of the resolution was refused, hence the resolution was not introduced.

On motion of Mr. PENLEY of Auburn,

Adjourned.

C. C. HARVEY,
Clerk.

AUGUSTA,

FRIDAY, March 22, 1912.

Met according to adjournment.

Prayer by Rev. Mr. Cochran of Hallowell.

Journal of yesterday read and approved.

On motion of Mr. STRICKLAND of Bangor, the House resolved itself into a Committee of the Whole to consider A Resolve amending Section 15 of Article 9 of the Constitution, relating to a bond issue for state roads (House Document No. 1).

The Speaker called to the Chair Mr. STRICKLAND of Bangor as Chairman of the Committee of the Whole.

IN HOUSE.

Mr. STRICKLAND from the Committee of the Whole reported "ought to pass" on Resolve amending Article 9 of the Constitution, so as to provide for a bond issue for state highways (House Document No. 1).

The report was accepted.

The Resolve was read once.

Mr. PLUMMER of Lisbon offered an amendment striking out the words "maintaining" and "maintenance" wherever they occurred in the Resolve.

The amendment was lost on a voice vote.

On motion of Mr. STRICKLAND of Bangor, the Resolve was read the second time and passed to be engrossed under suspension of rules.

The Resolve was then sent to the Senate.

On motion of Mr. SCATES of Westbrook, a recess was taken until 2.30 P. M.

AFTER RECESS.

On motion of Mr. NEWBERT of Augusta, the House resolved itself into a Committee of the Whole for the consideration of An Act to provide for the use of uniform ballot boxes and for the preservation of ballots cast at elections (House Document No. 2).

The Speaker called to the Chair Mr. PETERS to act as Chairman of the Committee of the Whole.

IN HOUSE.

Mr. PETERS reported from the Committee of the Whole "ought to pass" on An Act to provide for the use of uniform ballot boxes and for the preservation of ballots cast at elections (House Document No. 2).

The Report was accepted.

The bill was then read twice, and, on motion of Mr. STRICKLAND of Bangor, was read the third time and passed to be engrossed under suspension of rules.

The bill was then sent to the Senate.

Mr. SLEEPER from the Committee on Apportionment introduced An Act to apportion Representatives to Congress and moved that the bill take its three readings and pass to be engrossed under suspension of rules.

The motion was agreed to, the bill took its three several readings and passed to be engrossed, under suspension of rules, and was sent to the Senate.

Mr. AMES of Norridgewock moved that the House proceed to further business, but, upon discussion, withdrew his motion.

Mr. DAVIES of Yarmouth moved that the House take a recess till 7.30 o'clock.

A voice vote on the motion being doubted, a vote was taken by division, 84 voting in favor of the motion and 26 against it.

Hence the motion prevailed.

AFTER RECESS.

Resolve amending Article 9 of the Constitution, so as to provide for a bond issue for state highways,

Came from the Senate read twice and passed to be engrossed as amended by Senate Amendment "A."

The House reconsidered the vote by which the Resolve received its second reading and passed to be engrossed.

On motion of Mr. SCATES of Westbrook, the House concurred with the Senate in the adoption of Senate Amendment "A."

The Resolve was then read the second time and passed to be engrossed as amended by Senate Amendment "A," in concurrence.

On motion of Mr. STRICKLAND of Bangor,

Ordered, That the messengers, folders, postmaster, mail-carrier, pages and doorkeeper of the House shall receive the same compensation as the members of this special session.

The order was read and passed.

On motion of Mr. PETERS of Ellsworth,

Ordered, That the compensation of the official reporter of the House for the present special session be two hundred and twenty-five dollars.

The order was read and passed.

On motion of Mr. SCATES of Westbrook,

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

The order was read and passed.

Resolve providing for an amendment to the Constitution relating to the sale and manufacture of intoxicating liquors,

Came from the Senate read twice and passed to be engrossed as amended by Senate Amendment "A."

On motion of Mr. NEWBERT of Augusta,

The House resolved itself into a Committee of the Whole for the purpose of considering this Resolve.

The Speaker called to the Chair Mr. SCATES of Westbrook to act as Chairman of the Committee of the Whole.

IN HOUSE.

Mr. SCATES from the Committee of the Whole reported "ought to pass" on Resolve providing for an amendment to the Constitution relating to the sale and manufacture of intoxicating liquors.

The report was accepted.

The Resolve was read the first time, also read the second time and passed to be engrossed under suspension of rules.

The Saturday morning session was appointed as the time for taking the vote on the final passage of the Resolve.

On motion of Mr. DUTTON of China,

Adjourned.

C. C. HARVEY,
Clerk.

AUGUSTA,

SATURDAY, March 23, 1912.

Met according to adjournment.

Prayer by Rev. Mr. Lusk of Gardiner.

Journal of yesterday read and approved.

Ordered, The House concurring, that the Clerk and stenographer of the Judiciary Committee shall receive the same compensation in proportion as that received at the last regular session.

This order came from the Senate read and accepted and sent down for concurrence, and by the House was read and passed in concurrence.

On motion of Mr. GOODWIN of Biddeford,

Ordered, The Senate concurring, that 675 copies of the Legislative Record for the extra session of 1912 be printed and bound, one copy each for the members of the Senate and House of Representatives, and the remainder to be deposited in the State Library for exchange and library use; and further ordered that a suitable index for such Legislative Record be printed and bound with each volume, to be prepared under the direction of the State Librarian; also further ordered that 300 copies of the Legislative Record be printed in pamphlet form for distribution from day to day to the members of the Legislature and the departments.

The order was read and passed and sent up for concurrence.

On motion of Mr. PETERS of Ellsworth,

Ordered, The Senate concurring, that the sum of twenty-five dollars be appropriated and paid to Ethel M. Wade for services as clerk and stenographer to the Legal Affairs Committee at the Special Session.

The order was read and passed and sent up for concurrence.

Resolve amending Article 9 of the Constitution, so as to provide for a bond issue for state highways,

Came up for final passage.

Mr. DAVIES of Yarmouth called for the yeas and nays, which the House ordered.

Those who voted "yea" were Messrs.

Andrews,	Campbell, Cherryfield Cyr,	
Austin,	Campbell, E. L'more	Davies,
Averill,	Chase, Westfield Pl.	Davis,
Bearce,	Chase, York	Deering, Portland,
Benn,	Clark,	Deering, Waldoboro,
Berry,	Clearwater,	Descoteaux,
Bisbee,	Colby,	Dow,
Boman,	Connors,	Doyle
Bowker,	Copeland,	Dresser,
Brown,	Couture,	Dufour,
Burkett,	Cowan,	Dunn,
Buzzell,	Cronin,	Dutton,

Emerson,	Marriner,	Robinson, Peru,
Emery,	McAllister,	Ross,
Farnham,	McBride,	Russell,
Files,	McCready,	Sawyer,
Flood,	Merrill,	Scates,
Frank,	Miller,	Shea,
Gamache,	Monroe,	Skehan,
Goodwin,	Morse, Belfast,	Sleeper,
Gross,	Morse, Waterford,	Small,
Harmon,	Mower,	Smith, Newport,
Hartwell,	Murphy,	Smith, N. Vineyard,
Hastings,	Newbert,	Snow, Alvah,
Heffron,	Newcomb,	Snow, Bucksport,
Hersey,	Noyes,	Soule,
Hodgkins,	Otis,	Stetson,
Hodgman,	Packard,	Stinson,
Hogan,	Patten,	Strickland,
Johnson,	Pelletier,	Thomas,
Jordan,	Penley,	Thompson, Palmyra,
Kelley,	Percy,	Thompson, P. Isle,
Kelleher, Portland,	Perkins, M'ch'ic F'ls,	Thompson, Sk'gan,
Kelleher, Waterville,	Peters,	Trafton,
Kennard,	Peterson,	Trask,
Knight,	Phillips,	Trim,
Lambert,	Pike,	Trimble,
Lawry,	Pinkham,	Tucker,
LeBel,	Plummer,	Waldron,
Libby,	Pollard,	Weston,
Macomber,	Porter, Mapleton,	Weymouth,
Mallet,	Porter, Pembroke,	Wheeler,
Manter,	Quimby,	Wilkins,
		Woodside—130.

Those who voted "nay" were Messrs.

Anderson,	Fenderson,	Snow, Active I.—5.
Drummond,	Robinson, Lagrange,	

Those who were absent were Messrs.

Allen, Columbia F'ls,	Littlefield, Bluehill,	Merrifield,
Allen, Jonesboro,	Littlefield, Wells,	Mitchell,
Ames,	McCann,	Perkins, Kennebunk,
Kingsbury,	McCurdy,	Whitney,
		Wilcox—13.

Hence the resolve was finally passed.

The resolve was then sent to the Senate.

An Act to provide for the use of uniform ballot boxes and for the preservation of ballots cast at elections,

Came up on its passage to be enacted, and was unanimously passed to be enacted, and sent up for concurrence.

An Act to apportion Representatives to Congress,

Came up on its passage to be enacted, and was unanimously passed to be enacted, and sent up for concurrence.

Resolve providing for an amendment to the Constitution relating to the sale and manufacture of intoxicating liquors,

Came up for final passage, having been finally passed by the Senate.

Mr. DAVIES of Yarmouth called for the yeas and nays, which the House ordered.

Those who voted "yea" were Messrs.

Bearce,	Gross,	Otis,
Boman,	Hartwell,	Packard,
Burkett,	Hastings,	Patten,
Campbell, E. L'more	Heffron,	Pelletier,
Clark,	Hodgkins,	Penley,
Clearwater,	Hogan,	Percy,
Conners,	Jordan,	Pinkham,
Copeland,	Kelleher, Portland,	Plummer,
Couture,	Kelleher, Waterville,	Pollard,
Cowan,	Lambert,	Ross,
Cronin,	Lawry,	Sawyer,
Cyr,	LeBel,	Scates,
Deering, Portland,	Libby,	Shea,
Descoteaux,	Manter,	Skehan,
Dow,	Marriner,	Sleeper,
Dresser,	McAllister,	Small,
Dunn,	Miller,	Snow, Active I.,
Files,	Mower,	Snow, Alvah,
Frank,	Murphy,	Stetson,
Gamache,	Newbert,	Strickland,
Goodwin,	Noyes,	Thompson, Palmyra,

Thompson, Sk'gan,	Tucker,	Wilkins,
Trask,	Waldron,	Woodside—71.
Trim,	Weymouth,	

Those who voted "nay" were Messrs.

Anderson,	Emery,	Peters,
Andrews,	Farnham,	Peterson,
Austin,	Fenderson,	Phillips,
Averill,	Flood,	Pike,
Benn,	Harmon,	Porter, Mapleton,
Berry,	Hersey,	Porter, Pembroke,
Bisbee,	Hodgman,	Quimby,
Bowker,	Johnson,	Robinson, Lagrange,
Brown,	Kelley,	Robinson, Peru,
Buzzell,	Kennard,	Russell,
Campbell, Cherryfield	Knight,	Smith, Newport,
Chase, Westfield Pl.	Macomber,	Smith, N. Vineyard,
Colby,	Mallet,	Snow, Bucksport,
Davies,	McBride,	Soule,
Davis,	McCready,	Stinson,
Deering, Waldoboro,	Merrill,	Thomas,
Doyle,	Monroe,	Thompson, P. Isle,
Drummond,	Morse, Belfast,	Trafton,
Dufour,	Morse, Waterford,	Trimble,
Dutton,	Newcomb,	Weston,
Emerson,	Perkins, M'ch'ic F'ls,	Wheeler,
		Whitney—64.

Those who were absent were Messrs.

Allen, Columbia F'ls,	Littlefield, Bluehill,	Merrifield,
Allen, Jonesboro,	Littlefield, Wells,	Perkins, Kennebunk,
Ames,	McCann,	Wilcox—11.
Kingsbury,	McCurdy,	

Paired: Chase of York, yes, with Mitchell, no.

Seventy-one having voted in favor of the final passage of the resolve and sixty-four against the same, a two-thirds vote being required for the final passage, and that vote not having been obtained, the resolve failed of final passage.

Voted that the Speaker appoint a Committee on Pairs.

The Speaker appointed Messrs. Strickland of Bangor and Peters of Ellsworth to constitute that Committee.

Voted that no pairs for the sessions of April 2d and 3d, for the election of United States Senator, be recognized unless arranged for with the Committee on Pairs.

On motion of Mr. SCATES of Westbrook,

A Committee was appointed to wait on the Senate and inform that body that the House had transacted all the business before it.

Mr. SCATES was appointed on that Committee, and subsequently reported that he had performed the duty assigned him.

Ordered, The House concurring, that the Committee on Appropriations and Financial Affairs be directed to make up the pay roll of the members, officers, employees and chaplains of the Senate and House,

Came from the Senate read and passed, and by the House was read and passed in concurrence.

Ordered, The House concurring, that when the Senate and House adjourn they adjourn to meet on Tuesday, April 2d, at 11 o'clock in the forenoon,

Came from the Senate read and passed, and by the House was read and passed in concurrence.

Resolve providing for an amendment to the Constitution relating to the sale and manufacture of intoxicating liquors,

Came from the Senate finally passed in non-concurrence with the vote of the House.

On motion of Mr. PETERS of Ellsworth,

The House voted to adhere to its original action in refusing final passage to the resolve.

A message was received from the Senate stating that that body had acted upon all the business before it at that time.

Adjourned according to order, to meet Tuesday, April 2d, at 11 A. M.

C. C. HARVEY,
Clerk.

AUGUSTA,

TUESDAY, April 2, 1912.

Met according to adjournment.

Prayer by Rev. Mr. Miner of Gardiner.

Journal of March 23d read and approved.

Communication from the Governor:

STATE OF MAINE.

EXECUTIVE DEPARTMENT.

AUGUSTA, April 2, 1912.

To the Honorable House of Representatives:

During the past week serious charges of official corruption have been made against Sheriff Charles O. Emery of York County. Asa A. Richardson, State Attorney for York County, has made complaint before a trial justice that Sheriff Emery attempted to bribe him in the interest of certain violators of the law and also complains that at a later date Sheriff Emery actually did pay to him one hundred dollars in accordance with the agreement entered into between them.

Charges of so grave a nature preferred by one public official against another cannot be lightly passed over. If true, it is the imperative duty of the Legislature to request the removal of the guilty person from office; if false, their falsity should be promptly shown.

Under the provisions of our Constitution may be found ample warrant for action in this case and we should not hesitate to exercise the authority therein conferred when justice and a due regard for the public welfare require us to act.

Although judicial proceedings have been begun in the Emery case it is appropriate that the Legislature should take immediate cognizance of the matter. Courts of justice necessarily move slowly. Cases of importance almost invariably reach the law court before being finally decided. The present case may not be ended during the year, and for a Sheriff to continue to

exercise his authority and to perform the duties of his office for several months during which no public tribunal has rendered a decision as to his guilt or innocence concerning so serious an offence as bribing a County Attorney, presents a condition which cannot be tolerated.

If the Legislature had not been sitting when the case arose I should have deemed it my duty to have called you together to investigate it.

I have instructed the Attorney General to appear before you representing the State and I have no doubt but that you will make such further reasonable arrangements as may be necessary to secure the accused a fair and impartial hearing. If he can satisfy you of his innocence you will be pleased to proclaim it; if his guilt is proven you will not hesitate to do your full duty even though it be a disagreeable one.

The good name of the State of Maine must be preserved and protected. The public officials of this State are, almost without exception, men of high character. In selecting public servants an occasional mistake is made and our laws provide the means of rectifying such mistakes. If one has been made by the good people of the county of York you will doubtless assist in promptly rectifying it. If, on the other hand, your investigation should result in a finding favorable to the accused the time occupied in ascertaining the facts will have been well spent, and by your faithful service in making the investigation you will have earned the thanks and approval of the people whom you represent.

FREDERICK W. PLAISTED.

On the reading of the communication from the Governor, the communication was accepted.

STATE OF MAINE.

In the year of our Lord One Thousand Nine Hundred and Twelve.

Resolve in favor of the adoption of an address to the Governor for the removal of Charles O. Emery, Sheriff of the County of York.

Resolved, That both branches of the Legislature, after due notice given according to the Constitution, will proceed to con-

sider the adoption of an address to the Governor for the removal of Charles O. Emery, Sheriff of the County of York, for the causes following:

First. Because the said Charles O. Emery did on the 28th day of February last promise one Asa A. Richardson, who was then holding the office of State Attorney for the County of York, to pay him a certain sum of money, to wit, the sum of fifty dollars per week, in consideration whereof the said Richardson was to refrain from prosecuting certain violators of law, and

Second. Because the said Charles O. Emery did, on the 8th day of March last, in pursuance of the corrupt agreement entered into on said 28th day of February between said Emery and said Richardson, pay to the said Richardson the sum of one hundred dollars, all of which constituted a violation of the laws of the State and especially of the provisions of Section 5 of Chapter 123 of the Revised Statutes.

Resolved, The House of Representatives concurring, that these resolutions and statements of causes of removal be entered on the journal of the Senate, and a copy of the same be signed by the President of the Senate and served on said Charles O. Emery by such person as the President of the Senate shall appoint for that purpose, who shall make return of such service upon his personal affidavit without delay, and that the third day of April, A. D. 1912, at two o'clock in the afternoon, be assigned as the time when the said Charles O. Emery may be admitted to a hearing in his defense.

The above resolve came from the Senate read and passed, and by the House was read and unanimously passed in concurrence.

On motion of Mr. SCATES of Westbrook,

Ordered, That a Committee of seven on the part of the House, with such as the Senate may join, be appointed to consider and report the order of proceedings to be observed upon the hearing proposed by the address of the Governor in relation to the alleged causes for the removal of Charles O. Emery, Sheriff of York County, and that the Clerk of the House be directed to issue due subpoenas for the summoning of witnesses to be present and testify at such hearing upon application of either prosecution or defence, and that counsel be furnished either party.

The order was read and passed unanimously and sent up for concurrence, with the following named by the Speaker as the House members of said Committee:

Messrs. Scates of Westbrook,
Strickland of Bangor,
Sleeper of South Berwick,
Trafton of Fort Fairfield,
Deering of Portland,
Hersey of Houlton,
Wheeler of South Paris.

The following were named as members of said Committee on part of the Senate:

Messrs. Farrington of Kennebec,
Boynton of Lincoln,
Milliken of Aroostook.

On motion of Mr. STRICKLAND of Bangor,

Ordered, That at twelve o'clock, noon, this day, the House shall proceed to vote for a Senator in Congress to fill the unexpired term of the late Honorable William Pierce Frye, in accordance with the laws of the United States.

The order was read and passed.

On motion of Mr. SCATES of Westbrook,

Ordered, The Senate concurring, that there be printed 3,000 copies of the Resolve proposing an amendment to the Constitution authorizing the issue of bonds for highway purposes.

The order was read, passed unanimously, and sent up for concurrence.

On motion of Mr. AUSTIN of Phillips,

A recess was taken till 12 M.

AFTER RECESS.

Agreeable to the order this day passed, the hour of twelve, noon, having arrived, to vote for a Senator in the Congress of the United States to fill out the unexpired term of the late Honorable William Pierce Frye; and this being the second Tuesday subsequent to the meeting of this session of the Legislature of Maine, the day designated by Sections 14 to 19, inclu-

sive, of Chapter 1, Title 2, of the Revised Statutes of the United States, in relation to the election of Senators, the House proceeded openly, by voice vote of each member present and not paired, on call of the roll, to name a person for Senator in Congress from this State to fill out the said unexpired term, with the following result:

Whole number of votes cast.....	128
Necessary for a choice.....	65
Obadiah Gardner had.....	78
Frederick A. Powers had.....	50

Hence Obadiah Gardner had a majority of all the votes cast, and by the Speaker was duly declared the choice of the House for Senator.

Those who voted for Obadiah Gardner were Messrs.

Allen, Columbia F'ls,	Gross,	Pelletier,
Allen, Jonesboro,	Hartwell,	Penley,
Ames,	Hastings,	Percy,
Bearce,	Heffron,	Perkins, Kennebunk,
Boman,	Hodgkins,	Pinkham,
Burkett,	Hogan,	Plummer,
Campbell, E. L'more,	Jordan,	Pollard,
Chase, York,	Kelleher, Portland,	Ross,
Clark,	Kelleher, Waterville,	Scates,
Connors,	Lambert,	Shea,
Copeland,	LeBel,	Skehan,
Couture,	Libby,	Sleeper,
Cowan,	Littlefield, Bluehill,	Small,
Cronin,	Manter,	Snow, Active I.,
Cyr,	Marriner,	Snow, Alvah,
Deering, Portland,	McAllister,	Stetson,
Descoteaux,	McCurdy,	Strickland,
Dow,	Merrifield,	Thompson, Palmyra,
Dresser,	Miller,	Thompson, Sk'gan,
Dunn,	Mower,	Trafton,
Dutton,	Murphy,	Trask,
Farnham,	Newbert,	Trim,
Files,	Noyes,	Tucker,
Frank,	Otis,	Waldron,
Gamache,	Packard,	Wilkins,
Goodwin,	Patten,	Morey—78.

Those who voted for Frederick A. Powers were Messrs.

Anderson,	Fenderson,	Pike,
Andrews,	Flood,	Porter, Mapleton,
Austin,	Hersey,	Porter, Pembroke,
Averill,	Hodgman,	Quimby,
Benn,	Johnson,	Robinson, Lagrange,
Berry,	Kennard,	Russell,
Bisbee,	Littlefield, Wells,	Smith, Newport,
Buzzell,	Macomber,	Smith, N. Vineyard,
Campbell, Cherryf'ld,	Mallet,	Snow, Bucksport,
Chase, Westfield Pl.	McBride,	Soule,
Clearwater,	McCann,	Stinson,
Colby,	Merrill,	Thomas,
Davis,	Mitchell,	Trimble,
Doyle,	Morse, Belfast,	Weston,
Drummond,	Morse, Waterford,	Wheeler,
Emerson,	Perkins, M'ch'ic F'ls,	Wilcox—50.
Emery,	Peterson,	

Those who were absent were Messrs.

Bowker,	Kingsbury,	Weymouth,
Davies,	Knight,	Whitney,
Kelley,	Monroe,	Woodside—9.

The following pairs were announced: Harmon, Gardner, with Brown, Powers; Deering of Waldoboro, Gardner, with Robinson of Peru, Powers; Lawry, Gardner, with McCready, Powers; Thompson of Presque Isle, Gardner, with Newcomb, Powers; Sawyer, Gardner, with Dufour, Powers; Phillips, Gardner, with Peters, Powers.

Ordered, The House concurring, that when the Senate and House adjourn, they adjourn to meet on Wednesday, April 3d, 1912, at ten o'clock in the forenoon,

Came from the Senate read and passed, and by the House was read and passed in concurrence.

On motion of Mr. STRICKLAND of Bangor,

Adjourned.

C. C. HARVEY,

Clerk.

AUGUSTA,

WEDNESDAY, April 3, 1912.

Met according to adjournment.

Prayer by Rev. Fr. Nelligan of Augusta.

Journal of yesterday read and approved.

Ordered, The House concurring, that the members of the two branches of the Legislature convene in a joint assembly, in the hall of the House of Representatives, at twelve o'clock, meridian, of this third day of April, for the purpose of reading the journal of each House relating to the vote for a Senator in Congress from this State, for the unexpired term caused by the death of Senator Wm. P. Frye, which term expires on the 4th day of March, in the year of our Lord one thousand nine hundred and thirteen, and for such other proceedings in relation to the matter of the election of such Senator in Congress as are required by the Constitution and Statutes of the United States.

The foregoing order came from the Senate read and passed and by the House was read and passed in concurrence.

An Act to provide for the payment of per diem and mileage of members and officers and for expenditures incident to the Special Session of the Seventy-fifth Legislature and for other necessary expenditures of government,

Came from the Senate referred to the Committee on Appropriations and Financial Affairs, and by the House was referred to the same Committee in concurrence.

Ordered, The House concurring, that the report of the Governor and Council relating to the vote cast at the election September 11th, 1911, upon the question "Shall the Constitution be amended so as to abrogate and annul the twenty-sixth amendment adopted on the eighth day of September, in the year of our Lord one thousand eight hundred and eighty-four, relating to the manufacture and sale of intoxicating liquors?" be printed in full in the Legislative Record.

The foregoing order came from the Senate read and passed, and by the House was read and passed in concurrence.

Mr. SCATES from the Committee appointed to consider and report the order of proceedings to be observed upon the hearing proposed by the resolve of the two branches of the Legislature upon the alleged causes of removal of Charles O. Emery, Sheriff of York County, submitted the following rules:

First. For the purpose of granting a joint hearing agreeably to a vote of the two branches of the Legislature, they will meet in convention in the hall of the House of Representatives on Wednesday, April 3, 1912, at 2 o'clock in the afternoon.

Second. The President of the Senate shall preside in the convention, and, in the absence of the President of the Senate, the Speaker of the House shall preside.

Third. The State may be heard by counsel and witnesses, and the respondent by himself and by counsel and witnesses.

Fourth. The same rules of evidence shall govern as in the trial of civil actions in the supreme judicial court. All depositions shall be taken forthwith but no deposition shall be admitted unless it is shown that the deponent is unable to be present. The presiding officer shall decide all questions of the admissibility of evidence, procedure, practice and pleading, and from his decision there shall be no appeal.

Fifth. No debate whatever shall be admitted in the convention.

Sixth. No motion shall be submitted or entertained except to take a recess to a time certain or to dissolve the convention, and such motion shall be decided without debate.

Seventh. No person shall be admitted to the floor of the House except members of the convention, counsel, parties, witnesses, reporters for the press and the officers of both branches, except by order of the President of the Senate or the Speaker of the House.

The report was accepted and rules adopted, and the report sent to the Senate for concurrence.

A recess was then taken until eleven o'clock.

AFTER RECESS.

Mr. FOSS from the Committee on Appropriations and Financial Affairs reported "ought to pass" on Bill An Act to provide for the payment of per diem and mileage of members and officers and for expenditures incident to the Special Session of the Seventy-fifth Legislature and for other necessary expenditures of government.

The report came from the Senate accepted, bill read twice and passed to be engrossed, under suspension of rules.

By the House the report was accepted in concurrence and bill read twice. On motion of Mr. STRICKLAND of Bangor, the bill was read the third time and passed to be engrossed, under suspension of rules.

On motion of Mr. BEARCE of Eddington,

Ordered, That the Clerk of the House prepare and cause to be printed, under his supervision and direction, six hundred copies of the Journal of the proceedings of the present session of the House.

The order was read and passed.

The hour of twelve, meridian, having arrived, the time fixed by law of the United States for the two Houses of the Legislature to meet in joint assembly for the purpose of comparing the votes cast for a Senator to succeed the late Honorable William Pierce Frye, for the term ending the fourth day of March, in the year of our Lord one thousand nine hundred and thirteen,

The Senate came in and a convention was formed.

IN CONVENTION.

So much of the records of both branches of the Legislature as related to the choice of Senator was then read.

The President of the Convention then declared that the Honorable Obadiah Gardner had been elected a Senator in Congress from Maine to succeed the late Honorable William Pierce Frye, for the term ending March 4, 1913.

On motion of Mr. HANSON of Waldo,

Ordered, That the Honorable Obadiah Gardner of Rockland be and hereby is declared duly elected Senator in Congress from this State for the unexpired term caused by the death of Senator William Pierce Frye, which term expires on the fourth day of March, in the year of our Lord one thousand nine hundred and thirteen; and be it further

Ordered, That the Secretary of the Convention forthwith inform the Governor of the election and declaration thereof by the Legislature of Obadiah Gardner as Senator in Congress of the United States for the unexpired term caused by the death of Senator Wm. P. Frye, which term expires on the 4th day of March, in the year of our Lord one thousand nine hundred and thirteen.

The order was read and passed.

The Secretary of the Convention subsequently informed the Convention that he had delivered the message with which he was charged.

The purpose of the Convention having been accomplished, the Convention was dissolved, the Senate retiring.

IN HOUSE.

The House was called to order by the Speaker.

On motion of Mr. PATTEN of Hermon,

The House took a recess till 2.00 P. M.

AFTER RECESS.

Bill An Act to provide for the payment of per diem and mileage of members and officers and for expenditures incident to the Special Session of the Seventy-fifth Legislature and for other necessary expenditures of government,

Came up for passage to be enacted, and was passed to be enacted and sent to the Senate.

Resolved, That there be paid out of the treasury of the State to the several persons named in the foregoing pay roll the sums set against their names, respectively, amounting to the sum of eight thousand two hundred and twenty-two dollars.

The foregoing resolve was read once. Upon motion of Mr. ROSS of Bangor it was read the second time and passed to be engrossed under suspension of rules, also finally passed.

The resolve was then sent to the Senate.

Agreeably to a vote of the two branches of the Legislature the Senate came in and a convention was formed for the purpose of considering the adoption of an address to the Governor for the removal of Charles O. Emery, Sheriff of the County of York.

IN CONVENTION.

Convention called to order by Honorable Nathan Clifford, President of the Senate, as President of the Convention.

Secretary Hanson of the Senate, Secretary of the Convention, read the resolutions adopted by both branches of the Legislature in relation to the adoption of an address to the Governor for the removal of Charles O. Emery, Sheriff of the County of York.

Honorable William R. Pattangall, Attorney General of the State, stated that he had acceded to a request by the Governor to represent the State in the proceedings against Sheriff Emery.

Honorable L. C. Stearns of Bangor requested the entrance on the records of the Convention of his own name, that of Leroy Haley of Biddeford and that of Walter J. Gilpatrick of Saco as counsel for Sheriff Emery.

Mr. Haley, of the counsel for Sheriff Emery, requested a general denial of the allegations placed on the record.

The case was opened by Attorney General Pattangall for the prosecution. Asa A. Richardson, State Attorney for York County, with other witnesses for the prosecution, was sworn, Mr. Richardson was placed upon the stand, examined by the Attorney General, and cross-examined by Mr. Stearns, of the counsel for the defence.

A recess of fifteen minutes was then taken.

After recess Ed. H. Emery and Miss Alice Roberts were called to the stand, examined by the Attorney General, and cross-examined by Mr. Stearns, of the counsel for the defence.

A recess was then voted till 7.30 P. M.

EVENING SESSION.

Convention called to order by President Clifford in Chair.

Further witnesses for the prosecution were examined by the Attorney General, and cross-examined by counsel for the defence.

A recess was then voted till Thursday, April 4, 1912, at 9.00 A. M.

C. C. HARVEY,
Clerk.

AUGUSTA,

THURSDAY, April 4, 1912.

IN CONVENTION.

Convention met according to adjournment for recess, President Clifford in chair.

Prayer by Rev. Mr. Allen of Jonesboro.

On motion of Mr. SCATES of Westbrook,

A recess of fifteen minutes was taken.

IN HOUSE.

House called to order by Speaker Morey in Chair.

Journal of yesterday read and approved.

Papers from the Senate:

STATE OF MAINE.

In the year of our Lord one thousand nine hundred and twelve.

Resolve in favor of the adoption of an address to the Governor for the removal of Asa A. Richardson, State Attorney for the County of York.

Resolved, That both branches of the Legislature, after due notice given according to the Constitution, will proceed to consider the adoption of an address to the Governor for the removal of Asa A. Richardson, State Attorney for the County of York, for the causes following:

First, because the said Asa A. Richardson, who was then holding the office of State Attorney for the County of York, did on the 23d day of February, A. D. 1912, solicit money from one Charles T. Read, in consideration whereof he agreed to refrain from prosecuting certain violators of the prohibitory law who should thereafter come legally before him in his capacity as State Attorney as aforesaid.

Second, because the said Asa A. Richardson did, at the September term of the supreme judicial court, A. D. 1911, in and for the County of York, procure an indictment against one William L. White for violation of the prohibitory law, which said indictment was presented at the said September term, and the case against said White continued to the January term of said court, at which term the said Richardson requested permission to file said indictment, and after the court had refused to grant said permission, said Richardson produced, in place of the indictment in question, a paper purporting to be an indictment, which was unsigned either by him, the said Richardson, or by the foreman of the grand jury, whereupon the said White went free, and that because of said ignorant and corrupt act of the said Richardson, the said White was not punished for his said violation of the prohibitory law.

Third, because the said Asa A. Richardson, at a hearing before the Legislature of Maine in proceedings for the removal from office of one Charles O. Emery, who was then and there Sheriff of the County of York, gave false testimony under oath.

Fourth, because the said Asa A. Richardson, in pursuance of a design to convict the said Charles O. Emery of offering to bribe him, the said Richardson, resorted to methods in the procuring of evidence against the said Emery, which were improper and unworthy of an attorney.

Fifth, because the said Asa A. Richardson, by reason of his incompetency and ignorance of the law, has brought the office of State Attorney for the County of York into disrepute and contempt.

Resolved, The House of Representatives concurring, that these resolutions and statements of causes of removal be entered on the journal of the Senate, and a copy of the same be signed by the President of the Senate and served on said Asa A. Richardson by such person as the President of the Senate

shall appoint for that purpose, who shall make return of said service upon his personal affidavit, without delay, and that the fifth day of April, A. D. 1912, at 11 o'clock in the forenoon, be assigned as the time when the said Asa A. Richardson may be admitted to a hearing in his defence.

The foregoing resolve came from the Senate read and passed and by the House was read and passed in concurrence, unanimously.

Resolved, The House of Representatives concurring, that the Attorney General be and hereby is instructed to present to the joint convention the evidence bearing upon the charges preferred against Asa A. Richardson.

The foregoing resolve came from the Senate read and passed, and by the House was read and passed in concurrence, unanimously.

Ordered, The House concurring, that the same rules and procedure as were adopted in the trial of Charles O. Emery be adopted for the trial of Asa A. Richardson.

The foregoing order came from the Senate read and passed, and by the House was read and unanimously passed in concurrence.

At this point the Senate came in, and the Convention resumed its sitting.

IN CONVENTION.

Witnesses for the defence were sworn and examined.

A recess until 2.00 P. M. was voted.

AFTERNOON SESSION.

Further witnesses for the defence were sworn and examined.

The defence rested its case.

The prosecution examined one witness in rebuttal.

The Convention voted itself a recess until Friday, April 5, at nine in the forenoon, on motion of Mr. STRICKLAND of Bangor.

IN HOUSE.

On motion of Mr. STRICKLAND of Bangor,

Ordered, The Senate concurring, that, when the Senate and House adjourn, they adjourn to meet Friday, April 5, 1912, at nine o'clock in the forenoon.

The order was read and passed and sent to the Senate.

On motion of Mr. THOMPSON of Palmyra,

Adjourned.

C. C. HARVEY,

Clerk.

AUGUSTA,

FRIDAY, April 5, 1912.

Met according to adjournment.

Prayer by Rev. Mr. Quimby of Gardiner.

Journal of yesterday read and approved.

In accordance with the vote of the joint convention of yesterday, to take a recess till nine o'clock, Friday morning, April 5,

The Senate came in, and a joint convention was formed.

IN CONVENTION.

Convention called to order by President Clifford in chair.

Mr. Stearns, of counsel for Sheriff Charles O. Emery of York County, spoke in latter's defence.

Attorney General Pattangall, counsel for the State in the Charles O. Emery case, spoke for the prosecution.

Ordered, That the convention now dissolve, and that the Senate retire to the Senate Chamber and the members of the House remain in session.

The order was read and passed, the Senate retired, and the House resumed its sitting.

IN HOUSE.

House called to order by the Speaker in the chair.

On motion of Mr. STRICKLAND of Bangor,

The hall and galleries were cleared, and the House went into executive session.

The resolve for the adoption of an address to the Governor for the removal of Charles O. Emery, Sheriff of the County of York,

Was then considered, the Speaker reading the resolve.

THE SPEAKER: What is the pleasure of the House with reference to the adoption of the resolve?

Mr. GOODWIN of Biddeford moved that no member speak upon the subject in hand more than once and that no member speak more than five minutes.

Mr. HERSEY of Houlton asked unanimous consent for a rule to allow no speaking at all. Mr. HERSEY put this in the form of an amendment to Mr. GOODWIN'S motion, which Mr. GOODWIN accepted, and the motion was then put and carried.

Mr. DAVIES of Yarmouth asked for the reading of a part of the testimony of Elmer M. Roberts, and the testimony required was so read by the official reporter.

Mr. SCATES of Westbrook moved that a part of the testimony of Ed. H. Emery be read.

Mr. HOGAN of Portland requested the reading of that part of the testimony of Ed. H. Emery relating to the passing and repassing of money between Sheriff Emery and County Attorney Richardson.

Mr. AUSTIN of Phillips said he did not favor the cutting off of all debate.

Discussion ensued.

On motion of Mr. MILLER of Hartland, that part of the testimony relating to the discussion of the "Bangor plan" by Sheriff Emery and County Attorney Richardson was read.

At this point the result of the vote of the Senate upon the resolve was brought into the House.

Mr. AUSTIN of Phillips moved that the announcement of the Senate's vote upon the resolve be not made till after action had been taken by the House.

The motion prevailed by a unanimous vote.

Mr. SCATES of Westbrook withdrew his motion for the reading of a part of Ed. H. Emery's testimony, with the consent of the House.

Mr. HOGAN of Portland asked unanimous consent to withdraw his motion for the reading of a part of Ed. H. Emery's testimony.

Mr. MURPHY of Portland objected.

The Speaker ruled that the testimony asked for in Mr. HOGAN'S motion be read, and it was so read by the official reporter.

On motion of Mr. STRICKLAND of Bangor,

Resolve in favor of the adoption of an address to the Governor for the removal of Charles O. Emery, Sheriff of the County of York,

Was considered by counts.

Mr. STRICKLAND also called for the yeas and nays when the vote should be taken on each count, and the House so ordered.

The Speaker read the two counts of the resolve.

Mr. STRICKLAND of Bangor moved that count one be rejected, and upon roll-call the count was rejected by a vote of seventy-five to forty-eight.

Those who voted in favor of the motion of Mr. STRICKLAND, that count one be rejected, were Messrs.

Allen, Columbia F'ls,	Burkett,	Conners,
Allen, Jonesboro,	Campbell, Cherryf'ld,	Copeland,
Ames,	Campbell, E. L'more,	Couture,
Bearce,	Chase, York,	Cowan,
Boman,	Clark,	Cyr,

Deering, Portland,	LeBel,	Pollard,
Descoteaux,	Libby,	Ross,
Dow,	Manter,	Scates,
Dresser,	Marriner,	Shea,
Dunn,	McAllister,	Skehan,
Dutton,	McCurdy,	Sleeper,
Farnham,	Merrifield,	Small,
Files,	Miller,	Snow, Active I.,
Frank,	Mower,	Snow, Alvah,
Goodwin,	Murphy,	Stetson,
Gross,	Newbert,	Strickland,
Harmon,	Noyes,	Thompson, Palmyra,
Hastings,	Otis,	Thompson, P. Isle,
Heffron,	Packard,	Thompson, Sk'gan,
Hodgkins,	Patten,	Trafton,
Hodgman,	Pelletier,	Trask,
Hogan,	Penley,	Trim,
Kelleher, Portland,	Perkins, Kennebunk,	Tucker,
Kelleher, Waterville,	Phillips,	Weymouth,
Lambert,	Pinkham,	Wilkins—75.

Those who voted against the motion of Mr. STRICKLAND, that count one be rejected, were Messrs.

Andrews,	Flood,	Pike,
Austin,	Hersey,	Porter, Mapleton,
Benn,	Johnson,	Porter, Pembroke,
Berry,	Kelley,	Quimby,
Bisbee,	Kennard,	Robinson, Lagrange,
Bowker,	Knight,	Russell,
Buzzell,	Littlefield, Bluehill,	Smith, Newport,
Chase, Westfield Pl.,	Littlefield, Wells,	Smith, N. Vineyard,
Clearwater,	Macomber,	Snow, Bucksport,
Davies,	Mallet,	Soule,
Davis,	McBride,	Stinson,
Deering, Waldoboro,	McCann,	Trimble,
Doyle,	Merrill,	Weston,
Drummond,	Mitchell,	Wheeler,
Emerson,	Morse, Belfast,	Whitney,
Fenderson,	Peterson,	Wilcox—48.

Those who were absent were Messrs.

Anderson,	Averill,	Brown,
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Colby,	Kingsbury,	Peters,
Dufour,	Lawry,	Plummer,
Emery,	McCready,	Robinson, Peru,
Gamache,	Morse, Waterford,	Thomas,
Hartwell,	Newcomb,	Waldron,
Jordan,	Percy,	Woodside—21.

Those who were excused from voting were Messrs.

Cronin,	Monroe,	Perkins, M'ch'ic F'ls,
		Sawyer—4.

Mr. STRICKLAND of Bangor moved that count two be rejected, and upon roll-call the count was rejected by a vote of sixty-nine to fifty-four.

Those who voted in favor of the motion of Mr. STRICKLAND, that count two be rejected, were Messrs.

Allen, Columbia F'ls,	Harmon,	Penley,
Ames,	Hastings,	Perkins, Kennebunk,
Bearce,	Hodgkins,	Phillips,
Burkett,	Hodgman,	Pinkham,
Campbell, E. L'more,	Hogan,	Pollard,
Chase, York,	Kelleher, Portland,	Ross,
Clark,	Kelleher, Waterville,	Scates,
Conners,	Lambert,	Shea,
Copeland,	LeBel,	Skehan,
Couture,	Libby,	Sleeper,
Cowan,	Manter,	Small,
Cyr,	Marriner,	Snow, Alvah,
Deering, Portland,	McAllister,	Stetson,
Descoteaux,	McCurdy,	Strickland,
Dow,	Merrifield,	Thompson, Palmyra,
Dresser,	Mower,	Thompson, P. Isle,
Dunn,	Murphy,	Thompson, Sk'gan,
Dutton,	Newbert,	Trafton,
Farnham,	Noyes,	Trask,
Files,	Otis,	Trim,
Frank,	Packard,	Tucker,
Goodwin,	Patten,	Weymouth,
Gross,	Pelletier,	Wilkins—69.

Those who voted against the motion of Mr. STRICKLAND, that count two be rejected, were Messrs.

Allen, Jonesboro,	Fenderson,	Peterson,
Andrews,	Flood,	Pike,
Austin,	Heffron,	Porter, Mapleton,
Benn,	Hersey,	Porter, Pembroke,
Berry,	Johnson,	Quimby,
Bisbee,	Kelley,	Robinson, Lagrange,
Boman,	Kennard,	Russell,
Bowker,	Knight,	Smith, Newport,
Buzzell,	Littlefield, Bluehill,	Smith, N. Vineyard,
Campbell, Cherryf'd,	Littlefield, Wells,	Snow, Active I.,
Chase, Westfield Pl.,	Macomber,	Snow, Bucksport,
Clearwater,	Mallet,	Soule,
Davies,	McBride,	Stinson,
Davis,	McCann,	Trimble,
Deering, Waldoboro,	Merrill,	Weston,
Doyle,	Miller,	Wheeler,
Drummond,	Mitchell,	Whitney,
Emerson,	Morse, Belfast,	Wilcox—54.

Those who were absent were Messrs.

Anderson,	Hartwell,	Percy,
Averill,	Jordan,	Peters,
Brown,	Kingsbury,	Plummer,
Colby,	Lawry,	Robinson, Peru,
Dufour,	McCready,	Thomas,
Emery,	Morse, Waterford,	Waldron,
Gamache,	Newcomb,	Woodside—21.

Those who were excused from voting were Messrs.

Cronin,	Monroe,	Perkins, M'ch'ic F'ls,
		Sawyer—4.

The Senate's votes upon the counts of the resolve were then announced by the Speaker as follows:

The Senate sustained count one by a vote of 14 to 12.

The Senate by a vote of 13 to 13 failed to sustain count two.

On motion of Mr. STRICKLAND of Bangor,

A recess till 2.00 P. M. was voted.

AFTERNOON SESSION.

House called to order by the Speaker in the chair.

On motion of Mr. STRICKLAND,

The House came out of executive session.

At this point the Senate came in, and a convention was formed.

IN CONVENTION.

Convention called to order by President Clifford in the chair.

Resolve in favor of the adoption of an address to the Governor for the removal of Asa A. Richardson, State Attorney for the County of York,

Was read by Secretary Hanson of the convention.

Attorney General Pattangall announced that, in response to instructions from the Governor, he was present to represent the interests of the State in the case in hand.

Benjamin F. Cleaves of Biddeford announced that George L. Emery of Saco and himself appeared as counsel for the respondent.

Mr. Cleaves, of the respondent's counsel, requested entry of a general denial of all the charges contained in the resolve.

Counsel for both sides agreed to waive the reading of the rules of procedure adopted for the government of the hearing.

The case was opened by Attorney General Pattangall, appearing for the State.

Witnesses for the State were sworn, examined by Attorney General Pattangall, and cross-examined by Mr. Cleaves, of counsel for the respondent.

The State rested its case.

A recess till 3.30 P. M. was then voted.

AFTER RECESS.

Lucius V. Swett was examined by Mr. Pattangall for the State, by agreement with Mr. Cleaves of respondent's counsel.

Mr. Cleaves requested that all charges of the resolve except the second, containing what was spoken of as the "White case," be withdrawn from the consideration of the convention.

Mr. Pattangall consented to such withdrawal.

The President of the convention, however, ruled that all the charges must remain.

The defence was opened by Mr. Emery, of counsel for the respondent.

Witnesses for the defence were sworn.

Asa A. Richardson, County Attorney of York County, the respondent, was examined by Mr. Cleaves and cross-examined by Mr. Pattangall.

A recess till 7.30 P. M. was voted.

EVENING SESSION.

Convention called to order by President Clifford in the chair.

The President ruled that the evidence to be admitted must relate to count two of the resolve.

Further witnesses for the defence were placed upon the stand, examined by Mr. Cleaves and cross-examined by Mr. Pattangall.

Here the defence rested.

A recess till 8.45 P. M. was voted.

Mr. Cleaves pleaded the case for the defence.

Mr. Pattangall pleaded the case for the State.

On motion of Mr. WINSLOW of Cumberland, the convention was dissolved, and the Senate retired.

IN HOUSE.

House called to order by the Speaker in the chair.

The House went into executive session, on motion of Mr. STRICKLAND of Bangor, the galleries and floor being cleared.

The original copy of the resolve in favor of an address to the Governor for the removal of Asa A. Richardson, State Attorney for the County of York, being in possession of the Senate,

Mr. STRICKLAND of Bangor moved that unanimous consent be given to proceed with the consideration of the allegations in the resolve, using temporarily a printed copy of the resolve.

The motion was agreed to.

Mr. STRICKLAND again moved to proceed to vote, without debate, upon the several counts of the resolve.

On motion of Mr. TRAFTON of Fort Fairfield,
The first count of the resolve was dismissed.

Mr. STRICKLAND of Bangor moved that the second count of the resolve be sustained, said count being as follows:

"Second: Because the said Asa A. Richardson did, at the September term of the supreme judicial court, A. D. 1911, in and for the county of York, procure an indictment against one William L. White for violation of the prohibitory law, which said indictment was presented at the said September term and the case against said White continued to the January term of said court, at which term the said Richardson requested permission to file said indictment, and, after the court had refused to grant said permission, said Richardson produced in place of the indictment in question a paper purporting to be an indictment, which was unsigned either by him, the said Richardson, or by the foreman of the grand jury, whereupon the said White went free, and that, because of said ignorant and corrupt act of the said Richardson, the said White was not punished for his said violation of the prohibitory law."

Mr. STRICKLAND further moved that the vote be taken by yeas and nays, and the House so ordered.

Those who voted yea were Messrs.

Allen, Columbia F'ls,	Boman,	Copeland,
Allen, Jonesboro,	Burkett,	Couture,
Ames,	Clark,	Cyr,
Bearce,	Connors,	Deering, Portland,

Deering, Waldoboro,	Libby,	Percy,
Descoteaux,	Littlefield, Bluehill,	Perkins, Kennebunk,
Dow,	Macomber,	Pinkham,
Dunn,	Manter,	Pollard,
Dutton,	Marriner,	Ross,
Farnham,	McAllister,	Scates,
Files,	McCurdy,	Shea,
Frank,	Merrifield,	Skehan,
Goodwin,	Miller,	Small,
Gross,	Mower,	Snow, Active I.,
Harmon,	Murphy,	Stetson,
Heffron,	Newbert,	Strickland,
Hodgkins,	Noyes,	Thompson, Palmyra,
Hogan,	Otis,	Thompson, Sk'gan,
Jordan,	Packard,	Trask,
Kelleher, Portland,	Patten,	Trim,
Kelleher, Waterville,	Pelletier,	Tucker,
Lambert,	Penley,	Waldron,
		Weymouth—67.

Those who voted nay were Messrs.

Andrews,	Flood,	Plummer,
Austin,	Hastings,	Porter, Mapleton,
Benn,	Hersey,	Porter, Pembroke,
Berry,	Hodgman,	Quimby,
Bisbee,	Kelley,	Robinson, Lagrange,
Bowker,	Kennard,	Russell,
Buzzell,	Knight,	Sawyer,
Campbell, Cherryf'ld,	Littlefield, Wells,	Sleeper,
Campbell, E. L'more,	Mallet,	Smith, Newport,
Chase, Westfield Pl.	McBride,	Smith, N. Vineyard,
Chase, York,	McCann,	Snow, Alvah,
Clearwater,	Merrill,	Snow, Bucksport,
Davies,	Mitchell,	Soule,
Davis,	Monroe,	Stinson,
Doyle,	Morse, Belfast,	Thompson, P. Isle,
Drummond,	Peterson,	Trafton,
Emerson,	Phillips,	Trimble,
Fenderson,	Pike,	Wheeler,
		Wilcox—55.

Those who were absent were Messrs.

Anderson,	Gamache,	Perkins, M'ch'ic F'ls,
Averill,	Hartwell,	Peters,
Brown,	Johnson,	Robinson, Peru,
Colby,	Kingsbury,	Thomas,
Cowan,	Lawry,	Weston,
Cronin,	LeBel,	Whitney,
Dresser,	McCready,	Wilkins,
Dufour,	Morse, Waterford,	Woodside—26.
Emery,	Newcomb,	

Hence count two of the resolve was sustained.

On motion of Mr. STRICKLAND of Bangor, count three of the resolve was dismissed.

On motion of same gentleman count four was dismissed.

On motion of same gentleman count five was dismissed.

Mr. DAVIES of Yarmouth moved that the entire proceedings in the executive sessions of the House this day held be made a part of the proceedings of the House.

The motion was unanimously agreed to.

From the Senate came the result of the votes in that body on the resolve just considered in the House—that the Senate had sustained count two of the resolve, the same that had been sustained by the House, and had dismissed all the other counts of the resolve, as had been done by the House.

STATE OF MAINE.

SEVENTY-FIFTH LEGISLATURE.

ADDRESS TO THE GOVERNOR.

The Senate and House of Representatives in Legislature assembled present this address to the Governor for the removal of Asa A. Richardson, County Attorney of York County, for the causes following:

Because the said Asa A. Richardson did, at the September term of the Supreme Judicial Court, A. D. 1911, in and for the County of York, procure an indictment against one William L. White for violation of the prohibitory law, which said in-

dictment was presented at the said September term and the case against said White continued to the January term of said court, at which term the said Richardson requested permission to file said indictment, and, after the court had refused to grant said permission, said Richardson produced, in place of the indictment in question, a paper purporting to be an indictment, which was unsigned either by him, the said Richardson, or by the foreman of the grand jury, whereupon the said White went free, and that, because of said ignorant and corrupt act of the said Richardson, the said White was not punished for his said violation of the prohibitory law.

The foregoing address came from the Senate read and passed, and by the House was read and passed in concurrence.

On motion of Mr. ROSS of Bangor,

Adjourned to meet Saturday morning, April 6, at nine o'clock.

C. C. HARVEY,

Clerk.

AUGUSTA,

SATURDAY, April 6, 1912.

Met according to adjournment.

Prayer by Rev. Mr. Allen of Jonesboro.

Journal of yesterday read and approved.

Resolve on the pay-roll of the Senate,

Was read once, and, on motion of Mr. STRICKLAND of Bangor, who introduced it, was read the second time, without reference to a committee, passed to be engrossed and finally passed, under suspension of rules.

By Mr. STRICKLAND of Bangor: Resolve in favor of witnesses, officers and counsel in the matter of hearings upon the Charles O. Emery and Asa A. Richardson resolves,

Was read once. On motion of Mr. STRICKLAND of

Bangor, the resolve was then read the second time and passed to be engrossed under suspension of rules, without reference to a committee. This resolve and the following act and resolve were introduced by unanimous consent.

By Mr. STRICKLAND of Bangor: Resolve on the pay roll of the House,

Was read once. On motion of Mr. STRICKLAND, the resolve was read the second time and passed to be engrossed, under suspension of rules, without reference to a committee.

By Mr. STRICKLAND of Bangor: An Act to provide for the payment of per diem of members and officers and for the expenditures incident to the special session of the Seventy-fifth Legislature,

Was read once. On motion of Mr. STRICKLAND, the bill was read the second and third time and passed to be engrossed, under suspension of rules, without reference to a committee.

The foregoing papers were sent to the Senate.

At this point the House took a recess subject to termination at the call of the Speaker.

AFTER RECESS.

Resolve in favor of witnesses, officers and counsel in the matter of hearings upon the Charles O. Emery and Asa A. Richardson resolves,

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, finally passed, signed by the Speaker and sent to the Senate.

Resolve on the pay-roll of the Senate;

Resolve on the pay-roll of the House;

Were reported from the Committee on Engrossed Bills as truly and strictly engrossed, finally passed, signed by the Speaker and sent to the Senate.

An Act to provide for the payment of per diem of members and officers and for the expenditures incident to the special session of the Seventy-fifth Legislature,

Was reported from the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

On motion of Mr. NEWBERT of Augusta,

Ordered, The Senate concurring, that each officer and member of the Senate and House be supplied, through the State Library, with a copy of the Legislative Record of this session as soon as such copies are printed and bound.

The order was read and passed and sent up for concurrence.

On motion of Mr. TRAFTON of Fort Fairfield,

A message was sent to the Senate, borne by Mr. TRAFTON himself, who was appointed for that purpose by the Speaker, informing that body that the House had transacted all the business before it, and was ready to adjourn without day.

Mr. TRAFTON subsequently reported that he had conveyed the message with which he was charged and that he had been charged by the Senate with the duty of conveying a similar message to the House.

Ordered, That a Committee of three on the part of the Senate, with such as the House may join, be appointed to wait upon the Governor, and inform him that both branches of the Legislature, having acted on all matters before them, are now ready to receive any communication he may be pleased to make,

Came from the Senate read and passed, with the following appointed on the part of the Senate:

Messrs. Hill of Penobscot,
Dodge of Kennebec,
Clark of York.

The Speaker appointed the following on the part of the House:

Messrs. Shea of Eden,
Penley of Auburn,
Small of Machiasport,
Active I. Snow of Brunswick,
Heffron of Eastport,
Conners of Bangor,
Dunn of Brewer.

The order was read and passed in concurrence.

Mr. SHEA of the Committee subsequently reported that the Committee had performed the duty assigned it.

The following communication was received from the Executive Department:

STATE OF MAINE.

EXECUTIVE CHAMBER

AUGUSTA, April 6, 1912.

To the President of the Senate and Speaker of the House of Representatives:

I herewith transmit a list of the Acts and Resolves passed during the present session of the Legislature and approved by me, numbering 4 Acts and 6 Resolves.

I have no further communication to make.

FREDERICK W. PLAISTED.

On motion of Mr. PHILLIPS of Shirley,

The House, at 11.17 A. M., adjourned without day.

C. C. HARVEY,

Clerk.

TITLES OF ACTS AND RESOLVES PASSED BY THE
SPECIAL SESSION OF THE SEVENTY-FIFTH LEG-
ISLATURE AND APPROVED BY THE GOVERNOR.

PUBLIC LAWS.

An Act to apportion Representatives to Congress.

An Act to provide for the use of Uniform Ballot Boxes and for the preservation of ballots cast at elections.

An Act to provide for the payment of Per Diem and Mileage of members and officers, for expenditures incident to the Special Session of the Seventy-fifth Legislature and for other necessary expenditures of government.

An Act to provide for the payment of Per Diem of members and officers, and for other expenditures incident to the Special Session of the Seventy-fifth Legislature.

TITLES OF RESOLVES APPROVED.

RESOLVES.

Resolve amending Article nine of the Constitution, so as to provide for a bond issue for State Highways.

Resolve on the pay roll of the Senate.

Resolve on the pay roll of the House.

Resolve in favor of Witnesses, Officers and Counsel in the matter of the hearing upon the Charles O. Emery and Asa A. Richardson Resolves.

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