

MAINE STATE LEGISLATURE

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Legislative Record

of the

Seventy-Third Legislature

of the

State of Maine.

1907.

LEGISLATIVE RECORD

SEVENTY-THIRD LEGISLATURE

SENATE.

Wednesday, Jan. 2, 1907.

Pursuant to the provisions of the constitution and laws of the State of Maine, the senators-elect to the 73d Legislature convened in the Senate chamber and were called to order by Kendall M. Dunbar, secretary of the Senate of 1905.

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

The following communication was read by the secretary:

"State of Maine.

Office of the Secretary of State.

To the secretary of the Senate:

In compliance with Section 26, Chapter 2 of the Revised Statutes, I hereby certify that the following are the names and residences of the senators-elect to the 73d Legislature, as appears by the reports of the Governor and Council under date of November 15, 1906:

FIRST SENATORIAL DISTRICT.

John B. Tartre, Biddeford.
Fred J. Allen, Sanford.
Joseph W. Simpson, York.

SECOND SENATORIAL DISTRICT.

John H. Proctor, Bridgton.
Oakley C. Curtis, Portland.
John F. A. Merrill, Portland.
Ira C. Foss, Scarborough.

THIRD SENATORIAL DISTRICT.

Henry H. Hastings, Bethel.

FOURTH SENATORIAL DISTRICT.

Everett L. Philoon, Auburn.
Alonzo M. Garcelon, Lewiston.

FIFTH SENATORIAL DISTRICT.

H. Herbert Rice, Farmington.

SIXTH SENATORIAL DISTRICT.

Harold M. Sewall, Bath.

SEVENTH SENATORIAL DISTRICT.

William M. Ayer, Oakland.
Fred I. Brown, Readfield.
John B. Reardon, Oakland.

EIGHTH SENATORIAL DISTRICT.

William G. Bailey, Harmony.
Edward P. Page, Skowhegan.

NINTH SENATORIAL DISTRICT.

John Houston, Guilford.

TENTH SENATORIAL DISTRICT.

Frederic H. Parkhurst, Bangor.
George W. Stearns, Millinocket.
George M. Barrows, Newport.

ELEVENTH SENATORIAL DIST.

Walter B. Clarke, Nobleboro.

TWELFTH SENATORIAL DIST.

L. M. Staples, Washington.

THIRTEENTH SENATORIAL DIST.

Charles E. Libby, Burnham.

FOURTEENTH SENATORIAL DIST.

Luere B. Deasy, Eden.
Sumner P. Mills, Stonington.

FIFTEENTH SENATORIAL DIST.

George H. Eaton, Calais.
Jasper P. Wyman, Milbridge.

SIXTEENTH SENATORIAL DIST.

George W. Irving, Caribou.
Patrick Theriault, Grand Isle.
Beecher Putnam, Houlton.

In testimony whereof I have caused the seal of the State to be hereunto affixed at Augusta, this first day of January, A. D. nineteen hundred and seven, and of the Independence of the United States of America the one hundred and thirty-first.

(Signed) BYRON BOYD.
(Seal) Secretary of State.

The roll being called, the following named senators-elect responded to their names: Messrs. Fred J. Allen, William M. Ayer, William G. Bailey, George M. Barrows, Fred I. Brown,

Walter B. Clarke, Oakley C. Curtis, Leure B. Deasy, George H. Eaton, Ira C. Foss, Alonzo M. Garcelon, Henry H. Hastings, John Houston, George W. Irving, Charles E. Libby, John F. A. Merrill, Sumner P. Mills, Edward P. Page, Frederic H. Parkhurst, Everett L. Philoon, John H. Proctor, Beecher Putnam, John B. Reardon, H. Herbert Rice, Harold M. Sewall, Joseph W. Simpson, L. M. Staples, George W. Stearns, John B. E. Tartre, Patrick Theriault, Jasper P. Wyman, (31) and thirty-one senators-elect having answered to their names a quorum was declared present.

Mr. PUTNAM of Aroostook moved that a message be sent to the Governor and Council informing that body that a quorum of senators-elect of the 73d Legislature is present in the Senate Chamber, ready to take and subscribe the oaths of office to qualify them to enter upon their official duties. The motion being duly seconded prevailed; and Senator Putnam of Aroostook was appointed to convey such message, and thereafter reported that he had delivered the message with which he was charged.

The Governor and Council thereupon came in, before whom the senators-elect took and subscribed the oaths required by the constitution, and the Governor and suite then withdrew.

On motion by Mr. Page of Somerset, that senator, and Messrs. Hastings of Oxford and Philoon of Androscoggin were appointed by the secretary a committee to receive, sort and count votes for president of the Senate. The committee having attended to their duty reported as follows:

Whole number of votes cast,	29
Necessary to a choice	15
Fred J. Allen of York, received	21
O. C. Curtis of Cumberland received	8

The report was accepted, and Fred J. Allen of York was declared elected president of the Senate for the political years of 1907 and 1908.

Messrs. Curtis of Cumberland, and Simpson of York were appointed to conduct the President to the Chair.

The PRESIDENT:

Fellow Senators:

I wish to thank you for this evidence of your confidence and esteem; and, in accepting the position to which you have elected me, I wish to assure you that I am not unmindful of the duties and obligations which I assume.

It will be my intention and desire, as your servant, to declare your will, and if I should err, I wish to assure you that it will be due to a lack of knowledge rather than design.

I shall not only need your co-operation and support, but shall expect it; and with hearty co-operation on the part of all, with honesty and purpose, and intentions uninfluenced and unbiased by party considerations or private interests, with our efforts and energy focussed upon the interests of our beloved State and its people, we may be justified in believing that the fruits of our efforts during this session will not compare unfavorably with those of our predecessors. In the many matters of importance which will demand our consideration during this session may we be governed solely by the highest of all standards which our individual consciences dictate.

Gentlemen, the Chair is at your service and awaits your pleasure.

(Applause)

On motion of Mr. Brown of Kennebec, that senator with Messrs. Simpson of York and Curtis of Cumberland were appointed a committee to receive, sort and count votes for secretary of the Senate, and the committee having attended to their duties, reported:

Whole number of votes cast	29
Necessary to a choice	15
F. G. Farrington of Augusta received	21
J. Clement Murphy of Augusta received	8

The report was duly accepted and F. G. Farrington was declared duly elected secretary of the Senate, and Senator Ayer of Kennebec was appointed by the Chair to conduct the secretary-elect to the Council chamber to take and subscribe the necessary oaths of office before the Governor and Council, and subsequently that senator announced that Mr. Farrington had taken and subscribed said oaths of office,

and the secretary of the Senate thereupon entered upon the discharge of his official duties.

On motion by Mr. Stearns of Penobscot, that senator with Messrs. Houston of Piscataquis, and Staples of Knox were appointed a committee to receive, sort and count votes for assistant secretary of the Senate; and the committee having attended to their duty, reported:

Whole number of votes cast	29
Necessary to a choice	15
S. C. W. Simpson of Portland received	21
Charles P. Loring of Auburn received	8

The report was accepted and S. C. W. Simpson was declared duly elected assistant secretary of the Senate.

On motion by Mr. Sewall of Sagadahoc, that senator with Messrs. Wyman and Washington and Bailey of Somerset were appointed a committee to receive, sort and count votes for messenger, and that committee having attended to their duty, reported:

Whole number of votes cast	29
Necessary to a choice	15
Charles A. Lovejoy received	21
Edgar A. Curtis received	8

The report was duly accepted, and Charles A. Lovejoy was declared duly elected messenger of the Senate.

On motion of Mr. Tartre of York, that senator and Messrs. Eaton of Washington and Garceon of Androscoggin were appointed a committee to assist messenger and the committee having attended to their duty, reported:

Whole number of votes cast	27
Necessary to a choice	14
J. F. Ashford received	19
James C. Creamer received	3

The report was accepted and J. F. Ashford was declared duly elected assistant messenger.

On motion by Mr. Parkhurst of Penobscot, that senator with Messrs. Libby of Waldo and Theriault of Aroostook were appointed a committee to receive, sort and count votes for second assistant messenger, and the committee having attended to their duty reported:

Whole number of votes cast	27
Necessary to a choice	14

F. Ray Neal received	19
Louis J. Brown received	3

The report was accepted, and F. Ray Neal was declared duly elected second assistant messenger.

On motion by Mr. Mills of Hancock, that senator with Messrs. Barrows of Penobscot and Merrill of Cumberland were appointed a committee to receive, sort and count votes for Folder, and the committee having attended to their duty, reported:

Whole number of votes cast	27
Necessary to a choice	14
W. . Fuller received	21
Charles Cook received	3

The report was accepted, and W. G. Fuller was declared duly elected folder.

On motion by Mr. Rice of Franklin, that senator with Messrs. Foss of Cumberland and Clarke of Lincoln were appointed a committee to receive, sort and count votes for assistant folder, and the committee having attended to their duty, reported:

Whole number of votes cast	29
Necessary to a choice	15
J. J. Dearborn received	21
Jeremiah Perro received	8

The report of the committee was accepted, and J. J. Dearborn was declared duly elected assistant folder.

On motion of Mr. Mills of Hancock duly seconded the new office of second assistant folder was created.

On motion of Mr. Simpson of York, that senator, with Messrs. Page of Somerset and Staples of Knox were appointed a committee to receive, sort and count votes for second assistant folder, and the committee having attended to their duty, reported:

Whole number of votes cast	20
Necessary to a choice	11
Burleigh Davidson received	20

The report was accepted, and Burleigh Davidson was declared duly elected second assistant folder.

On motion by Mr. Simpson of York, that senator with Messrs. Deasy of Hancock and Curtis of Cumberland, were appointed a committee of three to receive, sort and count votes for door keeper of the Senate, and the committee having attended to their duty, reported:

Whole number of votes cast	24
Necessary to a choice	13
Stephen D. Lord received	16
E. E. Seekins received	8

The report was accepted, and Stephen D. Lord was declared duly elected doorkeeper.

On motion by Mr. Putnam of Aroostook it was

Ordered: That a postmaster and mail carrier be appointed by the President of the Senate, for the use of the Senate.

Albert W. Buck of Orland was thereupon appointed as postmaster and mail carrier of the Senate.

On motion by Mr. Deasy of Hancock, the President appointed as pages to the Senate, Lewis O. Barrows of Newport and Frank Fellows of Bucksport.

On motion of Mr. Ayer of Kennebec, it was

Ordered: That the secretary of the Senate be authorized to procure the services of a typewriter operator during the present session of the Legislature.

On motion of Mr. Page of Somerset, it was

Ordered: That Edward K. Milliken of Portland be appointed official reporter of the Senate, with compensation fixed at the same amount as that of the official reporter at the last session.

On motion by Senator Irving of Aroostook, that senator was appointed to convey a message to the House of Representatives, informing that body that the Senate is duly organized by the choice of Hon. Fred J. Allen as President of the Senate, F. C. Farrington of Augusta as secretary of the Senate and S. C. W. Simpson of Portland as assistant secretary of the Senate. Subsequently that senator reported that he had delivered the message with which he was charged.

On motion by Mr. Hastings of Oxford, that senator was appointed to convey a message to the Governor and Council informing that body that the Senate is duly organized by the choice of Hon. Fred J. Allen of York as President of the Senate, F. C. Farrington of Augusta as secretary of the Senate and S. C. W. Simpson as assistant secretary of the Senate. That

senator subsequently reported that he had delivered the message with which he was charged.

On motion by Mr. Hastings of Oxford, that senator, with Messrs. Deasy of Hancock, Merrill of Cumberland, Clarke of Lincoln, Stearns of Penobscot, Philoon of Androscoggin and Simpson of York were appointed by the President to constitute a committee to whom should be referred the returns of votes from senators for the political years 1907 and 1908, for examination and report.

On motion by Mr. Sewall of Sagadahoc, it was

Ordered: That the returns of votes for Governor, given in the several cities, towns and plantations of the State for the political years 1907 and 1908 be referred to a joint select committee of seven on the part of the Senate, with such as the House may join. (For the committee joined on the part of the House, see House report).

Under the foregoing order the President appointed, on the part of the Senate, to constitute such committee, Messrs. Sewall of Sagadahoc, Stearns of Penobscot, Theriault of Aroostook, Houston of Piscataquis, Curtis of Cumberland, Rice of Franklin, Proctor of Cumberland.

On motion by Mr. Mills of Hancock it was

Ordered, That the rules and orders of 1905 be the rules and orders of the Senate until otherwise ordered.

On motion by Mr. Tartre of York, it was

Ordered, That the secretary of the Senate prepare and have printed 150 diagrams of the Senate chamber for the use of the Senate.

On motion by Mr. Philoon of Androscoggin, it was

Ordered, That the secretary of the Senate prepare the usual Register of the Senate, and that 800 copies of the same be printed for the use of the Senate.

On motion by Mr. Brown of Kennebec, it was

Ordered, That the Secretary of the Senate be directed to furnish each member and officer of the Senate one copy of the Daily Kennebec Journal

and two other daily papers published in the State such as each member and officer may select.

On motion by Mr. Reardon of Kennebec, it was

Ordered, That the secretary of the Senate be directed to invite the clergymen of Augusta, Hallowell and Gardiner to officiate as chaplains of the Senate, in rotation, during the present session.

On motion by Mr. Mills of Hancock, it was

Ordered, That the secretary of the Senate be directed to furnish for the use of the Senate, four copies of the Revised Statutes of the State, one copy each of the Holy Bible, Webster's International, Worcester's Unabridged and Standard dictionaries, Lippincott's Pronouncing Gazetteer, Reed's Rules, and Cushing's Law and Practice of Legislative Assemblies.

On motion by Mr. Merrill of Cumberland, it was

Ordered, That the secretary of State be directed to provide each member and officer of the Senate with a copy of the Acts and Resolves of 1905.

On motion of Mr. Putnam of Aroostook, it was

Ordered, That the Senate hold one session a day commencing at 10 o'clock in the forenoon, until otherwise ordered.

Mr. Staples of Knox presented and moved the passage of the following order:

Ordered, That the secretary of the Senate be authorized to furnish wrappers and postage stamps to each officer and member of the Senate not to exceed 10 dollars to each, for the purpose of distributing various reports of departments of State, and such other documents as they may desire to distribute.

Mr. Putnam of Aroostook: I would like to submit an amendment to that order, that in concurrence, it should be referred to the committee on appropriations and financial affairs.

The order was thereupon tabled pending reference.

On motion by Mr. Hastings of Oxford, it was

Ordered, the House concurring, that the joint rules and orders of 1905 and 1906, be the rules and orders of the Senate until otherwise ordered.

The following communication was received, namely:

"To the Honorable Senate of the 73d Legislature of the State of Maine.

"Respectfully represents George W. Heselton of Gardiner, in the county of Kennebec and State of Maine, that at the election of Governor, senators and representatives held on the second Monday of September, in the year of our Lord one thousand nine hundred and six, he was lawfully elected as senator by the qualified electors of the 7th Senatorial district, said district being the county of Kennebec, and that he then was and is now eligible to said office under the constitution and laws of this State, and ought now, as of right to be a member of your honorable body.

That the Governor and Council, acting under the powers conferred upon them by Article IV, Part Second, Section 4 of the Constitution, determined that Fred I. Brown, William M. Ayer and John B. Reardon severally appeared to be elected as senators by a plurality of the votes in said district and issued a summons to each of said gentlemen to attend on this the first Wednesday of January and take their seats. That your petitioner at the election aforesaid, received a plurality of the votes cast for senators from said senatorial district by the qualified electors thereof.

Inasmuch as under the Constitution, Article IV, Part Second, Section 5, it is provided that the Senate shall on the said first Wednesday of January determine who are elected by a plurality of votes to be senators in each district, your petitioner respectfully represents that he is now in attendance with his witnesses, evidence and proof, and he therefore respectfully prays that in determining who are elected by a plurality of votes to be senators in each district Your Honorable Body will permit him to be heard on this day set apart by the Constitution for the purpose and that, after hearing, Your

Honorable Body will determine that he was elected by a plurality of votes to be senator in the 7th Senatorial district.

Dated this first Wednesday of January, in the year of our Lord one thousand nine hundred and seven.

(Signed) GEORGE W. HESELTON,
State of Maine,
Kennebec ss.

"January 2, 1907.

"Personally appeared George W. Hes-
elton and made oath that the forego-
ing petition by him signed is true in
substance and in fact.

"Before me,

(Signed)

"H. M. HEATH,

"Justice of the Peace."

Mr. STAPLES of Knox: Mr. Pres-
ident: As this communication comes at
this time, I move that it lie upon the
table until a committee is appointed.

Mr. HASTINGS of Oxford: Mr. Pres-
ident, I move to reconsider the vote
whereby the petition of George W. Hes-
elton was tabled; and that the same
be referred to the committee on sena-
torial vote.

Mr. STAPLES: Mr. President: This
is an important matter; and want to
treat everybody fairly. The usual
course, as I understand it, is to refer
such matters to the committee on elec-
tion or to a special committee. As I
understand this matter, there will be
a great deal of testimony taken; and
I see no reason why it should not take
the usual course. We always have had,
in case of contest, a special committee
to investigate these matters, where the
parties cannot have time to prepare
and to be represented by counsel; and
there can be no especial hurry in hav-
ing this matter reconsidered at this
time, but let it take its usual course,
that each party may be prepared to
present his side of the case fully and
completely, so that the facts may be
determined by a committee appointed
for that purpose. I should have taken
this matter from the table and moved
its reference to the usual committee,
which it seems to me should be a spe-
cial committee. It could not, in fact,
be heard today, because a contestant
on one side, I know, would not be
ready, but he must have time to pre-

pare. I hope the motion of the senator
from Oxford will not prevail.

Mr. PUTNAM of Aroostook: Mr. Pres-
ident, at this time it seems to me there
is no possibility of taking this case up
today by this committee which is already
appointed; and, as I understand, this is
the proper committee to take up the
question. It could not possibly do it to-
day. It would probably take at least two
or three weeks. I think, in fairness to
both contestants, this should be taken
from the table and referred to the proper
committee; and I believe from existing
precedents this is the proper committee
to refer it to.

Mr. SEWALL of Sagadahoc: Mr. Pres-
ident, I would like to know to what pre-
cedents the senator from Aroostook ref-
ers. I think it would be interesting if
he would enlighten us.

Mr. PUTNAM: There are no prece-
dents of recent years, Mr. President, in
this Senate; but, as I understand it, this
is the committee which was to have in
charge questions in regard to elections
of senators to this body; and I believe it
to be the proper committee to which
this should be referred.

Mr. REARDON of Kennebec: I rise
simply to say, Mr. President, and mem-
bers of the Senate, that I am confident
that both parties to this contest desire
simply a fair deal; and I am also confi-
dent that the members of this Senate
desire them to have a square deal. If
it would not be out of order, I would
like briefly to state—it won't take but a
few minutes—the movements that have
been made prior to our assembling here
today. Since the official returns were
made to the secretary of State, it is un-
derstood, Mr. President, and members of
the Senate, that there were candidates
who had been defeated in this State who
were inspecting ballots in towns and
cities; and they were requested to refrain
from further inspection of the ballots un-
til some action should be taken where-
by an official inspection might be made.
I received that communication, and act-
ed upon it. Other candidates received it,
and instead of acting upon it, went for-
ward and made a recount of the votes;
and it is upon this recount that Mr. Hes-
elton claims his election. I took no part

in that count, had no representative, and indeed was not invited. Since then, those who were particularly interested in my welfare—no, not my welfare, because my welfare would demand that the seat be vacated to Bro. Heselton, even—have gone on and made another recount, and they claim that I am entitled to the seat by six ballots. The official returns gave me the seat, I think, by 10. Now, whatever action this body may take in this matter today, I hope they will take such action that both Bro. Heselton and myself will be justly dealt with; and I think there are precedents and that we should follow the precedents in this case. I would respectfully call upon Senator Merrill of Cumberland county to present some precedents in this matter.

Mr. MERRILL of Cumberland: Mr. President, and gentlemen of the Senate, I have not had time to examine very thoroughly to see what the course would be, or had been in the past in case of a contested seat in the Senate; but I find that in 1878, after the report of the committee on elections had been made, that the following motion was made and was carried: That, so much of the report as relates to the 16th senatorial district be referred to a select committee of seven, with instructions to inquire into the legality of all the votes cast, the legality of the organization of the several plantations in said district, the constitutional qualifications of the candidates and all other questions which may in any way affect such election, in justly determining the right of either contestant to a seat in this Senate, and report thereon to this body. I find that that motion was passed; that a special committee was appointed and that they considered the matter; and it was some six weeks before the matter was finally settled; and it was in the hands of that committee. Now, it seems to me—I do not know whether there is any objection to its going to the regular committee—but it seems to me that it is only fair in a case of this kind that it should go to a committee which should have opportunity to inquire into the whole matter. Here is a case where there have been 12,000 votes cast in the county. There is a contest; and I think each of the gentlemen claim to be elected by some small

number of votes—from six to 10. Now, it seems to me that this cannot be decided right off, but that, in fairness to both sides it should be referred to a committee—and, so far as precedent goes, it shows it to be a special committee; but I see no especial objection to its going to a regular committee, if that committee has time to act; otherwise, I think it should go to a special committee.

Mr. SEWALL of Sagadahoc: Does the senator from Cumberland refer to the regular committee on elections, or the committee on senatorial votes?

Mr. MERRILL: The committee on senatorial votes.

Mr. PARKHURST of Penobscot: Mr. President, I desire to suggest through the Chair to the senator from Cumberland, that if in his opinion the committee that has just been appointed by the Chair under the order of the House is not fully clothed with authority, or fully charged with the duty, that an order might be introduced enlarging the scope of their employment and giving them all the authority and charging them with all the duties that are required for the fair determination of the matter. Certainly, our committee on elections, if they have anything to do have this very kind of question to pass upon.

Mr. HASTINGS of Oxford: Mr. President, as far as I am concerned I wish to say there is no disposition on my part, and I do not think there is on the part of any member of this Senate to hurry this in the least, or to railroad anything through. In my judgment it is the intention of the committee, and certainly mine, to give both contestants a fair chance and every opportunity to prove their cases. My objection to its lying on the table was simply that it would delay matters; and this committee, it seems to me, has full jurisdiction of this case; and I insist on my motion.

Mr. DEASY of Hancock: Mr. President, the Senate has already passed a vote that a committee of seven be appointed to whom the returns of votes for senators shall be referred; and in accordance with that vote a committee of seven has been appointed by the Chair. That committee has, I submit, full authority and jurisdiction in this matter; and if a special committee were to be

appointed there would be two committees charged with the same duties and given the same jurisdiction.

Mr. STAPLES of Knox: Will the senator permit a question? Does the senator say that the committee of seven just appointed has the right to send out processes for persons and papers, and to demand the filing of returns from the various towns in the county?

Mr. DEASY: If the committee appointed lacks any powers those powers can be conferred upon it by special vote. I do not know whether it has or not. That committee has jurisdiction over this matter, and it seems to me we must either reconsider our vote appointing a joint committee on elections or else we shall have two committees having the same jurisdiction, if a special committee is appointed.

Mr. MERRILL of Cumberland: Mr. President, I simply want to say that I have the same idea that the senator from Hancock has. My only idea was as to what the power of that senatorial committee was—whether they had any more power than simply to canvass the returns; and my idea was, that if they did not, that it should go to the committee that did have such power, or they should be given the power. I practically agree with the senator with regard to the two committees appointed to do the same thing, except that I wanted them to have the power.

Mr. STAPLES of Knox: Mr. President, There seems to me very grave doubt whether this committee of seven has any power other than to canvass the returns in the office of the secretary of State; and that would not reach the case at all. It should be a committee clothed with authority to send for persons and papers, and to examine all the returns and all the votes, which they must do in order to get a fair decision in this matter; and that this committee should either be clothed with that power or a special committee should be given such power.

The question being put upon the motion of Mr. Hastings to take from the table, a rising vote was had. 22 senators voting in the affirmative and five in the negative; so the motion of the senator from Oxford prevailed; and on further

motion by the same senator the communication was referred to the committee on senatorial votes.

On motion by Mr. Parkhurst of Penobscot, it was—

Ordered: That the committee on senatorial votes to which has been referred the communication of George W. Heselton, be given full authority to send for persons and papers; and full power to inquire into the legality of all votes cast, the legality of the organization of the several towns, cities and plantations in said district, the constitutional qualifications of candidates and all other questions which may in any way affect said election and tend to assist in justly determining the right of either contestant to a seat in the Senate, and report thereon to this body.

The following communications were received from the secretary of State:

Augusta, Jan. 2, 1907.

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

I have the honor to herewith transmit returns of the votes given by the several cities, towns and plantations of this State for Governor on the 10th day of September last.

Very resp'y,

Your ob'd't serv't,

(Signed)

BYRON BOYD,

Secretary of State.

and the same was referred to the committee on gubernatorial vote.

Augusta, Jan. 2, 1907.

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

I have the honor to herewith transmit the votes given by the several cities, towns and plantations on the 10th day of September last, for senators.

Very resp'y,

Your obedient serv't,

(Signed)

BYRON BOYD,

Secretary of State.

Bills and Resolves.

The following bills and resolves were presented and tabled for printing, pending reference to committees:

By Mr. Deasy of Hancock: Bill, An Act authorizing the construction of the Eastern Electric Street Railway Company from Ellsworth in Hancock county to Milbridge in Washington county.

By Mr. Irving of Aroostook: An Act to incorporate the Frontier Trust Company.

By Mr. Staples of Knox: Resolve for the amendment of the constitution relating to the sale and manufacture of intoxicating liquors.

Also: An Act to repeal Chapter 92 of the Laws of 1905.

By Mr. Merrill of Cumberland: Resolve for an amendment to the constitution by abrogating and annulling the Fifth Amendment to the constitution.

By Mr. Garcelon of Androscoggin: Bill, An Act in relation to the Union Water Power Company.

A message was received from the House, conveyed by Mr. Hall of Dover, informing the Senate that the House of Representatives had duly organized with the selection of Hon. Don A. H. Powers as Speaker, E. M. Thompson as clerk, and H. R. Coolidge as assistant clerk.

On motion by Mr. Staples of Knox, the Senate adjourned to meet on Thursday, Jan. 3, 1907, at 10 o'clock in the forenoon.

HOUSE.

In convention of Members-elect of the House of Representatives.

Augusta, Jan. 2, 1907.

This being the day designated by the Constitution of the State for the meeting of the 73d Legislature, the members-elect of the House of Representatives assembled in their hall at 10 o'clock A. M., and were called to order by the clerk of the last House.

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

A communication was received from the secretary of State transmitting a certified roll of the representatives-elect of the 73d Legislature. A call of the roll by the clerk revealed the presence of a quorum, 148 members answering to their names.

On motion of Mr. Milliken, Messrs. Milliken of Island Falls, Michael of Frerechville, Titcomb of Farmington, Martin of Rumford, Oram of Bristol, Duncan of Rockland and Harriman of Bucksport were appointed a committee to wait upon the Governor and inform him of the presence of a quorum of the members-elect of the House of Representatives in Representatives' hall, and request his attendance to administer to them the oath required by the Constitution to enable them to enter upon the discharge of their official duties.

Subsequently Mr. Milliken reported that the committee had discharged the duty assigned it, and that His Excellency, the Governor, was pleased to say that with his Council he would forthwith attend upon the convention for the purpose indicated in the message.

Thereupon the Governor, accompanied by his Council, came in and administered, and the members-elect subscribed, the oaths necessary to qualify them to enter upon the discharge of their official duties.

The Governor and Council then withdrew.

IN HOUSE OF REPRESENTATIVES.

On motion of Mr. Smith, Messrs. Smith of Patten, Walker of Biddeford, Wood of Bluehill, Haskell of Deer Isle, Stuart of Belgrade, Perry of Randolph