

MAINE STATE LEGISLATURE

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Legislative Record

of the

Seventy-Third Legislature

of the

State of Maine.

1907.

SENATE.

Thursday March 28, 1907.

Senate called to order by the President.

Prayer by Rev. Mr. Wight of Hallowell.

Journal of the previous session read approved.

Papers from the House disposed of in concurrence.

The following bills and resolves, under suspension of the rules, took their two several readings and were passed to be engrossed.

An Act to amend Section 14, 15 and 19 of Chapter 89, Revised Statutes, relating to limitations against executors and administrators. (House amendment A adopted in concurrence.)

"Resolve in relation to money credited to Dallas plantation, in order."

Resolve in favor of clerk to the committee on telegraph and telephones, and State prison."

Resolve in favor of clerk and stenographer to the committee on state lands and state roads.

A Act to authorize the city of Portland to appropriate money to provide a site for the erection of a State capital at Portland" passed to be engrossed in the Senate, March 22, 1907, came from the House with the reports A and B on on the original bill, and both reports indefinitely postponed. On motion of Mr. Clarke of Lincoln the Senate voted to concur with the House in the indefinite postponement of the two reports.

The conference committee on disagreeing action of the two branches on Bill "An Act prohibiting the prohibiting publication to patent and other medicines and language of immoral or ambiguous character, and to protect the public against the indiscriminate use of samples of medicines" submitted a report proposing an amendment and rejecting all other amendments. The report of the committee was accepted and on motion of Mr. Barrows of Penobscot the Senate voted to reconsider the vote whereby the bill was passed to be engrossed; and on his further motion the amendments heretofore adopted were rejected and the amendments proposed by the conference committee were adopted and on

further motion the bill as amended was passed to be engrossed.

Mr. Simpson for the committee on Appropriations and Financial Affairs, on order to make up the pay roll of the Senate, submitted "Resolve on the pay roll of the Senate." The report was accepted. On further motion, under suspension of the rules the resolve took its several readings and was passed to be engrossed.

On motion of Mr. Mills of Hancock it was ordered that the State Treasurer be directed to pay the second assistant messenger of the Senate the same as is paid to the first assistant messenger of the Senate.

On motion of Mr. Tartre of York it was ordered, that the State Treasurer be directed to pay \$50 to the doorkeeper for extra services during the 73rd Legislature.

On motion of Mr. Putnam of Aroostook the Senate took a recess until 10:30 A. M.

SENATE 10.30 A. M.

Senate called to order by the President.

On motion of Mr. Putnam of Aroostook the Senate voted to reconsider the vote whereby it gave the passage to the order increasing the pay of the 2d assistant messenger this morning.

Mr. PUTNAM—Mr. President, I now move that that offer be indefinitely postponed. I wish to say at the present time that there are two other orders which came in here in favor of the messenger, the first assistant messenger and the door-keeper. I wish to say that we desire to use all those officers fairly, but at the present time it is unwise and not policy to increase arbitrarily the pay of these officers.

Mr. SEWALL of Sagadahoc—I want to indorse the remarks of the senator from Aroostook and to say further that if you increase the pay more than you already have done, of the permanent employes of the capital there is no reason in my judgment why the temporary employes should have a job for a short time should not have the same treatment which makes an additional argument in favor of the

action of the senator from Aroostook.

The order was thereupon indefinitely postponed.

On motion of the same senator the Senate reconsidered severally the votes whereby the following orders were passed, and the same were indefinitely postponed.

Order making the extra pay for the messenger and assistant messenger of the Senate as passed yesterday.

Order giving \$50 extra to the doorkeeper of the Senate.

Mr. Heselton of Kennebec presented order directing the State treasurer to pay to E. K. Milliken for services to committee the sum of \$25.

Mr. Heselton of Kennebec—For the benefit of the senators I wish to say he should receive his pay. If it is work that Senator Libby and myself at different times during the session have had Mr. Milliken do committee work in the evening aside from his regular duties. This is extra work and for which for the State or Legislature he should receive his pay from the State. If it is work for us we are willing to compensate him but I would like to have this order referred to the committee on appropriations and financial affairs and let them consider the same.

The PRESIDENT—I would suggest to the senator from Sagadahoc, Mr. Sewall, that the resolve, Senate Document No. 310, has come back from the committee.

Senator Sewall thereupon moved to take from the table Senate Document No. 310 and on his further motion the report of the committee was adopted.

The question being upon to be enacted "An Act to amend Chapter 92 of the laws of 1905 entitled 'An Act for the better enforcement of the laws relating to the manufacture and sale of intoxicating liquors'" the yea and nay vote was taken and resulted as follows: Those voting yea were Messrs. Ayer, Bailey, Barrows, Curtis, Deasy, Foss, Garcelon, Merrill, Page, Proctor, Sewall, Stearns, Tartre, Wyman (14). Those voting nay were Messrs. Brown, Clarke, Eaton, Hastings, Heselton, Houston, Irving, Lib-

by, Mills, Putnam, Rice, Simpson, Theriault. (13).

Resolve to amend Section 2 of Article 10 of the constitution of the State of Maine came up for consideration and its adoption was moved and the yea and nay vote was called for and resulted as follows: Those voting yea were Messrs. Ayer, Bailey, Barrows, Brown, Clarke, Curtis, Deasy, Eaton, Foss, Garcelon, Hastings, Heselton, Houston, Irving, Libby, Merrill, Mills, Page, Parkhurst, Philoon, Proctor, Putnam, Rice, Sewall, Simpson, Stearns, Tartre, Theriault, Wyman. (29) So the resolve was passed to be enacted.

On motion of Mr. Sewall of Sagadahoc "resolve authorizing the employment of counsel to assist the attorney general for presenting to the supreme judicial court the question submitted by the Senate and appropriation for sum \$300" was referred to the committee on appropriations and financial affairs.

Bill, "An Act fixing the compensation of municipal court of the city of Lewiston passed by the Senate and passed to be engrossed by the House as amended by House amendment "A" came from the House, that branch insisting on its action in passing the bill to be engrossed as amended and asking for a committee of conference.

On motion of Mr. Hastings of Oxford the Senate voted to insist and join the committee of conference. The President thereupon appointed on the part of the Senate as such committee Messrs. Hastings, Curtis and Rice.

On motion of Mr. Stearns of Penobscot there was taken from the table Bill "An Act relating to the State liquor agency. The same senator moved that the Senate reconsider the vote whereby this was passed to be engrossed, and that it be referred to the committee on salaries and fees for their consideration.

Mr. STEARNS of Penobscot: Mr. President, My reason for this action is this. While the bill appears to be a very fair measure, as there is something more in this than appears on the surface. This is a matter, a bill apparently directed at the man who at

the present time is on the sick bed—a man perhaps near unto death. If we pass this measure, it is a reflection upon the present liquor commissioner. I do not think it is fair on the part of this Senate to pass a measure of this sort without due consideration of the matter.

I believe that it will be for the best interest, not only to the temperance element but the interests of every one in the State that this matter be taken up by the committee on salaries and fees, but be carefully considered. Then of this undercurrent—this dark insinuation—these things which they do not talk about and which we do not talk about here, but which are talked about, can be carefully considered and looked into, and the matter can be adjusted fairly, with justice to all to pass the injury. I trust the Senate will vote to reconsider this action whereby this matter was passed to be engrossed, and that they will subsequently refer it to the committee on salaries and fees.

Mr. HESLTON of Kennebec: Mr. President, I feel that I recognize the honesty and sincerity of the action of the senator from Penobscot in making this motion for I would not impugn his motives on any subject. At the same time I do recognize that this is a deft way instituted by some one to sidetrack a measure that has been properly brought before this Legislature.

I want, briefly, to refer the different stages in the progress of this measure, and I want to submit to the fair judgment of the Senate whether it is right, at the present time, to allow a condition of affairs to exist in the State of Maine which has been brought to the attention of this Legislature, openly and not by innuendo, nor by stealth, nor by persons lacking in repute. The proposed law has been before a committee of this Legislature and before each branch of this Legislature and it was sustained by that committee because it seemed to them just and right that we should remedy a condition of affairs which exists in the State today, and is known to all to exist.

What is the history of this whole matter since the commencement of the Legislature. A member of the lower

branch presented an order asking for investigation of the department of the State Liquor Commissioner. It came into this body and was tabled. It remained upon the table with the cognizance of the Senate for weeks. It was then brought up and an amendment was attached to it which practically suppressed an inquiry. At that time, I asked the senator from Penobscot to allow me 24 hours to introduce an amendment which would strike out of that order any attempt at investigation for it seemed to some that it was not wise for the Republican party to open the door of examination into the various departments of the State. I do not know the reason why, but it was so understood, and the Senate amendment not the one I proposed for that was killed, was attached to the order and it was sent down to the lower branch.

The next day I introduced the order of Feb. 15th which was substantially for the purpose of recommending any needful amendments which in the opinion of the committee on temperance, would aid to the efficiency of the present laws governing the sale of in-ance, would add to the efficiency of the toxicating liquors by authority of the State, and prevent the unlawful sale of said liquors by these agencies.

At that time I produced evidence here which was sufficient to show that these agencies—these subordinate agencies were conducted in an irregular manner. What was the result? The President of this Senate told me, and told members on this floor that that was a proper order. I went into the lobby and met the State Liquor Commissioner there and he told me that there were irregularities in the method of conducting the subordinate agencies of this State, and that he would join hands with me, with the temperance committee and with anyone else in correcting these evils.

At that time, with an honest purpose at heart, I consulted with the friends of the liquor commissioner of this State; and consulted with the President of the Senate; I consulted with my friend, the senator from Oxford, and the chairman of the temperance com-

mittee, my associate and colleague, Senator Brown. Step by step we went over this subject matter, looking towards the correction of the evils in the subordinate agencies, and every one of the proposed changes in the laws was discussed. If I am not mistaken, it was while we were discussing this matter that we came upon an ex-State officers, who had been a county attorney and who had studied this subject thoughtfully and intelligently, and he suggested the machinery of this law, that is, the process of labelling these packages from the time they leave the contractor's place of business to the time they are distributed to the consumer in the State. His ideas were adopted because they seemed wise and in the interests of the decent conduct of this office. The President of our Senate said that we should cut out any income to the municipalities. The municipalities over this State as the senator from Oxford told me,—some of them at least—were paying their running expenses out of the income of their dram shops. And the question was asked, was it right for us to deprive a private individual of the privilege of doing a liquor business, and establish in municipalities liquor shops and that, too, for the purpose of making money. We thought not, and, acting upon the suggestions of this State official, and the suggestions of the President of the Senate and also at the behest of the temperance committee, we attempted to formulate a law which would correct some of these acknowledged evils. What was the result? This law was drafted and submitted to the friends of the State liquor commissioner, and for fear that there would be, either directly or indirectly, any reflection upon him, one of the first provisions of this law was made to provide beyond peradventure, that his salary should be \$1500. He says, and I have reason to believe his statement, that that is all he has received out of the State of Maine for conducting that department. Then, if we give him what he is entitled to, and fix it in the act, how is the proposed legislation a reflection upon him, especially as this law lessens his labor in the office. We went ahead along the lines which were suggested

and which I have before stated—and in the line of correcting the evils which the State liquor commissioner admitted he could not control. These evils were outside of his jurisdiction—outside of his power. We presented the law here, first to the temperance committee, which examined it, and a majority of that committee endorsed the measure and recommended it as a law and the minority yesterday in the House waived their rights and said rather than let this condition exist in the State as it was, they would surrender and adopt this measure without attempting to abolish the liquor agency law.

What further? Before a Republican caucus this matter was discussed and it received acquiescent approval. What was next? It was presented to the Senate and received its two several readings without opposition. Then it was mooted abroad that it was going to be killed in the House by its friends—that the Democrats would oppose it, and 12 members would be secured from the Republican party to join the Democrats and defeat it. What would then have been the result? The Senate sustaining the law, and the House repudiating it, the proposed measure would fall between the two branches, and then the House adopting the recommendation of a majority of the temperance committee to wipe out the State agency system, they would then have that measure brought into the Senate and the Senate would refuse to agree with the House. The State liquor agency system then would stand in its primeval condition which is, and this you know as Republicans and the President of the Senate knows and the liquor commissioner knows, permeated with rottenness. It permits town agencies to do what you deprived individuals from doing, and you would under these circumstances thus practically endorse that system.

That would have been the condition if the enemies of this law had carried out their plan in the House but at that time the three leading lobbyists, of this opposition, all of them ex-State officials presented themselves and changed the

proposed tactics, one of them an ex-Speaker of the House of Representatives and another a county attorney of a neighboring county and the third an ex-county attorney from Kennebec, lobbied for what? Lobbied to prevent this proposed law from going through the Senate and what excuse did they give? What reason did they present why it should not be enacted? They did not appear before the committee. They did not appear before the members of the House and Senate and present their arguments against this law but by innuendo, with secret insinuations they approached the members of this Legislature and if it was possible to touch a member in a weak spot, if they could reach his prejudices, they did so. And they have worked, member by member, along that line. I went to each one of them—no. I did not. I went to correct that statement. I went to two of the parties composing that lobby to inquire for their objections to the measure. They have been working here for two weeks, and they are not shabby men who work for nothing. And the question may well be asked who has put up this money for their work? Who furnished money for that work? I know it could not have been the State liquor commissioner because in this law we protect every one of his rights. It must have been those men who were connected with the local agency and received their rewards. Even they were not working for charity or the public welfare. Oh, no. They were reaching out for your vote and working upon your prejudices if you have any to defeat this measure and save their personal benefits under the present system.

Now this argument presented, without doubt, honestly and frankly by the senator from Penobscot that this law, if enacted, would be prejudicial to the State liquor commissioner has nothing to do with the case, nothing whatever. We have protected his rights, we have protected him in his salary and we have cut out only one possible personal advantage, and that is that he, a private individual receives no interest for money invested for the State while the State's money

is lying idle. Is not that right, is that not good business judgment?

In this proposed law we have said that the liquor purchased by this State should be purchased with the State's money and owned by the State. We have said that we should purchase it in open market and should purchase it as the United States government purchased its supplies. Is there any fault to be found with that arrangement. Have we injured the State liquor agent in that proposition? I have understood he has been presented with the bill and has only one criticism to make and that is there is no provision for the State assayer to examine the liquors. It is not necessary, because we have the United States government behind us under the terms of this bill. The bill under the sure food laws of the United States regulates the standard and the purity of the liquor that you are going to have. And then it comes down in this original package and the consumer gets it just exactly as the State liquor agent received it and as he stated to me he thought it should be. I cannot summons him here as a witness but I think the President of the Senate will endorse what I say because I have his word that the commissioner stated to him there were irregularities in subordinate agencies which he could not control and among those irregularities was the possible adulteration in local agencies which the commissioners had no power under the law to prevent.

Now we have simply reduced or eliminated, I will say the possibilities of adulteration of this liquor, they come down through each grade of our agency system from the distillery to the liquor commissioner, from the liquor commissioner to the town agents, and by the town agent they are distributed to the purchaser in the original package. He is assured of the quality of liquor that he buys, is not that right? Is there anything wrong about that? Before leaving this discussive reference to the provisions of this proposed law let me call your attention to one criticism made by one of those lobbyists—he said this: That five per cent, it not sufficient for

the town agent; that would not pay the expenses. That is not the proposed limitation of profit, gentlemen. That condition was changed at the suggestion of some of the friends of the proposed law, and if you will look at House Document No. 767, which is this bill in the new draft you will find that Section 12 says this: "Each town liquor agent, subject to the approval of the Governor and Council, and subject to be changed by them from time to time, shall fix the retail price at which such liquors shall be sold by his agency." The Governor and Council fixed that price. "Which retail price shall be limited as near as practicable to the cost of such liquors at said town agency and a gross profit sufficient to reimburse the town for the expenses of conducting such liquor agency" is not that all the profit that you as decent citizens would wish the agency to have? Do you want them to come into the competitive rum business? Another member of this lobby said—"Our agency would close its doors unless we had the privilege of making money." They all do make money now gentlemen, and you are asked to defeat this measure because one of these men suggests that this law will take away these profits and limit the municipalities to actual expenses, that it will deprive these town agencies from going into the rum business for profit. Does that argument appeal to you?

Consider that the liquor commissioner if he lives will draw his salary of \$1500 and if he dies his successor will do the same, then, there is not reflection on him in this law. Further, is not this all the profit you want the town to make, a profit which will reimburse it for expenses of such agency? "The town agent shall be paid a salary to be fixed by the municipal officers of his town and shall not be paid or allowed any commission or any other emolument or perquisite for services in such capacity." You see the provisions of the law simply strive to strike out the graft which we know exists in these town agencies and you are asked now to sidetrack this law and to put it over until the next session of the Legislature. That is practically what is asked. Why? That

this condition of affairs may continue to exist.

There is something that I may call the attention of the Republicans to fairly, I believe, at this time and which you as reflecting Republicans should consider. I do not blame Democrats for voting against this measure. I should do so if I were a Democrat, I should put the Republicans up to the test of whether they were willing to stand behind decent enforcement of the laws which they have in the statutes and whether they are willing to enact other laws to correct the evils known to exist. And further whether you as Republicans will in this way sidetrack a law which has received the endorsement of the House which up to this time, has received the endorsement of the Senate and also has received the endorsements of the majority of the committee on temperance; and whether you wish to come before this State in saying that you are protecting or trying to protect this unfortunate condition of affairs, which there is no one upon the floor of this Senate or within the hearing of my voice, does not realize exists in these town agencies; exists in the county of Kennebec, exist in every county except Cumberland, in the city of Portland where these liquor agencies are established.

Now I have nothing further to say in regard to this matter. I simply put it to you, whether you will support a remedial measure which looks towards the better establishment of our prohibitory law or whether you will sidetrack this law so as to let these men continue two years longer in the way they have conducted these local agencies. Under the guise of this fair proposition you must accomplish that baneful result if you vote to send this to the joint standing committee on salaries.

Mr. DEASY of Hancock—Mr. President, I am not prepared to say that the law providing for our State liquor commissioner and town agency for the sale of liquor should not be, in some respects amended. I am not clear but it ought to be repealed in examining this measure. I am not satisfied and

very far from satisfied, Mr. President, that it is any improvement upon the existing condition. As I read it, there is one very important and significant section—the first one. There are 22 other sections, and it seems to me they are every one inane and inconsequential.

The first section contains all the meat of the act and the second section provides that the liquor commissioner shall not violate the United States law. The United States and the officers of the federal government can be trusted to look out for that. Another section provided that the profit to be derived for the sale of intoxicating liquors shall be divided between the town and the State. Now I do not believe that the other towns of the State where liquor agencies do not exist, can either share the profit or the possible opprobrium that may be attached to the agency in towns where they exist. Another section provides that town liquor agents shall not sell liquors except on a physician's prescription to any person with whom they are unacquainted.

Mr. President, if a town liquor agent desired to sell for improper purposes he would make very rapid acquaintance with his customers. By the other section except the first one provided for an elaborate method of preserving the liquor in its original package. From the time it leaves the wholesaler until it reaches the commissioner it must be kept in this original package, and every official through whose hands it passes must put a label on it and attach a number, but when it reaches the man who purchases the liquor of the town agency, he does not have to put any label on or attach any number to it. All he has to do is to provide himself with a corkscrew and proceed in the same old way.

The one section as I have said before, in this bill that is not in my judgment, inane and un consequential is the first section and that provides for a different method for purchasing liquor. It provides for advertising for bids and for purchase of the lowest competitive bidder. That may be a good feature, I do not know but it is,

but it is not a way business men or great corporations conduct their business, and I am not satisfied that is any great improvement for the present system.

But, Mr. President, there is another consideration connected with this, that the senator from Penobscot has touched upon: We had the assent, without the acquiescence I know, of my friend, the senator from Kennebec. This bill has become identified, has become blended with a gross, wanton, cruel, cowardly, personal assault upon the State liquor commissioner; Justice M. Leavitt—upon a man whose personal and final character stands, I believe foresquare to every wind that blows. This attack has been carried on in the columns of the Boston newspapers and through scurrilous and anonymous letters, or in other like reputable methods. And while this attack has been carried on he has been lying in a hospital undergoing a critical operation for appendicitis, from which he has not recovered, and from the effect of which he is now in danger.

Now the passage of this bill, Mr. President, will be hailed—will be proclaimed by the people who have been making this attack, as a vindication of their attack, as a vindication of their method, as a condemnation of the State liquor commissioner.

Now, Mr. President, the persons who think as I do about this, are pleased with the dilemma. We are either to vote for a bill that may present some good features, or else—by voting for it—we have to join hands with people who will claim that the act which we do, in passing this bill is a vindication of the other methods, and join hands with men in making an attack upon a man who lies in the hospital sick and helpless.

The senator from Kennebec says that certain lobbyists have touched weak spots in the Senate. I do not know that lobbyists have done it but I am aware the weak spot has been touched in me and that is in my respect and regard for one rule which is of higher authority than any rule that can be adopted by this body—and one that cannot be suspended by a two-

threds vote of this Senate—that was enacted when the lowly Galilean wailed under the palms of Palestine "Do unto others as you would that others should do unto you."

Suppose that I—suppose that you—suppose that any of us were in the position of the State liquor commissioner today, Justin M. Leavitt, prostrate and helpless, and suppose a cruel attack had been made upon you—suppose a bill were pending here, not evident for that purpose but the effect of which would be proclaimed as a condemnation. Suppose that Justin M. Leavitt stood here, where I stand or where you sit, what would you want of him? What would you expect him to do? What would he do? Mr. President, he would take the chivalrous course. He would say: "I will resign my seat, and I will not vote but condemn the man and pass the bill," which would be taken as a condemnation of the man unheard—and he has had no opportunity to be heard.

Mr. President, I propose to vote not for this matter, and I propose to do unto him as I would that he would do unto me. I propose to vote against this measure and to vote for the motion of the senator from Penobscot.

Mr. HESELTON—I would like to ask the senator from Hancock which section he referred to, when he said it was a proposition between the town and State?

Mr. DEASY—Section 12, I think.

Mr. HESELTON—Mr. President, to answer the criticism of the senator from Hancock, who has, with his usual eloquence and ability touched the weak spot of every man—his sympathy, I wish to say that this bill, in all of its details, has been examined by personal friends of the prohibitory law; and every one of the criticisms which he has offered here have been answered to their satisfaction. It has presented to them a measure which would correct just the conditions that our liquor commissioner said, the day before he left here, he wanted to correct and which he would join hands in correcting. The bill itself cannot, either directly or indirectly, sustain any attack made by any newspaper upon Justin M. Leavitt; for, as I said to you, his statements to me suggested the remedial measures of this bill; and if I am wrong I think the President would correct me.

Now, under the circumstances, all there is for us to do is to consider whether this is a good law or a bad law. If it is a good law, we have no right in reason to reject it and to permit these evils to exist for two years more simply because a man whom we have not reflected upon and do not reflect upon, lies sick in a hospital. We have made the very best effort we could to protect his interests and to preserve his salary.

The vote whereby the bill was passed to be engrossed was reconsidered.

The question being put upon the motion that the bill be referred to the committee on salaries and fees, a ye and

may vote was called for and ordered, and the vote being had resulted as follows: Those voting ye were Messrs. Barrows, Curtis, Deasy, Foss, Garcelon, Houston, Irving, Merrill, Page, Philoon, Proctor, Putnam, Rice, Sewall, Simpson, Stearns, Tartre, Theriault (18). Those voting nay were Messrs. Ayer, Bailey, Brown, Clarke, Eaton, Hastings, Heselton, Libby, Parkhurst, Wyman (10). So the motion prevailed and the bill was referred to the committee on salaries and fees.

On motion under suspension of the rules "Resolve on payroll of the House" took its two several readings and was passed to be engrossed.

Bill, "An Act to regulate the tenure of office of trustees of certain State institutions," was referred to the next Legislature.

"Resolve providing for adequate quarters for State departments," which was passed to be engrossed by the Senate, came from the House refused consideration by that branch.

On motion by Mr. Sewall of Sagadahoc the resolve was indefinitely postponed. A motion to reconsider the foregoing vote was lost.

On motion by Mr. Heselton of Kennebec the motion whereby there was passed to be enacted "An Act to amend Section 18 of Chapter 8 of the Revised Statutes, in relation to taxation of corporate franchises," was reconsidered. On further motion by the same senator the bill was tabled, agreeable to notice given by Mr. Sewall of Sagadahoc that the matter should be taken up at 2.15 P. M.

Resolve proposing an amendment to Section 12 of Article 5, Part Three of the Constitution of the State of Maine, relating to the power of the Governor to cause the laws to be faithfully executed, came from the House refused a passage by that branch.

The question being upon the passage of the resolve, the yeas and nays were called for and ordered, and the vote being had resulted as follows: Those voting ye were Messrs. Ayer, Bailey, Barrows, Brown, Clarke, Deasy, Eaton, Hastings, Heselton, Houston, Libby, Mills, Page, Parkhurst, Putnam, Rice, Simpson, Stearns, Theriault (19). Those voting nay were Messrs. Curtis, Foss, Garcelon, Merrill, Philoon, Proctor (6), and the resolve received a passage.

On motion by Mr. Putnam the Senate took a recess until 2 P. M.

Passed to Be Enacted.

An Act to amend Section 11 of Chapter 116 of the Revised Statutes, as amended by Section 1 of Chapter 53 of the Public Laws of 1905, relating to compensation of members of the government.

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

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

An Act to amend Section 1 of Chapter 173 of the Public Laws of 1905, relating to the compensation of registers of deeds.

An Act to amend Section 2 of the Public Laws of the year 1907, entitled 'An Act to amend the third paragraph of Section 51 of Chapter 79 of the Revised Statutes, relating to supreme judicial courts.'

An Act to repeal Chapter 92 of the Laws of 1905, entitled 'An Act to provide for the better enforcement of the laws against the sale and manufacture of intoxicating liquors.'

An Act in relation to the duties of telegraph companies.

An Act to provide school flags.

An Act entitled an act to abolish the office of public binder and to authorize contracts for State binding on the basis of competitive bids.

An Act to establish a municipal court in the town of Madison.

An Act to amend Chapter 175 of the Private and Special Laws of 1903, as amended by Chapter 241 of the Private and Special Laws of 1905, in relation to Atlantic Shore Line Railway.

An Act to open Brassau lake to ice fishing.

An Act to amend Chapter 213 of the Private and Special Laws of 1903, as amended by Chapter 355 of the Private and Special Laws of 1905, authorizing the county commissioners of Cumberland County to erect a county building in Portland.

An Act prohibiting the publications relating to patent and other medicines in language of an immoral tendency or ambiguous character and protecting the public against the dangers of the indiscriminate distribution of samples of medicines.

An Act to amend Chapter 4 of the Revised Statutes, relating to better protection of sheep.

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

An Act to correct clerical errors in Chapter 32 of the Revised Statutes and acts amendatory thereto, to regulate the length of trout, landlocked salmon,

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

An Act to provide a way to free toll bridges.

An Act to amend Chapter 364 of the Private and Special Laws of 1905, entitled 'An Act to create the Portland Bridge District' and to confer additional powers on said district.

An Act to amend 'An Act to incorporate the Livermore Falls Sewer District.'

An Act to prohibit the throwing of sawdust and other mill waste into Bog Brook and tributaries in the counties of Oxford and Androscoggin.

An Act to amend Chapter 9 of the Public Laws of 1903, relating to the compensation of selectmen.

An Act to establish the Milo municipal court.

An Act to amend Chapter 352 of the Laws of 1905, relating to the Caribou municipal court.

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

An Act for the assessment of a State tax for the year of 1907, amounting to the sum of \$1,186,181.03.

An Act for the assessment of State tax for the year of 1908 amounting to the sum of \$1,186,181.03.

An Act fixing the compensation of the clerk of the municipal court of the city of Lewiston.

An Act to amend Sections 14, 15 and 19 of Chapter 89 of the Revised Statutes relating to actions of executors and administrators.

An Act to provide in part for the expenditure of government for the year of 1907.

An Act to provide for the expenditure of government for the year of 1908.

Finally Passed.

Resolve authorizing a temporary loan for the year of 1907.

Resolve authorizing a temporary loan for the year of 1908.

Resolve in favor of H. R. Thompson.

Resolve in favor of A. E. Irving.

Resolve in favor of W. S. Knowlton, to pay expenses of investigation of office of State superintendent of schools.

Resolve in favor of W. G. Fuller.
Resolve in favor of James A. Chase, mail carrier of the House.

Resolve in favor of L. S. Lippincott.
Resolve in favor of the clerk and stenographer and the messenger to the committee on legal affairs.

Resolve in favor of R. G. Hawes.
Resolve in favor of J. W. Gordon.
Resolve in favor of the clerk and stenographer to the committee on railroads and expresses.

Resolve in favor of the messenger to the committee on railroads and expresses.

Resolve in favor of A. M. Goddard for services as counsel to committee on forestry preservation and water supply.

Resolve in favor of Frank Fellows, Messenger to the President of the Senate.

Resolve in favor of George W. Stearns, chairman of the committee on education.

Resolve in favor of the secretary of committee on public buildings and grounds.

Resolve in favor of Francis O. Hill of Monticello, Maine.

Resolve in favor of H. M. Sewall, chairman of committee on gubernatorial votes.

Resolve in favor of Walter R. Clarke, chairman of the Longfellow centennial committee.

Resolve in favor of State House employees.

Resolve in favor of Leon S. Lippincott, substitute mail carrier of the House.

Resolves to amend Section 2 of Article X of the Constitution of the State of Maine.

Resolve in favor of the stenographer to the presiding and recording officers of the Senate and House.

Resolve in favor of Walter J. Mayo, secretary for the committee on military affairs.

Resolve in amendment of resolve entitled "Resolve making appropriation for the Penobscot tribe of Indians," passed by the present Legislature.

Resolve to provide for expenses of justices of the supreme judicial court at sessions of law court.

Resolve in favor of clerk to the committee on taxation.

Resolve in favor of Hon. Lorenzo T. Brown.

Resolve in favor of F. H. Parkhurst, chairman of the committee on State School for Boys.

Resolve in favor of M. H. Hodgkins, clerk and stenographer to the committee on inland fisheries and game.

Resolve in favor of J. Merrill Lord, chairman of House committee on elections.

Resolve that the land agent be authorized to convey to Lemuel H. Stover of Brunswick, Me., certain ledges in Casco bay, known as Irony island.

Resolve in favor of the Moosehead fish hatchery.

Resolve in favor of C. W. Perry, secretary to committee on mercantile affairs and insurance.

Resolve providing for the appointment by the Governor of a committee to inquire into the advisability of creating a

State Board of Charities and Corrections.
Resolve relating to financial statement prepared by order of the Legislature.

Resolve in favor of C. Bradstreet, clerk to the committee on banks and banking.

Resolve laying a tax on the counties of the State for the years of 1908 and 1907.

Resolve providing for the screening of Medemac pond or lake, so called, in Washington, in the county of Knox.

Resolve in favor of clerk to the committee on appropriations and financial affairs.

Resolve in favor of clerk and stenographer to the joint special committee on salaries and fees.

Resolve in favor of the clerk and stenographer and the messenger to the judiciary committee.

Resolve in favor of the town of Gray.

Resolve in favor of witnesses, officers and counsel in the matter of the hearing upon the Harry J. Chapman resolves.

Resolves providing for a memorial tablet at Fort Popham.

Resolve in favor of a special messenger to the Speaker.

Resolve to reimburse the State treasurer for expense of surety bond.

Resolve on the payroll of the House.

Resolve on the payroll of the Senate.

Resolve in favor of the clerk and stenographer to the committee on State land and State roads.

Resolve appropriating money for the purpose of obtaining information as to wild lands for the purpose of taxation.

Resolve in relation to money credited to Dallas plantation in error.

Resolve in favor of clerk of the committee on telegraph and telephone and State prison.

SENATE 2 P. M.

Bill "An Act to regulate the purchase and sale of intoxicating liquor by the State liquor commissioner and town liquor agents, which was referred to the committee on salaries and fees, came from the House, that branch insisting on its passage and asking for a committee of conference. On motion of Mr. Stearns of Penobscot the Senate voted to adhere to its former action.

On motion of Mr. Heselton of Kennebec, the bill relating to the taxation of corporate franchises was taken from the table.

Mr. HOUSTON: Mr. President, as a member of the Taxation Committee, I would just like to say a few words in explanation and justification of that committee in regard to this bill. When our committee was organized, about the first thing that was thrown out was that the expenditures of this Legislature were going to be larger than they had been,

which would make it necessary to raise more revenue, and from all the taxation bills sent to us we eliminated those we thought not just and right, and finally we centered on something like half a dozen bills, and after a good deal of controversy we decided on that half dozen bills, on which to raise the taxation. The only argument against this franchise tax is that it will drive away from our State companies coming here to organize. The committee listened to the arguments and decided to increase the tax on corporations capitalized at over \$100,000, that figure representing the bulk of our business. Without further remarks I would say that it was the unanimous judgment of the committee that this tax was just; and I hope the senators will not eliminate this from the taxation raise.

Mr. CLARKE of Lincoln: Mr. President, I desire to explain to the Senate my position in regard to this very important matter. I do not wish to have my constituents feel, or the people of the State feel, that in voting against this measure I am trying to favor corporate interests, for that is not my purpose. I am not a great corporation lawyer, nor have I incorporated a great many of these companies. I have, however, had just enough experience along that line to have obtained some information which I think will justify me in the course that I intend to pursue. There is, at the present time, just enough advantage on the side of the Maine corporation law over the incorporation laws of other states to induce organizers to come here in preference to other states, where it might be more convenient otherwise for them to go. If you remove that difference in our favor by increasing our corporate franchise tax, you are going to keep a great many corporations from coming here. Now if, as has been suggested by the senator from Sagadahoc, the result of this bill would be merely to keep away so-called illegitimate corporations, I would vote in favor of it, even if it were going to curtail our revenue. My experience, however—and I have consulted with state officials in regard to the matter who have charge of recording corporations and examining them on behalf of the state—leads me to believe there is ordinarily not one corporation out of ten of the

character that is considered to be reprehensible, and which belongs to this so-called illegitimate class that ever pays a state tax; and my judgment is that increasing the tax, as is proposed by the terms of this bill, would not affect the illegitimate corporation in any way whatever. The ordinary illegitimate corporation lasts only about two years. The object of the promoters of such corporations is merely to sell stock, pocket the money, and then let the company itself die a natural death. That object can be accomplished without ever paying a tax into the state treasury. The only corporations that will be affected by this bill are those which have legitimate objects, and by this act you would prevent a large number of highly desirable companies from coming here. Early in the session I had in mind the idea of introducing a bill that would amend our corporation laws in such a way as to put some restrictions upon the issuing of stock in cases where there was nothing back of that stock. But I finally made up my mind upon examination, and after consulting with older attorneys, that the law as it stands today is a pretty good one. The only suggestion I would make is that we put some restriction upon the indiscriminate issuance of stock, but this is not along the lines that I should suggest for the purpose of keeping out the undesirable corporations.

Our law today is the best there is in the country for legitimate corporations. It is also one of the easiest for the dishonest corporations to take advantage of. If the senator from Sagadahoc or any other senator will introduce a law into this body that will remedy the evils in our corporation law, I should be glad to vote for it. I believe that the strongest appeal that has been made here in favor of this law has been based to a great extent upon prejudice. This has been referred to as a lawyers' measure, or rather as a measure to which only lawyers were opposed. I do not believe there is a single lawyer in this State who incorporates these companies who would not be willing for them to pay a suitable tax, but I think that only a lawyer who has had a practical experience in dealing with this class of corporations, is qualified to judge as to the expediency of a law of this character. I have yet to find one

lawyer who has had dealings with the laws of other states, who has had anything whatever to do with the incorporation of these companies, who, looking at it from a fair standpoint, does not say that this law, instead of increasing our revenue, will diminish it, by keeping legitimate corporations that desire to come here to organize, from so doing. For these reasons I am opposed to the bill.

Mr. TARTRE of York: Mr. President: The only objection I have to the bill is what I have stated to very many friends of mine, that it would tend to diminish the revenue of the State. As this bill affects only corporations capitalized at more than \$200,000, I ask if the Senate thinks it would prevent incorporation here. Twenty-five dollars would not, I think, have such a result. I shall vote for the bill.

Mr. SEWALL of Sagadahoc: Mr. President, as we shall vote in a very few moments, I wish to recapitulate the situation. The Committee on Taxation have reported four bills taxing railroads, express companies, palace car companies and this tax on corporations, enumerated under our corporation lists. While the committee was more or less divided on this proposition, they finally concluded that the interests of equity and justice to the people of the State, having raised the tax on the railroads and the express companies, and the gentlemen who represent these corporations having told us individually and collectively that they would accept the rate of taxation we might impose on them, that this tax should also be raised, but they told us, when you come to legislate to increase the tax on corporations, that bill will be drawn out from under you at the last moment. And now we have seen the threatened danger of that fear being fulfilled—all through the opposition of less than a dozen law firms in this State who by all the influence that can be exerted, have come here at the last stage of the passage of this bill to defeat it. Everything about it has been misrepresented and distorted—the amount of the change—you would think it involved the whole organization of corporations in the State, whereas the organization fees are not changed one iota. You would think it of the State and on these corporations

involved franchise taxation of all the corporations in the State. Not so—not until the capital is \$200,000, is the tax increased, and that only by \$25, up to half a million, and from that to a million it is increased by \$25, and for every additional million or part thereof, \$25.

For fifteen years the veteran leader of the other House has told me, or has brought out the argument whenever it was proposed to increase this tax, that it would drive business away. It will always be brought up here as an argument against such an increase. Are we to endorse the statement made to our committee by the man who argued against this increase, that his law firm had assured outside corporations that these taxes would not be changed? Who has a right to give such assurance to the organizers of these corporations throughout the United States that the Legislature of Maine will keep these taxes where they are in perpetuity, at the same time moving up the taxes of the people which are honestly trying to develop and build up the interests of the State?

They make far too bold an assertion, which they cannot prove, and which, at the same time, it being a matter of conjecture, in all frankness, we cannot disprove; but why will not the State, if it is ever to legislate on this great proposition, be in a better position two years from now to know whether their assertion is true, that the increase of these taxes will drive out revenue? Will we not be in a better position if we take corporations of over \$200,000 and put on this increase of \$25, and thus have it demonstrated once and for all whether such a course of procedure is to drive the revenue from the State? I rest it right there as a revenue proposition, that it cannot be proved to any degree that we will lose this business.

Having passed the bills increasing the tax on the corporations of the State such as I have mentioned, shall we go to the people in the face of that record and be asked the question: Why did you leave those outside corporations incorporated far into the millions? Why did you leave those untouched?

Gentlemen, could it be proved that we would lose any revenue from it, I believe the people of the State would be ready and willing to pay the price exactly as

they have done in this matter of the abolishing of fees. We were told that the State would not make any money by cutting out the fees and turning them into the treasury, and paying the officers on a salary basis. As events have proved, I think there may have been something in that proposition. But that was what the people of the State asked for, and that is what they have received.

I have heard no agitation outside as to any measure asking for an increase of tax on the express companies, the palace car companies, or the railroad companies; but, on the proposition to increase the taxes on these companies as corporations, there is a feeling, and I believe in this modest attempt at reform we are yielding properly to that sentiment. With this statement I am ready to submit to the judgment of the Senate.

Mr. HESELTON of Kennebec: Mr. President, I understand that the senator from Knox, Senator Staples, is very sick, and he was deeply interested in this matter. I would move that, out of respect for his memory, we refer this to the Committee on Salaries and Fees, for their consideration in vacation.

Mr. SEWALL: When you refer to the "memory" of Senator Staples, I trust you are not breaking the news to us of his departure?

Mr. HESELTON: No. He is merely threatened with danger. His "memory" is here, just the same.

Mr. SEWALL: His interest here, as manifested the last time he voted on it, was in favor of increasing this tax. Would we not much better honor his "memory" by doing as he did the last time he was here?

The question being put upon the final passage of the bill the yeas and nays were called for and ordered and resulted as follows: Those voting yea were Messrs. Curtis, Deasy, Eaton, Foss, Garcelon, Hastings, Houston, Irving, Page, Proctor, Rice, Sewall, Tartre, Wyman (14.) Those voting nay were Messrs. Ayer, Bailey, Barrows, Brown, Clark, Heselton, Libby, Mills, Parkhurst, Philoon, Putnam, Simpson, Stearns, Theriault. (14.) The president directed the secretary to call the name of the president and his name being called, Mr. Allen voted yea.

So the motion prevailed.

The conference committee on the disagreeing action relating to Bill "An Act to fix the compensation of the clerk of the municipal court of the city of Lewiston" recommending that House amendment B be accepted and all other amendments rejected, was accepted in the House and the bill passed to be engrossed as amended by amendment B of the conference committee. On motion of Mr. Hastings of Oxford the report of the committee was accepted; and on further motion by the same senator, the vote was reconsidered whereby the bill passed to be engrossed and on his further motion the amendment was adopted and the bill as amended was passed to be engrossed.

Resolve proposing an amendment to Section 12, Article 5 of the Constitution of Maine, relating to the power of the Governor to cause the laws to be executed came from the House, that branch refusing the final passage of the bill and voting to adhere. On motion of Mr. Mills of Hancock the Senate voted to adhere.

Bill "An Act to repeal Chapters 14 and 35 of Chapter 29 of the Revised Statutes, relating to the establishment of a State agency for the sale of intoxicating liquors, came from the House, the majority report accepted and passed to be engrossed.

Mr. Heselton of Kennebec moved to reconsider the motion whereby the Senate accepted the minority report.

The motion was lost.

On motion of Mr. Mills of Hancock the Senate voted to adhere.

An Act to incorporate the Calais Water District was indefinitely postponed.

Recess until 3.45 P. M.

Bill "An Act to repeal Chapter 92 of the laws of 1895 entitled 'An Act to provide for the better enforcement of the laws against the sale and manufacture of intoxicating liquors' " came from the House indefinitely postponed and in the Senate was postponed in concurrence.

The bill for the repeal of the Sturgis Law, so-called, having been returned to the Senate with the Governor's veto thereon, the passage of the same was submitted to the Senate on a yea and nay vote, resulting as follows: Those voting yea were Messrs. Ayer, Bailey, Barrows, Deasy, Foss, Garcelon, Merrill, Page, Parkhurst, Philoon, Proctor, Sewall, Stearns, Tartre, Wyman (14.) Those voting nay were Messrs. Brown, Eaton, Hastings, Irving, Libby, Mills, Putnam, Theriault (8.) Paired: Curtis voting yea with Simpson voting nay.

Mr. SEWALL of Sagadahoc: Mr. President, with the indulgence of the Senate

I beg to make a statement in the casting of my vote. I voted for the Sturgis bill on the ground that having voted for resubmission in three successive Legislatures, I felt that the people of the State of Maine ought to know what enforcement of the prohibitory law, as we were promised by the friends of the Sturgis bill, would mean; in order that when the time for resubmission came they would know exactly what the prohibitory law meant. I did it. At the same time I voted for the so-called Cider Bill to secure full, effectual and impartial enforcement of the law that we could make against the sale of intoxicating liquor. I believe, and I could name localities where the deputies named know that that bill on more than one occasion has been used as an instrument to promote factional party strife with the Republican party.

I believe there is a large, rich and populous Republican county that has not felt the force of the Sturgis bill as it should have felt it; and that a political one at the bottom of it, and I object to the discrimination between the different sections of this State. For that reason, having voted once for the repeal of this law with all respect that a citizen of this republic can feel for the Executive of the State, I should stultify myself in, I should cast my vote, I therefore vote yea.

Recess was here taken until 4.30 P. M.

SENATE 4.30 P. M.

The following bills under suspension of the rules took their two several readings and were passed to be engrossed.

An Act for the assessment of a State tax for the year of 1907, amounting to the sum of \$1,186,181.03.

(Recess).

Mr. HESELTON: Mr. President, by misunderstanding, I was absent when the vote was taken upon the bill vetoed by the Governor. I understood that the session or the recess was longer than designated by the Chair; I wish to publicly announce that had I been present I should have voted to sustain the Governor's veto.

On motion of Mr. Parkhurst of Penobscot the Senate took a recess until 7.30 P. M.

After Recess.

On motion of Mr. Parkhurst of Penobscot it was

Ordered, that the gavel that has been yielded so wisely and impartially by Mr. Allen be presented to him as a token of our admiration and esteem.

Mr. PHILOON of Androscoggin: Mr. President, if in order, I would take this opportunity, not to be remiss in my duties to you and to my conscience and not only to you but to the secretary of the Senate, his assistant and to all the officials about this chamber, to thank you and them for the uniform courtesy and attention that has been given us; and for the impartial and dignified way in which you, Mr. President, have administered the duties to your office.

Personally I desire to thank you for the many courtesies that have been extended to myself. My only regret is that I have been unable to perform the duties that have devolved upon me with the degree of skill and ability which the situation demands.

The Governor of another state of late has been quoted to say: "I count nothing failure except the failure to do right." I trust there is no senator in this body who will be troubled with the sense of failure to do right, so far as light has been given him.

In the simplest manner possible I wish to thank this Senate for the patience with me and their unbounded courtesy. I deem it a happy conclusion of my legislative experience that it may be ended in this happy fashion, and I desire again to most sincerely thank you, the members of this Senate and its officials, in behalf of not only myself, but I think I voice the sentiment of every member of this body.

Mr. SEWALL of Sagadahoc: Mr. President, the senator from Androscoggin has touched upon a chord which has found response with all of us. To me, even our body might well deserve a tribute, not our body individually, for that would be like a tribute to ourselves and to this Senate as a collective body and part of the legislative function of the State.

I do not come here prejudiced in favor of the Senate. I have said during three legislative sessions that the House was the body nearer to the people.

I fear now to say, in spite of the election, it is still the more representative body of the people. Fortunately for those of us in metropolitan districts, there was a constituency to which we could appeal, otherwise there would have been many more wrecks as a result of the last election.

Our body is not as close to the people. It was never designed to be, and the very process of our election removes this body one degree. The Senate, I believe, within our generation, has not exactly occupied the position it was designed to occupy.

It had come before the advent of the present Senate to suggest to the people of this State that this body was a deliberative body in the sense of a body where discussion would influence vote.

The leader of our majority party here, with his great experience, has said during this session that he never knew a vote to be changed by discussion in the Senate. It has been looked upon as a body where matters have been settled by the influence of discussion outside and away from this chamber.

That unfortunately has been more or less, and has more or less, the reputation of this body.

I believe the present Senate has taken a large step forward to remove such an impression. I believe we have shown that we are not only a deliberate body, but a deliberative body—that discussions have here had some effect—that senators have come into this chamber on more than one occasion—far more than one important occasion, with minds open to be influenced by arguments. I believe it can be demonstrated that on those occasions such minds have been influenced and votes have been determined as the result of the free and fair discussions we have had.

The Senate was designed to be a deliberative body, but it was not designed a body where there should not be discussion.

Mr. President, on the most momentous question, apparently, that ever came before us, in the discussion of the intricate question of parliamentary law which was solved by itself which you had the honor to solve and upon which, when we voted, there were doubts in the minds of many on either side of the chamber, but which events have vindicated, the wisdom of your course on the authority of the greatest parliamentary authority we have in this country—I say on that occasion, on that discussion, the discussion was so able, as presented on the floor, that we had doubts as to the wisdom of our votes and had to appeal from the decision of the Chair, resting the matter on the table

over night. No one could have foretold the result.

I cite that to show that this Senate has been open to argument and to fair discussion; and if on that occasion we voted as I believe a majority of those on the floor voted, according to the main question because there was no time given for further deliberation—yet the effects of the able arguments rendered on the floor were such as to inspire us with grave doubts as to the way our votes should be cast.

This body, I believe, has not been obstructive. I believe it has been an initiative body on more than one important occasion. It is pleasant to think that party lines have not been drawn in this body on any important question; and I cannot help thinking that that fact is due to the fact that, at the very beginning of the session, on the important political question which led to liberal rules of construction that from that time forward, politics were eliminated from this chamber and that had the lower body adopted any similar cases, as we acted on through the report of our committee, there might have been eliminated from that very body bitter partisan feelings to which this body has been a stranger.

Now, Mr. President, none of us are insensible to the other side, to the personal side—the side of our personal relations here and the figures that have entered into our lives and our memories that will not be obliterated.

And you, Mr. President, have been the central figure. We cannot think of our session here without thinking of your own genial presence, of your pleasant welcome, of your glad hand that comes out from the glad heart, that responds in sympathy to the good wishes and affections of your fellow men.

You have been, as it were, the keystone of the arc that has cemented all our friendships and all our relation here.

I have served now through four legislative sessions in Maine—three in the lower body and at this time in the session it has been customary to deliver eulogies, some with fulsome, as it seems to me, towards the presiding officer, I have heard in this body our presiding officer nominated at the close of the session for higher office and even to that of the United States.

I do not, in these sober, sedate and senatorial years, yield to the flights we used to yield to in the House; and for you, Mr. President, however much I should be pleased to see you occupy such a chair, I am led to restrain myself because in the case of three Speakers of the House, most of whom were nominated for Presidents of the United States, they speedily retired to the private life which awaits, probably, most of us on the floor. I am afraid, in making such remarks, I am consigning you to the same oblivion. But Mr. President, you can rest assured of this, that, should you be called to any office higher than the office you now fill, none of us who have been associated with you will doubt you could fill that high office with the ability, fairness and sagacity which has distinguished your career in the Chair. And through it all you may be sure you have the lasting and deep esteem and affection of the senators who now look upon you. (Applause).

Mr. DEASY of Hancock: Mr. President, I am tempted in rising here, to present a resolution to present to you, Sir, all parts of the State House and all the furniture and furnishings in it that have not been heretofore given to its distinguished Speakers,—excepting only, what I should except, the telephone on the third floor, which I should give in perpetuity to the senator from Aroostook. (Applause and laughter.)

Seriously Mr. President, it has been a source of pride and pleasure to me to be a member of this body.

However much we have differed on questions which have come before us, I believe we have been animated by one purpose, namely, to take the course best suited to subserve the interests of the State.

I join heartily in extending to you, Mr. President, the hope and wish that as the years go by, they may deal kindly with you and that they may bring you new honors, new friends, without loss of the love of old friends; and that you may ever enjoy the respect, esteem and love of the members of the Senate, who will recall, while life lasts, your uniform kindness, courtesy and impartiality in the performance of the high and responsible duties of your office.

Mr. ALLEN, the President: Senators:

I again thank you for these kind expressions, and assure you that I cannot find words to express the pleasure that I have had in my associations here this year. It will always be to me one of the sweetest memories of my life.

On motion by Mr. Irving of Aroostook it was

Ordered, that a message be sent to the House of Representative informing that body that the Senate had transacted all business before it and is ready to adjourn without day.

The Chair appointed Mr. Irving to convey the message and that senator subsequently reported that he had delivered the message with which he was charged.

The following message was received from the House through Mr. Hall of Dover: "I am charged with a message from the House of Representatives informing this honorable body that the House has transacted all the business before it and is now ready to adjourn without day."

On motion of Mr. Parkhurst it was

Ordered, that a committee of three on the part of the Senate and three from the House be appointed to wait upon the Governor and to inform him that both branches of the Legislature have attended to all matters before them and now are ready to act upon any communication he may have to make.

The President appointed as such committee on the part of the Senate Messrs. Parkhurst, Foss and Hastings. The chairman, Mr. Parkhurst, subsequently reported that the committee had attended to the duty with which they were charged and that the Governor had no further communications to make to the Legislature, except to transmit the acts and resolves.

A communication was received from the Governor transmitting a list of the acts and resolves passed at the present session approved by him, amounting to 634 acts and 237 resolves.

On motion of Mr. Curtis of Cumberland the Senate adjourned without day.