

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fourth Legislature

OF THE

STATE OF MAINE

1909

**HOUSE.**

Friday, April 2, 1909.

Prayer by the Rev. Mr. Dunnack of Augusta.

Journal of yesterday read and approved.

Papers from the Senate disposed of in concurrence.

Resolve on the payroll of the Senate. (Read twice and passed to be engrossed in concurrence under suspension of the rules, on motion by Mr. Hersey of Houlton.)

An Act to make uniform the standard relating to the percentage of alcohol in intoxicating liquors, came from the Senate with House Amendment A rejected.

On motion by Mr. Wing of Auburn, the House voted to recede and concur with the Senate.

The Speaker appointed on the committee to inquire into the advisability of establishing a juvenile court for the State of Maine, Messrs. Hall of Caribou and Burleigh of Augusta.

The Speaker appointed as the House members on the committee to inquire into the advisability of changing the present laws relating to the organization of corporations in this State, Messrs. Marshall of Portland, Peters of Ellsworth and Havey of Sullivan.

The committee of conference on the disagreeing action of the two branches of the Legislature on bill, An Act relating to the payment for damages done growing crops by deer, reported that the same ought to pass with the following amendment, by substituting "seventy-five" for "fifty" in line five of Section 1.

The report was accepted and on motion by Mr. Hersey of Houlton, the rules were suspended, the conference bill was read three times and passed to be engrossed in concurrence as amended.

Mr. Havey of Sullivan introduced a remonstrance of Gleason Scammon and others of Frankfort, against passage of the Sullivan-Franklin bridge bill. (Placed on file.)

Committee report: Mr. Trimble from the committee on railroads and expresses, reported ought to pass on bill, An Act to incorporate the Steuben

Railway Co. (Report accepted and bill read three times and passed to be engrossed under a suspension of the rules on motion by Mr. Trimble.)

The committee on appropriations and financial affairs, which was instructed by an order of the Legislature to make up the payrolls of the Senate and House, reported a resolve on the payroll of the House. (Report accepted and resolve read twice and passed to be engrossed under suspension of the rules on motion by Mr. Strickland of Bangor.)

**Message from the Executive.**

"STATE OF MAINE,

"To the Honorable House of Representatives:

"I have examined House resolve No. 645 entitled "Resolve in favor of De-Forrest Keyes," and respectfully return the same herewith without my approval. The resolve calls for quite a large sum of money to be paid from the State treasury. Two previous Legislatures have declined to favorably consider the subject matter of this resolve. The legal or equitable obligation of the State, if any exists, to acknowledge the claim made by Mr. Keyes is surrounded by much uncertainty and difference of opinion, and until that uncertainty can be removed and those differences of opinion can be better harmonized, I must respectfully decline to sign the resolve.

Signed) "BERT M. FERNALD,

"Governor of the State of Maine."

(The reading of the message was received with applause.)

On motion by Mr. Pattangall of Waterville, the vote was reconsidered by which this resolve was finally passed.

The SPEAKER: The question is, shall this resolve finally pass notwithstanding the objection of the Governor? Upon that question the constitution requires that the yeas and nays should be taken. Those in favor of the final passage of the resolve when their names are called will answer yes; those opposed will answer no. The clerk will call the roll.

YEA:—Bearce of Eddington, Beyer, Burleigh, Cousins, Davies, Dorr, Gilbert, Hersey, Kavanough, Kelley, Lane, Libby, Ludgate, Morse, Paul, Peters, Rounds,

Sanborn, Stackpole, True, Whitehouse—21.

**NAY:**—Allen of Jonesboro, Allen of Richmond, Andrews, Bartlett of Stoneham, Beals, Bemis, Bigney, Bisbee, Blake, Blanchard, Bogue, Bourassa, Bradford, Bragdon, Burse of Pittsfield, Bussell, Buswell, Campbell of Cherryfield, Campbell of Kingman, Charles, Chase of Sebec, Chase of York, Colby, Cole, Conners, Cook, Coolidge, Donnell, Duncan, Dunn, Edwards, Emery, Farnham, Ferguson, Fortier, Frost, Grant, Hall, Hanson, Harriman, Harrington, Harris, Havey, Higgins, Hill, Holt, Hussey, Jordan, Lambert, Lord, Mace, McLain, Merrifield, Miller, Millett, Montgomery, Moulton, Nelson, Nickerson, Orff, Packard, Pattangall, Patten, Patterson, Pelletier, Perry, Pike, Pinkham, Porter, Pressley, Putnam, Quinn, Richardson, Sawyer, Sleeper, Smith of Andover, Smith of Berwick, Smith of Biddeford, Spear of Warren, Stetson, Stover, Strickland, Thompson, Thurlough, Tibbetts, Trafton, Trickey, Trimble, Varney, Weld, Whitney, Wing of Kingfield—92.

**ABSENT:**—Additon, Bartlett of Eliot, Bigelow, Bowley, Clark, Couture, Cummings, Day, Doble, Drake, Dufour, Hamlin, Hannaford, Harmon, Hines, Hodgkins of Damariscotta, Hodgkins of Temple, Hyde, Jones, Joy, Lombard, Marshall, Mercier, Merrill of Bluehill, Merrill of Durham, Moore, Redlon, Robbins, Ross, Silsby, Snow of Brunswick, Snow of Scarborough, Spear of South Portland, Stanley, White of Columbia, White of Wayne, Wing of Auburn—37.

So the resolve failed of a final passage, not having received the two-thirds necessary under the constitution.

The following message was received from the executive department:

"To the Honorable House of Representatives:

"I have examined House Resolve No. 654, entitled "Resolve in favor of Herbert L. Kimball," and respectfully return the same herewith without my approval. The amount of money involved in this resolve is small, but the principle and the circumstances surrounding it are practically the same if not entirely the same as those found in the resolve in favor of DeForest Keyes. In view of my position relative to that matter and for reasons therein stated, I respectfully decline to sign this resolve.

(Signed) "BERT M. FERNALD,  
"Governor of the State of Maine."

On motion by Mr. Davies of Yarmouth the vote was reconsidered whereby this resolve was finally passed.

The **SPEAKER:** The question is, shall this resolve finally pass notwithstanding the objection of the Governor? Upon that

question the constitution requires the yeas and nays to be taken. Those in favor of the final passage of this resolve when their names are called will answer yes; those opposed will answer no. The clerk will call the roll.

**YEA:**—Bearce of Eddington, Bigelow, Burleigh, Cousins, Davies, Gilbert, Hersey, Kelley, Lane, Morse, Paul, Peters, Redlon, Rounds, True, Whitehouse—16.

**NAY:**—Allen of Jonesboro, Allen of Richmond, Andrews, Bartlett of Stoneham, Beals, Bemis, Bigney, Bisbee, Blake, Blanchard, Bogue, Bourassa, Bradford, Bragdon, Burse of Pittsfield, Bussell, Buswell, Campbell of Kingman, Charles, Chase of Sebec, Chase of York, Colby, Cole, Conners, Cook, Coolidge, Donnell, Duncan, Dunn, Edwards, Emery, Farnham, Ferguson, Fortier, Grant, Hall, Hanson, Harriman, Harrington, Harris, Havey, Higgins, Hill, Hodgkins of Damariscotta, Hussey, Jones, Lambert, Lord, Mace, McLain, Merrifield, Miller, Millett, Montgomery, Moulton, Nelson, Nickerson, Orff, Packard, Pattangall, Patten, Patterson, Pelletier, Pike, Pinkham, Porter, Putnam, Quinn, Richardson, Sanborn, Sawyer, Sleeper, Smith of Andover, Smith of Berwick, Smith of Biddeford, Snow of Brunswick, Snow of Scarborough, Spear of Warren, Stackpole, Stetson, Stover, Strickland, Thompson, Thurlough, Tibbetts, Trafton, Trickey, Trimble, Varney, Weld, Wing of Kingfield—91.

**ABSENT:**—Additon, Bartlett of Eliot, Beyer, Bowley, Campbell of Cherryfield, Clark, Couture, Cummings, Day, Doble, Dorr, Drake, Dufour, Frost, Hamlin, Hannaford, Harmon, Hines, Hodgkins of Temple, Holt, Hyde, Jordan, Joy, Kavanaugh, Libby, Lombard, Ludgate, Marshall, Mercier, Merrill of Bluehill, Merrill of Durham, Moore, Perry, Pressley, Robbins, Ross, Silsby, Spear of South Portland, Stanley, White of Columbia, White of Wayne, Whitney, Wing of Auburn—43.

So the resolve failed of a final passage not having received two-thirds of the votes of the House required under the constitution.

#### Passed To Be Enacted.

An Act to amend Section 11 of Chapter eight of the Revised Statutes, relating to the duties of State assessors.

An Act to amend Section 15 of Chapter four of the Revised Statutes, relating to the election of road commissioner.

An Act to amend Section 13 of Chapter 77 of the Revised Statutes, making certain the rights of a widow or widower in case of waiver of the provisions of the will of the deceased husband or wife.

An Act to provide for the uniform grading, packing and branding of apples.

An Act for the propagation of shell fish on the coast of Maine.

An Act to amend Section 41 of Chapter nine of the Revised Statutes, as amended by Chapter 69, Section one, of the Public Laws of 1905, relating to the collection and payment of county taxes by the State treasurer.

An Act prohibiting the depositing of sawdust and other waste material in Jackson Mill Stream and Joe Weeks' Mill stream in Lincoln county.

An Act to authorize the courts to suspend or continue for sentence on probation and to provide for the appointment of probation officers.

An Act to amend Section 45 of Chapter 88 of the Revised Statutes, relating to trustee process.

An Act to prohibit the taking of scallops in Pennamaquan and Cobsecook Bays from April 1st to October 1st of each year.

#### Finally Passed.

Resolve in favor of the payment to the Central Maine Fair Association of the balance appropriated by Chapter 79 of the Resolves of 1907.

Mr. BURLEIGH of Augusta: Mr. Speaker, I have an amendment which I desire to present to the bill relating to trustee process. I thoroughly believe in this bill. I believe it is based on a sound principle. I have twice voted in its favor. One condition, however, has been called to my attention, which reasonably calls for some modification of the bill. Many of our merchants have on their books at the present time a large number of bills which have been contracted under the present trustee law and it seems to me it is reasonable and fair to enable them to collect those bills in accordance with the law under which those bills were contracted, and on the faith of which credit was obtained. My amendment is that this act shall not apply to debts or claims contracted prior to the passage of this Act. I therefore move that the votes be reconsidered whereby this bill was passed to be enacted and passed to be engrossed.

The motions were agreed to.

Mr. Burleigh then offered House Amendment "A."

Mr. Smith of Berwick, inquired if it would not be well to fix the time as April 1st, 1909 in the amendment.

Mr. Burleigh stated that he would make his amendment read the first day of May of the present year.

Mr. LORD of Vassalboro: Mr. Speaker, I move that the bill and amendment be indefinitely postponed. (Applause). I hope every member of this House who is a friend of labor will vote to support the motion.

Mr. PATTANGALL of Waterville: Mr. Speaker, there can be no question but what that motion is in order as far as parliamentary rules are concerned, but I think there is a question whether it is in order in fairness to the Legislature. We have gone all over this question three or four times and the House is rather thinly attended this morning. The motion made to reconsider by the gentleman from Augusta was made in absolute good faith and the friends of the bill did not object to it in order that he might present his amendment. If this opportunity is to be taken to defeat the bill I do not think it is a fair deal to its supporters who have voted for it and won out both in the Senate and in the House. (Applause).

Mr. LORD: Mr. Speaker, I will inform the gentleman from Waterville that that motion was going to be made anyway if the gentleman from Augusta had not moved to reconsider. With that amendment the bill is worse than it would be if it took its regular course because according to the referendum it would not take effect for three months anyway.

The SPEAKER: The question is on the adoption of the amendment which has precedence of the motion to indefinitely postpone.

A division was had on the amendment and 63 voted in the affirmative and 5 in the negative.

So the amendment was adopted.

Mr. Lord of Vassalboro, moved that the bill be indefinitely postponed, and called for the yeas and nays.

The yeas and nays were ordered.

The SPEAKER: The question is on the motion to indefinitely postpone this

bill. Those in favor of the indefinite postponement when their names are called will answer yes; those opposed will answer no. The clerk will call the roll.

YEA:—Bartlett of Eliot, Bartlett of Stoneham, Bearce of Eddington, Bemis, Bisbee, Blake, Blanchard, Bradford, Burse of Pittsfield, Bussell, Campbell of Cherryfield, Campbell of Kingman, Charles, Chase of Sebec, Connors, Cook, Cousins, Couture, Dorr, Duncan, Emery, Farnham, Fortier, Gilbert, Harris, Higgins, Hill, Hodgkins of Temple, Holt, Hussey, Jones, Jordan, Kavanough, Lane, Lord, Ludgate, Merrifield, Moulton, Nelson, Nickerson, Orff, Patten, Patterson, Paul, Perry, Pike, Pinkham, Pressley, Redlon, Sawyer, Smith of Andover, Spear of Warren, Stackpole, Stetson, Thompson, Tibbetts, Trafion, Trickey, Trimble, Varney, Whitehouse, Whitney, Wing of Kingfield—63.

NAY:—Additon, Allen of Jonesboro, Allen of Richmond, Andrews, Beals, Beyer, Bigney, Bogue, Bourassa, Bowley, Burleigh, Buswell, Chase of York, Cole, Coolidge, Donnell, Dunn, Ferguson, Frost, Grant, Hall, Harriman, Harrington, Havey, Hersey, Hodgkins of Damariscotta, Kelley, Lambert, Libby, Mare Merrill of Durham, Miller, Millett, Montgomery, Morse, Pattangall, Pelletier, Peters, Putnam, Quinn, Richardson, Sanborn, Sleeper, Smith of Berwick, Smith of Biddeford, Snow of Brunswick, Spear of South Portland, Stover, Strickland, Thurlough, True, Weld, Wing of Auburn—54.

ABSENT:—Bragdon, Clark, Colby, Cummings, Davies, Day, Doble, Drake, Dufour, Edwards, Hamlin, Hannaford, Hanson, Harmon, Hines, Hyde, Joy, Lombard, Marshall, McLain, Mercier, Merrill of Bluehill, Moore, Packard, Porter, Robbins, Ross, Rounds, Silsby, Snow of Scarborough, Stanley, White of Columbia, White of Wayne—33.

So the motion to indefinitely postpone prevailed. (Applause).

#### Finally Passed.

Resolve, in favor of the clerk to the committee on labor.

Resolve, in favor of the clerk to the committee on education.

Resolve, in favor of the clerk to the committee on ways and bridges.

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

Resolve, in favor of the secretary of the committee on State School for Boys and committee on public health.

Resolve, in favor of the clerk and stenographer of the committee on mercantile affairs and insurance and of the

committee on telegraphs and telephones.

An Act to amend Section 9 of Chapter 92 of the Public Laws of 1905, providing for the better enforcement of the laws against the manufacture and sale of intoxicating liquors.

On motion by Mr. Havey of Sullivan, the vote was reconsidered whereby this bill was passed to be engrossed.

Mr. Havey offered House Amendment A, which was adopted, and the bill was then passed to be engrossed as amended.

Mr. Havey of Sullivan at this point assumed the Chair.

An Act relating to sentences in criminal cases.

Mr. Wing of Auburn moved that the bill be passed to be enacted.

Mr. Beyer of Portland moved that the bill be indefinitely postponed.

Mr. PATTANGALL of Waterville: Mr. Speaker: I hope everybody in this House understands this bill. It has been hailed in the newspapers as a bill repealing mandatory jail sentences, but it does not do anything of the kind. I wish every member of this House had a copy of the Revised Statutes on their desks so that they could see just what this bill is and just what it does do. The prohibitory law is contained in Chapter 29 of the Revised Statutes. This is a bill to repeal a portion of Section 1 of Chapter 136, which chapter has no relation whatever to the prohibitory law, excepting indirectly. It has been argued against this bill that it takes away judicial discretion. If you will turn to Chapter 29 of the Revised Statutes you would find that the Legislature of Maine in the early nineties took away judicial discretion in regard to punishing violators of the prohibitory law in many instances by writing in for the penalty for single sale, for instance, fine and imprisonment. That Legislature acted deliberately. Those legislators making those changes acted in good faith. Some one desiring to nullify the action of those Legislatures, desiring to be able to point to mandatory jail sentence in the statutes on one hand and then point to something in some other

part of the statute that nullified their acts, amended Section 1 of Chapter 136 in this way, when it is provided that a person charged with an offence punishable by less than one year in the State prison, that he shall be punished by imprisonment and fine or by imprisonment or fine, or by fine and in addition thereto imprisonment, he may be sentenced to either or both.

Now, I want to say to you that that part of Section 1 of Chapter 136 was put through this Legislature without a public hearing, without a public notice, and without anybody knowing what was being done, pushed through there simply to make the action of former Legislatures absolutely worthless. No matter what your opinion may be about mandatory jail sentences in liquor cases, there are two sides to that question. If you are going to give the judges discretion for violations of the prohibitory law, give it to them over here in Chapter 29 where every man that runs may read, where every trial justice may see it, and where it will be done frankly; but don't keep that fraud on the statute books any longer, that Section 1 of Chapter 136, because it is fraud and nothing less. It says that "or" means "and" and that it means "in addition thereto." It violates the principles and the rules of English, and it violates the Constitution of this State which provides that words in the statute shall be considered according to their ordinary English meaning, and in the ordinary English the words "in addition thereto" do not mean "or." I believe that the senator from Oxford who introduced this bill introduced it in good faith, and that he wishes its passage; I believe that the gentleman who unanimously passed it through this House the other day without any motion to indefinitely postpone or anything else, who sat in their seats and were willing that it should pass without a dissenting voice, did it thinking it would be killed in the Senate. If you indefinitely postpone this bill you advertise to the State of Maine that the members of this House will not perpetuate on the statute books as crooked a statute as ever was written into the laws of any State. If you

feel like giving the judges of our courts discretion, put in your bill now to change "and" to "or" in the statutes where it occurs. Do this frankly and fairly. There may be some members on our side of the House who will vote with you; I don't know about that; I won't. But there is a difference of opinion. I claim there is no room for an honest difference of opinion on the proposition that you should frame a statute that a man shall be fined and jailed, and then frame another saying that "and" means "or," so as to let him out of it. I hope the motion of the gentleman from Portland will prevail.

Mr. BEYER of Portland: Mr. Speaker and Gentlemen of the House: I wish to have my position in this matter clearly understood. The problem of enforcing the liquor law in a city I should imagine from what I have been able to gather differs considerably from the problem of enforcement in the towns. I am told by several of our county attorneys that with a mandatory jail sentence a man brought into court for this crime will invariably fight his case, do all in his power to bring it before a jury. Now, when the court can give him either a fine or imprisonment it has been the experience in the enforcement of the law in the cities that the men will pay their fines and not fight. Back in 1892 or 1893, when this law was put on the Statute books of the State of Maine, that is, during the period when it did mean compulsory jail sentence, the county attorneys in the more populous districts found it almost impossible to secure convictions under that law. I haven't any question in my own mind but that the joker which the gentleman from Waterville has so derided was put on to enable the county attorneys in the more populous district to secure conviction. Believing that this is true, and knowing how the law originally worked and that it actually interfered with the enforcement, I believe that this law making a mandatory jail sentence will actually interfere with the enforcement of the prohibitory law, and therefore I do not wish to tie the hands of our county attorneys, and I oppose this law in the

best interests in my judgment of enforcement.

Mr. MARSHALL of Portland: Mr. Speaker, I am opposed to this law; and I have been opposed to it always, as I understand the matter under consideration is the indefinite postponement of the so-called Hastings bill. I do not believe that it is fundamentally sound. I do not believe that it will work as the framers of the law I have no doubt honestly believe it would work. It applies to the old and to the young, to those hardened in crime and to those who are new, the first offender. I do not believe that the county attorneys and the courts can get convictions under any such proposition, in a great many cases; I do not believe that it is right. I believe the court should be allowed to exercise its discretion as it does in all other matters. I do not believe that it should be placed in the same category as murder in the first degree where punishment is absolutely fixed by statute; in all other cases, as I remember it, coming down from murder in the second degree down through the category of crime the court is allowed discretion in the matter of imposing sentence. This always has been the law and I think it always should be the law. Oftentimes juries will not convict, especially when they know that a man has got to go to jail—perhaps he ought to and perhaps he ought not to. I believe in the enforcement of the law. I believe in the enforcement of the liquor law. I have no use for the rum shop neither have I any use for the rumseller, but I do believe that we now have enough rum legislation upon our statute books. I do not believe that you should impose upon the court what amounts to the duty of using the rubber stamp in imposing sentences.

Mr. WING of Auburn: Mr. Speaker, the argument of the gentleman from Portland reminds me of the lines, that he who fights and runs away may live to fight another day; and I do hate to stand here and hear the argument made that it is easy to obtain convictions under a fine and imprisonment. I think it is turning the supreme court of this State into a licensing machine for the sake of the rum law. (Ap-

plause.) I say that as a lawyer and as a citizen of this State. Now, at this hearing at which this matter was discussed the county attorney of Cumberland county came here and I think if I remember correctly, he said there were \$10,000 paid in fines at the last term of the superior court in the county of Cumberland, and that no man went to jail. Now, I don't believe in that proposition. In my county at the last term of court where the judge ordered jail sentences it was the most salutary exhibition of the enforcement of the liquor law which I believe ever happened. I think it is all bosh to stand up here and say that juries will not convict. I trust the motion will not prevail.

Mr. COOLIDGE of Lisbon: Mr. Speaker, I believe in this prohibitory law, and I believe in it honestly; I think it should be enforced. I don't believe this prohibitory law under any guise or in any shape should be devolved to lower licenses. I believe when that law was put on the Statute books it meant what it said. I believe the Legislature meant what they said; I believe the Legislature of this State and the people of this State meant it, and I believe it should be kept just as it is. I do not believe anybody coming here to this House as they did two years ago and getting a joker, as it is undoubtedly, into that law should be upheld by the Legislature today. We have trouble enough with the laws in regard to liquor matters in the State of Maine. If we want a license law in this State, something like a hundred dollars a year for a city like Portland or Lewiston or Bangor, or Biddeford, or any other city, then let us enact that law and be honest about it. (Applause.) Let us enact a law that means that a man shall be punished when he goes to work and spoils a family in this State, when a man sets up in business whose only object can be to make life miserable for women and children and everybody else in this State, then I say it is time that we should punish him and punish him as he should be punished and that is by a jail sentence, the more the better, I wish it was five years instead of 30 or 60 days. (Applause.) I say, let us be honest about it.



Mr. ROUNDS of Portland: Mr. Speaker: The gentlemen talk as though there is no other law on the statute books. The gentleman says he wants a rum law, but he wants to stop our courts from saying what a man shall do. Such measures as have been advocated will deprive an American citizen of his liberty; you are going back to the time when the King and Queen used to reign supreme. I can tell you that I know a little something about the rum law. (Applause). The man who sells rum is not the man who receives the profit from it. That is not the case. You take a young man out of a job and to save him from going to the poor house he goes to a man and gets a job of selling rum. He is put there to sell rum, and it is not long before he is brought before the court, and he is the one to go to jail. His fine is paid and his wages are paid while he is in jail. You are not stopping rum selling, but if you want to stop rum selling why don't you punish the man who bought the rum as well as the man who sold it? But the gentlemen don't want to stop rum selling. If they did they would go back to the Washingtonian movement which did more good work in three years before most of you were born than has been done in 50 years under the Maine law. (Applause). You don't want to stop rum selling. You want to make fools of the people and you have been fooling the people all these years and you are fooling them today with an "and" and an "or." If you want to be honest you can just put the man in jail that buys the rum as well as the man who sells it, and then there will be no buying and no selling, but you want to put the whole thing on the man who sells it. That is where the trouble is. There would be no man selling it if there were no men that would buy it. That is what you come to, and the most of you want to drink it. (Applause). If there is nobody who wants to drink it then there would be nobody to sell it. Now, I don't care anything about it. I never took a drink of rum in my life, and I don't know the taste of liquor, today, although I have been accused of being drunk on the floor of this House since I have been here.

But gentlemen, coming down to the matter seriously, do you want to go in and put the innocent and perhaps young man who has a young wife and young child—do you want to put him in jail just because he is out of a job and workhouse staring him in the face when he has a chance to get a job to sell rum for somebody and make something out of it? And if he does go to jail, while he is in jail his wages are paid just the same as though he was selling rum. I say, it is time we should say to the judges, you have some discretion. Discretion is what is needed, and I don't think there is any judge in the State of Maine but what you can trust. I don't hear of anybody being impeached for anything. And so I say we should let the judges have the discretion in these cases as well as in all others, excepting murder in the first degree.

Mr. LIBBY of Amity. Mr. Speaker: It looks to me as though this man that hired himself out to a runseller, if he knew that he was under a jail sentence he would stop selling rum and he would not go there in the first place, he wouldn't take a chance. At this late day after this bill has gone along so far, it looks to me as though the Republican party is afraid the Democrats are going to kidnap the rum baby and carry him off.

Mr. FATTANCALL of Waterville: Mr. Speaker: This is a pretty serious matter and there are a good many sides to it. It does not involve perhaps a general discussion of the prohibitory policy because that is the fixed policy of the State for the next two years any way. It seems to me it involves nothing more or less than whether this House desires to advertise to the State of Maine that it is willing to adopt such a dishonest statute after that statute has been called to our attention. The gentleman from Portland, Mr. Beyer, said that enforcement in cities differed from enforcement in towns. We know that, and that is one of the things that we are trying to avoid by the passage of this bill. If the prohibitory law is good for the city of Portland—and I presume the people who sent the present Portland dele-

gation here believe that, at any rate they pretended to do so, then I know of no reason why the prohibitory law should not be enforced in Portland just as it is enforced in the country towns of Maine, so far as it may be.

I am not going to discuss very generally the difference between the fining system and the jail system of punishing men guilty of infractions of this law because it would take too long, but it does seem to me it is absurd for anybody to stand up here and say that the reason men ought not to go to jail for selling rum is because they are poor, innocent young men just kept out of the poor house by their job as a bar-keeper. How, under heavens, this young man just barely out of the poor house and with a family to support rum because he wants to keep from starving is going to pay a fine, is beyond my comprehension. When he is fined of course he does not pay it. The man behind him pays it, and does he stop selling rum then? No, he keeps right on. It is really a licensing system and the only reason it has been kept up in Maine is because the people who control this State desire a different system from Portland and the larger towns for the smaller ones. The prohibitory law does not well apply to the larger towns. Every argument that is made for judicial discretion is made for local option and if the gentlemen from Portland who have spoken here were as frank and as honest as they like to pretend to be they will tell you that they want a fining system in order that the judge of their municipal court may regulate by fine, assisted by the sheriff and the county attorney, the rum business of Portland, in such a way that it may yield political fruit, that is all. (Applause.)

I have heard remarks made and slurs made all over Maine about the Bangor plan—the Portland papers have been full of it. I lived in Bangor for two years, and I have a little pride in that city. I do not believe I will see any representative from the city of Bangor standing up on the floor of the House and pleading for special legislation for local rum selling in his constituency. We are

hearing today about the Portland plan—don't send anybody to jail for selling rum; one gentleman from Portland says, because the poor innocent fellow is only selling it to keep his family out of the poorhouse—don't have jail sentences, and another member of the Portland delegation says because we cannot get a jury in Cumberland county honest enough to convict a man of rum selling, if he is going to jail. For Heaven's sake, read that over when you got home and be ashamed of yourselves. (Applause.)

I think it is probable that no one of you has read the bill that you are discussing, for there is not in it one solitary word about anybody going to jail, not a single word. If you believe that all these sentences should be discretionary, why weren't you honest enough and square enough to put in a bill taking "and" out of the various sections of chapter 23 and putting in the word "or?" Three days ago you let this bill go through unanimously although one of the gentlemen from Portland said he had always been opposed to it. In the last days of this Legislature you come in and advocate a most iniquitous statute, the most dishonest statute that ever was written on the law books of any state in the Union; and you come in under the guise of wanting to enforce the law. One gentleman said that the statute was put on to secure enforcement. If it was, the man who was trying to secure enforcement in that way was almighty secret about letting the people know what his purpose was. Some of us know about that. It has been said here in a way to mislead, and one of the gentlemen ought to know it was misleading because he is a lawyer—to send every man convicted of selling rum to jail even though he may be a boy accused of his first offense. Is the gentleman entirely unfamiliar with the power of the judges with regard to probation? It has been said that the punishment could not be held over a man if this law was passed. Was the gentleman not familiar with the power of the court to order an indictment filed? This change of the law does not take that away. Under it the judge has discretion, and the discretion he ought to have, excepting

in one respect he cannot license a rum seller to sell rum by fining him and that is all the fining system ever was, was a cheap license system. I say to you I believe in all truth that when the Republicans of this House asked us to give them a substitute for the Sturgis law that we by pledging ourselves, or the most of us, to support an amendment that corrected or took away the fining system to a great extent, and by passing the other law you took it away altogether, giving you the best possible substitute for the Sturgis law. I don't say it is going to work well; I don't say the prohibitory law works well. I don't say that the law that is good for every little town is good for Portland, for I tell you I believe in local option, but if you are going to have a prohibitory law have one without any fraud, have a sincere plan. The Portland papers and the papers outside of Portland have heralded Sheriff Pennell all over Maine as the great nullifier. Why? Because he approved of the system that the Republican delegation from Portland have argued for today on the floor of this House, no more and no less. You live in glass houses, my friends, but you threw stones at him, didn't you? And today you have lifted the curtain and let us look into the glass house. (Applause.) You may refuse to pass this law if you like. If you do, the refusal will rest where it belongs, on the shoulders of the men who have tried probation in every county in the State of Maine. If you meant it, you will pass this law; if you didn't mean it, you will refuse to pass it. (Applause.)

Mr. ROUNDS of Portland: Mr. Speaker, the gentleman from Rockland has spoken about low license. If you pass that jail sentence as a law you will have a lower license than the license is today. Counties won't get one cent of fines but the man who goes to jail will be paid just the same and the county is only supporting a man and getting nothing in the way of fine. He speaks about the gentleman from Portland being silent when the bill was passed. I was not in the House when it was passed to be engrossed. If I had been here I should have spoken just the same as I have today. And if the

gentleman will remember I was the man who got up in the State convention four years ago and wanted this thing to be resubmitted, and I fought it from that time on and I believe in it today.

Mr. PATTANGALL: How did you vote upon it?

Mr. ROUNDS: I voted against it. (Laughter and applause.) I am willing to admit anything; my convictions were the other way. Now, I say it is time we stopped. I know that you have got law enough. It looks to me as though we have been putting up laws for 50 years and now you haven't got enough and in two years they will come to the Legislature and want another law; and the same people that are here before the committee were professional temperance people. I say if you want prohibition go back to the old Washingtonian movement. If you want fake prohibition keep on to the law you have.

Mr. HERSEY of Houlton. Mr. Speaker, when these different what is called the mandatory jail sentence, went through this House a few days ago and the Senate unopposed by anybody, Democrat or Republican, and when the great press of the State of Maine knew it and these reporters sitting here sending it all over the State and every paper commented upon it, there was no complaint from the great press of the State in regard to the action of the House and Senate. (Applause.) And if I felt that the sentiments of the gentleman from Portland, Mr. Rounds, expressed the opinion of the Republican party of the State of Maine, I would get out of it before night. (Applause.) If, however, the effect of these different measures that are going to be passed through this Legislature is to put rumsellers in jail, young or old, and keep them there for a while, I think it is the best argument I ever heard. I have had my doubts whether we should take discretion from our judges. If it was a question of the judges composing the supreme court of Maine today. I would be in favor of the proposition, but you have a large number of municipal courts, trial justices and police courts that are afraid of the rum element, and

who depend upon the rum vote to get elected. I think the sooner the Republican party gets rid of those men the better, and the sooner we put it up to some of these eight or nine police court judges that they have got to pass certain sentences on the rumseller or be impeached, the better. I agree with the gentleman from Waterville that the Republican party should be consistent, and I am pleased that the Democratic party is consistent for once in voting for this measure. I think the Republican party as a whole stands where the Democratic party do today, opposed to this measure that protects liquor selling in the State of Maine, and I hope they will vote accordingly.

Mr. MARSHALL of Portland: Mr. Speaker, I would like to ask the gentleman from Houlton a question, whether as a lawyer he believes this proposition is fundamentally sound, the compulsory imposing of jail sentence, the so-called Hastings bill?

Mr. HERSEY: Under the circumstances, under the conditions in the State of Maine today, I believe it is the best legislation we can get. (Applause.)

Mr. Wing of Auburn moved the previous question.

Mr. Dunn of Brewer called for the yeas and nays.

Mr. PETERS of Ellsworth: Mr. Speaker, I look at this matter not from the standpoint of a citizen of Portland and not from the standpoint of a man who is opposed to the prohibitory law and who favors local option. I look at this from the standpoint of a man who desires strict enforcement of the prohibitory law and who believes in that law as a practical working measure. I have become more and more impressed during this session of the Legislature with the fact that there is grave danger of our getting this temperance legislation altogether too top-heavy. It seems to me that when anything is proposed in the way of temperance legislation apparently or substantially or possibly looking towards the stricter enforcement of law, regardless of anything else, that we are too apt to clamor to get that thing onto the statute books without delay. (Applause.) And it seems to me unless we look at this thing

carefully and consider our actions in the light of other statutes and the other laws that we have on the books, that we are likely to overload our ship of State in this particular, and if we are not very careful it will tip over and go upside down. As a citizen and as a lawyer, on this proposition of making jail sentences mandatory, I believe that we as a Legislature will regret that we passed it if we do pass it, and I think that this will not have the effect that the friends of the bill believe it will have, and for these reasons I shall vote against the passage of the law.

Mr. BIGELOW of Portland: Mr. Speaker, I have endeavored in my votes upon the various temperance measures before this House to maintain a consistent provision. I have been opposed to the enactment of any further temperance legislation in any way. I have been opposed to the repeal of the Sturgis law and I voted against it. I voted against resubmission of the prohibitory question to the people of this State because it was written in the platform of the Republican party. I have endeavored to do what I believed the Republican party promised in that platform. In this particular case I am opposed to the passage of the act. It looks to me like 15th century legislation. The whole tendency of modern jurisprudence is to give more and more discretion to the judges of our courts. It seems to me that it is a very severe criticism for the people of the State of Maine to make of the judges of the supreme court. As to what their action has been in the past relative to the enforcement of the liquor laws I don't know, but I know that in Cumberland county the judge who sits upon the bench of the superior court has probably sent to jail more rum sellers than any other judge in the State of Maine. I have confidence in him and I have confidence in his integrity and I know he is accepted so by the people of that county. He sits upon that bench to mete out justice in an equitable manner, and in spite of all the slurs that have been made here from Democratic sources for political effect, when a rum seller merits jail punishment and is brought before the judge of that court he will get what he deserves. The enforcement of

the prohibitory law in the city of Portland, whether it is known to the rest of the people of the State or not I don't know, but the enforcement of the prohibitory law in the city of Portland, a city of 60,000 people, is a very different proposition than that of enforcing the law in some small country town in Oxford county, or even in the city of Bangor. The streets and the alleys of that city are filled today and always have been filled and always will be filled, under any system that this State may inaugurate, with liquor saloons. Only God Almighty can drive them out of business. We have had honest officials there who have done everything in their power to enforce the prohibitory law, but it is beyond the power of man in a city the size of Portland to bring about absolute prohibition. I say to you that the business men of Portland are sick and tired of this temperance legislation, and I do not believe they are in favor of a high license system; but they are radically opposed to all these radical measures which have been passed by this Legislature year after year.

The rank and file of the Republican party in the city of Portland are honest; they want the prohibitory law enforced in a decent manner, but if this act which we are now considering should pass I give you my opinion that it will mean absolute nullification. It is safe to say that there is at least one man out of every 10 in the city of Portland who does not believe in the prohibitory law; and every jury will contain that percentage of men. In our part of the State it is pretty difficult to induce any jury to bring in a verdict of guilty against a rum seller. We have tried it in practical experience. We have seen county attorneys in our county who have repeatedly if a person has been found guilty, they have moved for sentence and the judge has given him the maximum sentence. Every succeeding case in one particular term this applied to, although the evidence was so strong that it seemed impossible that he should not be convicted, the jury returned verdict after verdict of not guilty, whereas if they had allowed the matter to rest with the discretion of the court, undoubtedly some of those men would have gone to jail. I do not believe the people of this

State desire such radical legislation as this; and if it is done in my opinion it will have a much worse effect upon the people at large in this State than the Sturgis law has ever had. Hesitate before you vote upon this matter. Republicans of this Republican House who desire a Republican administration, hesitate before you vote upon it. Do not be led astray by the gentleman from Waterville, who has played a very shrewd political game here this winter. Hesitate before you cast your vote for what, if passed, will be the doom of the Republican party in the State of Maine.

Mr. ALLEN of Jonesboro: Mr. Speaker, I suppose it is not necessary for me to speak to put myself on record in this matter. I shall be perfectly contented to let others discuss this problem, but for the fact that it has been stated openly what has been said to me in private, that his was a political trick. I want to say if I were on the plane of low politics there is no thing that would please me quite as much as to have the Republican party defeat this measure. If I had been so low and contemptible as to be playing that sort of a game I should have let you gone on and carried out your scheme. I assumed that the Senator from Oxford who introduced that measure was honest. We did not undertake to play any political trick. Should you pass the Hastings bill and then say to the rum seller "We have given you two loopholes to escape out of," and say to the temperance people "See what we have given you?" I do not ask for the privilege of going before the people at a later date and showing the hypocrisy of that movement; we assumed that the gentleman from Oxford was earnest and we treated him as if he was earnest and we proceeded in unanimous committee to remedy those defects without regard to political schemes or tricks. I think the undue suspicion of some gentlemen who have made this accusation rests upon their own political honesty. I have supported that measure because I felt it was the one thing that we remove not discretion but indiscretion. Mr. Speaker, it seems to me that it is the abuse of these things that should be striven against and I want to call your atten-

tion to the fact that this is not the abuse of a new law but the repealing of an old one that has been on the statute books too long.

The question being, shall the main question be now put?

It was agreed to.

The yeas and nays were ordered.

The SPEAKER: The question is upon the motion to indefinitely postpone this bill. All those in favor of the indefinite postponement, will, when their names are called answer yes; those opposed will answer no. The clerk will call the roll.

YEA:—Beals, Bemis, Beyer, Bigelow, Bisbee, Blanchard, Burleigh, Burse of Pittsfield, Buswell, Campbell of Cherryfield, Campbell of Kingman, Colby, Davies, Duncan, Gilbert, Higgins, Hodgkins of Temple, Hyde, Jones, Jordan, Kavanough, Kelley, Lambert, Lord, Marshall, Merrifield, Packard, Patterson, Paul, Peters, Redlon, Rounds, Snow of Scarborough, Thompson, Trickey, True—35.

NAY:—Additon, Allen of Jonesboro, Allen of Richmond, Andrews, Bartlett of Eliot, Bartlett of Stoneham, Bearce of Eddington, Bigney, Blake, Bogue, Bourassa, Bowley, Bradford, Bussell, Charles, Chase of Sebec, Chase of York, Colz, Connors, Cook, Coolidge, Cousins, Couture, Donnell, Dunn, Emery, Farnham, Ferguson, Fortier, Frost, Grant, Hall, Hanson, Harriman, Harris, Havey, Hersey, Hill, Hodgkins of Damariscotta, Holt, Lane, Libby, Ludgate, Mace, McLain, Merrill of Durham, Miller, Millett, Montgomery, Morse, Moulton, Nelson, Nickerson, Orff, Pattangall, Patten, Pelletier, Pike, Pinkham, Porter, Pressley, Putnam, Quinn, Richardson, Sanborn, Sawyer, Sleeper, Smith of Andover, Smith of Biddeford, Snow of Brunswick, Spear of Warren, Stackpole, Stetson, Stover, Strickland, Thurlough, Tibbetts, Trimble, Varney, Weld, Whitehouse, Wing of Auburn, Wing of Kingfield—82.

ABSENT:—Bragdon, Clark, Cummings, Day, Doble, Dorr, Drake, Dufour, Edwards, Hamlin, Hannaford, Harmon, Harrington, Hines, Bussey, Joy, Lombard, Mercier, Merrill of Bluehill, Moore, Perry, Robbins, Ross, Silsby, Smith of Berwick, Spear of South Portland, Stanley, Trafton, White of Columbia, White of Wayne, Whitney—33.

PAIRED:—Burleigh, yes; Hall, no.

So the motion to indefinitely postpone was lost. (Applause.)

The bill was then passed to be enacted.

The Speaker at this point resumed the Chair.

An Act to amend Section 47 of Chapter 29 of the Revised Statutes in relation to the possession of liquors.

The pending question is its passage to be enacted.

On motion by Mr. Rounds of Portland a division was had and 78 voted in the affirmative and 16 in the negative.

So the bill was passed to be enacted.

An Act to amend Section 2 of Chapter 22 of the Revised Statutes of the year of our Lord 1903, relating to jail sentence for maintaining a liquor nuisance.

The pending question is its passage to be enacted.

On motion by Mr. Rounds of Portland, a division was had and 68 voted in the affirmative and 22 in the negative.

So the bill was passed to be enacted.

An Act to repeal Chapter 138 of the Public Laws of 1895 relating to commission or uniformity of laws, came from the Senate passed to be engrossed.

On motion by Mr. Hersey of Houlton, the House voted to concur with the Senate.

On further motion of Mr. Hersey, the rules were suspended, the bill received its three readings and was passed to be engrossed in concurrence.

An Act to establish the Kingman municipal court, came from the Senate indefinitely postponed.

Mr. Campbell of Kingman moved that the bill be referred to the next Legislature.

The motion was agreed to.

On motion by Mr. Pattangall of Waterville, the House took a recess until 2 o'clock in the afternoon.

#### Afternoon Session.

Papers from the Senate disposed of in concurrence.

An Act for the better protection of alewives, shad and sturgeon in various rivers in Maine, came from the Senate indefinitely postponed.

On motion of Mr. Wing of Kingfield the House receded and concurred with the Senate.

Majority report of committee reported ought not to pass on bill.

An Act to provide for nomination of candidates of political parties by primary elections, came from the Senate reported and bill referred to the next Legislature.

On motion of Mr. Davies of Yarmouth

the House receded and concurred with the Senate.

From the Senate: An Act to appropriate money for the expenditures of government for the year 1909. (Read three times and passed to be engrossed in concurrence under suspension of the rules on motion of Mr. Hyde of Bath.)

An Act to exempt growing white pine from taxation, which was indefinitely postponed in the House, came from the Senate, that branch voting to insist and asking for a committee of conference.

Mr. Beyer of Portland moved that the House recede and concur.

The motion was lost.

On motion of Mr. Hersey of Houlton the House voted to adhere.

An Act to amend Section 21 of Chapter 32 of the Revised Statutes relating to hunting on Sunday, came from the Senate indefinitely postponed.

On motion of Mr. Thurlow of Cutler the House voted to recede and concur with the Senate.

An Act to provide for the uniform grading, packing and branding of apples, came from the Senate amended by Senate Amendment A.

On motion of Mr. Millett of Minot the votes were reconsidered by which this bill was passed to be enacted and passed to be engrossed, Senate Amendment A was adopted in concurrence, and the bill was then passed to be engrossed as amended in concurrence.

On motion of Mr. Additon of Leeds the vote was reconsidered whereby the House passed to be engrossed An Act to repeal the Public Laws relating to commission on uniformity of laws.

On motion of Mr. Peters of Ellsworth this bill was indefinitely postponed.

On motion of Mr. Davies of Yarmouth the rules were suspended and he presented out of order An Act additional to Chapter 193 of the Public Laws of 1909 relating to the Maine Forestry District.

On further motion by Mr. Davies the rules were suspended, the bill received its three readings and was passed to be engrossed.

The committee of conference on the disagreeing action of the two branches

of the Legislature on bill, An Act to extend the open season on deer in the towns of Unity and Burnham in Waldo county, reported that the committee cannot agree.

On motion of Mr. Cook of Unity the House voted to adhere.

On motion of Mr. Pattangall of Waterville bill relating to the employment of minors in manufacturing and mechanical establishments in this State, was taken from the table.

Mr. PATTANGALL: Mr. Speaker, I desire to withdraw House Amendment 1 to House Amendment A and allow the matter to proceed under House Amendment A, as I am informed that there is no possibility of my amendment passing the Senate.

House Amendment A was then adopted.

Mr. Porter from the committee on ways and means which was instructed by an order of the Legislature to fix the rate of State tax for the year 1909, reported bill, An Act for the assessment of a State tax for the year 1909 amounting to the sum of \$1,286,651.55.

On motion of Mr. Porter of Mapleton the rules were suspended, the bill received its three readings and was passed to be engrossed.

Mr. Porter from same committee which was instructed by an order of the Legislature to fix the State tax for the year 1910, reported bill, An Act for the assessment of a State tax for the year 1910 amounting to the sum of \$2,143,156.47.

On motion of Mr. Porter the rules were suspended, the bill received its three readings and was passed to be engrossed.

An Act to incorporate the Fire Insurance Company of Portland, Maine, came from the Senate amended by Senate Amendment A.

On motion of Mr. Marshall of Portland Senate Amendment A was adopted in concurrence, and the bill was then passed to be engrossed as amended in concurrence.

An Act in relation to possession under defective proceedings in eminent domain, came up on its passage to be engrossed.

Mr. Burleigh offered House Amend-

ment A by striking out in lines 4 and 5 the words "or for substantial error in the act conferring the right of eminent domain," and inserting the words "or through failure to provide in an act expressly conferring the right of eminent domain for any act or proceeding necessary to carry out such taking, which failure shall be deemed a substantial error."

The amendment was adopted and the bill was then passed to be engrossed as amended.

An Act relating to the better collection of taxes came from the Senate amended by Senate Amendment A.

On motion of Mr. Hersey the vote was reconsidered whereby this bill was passed to be enacted.

On motion of Mr. Pattangall the bill was then indefinitely postponed.

On motion of Mr. Hersey the House voted to take a recess of ten minutes.

#### After Recess.

An Act relative to the Bangor and Brewer Highway bridge, which was tabled pending reference, came up for consideration.

On motion of Mr. Strickland this bill was referred to the next Legislature.

An Act relating to the management and operation of steam railroads, came up for consideration, the pending question being the adoption of House Amendment A.

Mr. HERSEY of Houlton: Mr. Speaker, I have talked with certain members of the House that are interested in this matter and with some of the railroad committee and I don't know of any objection to the amendment.

Mr. PATTANGALL of Waterville. Mr. Speaker, I fully sympathize with the effort of the gentleman from Houlton to procure some regulation of the rates of public service corporations in this State. There is nothing to the bill proposed by the railroad committee, outside of the existing law, excepting the provision that a hearing in regard to rates shall be held in the county where the complaint is made. I have gone over the amendment which the House is about to vote upon and it seems to me—and I say it regretfully for I stand for the principle of regulation—that there is little use in the

amendment. Provision is made in addition to the bill offered by the railroad committee that the railroad commissioners may take evidence and make a public record of the complaint brought before them, and then stop. Now that can do no great harm. Neither can it do any great good. But it seems to me there is an important matter to be considered in connection with it. To bring rate regulation about, it seems to me that the important proposition is to take the first step right, otherwise you discredit the whole cause of rate regulation, and so long as we cannot do much in the present Legislature, so long as we have failed to enact a public utility commission, so long as we cannot grasp this subject fully enough to accomplish much, I believe that we would be endangering the whole cause of rate regulation and State control of public service corporations by merely passing a bill which would allow interested parties and shippers of freight to summon the railroad commissioners into their county and take evidence and hear argument and then have nothing with which to enforce any action that they might see fit to take. And while the principle involved in it, so far as it goes, in my opinion is right, I think it goes such a little ways and that little ways in such a careless and slipshod fashion that the gentleman would endanger the cause in which his heart is bound up if he accepted this amendment.

Mr. HERSEY: Mr. Speaker, I am convinced that the gentleman from Waterville is right. I withdraw the amendment and I move the indefinite postponement of the bill. (Applause.)

The motion was agreed to.

Mr. Davies of Yarmouth presented the following order:

Ordered, That there be printed 300 copies of the most excellent and entertaining verses read in this House today by the distinguished gentleman from Brunswick, Mr. Stover, and that one or more copies be mailed to each member of the House.

The order received a passage.

An Act relating to the assessment of the county taxes in the several counties for the year 1909, containing an



emergency clause, came up on its passage to be enacted.

On motion of Mr. Burleigh of Augusta the yeas and nays were ordered.

YEA.—Additon, Allen of Jonesboro, Allen of Richmond, Andrews, Bartlett of Eliot, Bartlett of Stoneham, Beals, Bemis, Beyer, Bigelow, Bigney, Bisbee, Blake, Blanchard, Bogue, Bourassa, Bowley, Bradford, Bragdon, Burleigh, Burse of Pittsfield, Bussell, Buswell, Campbell of Cherryfield, Campbell of Kingman, Chase of Sebec, Colby, Cole, Conners, Cook, Cousins, Davies, Donnell, Duncan, Dunn, Edwards, Farnham, Fortier, Frost, Gilbert, Grant, Hanson, Harriman, Harrington, Harris, Havey, Hersey, Higgins, Hill, Hines, Hodgkins of Damariscotta, Hodgkins of Temple, Holt, Hyde, Jones, Jordan, Kavanough, Kelley, Lambert, Lane, Libby, Lord, Ludgate, Marshall, McLain, Miller, Millett, Montgomery, Morse, Moulton, Nelson, Nickerson, Orff, Packard, Pattangall, Patten, Patterson, Paul, Pelletier, Peters, Pike, Pinkham, Porter, Pressley, Putnam, Quinn, Redlon, Richardson, Ross, Rounds, Sanborn, Sawyer, Smith of Andover, Smith of Berwick, Smith of Biddeford, Snow of Brunswick, Spear of South Portland, Stackpole, Stetson, Stover, Strickland, Thompson, Thurlough, Tibbetts, Trafton, Trimble, True, Weld, Whitehouse, Whitney, Wing of Auburn, Wing of Kingfield—112.

NAY.—0.

ABSENT.—Bearce of Eddington, Charles, Chase of York, Clark, Coolidge, Couture, Cummings, Day, Doble, Dorr, Drake, Dufour, Emery, Ferguson, Hall, Hamlin, Hannaford, Harmon, Hussey, Joy, Lombard, Mace, Mercier, Merrifield, Merrill of Bluehill, Merrill of Durham, Moore, Perry, Robbins, Silsby, Sleeper, Snow of Scarboro, Spear of Warren, Stanley, Trickey, Varney, White of Columbia, White of Wayne—38.

So the bill was passed to be enacted it having received the votes of two-thirds of all the members elected to the House.

An Act to correct an error in a resolve granting the county taxes for the years 1909 and 1910, containing an emergency clause, came up on its passage to be enacted.

A division was had and 105 voted in the affirmative and none in the negative.

So the bill was passed to be enacted it having received the affirmative votes of two-thirds of the members elected to the House.

**Passed to be Enacted.**

An Act relating to the choice of assessors in towns.

An Act to amend Chapter 15 of the

Revised Statutes in relation to education.

An Act to incorporate the Cherryfield and Beddington Telephone Co.

An Act to permit certain plantations to assume the maintenance of their roads and bridges.

An Act to amend Section 89 of Chapter 4 of the Revised Statutes relating to the right to take land for parks, squares and public libraries.

An Act to prohibit trout fishing in Goding brook, so-called, and its tributaries in the towns of Lebanon and Acton in York county.

An Act to prohibit trout fishing in Bog brook and its tributaries in the town of Lebanon in York county.

An Act amendatory of Chapter 17 of the Revised Statutes relating to the practice of medicine, surgery and dentistry.

An Act to amend the charter of the Augusta Water District.

An Act to amend Section 51 of Chapter 79 of the Revised Statutes relating to the appointment of auditors, surveyors and referees in vacation.

An Act to establish a standard unit of measure and a standard size of can regulate the sanitary conditions under for the sale of milk and cream and to which milk and cream shall be handled.

**Finally Passed.**

Resolve, in favor of the clerk and stenographer to the committee on Insane hospitals and School for Feeble Minded.

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

Resolve, for the appointment of delegates to the conferences of the International Tax Association.

Resolve, to amend Chapter 194 of the Resolves of 1893 as amended by Chapter 155 of the Resolves of 1905 relating to industrial exhibits of the Maine State Agricultural Society.

Resolve, in favor of the clerk to the committee on claims.

Resolve, in favor of John Good of Benedicta, Me.

Resolve, in favor of Eddie McCormack of South Bancroft, Me.

An Act to make uniform the standard

relating to the percentage of alcohol in intoxicating liquors, came up on its passage to be enacted.

Mr. Rounds of Portland moved that this bill be indefinitely postponed.

Mr. Allen of Jonesboro called for a division.

A division was had and 38 voted in the affirmative and 43 in the negative.

So the motion was lost.

The bill was then passed to be enacted.

An Act additional to Chapter 193 of the Public Laws of 1909, relating to the Maine Forestry District, containing an emergency clause, came up on its passage to be enacted.

A division was had and 103 voted in the affirmative and none in the negative.

So the bill was passed to be enacted, having received the votes of two-thirds of all the members elected to the House.

An Act to amend Section 55 of Chapter 83 of the Revised Statutes, relating to trustee process, which was indefinitely postponed in the House, came from the Senate, that branch insisting and asking for a committee of conference.

Mr. BURLEIGH of Augusta: Mr. Speaker: I would inquire whether the Senate has adopted House Amendment "A"?

The SPEAKER: The Chair understands that the bill has been passed to be engrossed in the Senate as amended by House Amendment "A." The House, after the adoption of House Amendment "A," indefinitely postponed the bill. The bill now comes back to the House, the Senate insisting upon its action, and asking for a committee of conference.

Mr. BURLEIGH: Mr. Speaker, I move that the House recede and concur with the Senate. This is a fair bill, gentlemen. No more just and humane measure has been presented for our consideration this winter. It is fair to existing creditors, who under House Amendment "A" are allowed to collect all the bills now on their books, or which shall be contracted up to May 1 of this year, under the provisions of the existing law. It gives them an opportunity to adjust their business to the new conditions. I say

to you that it is my sincere belief that this act is not only fair to the laboring man, who should be entitled like all other classes of citizens to something which he can call his own, but that it will result in establishing credits on a better and sounder basis, and be better in the long run for the creditors who are now loosely extending credit under a mistaken notion of the efficacy of the trustee law as a club to hold over the laborer. The creditor can and will protect himself by assignments of wages, when necessary. This bill is an important step in the right direction, and I sincerely trust that my motion to recede and concur will prevail.

Mr. Pike of Eastport moved that the House adhere.

Mr. Wing of Kingfield moved that the yeas and nays be ordered on the motion to concur with the Senate.

The motion was agreed to.

The SPEAKER: The question is on the motion to recede and concur, which motion if carried will give this bill a passage to be engrossed as amended by House Amendment A. All those in favor of receding and concurring with the Senate, when their names are called, will answer yes; those opposed will answer no. The clerk will call the roll.

YEA:—Additon, Allen of Jonesboro, Allen of Richmond, Andrews, Beals, Beyer, Bigelow, Bogue, Bourassa, Bowley, Bradford, Burleigh, Colby, Cole, Dunn, Frost, Grant, Harriman, Harrington, Havey, Hersey, Hines, Hodgkins of Damariscotta, Hyde, Kelley, Lambert, Libby, Ludgate, Marshall, McLain, Miller, Montgomery, Morse, Pattangall, Pelletier, Peters, Pinkham, Putnam, Quinn, Richardson, Smith of Andover, Smith of Berwick, Smith of Biddeford, Spear of South Portland, Stackpole, Strickland, True, Weld, Wing of Auburn—49.

NAY:—Bartlett of Eliot, Bartlett of Stoneham, Bemis, Bigney, Bisbee, Burse of Pittsfield, Bussell, Buswell, Campbell of Cherryfield, Campbell of Kingman, Chase of Sebec, Connors, Cook, Cousins, Duncan, Farnham, Fortier, Gilbert, Hanson, Harris, Hill, Holt, Jones, Jordan, Lane, Lord, Moulton, Nelson, Nickerson, Packard, Patten, Patterson, Pike, Porter, Pressley, Sawyer, Stetson, Stover, Thompson, Thurlough, Tibbetts, Trafton, Trimble, Whitehouse, Whitney, Wing of Kingfield—46.

ABSENT:—Bearce of Eddington, Blake, Blanchard, Bragdon, Charles, Chase of York, Clark, Coolidge, Couture, Cum-

mings, Davies, Day, Doble, Donnell, Dorr, Drake, Dufour, Edwards, Emery, Ferguson, Hall, Hamlin, Hannaford, Harmon, Higgins, Hodgkins of Temple, Hussey, Joy, Kavanough, Lombard, Mace, Mercier, Merrifield, Merrill of Bluehill, Merrill of Durham, Millett, Moore, Orff, Paul, Perry, Redlon, Robbins, Ross, Rounds, Sanborn, Silsby, Sleeper, Snow of Brunswick, Snow of Scarboro, Spear of Warren, Stanley, Trickey, Varney, White of Columbia, White of Wayne—55.

So the motion to recede and concur prevailed (Applause.)

On motion by Mr. Connors of Bangor, the House voted to take a recess of 10 minutes.

#### After Recess.

An Act to provide for the payment of salaries and mileage of members and officers and for other expenses incident to the 74th Legislature, came from the Senate read twice and passed to be engrossed under a suspension of the rules.

On motion by Mr. Morse of Belfast, the rules were suspended, the bill received its three readings and was passed to be engrossed.

#### Passed to be Enacted.

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

An Act to amend a resolve for the preservation of the archives of the State of Maine approved by the Governor March 19, 1909.

An Act to prohibit corporations from transmitting electrical power beyond the confines of the State.

An Act to regulate the use of joint poles in the public streets by electrical companies.

An Act in relation to the construction of Portland bridge.

Mr. BURLEIGH, of Augusta: Mr. Speaker, a little parliamentary mix up has occurred in relation to the bill relating to trustee process. The chair inadvertently stated that House Amendment "A" had been adopted in the Senate. It has since been discovered that such was not the fact, and that the Senate is now insisting upon the bill in its original form. Such being the case, I move that the vote whereby we receded and concurred

with the Senate be reconsidered in order that I may subsequently move to insist and thereby obtain a committee of conference, which seems to be the best way to get out of the parliamentary tangle.

The motion was agreed to.

On further motion by Mr. Burleigh the House voted to insist and join a committee of conference.

The SPEAKER: Under the usual procedure in cases of this kind the Chair should appoint as referees those representing the majority vote or vote of the House. Under the circumstances, however, the Chair will appoint a committee composed of gentlemen of the House who have voted on both sides of the question; and the Chair will appoint on that committee Messrs. Burleigh of Augusta, Wing of Kingfield and Montgomery of Camden.

Mr. Pike of Eastport, moved that the House take a recess until 9 o'clock in the evening.

The motion was lost.

On motion by Mr. Strickland of Bangor, the House voted to take a recess of five minutes.

The motion was agreed to.

#### Passed to be Enacted.

The committee on conference on the disagreeing action of the two branches of the Legislature on bill, An Act relating to trustee process, reported that House Amendment A be adopted and that the House then concur with the Senate in passing the bill as amended by House Amendment A to be engrossed.

Mr. Wing of Kingfield stated that he wished to explain his position on the committee of conference; that five members had reported in favor of the bill and that he was the only one who represented the opposition to the bill and did not join in the report.

The report of the committee was then accepted, and the bill was passed to be engrossed as amended in concurrence.

The committee of conference on the disagreeing action of the two branches of the Legislature on bill, An Act to authorize the construction and maintenance of a highway in the tide waters of York county, reported that the

committee on legal affairs and the committee on ways and bridges having made their final reports, and the pending question being reference to a committee, reported that they recommend the papers be placed on file.

The report was accepted in concurrence.

On motion by Mr. Montgomery of Camden, the House took a recess until 9.30 o'clock this evening.

### Evening Session.

#### Passed to be Enacted.

An Act to amend Section 35 of Chapter 29 of the Revised Statutes of the State of Maine relative to persons travelling from place to place carrying or offering for sale intoxicating liquors.

An Act to amend Section 11 of Chapter 39 of the Revised Statutes relating to the sale of liquor.

An Act to provide for a bounty on bears in Washington and Hancock county.

An Act to amend Section 23 of Chapter 114 of the Revised Statutes as amended by Chapter 2 of the Public Laws of 1907 relating to the relief of poor debtors.

An Act in relation to the collection of fees by State officials and payment of same to State treasurer.

An Act to regulate the purchase and sale of intoxicating liquors by State liquor commissioner and by town liquor agents.

An Act for the assessment of a State tax for the year 1910 amounting to the sum of \$2,143,156.47.

An Act to incorporate the Steuben Railway Company.

An Act to amend Section 22 of Chapter 32 of the Revised Statutes as amended by Section 5 of Chapter 132 of the Public Laws of 1905 relating to the payment of damage done to growing crops by deer.

An Act to amend Section 47 of Chapter 41 of the Revised Statutes relating to fish weirs in the Kennebec river.

An Act in relation to possession under defective proceedings in eminent domain.

An Act to regulate the purchase and sale of intoxicating liquors by the State

liquor commissioner and by the town liquor agents.

#### Finally Passed.

Resolve in favor of E. E. Chase, Jr.

Resolve in favor of L. S. Sanborn.

Resolve on the pay roll of the Senate.

Resolve in favor of Fred W. Lee.

Resolve for the preservation of the regimental rolls in the office of the adjutant general.

Resolve in favor of the town of Old Orchard.

Resolve to amend Chapter 121 of the Resolves of 1905 as amended by Chapter 70 of the Resolves of 1907 relating to the Central Maine Fair Association.

Memorial to Congress relating to the proposed reduction of the duty on lumber, pulp and paper.

Resolve on the pay roll of the House.

A message from the Governor, returning to the Senate, bill, An Act in amendment of Section 1 of Chapter 136 of the Revised Statutes relating to sentence in criminal cases, without his approval, came from the Senate for concurrent action.

On motion of Mr. Burleigh of Augusta the vote was reconsidered whereby this bill was passed to be engrossed.

The SPEAKER: Shall this bill become a law notwithstanding the objection of the Governor? Upon that question the yeas and nays will be called. Those in favor will, when their names are called, answer yes; those opposed will answer no. The clerk will call the roll.

YEA:—Allen of Jonesboro, Allen of Richmond, Bemis, Bogue, Bourassa, Bowley, Bradford, Chase of York, Cook, Cousins, Donnell, Dunn, Farnham, Fortier, Frost, Havey, Hersey, Hodgkins of Damariscotta, Libby, Ludgate, McLain, Miller, Montgomery, Morse, Pattangall, Patten, Pelletier, Pike, Porter, Putnam, Quinn, Richardson, Ross, Sanborn, Sawyer, Smith of Biddeford, Snow of Brunswick, Stackpole, Stover, Strickland, Thurlough, Weld, Whitehouse, Whitney, Wing of Auburn—45.

NAY:—Additon, Andrews, Bartlett of Stoneham, Beals, Bemis, Beyer, Bigelow, Bigney, Bisbee, Blake, Blanchard, Bragdon, Burleigh, Burse of Pittsfield, Buswell, Buswell, Campbell of Cherryfield, Campbell of Kingman, Chase of Sebec, Colby, Cole, Conners, Duncan, Gilbert, Grant, Hanson, Harris, Hill, Hines, Hodgkins of Temple, Holt, Hyde, Jones, Jor-

dan, Kavanough, Kelley, Lambert, Lane, Lord, Marshall, Millett, Nelson, Nickerson, Packard, Patterson, Paul, Peters, Pinkham, Pressley, Redlon, Rounds, Smith of Andover, Smith of Berwick, Spear of South Portland, Stetson, Thompson, Tibbetts, Trafton, Trimble, True, Wing of Kingfield—61.

ABSENT:—Bartlett of Elliot, Charles, Clark, Coolidge, Couture, Cummings, Davies, Day, Doble, Dorr, Drake, Dufour, Edwards, Emery, Ferguson, Hall, Hamlin, Hannaford, Harmon, Harriman, Harrington, Higgins, Hussey, Joy, Lombard, Mace, Mercier, Merrifield, Merrill of Bluehill, Merrill of Durham, Moore, Moulton, Orff, Perry, Robbins, Slsby, Sleeper, Snow of Scarborough, Spear of Warren, Stanley, Trickey, Varney, White of Columbia, White of Wayne—44.

So the bill failed to become a law.

An Act to appropriate money for the expenditure of government for the year 1909, containing an emergency clause, came up on its passage to be enacted.

A division was had and 103 voted in the affirmative and none in the negative.

So the bill was passed to be enacted it having received the votes of two-thirds of all the members of the House.

An Act for the assessment of a State tax for the year 1909 amounting to the sum of \$1,286,651.55, containing an emergency clause, came up on its passage to be enacted.

A division was had and 105 voted in the affirmative and none in the negative.

So the bill was passed to be enacted it having received two-thirds of all the members elected to the House.

On motion of Mr. Rounds of Portland the House voted to take a recess for 15 minutes.

#### After Recess.

An Act in relation to the collection of fees by State officials and payment of same to State treasurer.

An Act to provide for the uniform grading, packing and branding of apples.

An Act to provide for the payment of salaries and mileage of members and officers and for other expenditures incident to the 74th Legislature.

An Act to amend Chapter 46 of the Public Laws of 1907 relating to the employment of minors in manufacturing or mechanical establishments in this State.

An Act to incorporate the Fire Insurance Co. of Portland, Me.

An Act to amend Section 55 of Chapter 88 of the Revised Statutes relating to trustee process.

Mr. Wing of Kingfield moved that this bill be referred to the next Legislature.

The motion was lost.

The bill was then passed to be enacted.

An Act to abolish liquor agencies, came from the Senate, having been indefinitely postponed in that branch, the House having insisted and asked for a committee of conference, the Senate adhering.

On motion of Mr. Pattangall the House voted to adhere.

Mr. MONTGOMERY of Camden: Mr. Clerk: I wish to offer a resolution:

Resolved, That it is the unanimous sense of the members of the House that in Hon. George G. Weeks they have had a Speaker able, impartial and prompt; that he has discharged his duties as Speaker faithfully and with due regard for all regardless of party; that the rights of the minority have been his special care to the end that respect and honor prevail between him and the minority, and harmony with the majority. (Applause).

Gentlemen of the House: As a member of the minority party, before we close the session and in harmony with this resolution, I desire to say that the place of the minority is not always a pleasing place. The desire of the minority is always greater even than that of the majority to initiate and do something in the line of legislation, in the line of doing good, and in a way to advertise themselves, of course. It is the great duty of the majority always to initiate what shall be done, and upon the majority is the responsibility of doing it; so that there is a place for both parties. In the doing of our work here we have certainly tried to be harmonious, and as far as we could under that idea which I have suggested we have all tried to do our duty, and the Speaker has tried to help the doing of it. He has the thanks of the minority; and, as I said, he has made the majority

as harmonious as was possible under the circumstances.

Now, Mr. Speaker, I think it is the wish of this House that you have the gavel which you have used so promptly and so well during this session; and I will ask the clerk to present the resolution to the House. (Applause.)

The CLERK: You have heard the resolution as presented and read by the gentleman from Camden, and is it the pleasure of the House that this resolution have a passage? All those in favor of the passage of this resolution will please manifest it by rising.

The members rose.

The CLERK: It is a unanimous vote.

Mr. HAVEY of Sullivan: Mr. Speaker: I most heartily second the resolutions of the gentleman from Camden. I, as one of the members of the minority party, am not unmindful of the many kindnesses and considerations received at the hands of you, Mr. Speaker, and I honestly believe I voice the unanimous sentiment of the entire minority when I say that the minority would not have received any more careful consideration and been accorded any more privileges had the gentleman from Camden himself occupied the chair. We shall long remember the many friendships and associations formed here during the past 13 weeks, but there will stand out above all, the kind treatment, the welcome hand, and the fairmindedness of our esteemed Speaker and it is with extreme pleasure that I second these resolutions. (Applause.)

Mr. BURLEIGH of Augusta: Mr. Clerk: In seconding with gladness and enthusiasm the resolutions offered by the gentleman from Camden, my mind wanders back to the sessions of 1889 and 1891, when I served as one of the official stenographers of the House. Since that time, with the exception of a single session, I have had an opportunity to observe the work of the Speakers of each subsequent legislature. Comparisons are not always odious. Indeed, they are indispensable if we are to construct an ideal which shall form the basis of a present judgment. Reviewing mentally the list of distinguished predecessors of our honored Speaker with whose work

I have been familiar, I can say to you confidently that he is the peer of any of them, and that, too, without detracting a whit from the lustre of their names.

To attempt to analyze our personal regard for our Speaker would be as futile as an attempt to analyze the fragrance of the rose. The subtle qualities which make up a man's personality are not susceptible of precise analysis. Nor is it desirable that they should be. We are attracted by some men, and we are repelled by others, and we know not why. Like Shakespeare's Lucetta we must often say:

"I have no other but a woman's reason; I think him so because I think him so."

It is merely by way of suggesting, therefore, those qualities which make up our Speaker's personality, that I desire to place on record some of the reasons why we esteem him so highly.

It is his firm grasp of the principles and practise of parliamentary law, tempered by a ripe legislative experience and guided by a sane and wholesome judgment; his generous tolerance, on the one hand, of occasional and inevitable warmth in debate, and his kindly but firm insistence, on the other, upon the observance of its proprieties and of the dignity of the House; his cordial and friendly intercourse with the individual members, and his sound and safe advice to those anxiously seeking the parliamentary ways and means of serving their constituents; his keen and kindly humor, which has at times relieved a strained situation; his impartiality, his even-tempered courtesy, his exhaustless patience, his infinite tact. These things make up the frame of the picture, gentlemen. That is all.

I can only add my God-speed to you, Mr. Speaker, and to you, gentlemen of the House. The House! That word will mean much to us from this time forth. And when the angel of death shall have made his last visitation in our ranks, may we all meet in that other and larger House wherein there are many mansions. (Applause.)

Mr. PETERS of Ellsworth: Mr. Clerk: In ability and fairness you have not exceeded our expectations, because we knew and expected that you would exer-

cise those qualities in the highest degree. In the display of wisdom, patience and tact in your office of Speaker of the House you have exceeded anything we had a right to expect. I attribute in large measure the harmony which has prevailed during the whole session and the spirit of friendliness which prevails at its close, to the tact, patience and good nature which has characterized the discharge of your duties. This is a statement not only of my own personal feelings, but is an expression of the feeling of all of us who have had the pleasure of sitting in this House. If it is any satisfaction to you, as I know it must be, to know that you carry with you upon leaving your office the undying admiration and esteem of this whole body then you have that satisfaction.

We shall never all of us meet together again. Knowing this and realizing it so sharply at the present time, when we are about to separate and return to our homes, it is gratifying to think that we retire with the pleasantest memories of the three months we have spent here and we realize that you as the central figure of this session will ever remain in our memories as an exemplar not only of the best type of presiding officer, but also of the faithful member and true friend. It is with mingled feelings of pleasure and sorrow that we approach the end of this session. Our duties are drawing to a close. We have served the State as best we could, but doubtless imperfectly. You have the satisfaction, Mr. Speaker, of knowing that you have served this body, and through it the State, as faithfully and efficiently as any man ever served it. It gives me the greatest pleasure to second the resolutions offered by the gentleman from Camden. (Applause.)

Mr. STRICKLAND of Bangor: Mr. Clerk, I ask the unanimous consent of the House to introduce an order:

Ordered, That the superintendent of public buildings be and hereby is authorized and directed to deliver to Hon. George G. Weeks the chair which he has nobly filled during the present session of the Legislature, as a memento of the regard and esteem in which he will ever be held by the members of this House. I

move, Mr. Clerk, that the order have a passage.

The order received a unanimous passage.

Mr. WING of Auburn: Mr. Speaker, I desire to introduce the following resolution and move its passage:

Resolved, That the thanks and appreciation of this House, for the ability displayed and the kindness and assistance extended to each member of this House, be expressed by a rising vote, which shall be to E. M. Thompson, clerk of this House, a sincere expression of the esteem and good will and our wish for long life for him and the fullest measure of happiness and prosperity.

The resolution received a unanimous passage.

The SPEAKER: Gentlemen of the House of Representatives: In response to the resolution which you have so generously adopted I recognize the fact that it is significant of your magnanimity. Our labors will soon be over. Soon the gavel will fall for the last time and this session of the 74th Legislature will have become a thing of the past. The measures submitted for your consideration exceed in number if not in importance those presented to any previous session in the history of the State. Of the printed documents there are of House bills 809, of Senate bills 505, making a total of 1314. Many of these have been duplicated, but making all due allowance this is the record by far. This may not be an enviable record but it is certainly evidence of the assiduity with which you have performed your labor. Many of these measures have been of a private and special nature. It is deplorable that so much time has been occupied in the consideration of questions not of great public import to the exclusion of problems of wide concern. Is it not proper that we should sound a note of warning to the future? But notwithstanding the prevalence, notwithstanding the preponderance of private and special legislation, many acts of large significance have been passed. Still others have failed of a passage, some because they have been deemed too radical, some for other and various reasons. The onward march of

civilization has ever been led by bold pioneers. The radicalism of today becomes the conservatism of tomorrow. The function of government is ever broadening. While Maine may not be the first she still is not the last in works of civic righteousness. This is a government administered by parties, this is a body controlled somewhat by parties; but looking back over the days of your labor I am convinced that you have not lost sight of the important fact that he serves his party best who serves the State. A strong, vigorous, healthy, intelligent minority is essential to the health of the body politic.

But after all it is strong and virile men that make a State, men who fearlessly lead on either side and who are in turn guided by conscience, men of unswerving honesty and integrity, men whose highest purpose is the political, social and moral advancement of the people. As long as Maine produces such men she will recruit the army of progress, and her position will remain secure.

We are about to part. I wish you all happy returns to your homes. Whither the pathway of life may lead I know not, but may health, peace and prosperity attend your footsteps. You will pardon me if upon this occasion I slip into the poetry of sentiment:

“There is a land, of every land the pride,  
Beloved by Heaven o'er all the world  
beside,  
Where brighter suns dispense serenely  
light,  
And milder moons imparadise the night:  
A land of beauty, virtue, valor, truth,  
Time-tutored age, and love-exalted youth:  
The wandering mariner, whose eye explores  
The wealthiest isles, the most enchanting  
shores,  
Views not a realm so bountiful and fair,  
Nor breathes the spirit of a purer air.  
In every clime the magnet of his soul,  
Touched by remembrance, trembles to  
that pole;  
For in this land of Heaven's peculiar  
race,  
The heritage of nature's noblest grace,

There is a spot of earth supremely blest,  
A dearer, sweeter spot than all the rest,  
Where man's creation's tyrant, casts  
aside

His sword and sceptre, pageantry and  
pride.

While in his softened looks benignly blend  
The sire, the son, the husband, brother,  
friend.

Here woman reigns; the mother, daughter,  
wife,

Strew with fresh flowers the narrow way  
of life:

In the clear heaven of her delightful eye  
An angel-guard of love and graces lie;  
Around her knees domestic duties meet,  
And fireside pleasures gambol at her feet.  
'Where shall that land, that spot of earth  
be found?"

Art thou a man—a patriot—look around;  
O, thou shalt find, howe'er thy footsteps  
 roam,

That land thy county, and that spot thy  
home!

Man, through all ages of revolving time,  
Unchanging man, in every varying clime,  
Deems his own land of every land the  
pride.

Beloved by Heaven o'er the world beside;  
His home the spot of earth supremely  
blest.

A dearer, sweeter spot than all the rest."  
(Applause.)

Mr. PIKE of Eastport: Mr. Speaker:  
I desire to offer a resolve:

Resolved, That the thanks of the  
House be extended to the assistant clerk  
and other employes of the House for the  
faithful manner in which they have  
discharged their duties.

The resolution received a passage.

On motion of Mr. Strickland of Bangor  
the House voted to take a recess  
of five minutes.

#### After Recess.

The following order was received from  
the Senate:

Ordered, The House concurring, that  
when the Senate and House adjourn,  
they adjourn to meet Saturday morning,  
April 3, at 10 o'clock.

The order received a passage in con-  
currence.

On motion of Mr. Montgomery of Cam-  
den—

Adjourned.