

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fourth Legislature

OF THE

STATE OF MAINE

1909

**ERRATA:**

**The following errata are  
inserted because one or more pages  
in this session day have errors  
noticed and corrected here.**

# **ERRATA.**

Page 39, for Long Monson Pond read Long Mousam Pond.

94, after the words "Probation Officers" omit the words "relating to State Detectives."

105, 302, 316 and 333, for State Prison read State pension.

118, 146, 165 and 170, for supplementary associations read supplementary assessments.

168, for Coolidge River read Cambridge River.

174, for \$50 read \$50,000.

182, for Oakland read Oakfield.

185, for Rines road read Kineo road.

219, for Mineral Spring Co. read Merrill Springer Co.

226, for investigation of vital statistics read registration of vital statistics.

243, for town of South Portland read town of Southport.

309, for town of Wales read town of Wells.

325, for foreigners read coroners.

343, for Bed Cambridge River read Dead Cambridge River.

360, for boys read buoys.

377, for Corners Knob read Conary's Nub.

377, 462, 496, for Prescott read Trescott.

379, for Pittsburg read Phippsburg.

462, 496, for Chronological read Pomological.

494, for Township E read Township 2.

510, 538, for Central Railroad Co. read Jonesport Central Railroad Co.

520, for Penobscot Electric Co. read Penobscot Bay Electric Co.

525, for Colcord read Concord.

544, 556, for town of Brewer read town of Bremen.

551, 587, for Monmouth Ridge Sanitary Association read Monmouth Ridge Cemetery Association.

646, for Androscoggin Valley Company read Androscoggin Valley Railroad Company.

648, for Central Fire Insurance Co. read Central Maine Fire Insurance Co.

654, 670, for Jimmy pond read Jimmy brook.

655, 671, for Straw's Island read Swan's Island.

667, for transmitted in Maine read transacted in Maine.

677, 698, for municipal court in town of Portland read municipal court in town of Farmington.

687, for Trusett read trustee.

700, for pension members of Building Commission read pension members of Fire Department.

788, for Howard read Howland.

835, for Chapter 138 of the Public Laws of 1905 read Chapter 138 of the Public Laws of 1895.

844, for bridges of municipal officers read duties of municipal officers.

928, for identifying animals read identifying criminals.

974, for Herbert A. Bradford read Herbert A. Lombard.

1022, for Stonington Trust Company read Stonington Water Company.

1064, for Biddeford read Portland.

1244, for Daniel's Pond read Donnell's Pond.

1275, for Acatus Lake read Nicaeous Lake.

1313, for establish read abolish.

**SENATE.**

Thursday, March 4, 1909.

Senate called to order by the President.

Prayer by Rev. Mr. Knowlton of Monson, the Senator from Piscataquis.

Journal of previous session read and approved.

Papers from the House disposed of in concurrence.

Petition of J. E. Bowles and 74 others to incorporate the Androscoggin Valley Railroad Company; also of W. E. Doe and 40 others for same, came from the House, by that branch referred to the Committee on Railroads and Expresses. On motion by Mr. Milliken of Aroostook, these petitions were tabled.

"An Act to establish public abattoirs in cities in the State." This bill was reported by the Committee on Agriculture "ought not to pass." In the Senate, the report was accepted. The House non-concurred with the Senate in the acceptance of the report; and by that branch the bill was recommitted to the Committee on Agriculture. The Senate voted to concur with the House in recommitting this bill to the Committee on Agriculture.

"An Act additional to Chapter 144 of the Revised Statutes, providing for the recovery of money improperly paid by the state for the support of insane paupers." This bill was, by the Senate, indefinitely postponed. The House refused to concur with the Senate in indefinitely postponing the bill and has ordered the same recommitted to the Committee on Judiciary. The Senate voted to concur with the House in recommitting this bill to the Committee on Judiciary.

"An Act to regulate fishing for black bass, and white perch in the Belgrade Chain of Lakes in Kennebec and Somerset Counties." This bill by the Senate was passed to be engrossed. The House non-concurred with the action of the Senate and voted that the same be recommitted to the Committee on Inland Fisheries and Game. The Senate voted to reconsider the vote whereby the bill was passed to be engrossed; and further voted to concur with the House in recommitting the

bill to the Committee on Inland Fisheries and Game.

"An Act to amend and enlarge the corporate powers and purposes of the Greenville Light and Power Company, as amended by Chapter 244 of the Private and Special Laws of 1905." This bill was, by the Senate, passed to be engrossed. The House adopted House Amendment A, and as amended passed the bill to be engrossed. The Senate reconsidered the vote whereby the bill was passed to be engrossed and voted to adopt House Amendment A in concurrence; and as amended the bill was passed to be engrossed.

**House Bills Read and Assigned.**

An Act to amend Section 11 of Chapter 81 of the Revised Statutes in relation to records of proceedings in Court.

An Act to amend the charter of the trustees of Hebron Academy.

An Act entitled "An Act to amend the charter of the New England Retail Grocers' Publishing Company."

An Act to provide antitoxin by the local boards of health for diphtheria and other contagious diseases. (House Amendment A adopted in concurrence.)

An Act to change the name of the Unitarian Society of Augusta, Maine.

An Act to incorporate the Bonney Woods Corporation of Farmington Maine.

An Act additional to and amendatory of Chapter 424 of the Private and Special Laws of 1907, entitled "An Act to incorporate the Kittery Water District within the limits of the Town of Kittery for the purpose of supplying the inhabitants of said district, likewise the remaining portion of said town, with pure water for domestic and municipal purposes.

An Act to amend the law relating to political caucuses in the City of Bangor.

An Act to legalize, make valid and binding certain acts and doings of the town of Whitneyville.

An Act to amend Chapter 42 of the Public Laws of 1907, entitled "An Act to prevent desertion and non-support of families."

Resolve in favor of the Maine Mis-

sion for the Deaf.

Resolve in favor of the Treasurer of the East Maine Conference Seminary of Bucksport.

An Act to ratify, confirm and make valid the consolidation of certain railroads under the name of Sandy River and Rangeley Lakes Railroad, and enlarge the powers of said railroad.

An Act to amend Chapter 510 Private and Special Laws of 1874, being An Act to incorporate the Lincolnville Railroad Company.

An Act to extend the charter of the Camden and Augusta Railway.

An Act to extend the charter of the Peaks Island Railroad Company.

An Act to extend the charter of the Atlantic Trust Company.

An Act to extend the charter of the Dexter Trust Company.

An Act to revise and extend the charter of the Skowhegan Trust Company.

An Act to extend the charter of the Fairfield Trust Company.

Resolve in favor of the Maine State Chronological Society.

An Act prohibiting the throwing of sawdust and other waste material into Highland Lake, or any of its tributaries, in the City of Westbrook, Towns of Windham, Gray and Falmouth, and into Mill Brook in Westbrook, all in the county of Cumberland.

Resolve, that the Land Agent be authorized to convey to George F. D. Trask, of East Bluehill, Hancock County, Maine, "Conary's Nub" so called, East Bluehill.

Resolve in favor of roads in Indian Township.

Resolve in aid of bridge across the Aroostook River in the town of Masardis in Aroostook County.

Resolve in favor of aid in repairing highway in the town of Greenbush.

Resolve in favor of the Town of Prescott.

Resolve in favor of the Town of Cutler.

An Act to regulate fishing in the waters in Alder Stream Township, in the County of Franklin.

An Act to regulate fishing in that portion of Rangeley Lake known as South Bog, in Franklin County.

An Act to regulate fishing in

Magalloway River and tributaries, and upper and lower Metalluc and Lincoln Ponds and Parmachenee Lake, Oxford county.

An Act to prohibit ice fishing in the Puffer Pond, so called, in the Town of Dexter, Penobscot County.

An Act to regulate fishing in Brown Brook and Perry Pond and tributaries, in Somerset County.

An Act relating to an open season for the hunting of certain game birds in the County of Hancock.

An Act to provide for a close time on wild animals and birds on Kineo Point, so called, Moosehead Lake.

An Act to amend Chapter 412 of the Private and Special Laws of 1907, regulating fishing in Swift River in the Counties of Oxford and Franklin.

An Act to protect the white perch in Ellis Pond, sometimes called Roxbury Pond, in the towns of Roxbury and Byron in the County of Oxford.

An Act to regulate fishing in Molridgewock Pond and Stream, also the inlet to said Molridgewock Pond, Oxford County.

An Act to amend Section 20 of Chapter 41 of the Revised Statutes of 1903, relating to Sea and Shore Fisheries.

An Act to amend Chapter 77 of the Public Laws of 1905, relating to sea and shore fisheries.

An Act to amend Section 17 of Chapter 41 of the Revised Statutes of 1903 as amended by Chapter 49 of the Public Laws of 1907 relating to sea and shore fisheries.

An Act to amend Section 1 of Chapter 538 of the Private and Special Laws of 1889 relating to the taking of smelts in the Sheepscot River, as amended by Chapter 165 of the Private and Special Laws of 1907.

Resolve in payment of claims of Gilbert M. Elliott and Lincoln H. Colby.

Resolve in favor of the town of East Machias.

Resolve in favor of the town of Searsport.

Resolve in favor of the town of Fort Kent.

Resolve in favor of the State Board of Veterinary Examiners.

Resolve in favor of the town of Bremen.

Resolve in favor of Joseph E. Jewett.

Resolve in favor of the town of Starks.

Resolve in favor of the city of Ellsworth.

Resolve in favor of the town of Tremont, in Hancock County.

Resolve in favor of Eugene A. Holmes, County Attorney of Aroostook County.

Resolve in favor of the Penobscot Tribe of Indians.

An Act to provide for retiring and pensioning prison officers.

The following bills, petitions and resolves were presented and referred:

#### **Appropriations and Financial Affairs.**

By Mr. Kellogg of Penobscot: Bill, An Act to provide for competitive bids in the award of State contracts for the construction and repair of buildings and bridges.

#### **Inland Fisheries and Game.**

By Mr. Staples of Knox: Remonstrance of A. L. Farrar of Washington, Maine, and 50 others against the passage of any law prohibiting the throwing or depositing of any sawdust in the Jackson Stream or its tributaries.

#### **Temperance.**

By Mr. Howes of Somerset: Bill, An Act to amend Section 47 of Chapter 29 of the Revised Statutes in relation to the possession of liquors.

#### **Read and Assigned.**

An Act to amend Section 1 and Section 3 of Chapter 60 of the Revised Statutes, relating to the duties of the Commissioner of Agriculture.

An Act to provide for the State examination and certification of all teachers of public schools.

An Act to extend the charter of the Waterville and Winslow Bridge Company.

An Act to amend Section 2 of Chapter 159 of the Public Laws of 1905, relating to the compensation of certain State officers.

An Act to provide for the preservation of the records and history of the

Grand Army of the Republic, Department of Maine.

An Act to amend Chapter 153 of the Public Laws of 1907, relating to transportation of public officials. (On motion by Mr. Baxter of Cumberland this bill was tabled.)

An Act to incorporate the Androscoggin Reservoir Company and to authorize it to construct, acquire and maintain a reservoir or storage basin on the Magalloway River at or near the head of Aziscoos Falls in Lincoln Plantation in the county of Oxford for the purpose of maintaining a more constant flow of water in the Magalloway and Androscoggin Rivers, for use for power and manufacturing purposes.

#### **Reports of Committees.**

Mr. Smith, for the Committee on Interior Waters, on "Petition of T. A. Linn and 57 others of Hartland praying that the name of Moose Pond in Somerset County be changed to Great Moose Lake," reported bill "An Act to change the name of Moose Pond to Great Moose Lake."

The same Senator, for the same Committee, on bill "An Act to authorize and empower the Guilford Manufacturing Company to erect and maintain piers and booms in the Piscataquis River, reported same in new draft under same title and that it ought to pass.

Mr. Milliken, for the Committee on State Lands and State Roads, on Bill "An Act to confirm the title of Ram Island in Hancock County," reported same ought to pass.

Mr. Staples, for the Committee on Legal Affairs, on Bill "An Act authorizing municipal officers to lay out drains and sewers," reported same ought not to pass.

The same Senator, for the same Committee, on Bill "An Act to amend Section 23 of Chapter 114 of the Revised Statutes relating to poor debtors," reported same ought not to pass.

Mr. Hamilton, for the same Committee, on bill "An Act for the protection of life and property from steam boilers operated by incompetent persons," reported same ought not to pass.

Mr. Gowell, for the same Committee, on Bill "An Act to incorporate the

Guilford Water Company," reported same in new draft under same title and that it ought to pass.

Mr. Staples, for the same Committee, on Bill "An Act to amend Section 13 of Chapter 4 of the Revised Statutes, relating to the choice of road commissioners in towns," reported same ought to pass.

The same Senator, for the same Committee, on Bill "An Act to create a lien on shovel handle blocks," reported same ought to pass.

Mr. Wyman, for the same Committee on Inland Fisheries and Game, on "Petitions of T. R. Hussey, H. O. Hackett and others, in favor of An Act prohibiting the throwing of sawdust into Kimball Brook, Shin Brook, Seboeis stream and Fish Stream," reported bill "An Act to prohibit the throwing of sawdust and other mill waste into Kimball Brook, Shin Brook and Seboeis River, tributaries to the East Branch of the Penobscot River, also Fish Stream, a tributary to the Mat-tawamkeag River."

Mr. Baxter for the Committee on Library, on Bill "An Act relating to free public libraries," reported same ought to pass.

The same Senator, for the Committee on Military Affairs, on Bill "An Act to consolidate and revise the military laws of the State of Maine," reported that same be printed and recommitted.

Mr. Irving, for the Committee on Appropriations and Financial Affairs, on "Resolve in favor of D. H. Lambert, Secretary of the Committee on Indian Affairs," reported same ought to pass.

Mr. Osgood, for the same Committee, on "Resolve in favor of a monument marker on the battleground of Cedar Mountain, Virginia," reported same ought to pass.

Mr. Baxter, for the Committee on Judiciary, on Bill "An Act to amend An Act entitled 'An Act to create a lien on manufactured staves and laths,'" reported same ought to pass.

Mr. Looney, for the same Committee, on Bill "An Act additional to Chapter 128 of the Revised Statutes relating to malicious mischiefs and trespasses," reported same ought to pass.

Mr. Looney, for the Committee on Railroads and Expresses, on Bill "An Act to incorporate the South Portland Railway and Terminal Company," reported same ought not to pass as the subject matter is covered by another bill.

Mr. Emery, for the same Committee, on "Order directing an inquiry into the expediency of requiring all electric roads running the length of fifteen miles or more, to place upon their cars, toilets, reported that legislation thereon is inexpedient. On motion by Mr. Staples of Knox, pending the acceptance of the report, the same was tabled.

Mr. Mullen, for the Committee on Taxation, on Bill "An Act to amend Chapter 10 of the Revised Statutes, relating to the sale of land for non-payment of taxes," together with remonstrances against same, reported ought not to pass.

Mr. Wheeler for the same Committee, on Bill "An Act to amend Section 6 of Chapter 9 of the Revised Statutes in relation to taxation of real estate," reported ought not to pass.

Mr. Colcord, for the Committee on Railroads and Expresses, on Bill "An Act to incorporate the Androscoggin Valley railroad Company," submitted same in new draft under same title and that it ought to pass.

Mr. Walker, for the Committee on Education, on "Resolve in favor of the Western State Normal School," submitted same in new draft under same title and that it ought to pass.

The foregoing reports were accepted, and bills and resolves reported "ought to pass" were tabled for printing under the joint rules.

#### Passed to Be Engrossed.

Resolve in favor of the town of Frankfort in Waldo County.

An Act to provide for a close time on Hungarian partridges, so called.

An Act to regulate the catching of pickerel in Lake Pushaw.

An Act to regulate fishing in Dead Cambridge River, in Upton and "C" surplus, and tributaries, also tributaries, to "C" Pond in Township "C" surplus, Oxford County.



An Act to regulate fishing in the Town of Durham.

An Act to amend Section 4, Chapter 144 of the Revised Statutes relating to Insane Hospitals.

An Act authorizing the president and secretary of the trustees of the Maine Insane and Eastern Maine Insane Hospitals to execute a deed for certain lands in Bangor.

Resolve in favor of J. E. Cook, Secretary.

Resolve in favor of fish hatchery in Washington County.

An Act authorizing towns and cities to elect fish wardens in certain cases.

Resolve in favor of Ray P. Eaton. (Pending second reading, on motion by Mr. Milliken of Aroostook, this resolve was tabled.)

An Act to revise and consolidate the laws relating to the correction, examination, inspection and analysis of agricultural seeds, concentrated commercial feeding stuffs, commercial fertilizer, and foods and drugs. (On motion by Mr. Eaton of Washington, the Senate voted to adopt House Amendment A, and as amended the bill was passed to be engrossed.)

#### Passed to Be Enacted.

An Act to provide for the restoration of the records of the Judge of Probate for the County of Cumberland. (This bill having the emergency preamble and requiring a two-thirds vote for its passage, was passed by a rising vote, 24 Senators voting in favor of its passage and there being no votes opposed.)

On motion by Mr. Baxter of Cumberland, House Document No. 142, "An Act authorizing the Governor to issue his proclamation to prevent the use of firearms in the forests during a dangerously dry time," was taken from the table; and on further motion by the same Senator, the bill took its second reading and was passed to be engrossed.

On motion by Mr. Wheeler of Cumberland, Senate Document No. 261, "An Act to amend Chapter 8 of the Revised Statutes relating to the Board of State Assessors," was taken from the table; and on further motion by the same Senator the bill took its first reading. On further motion by the same Sen-

ator, Senate Amendment A was adopted, and as amended the bill was assigned for second reading.

On motion by Mr. Staples of Knox, "Bill to amend law about sentence in criminal cases," reported by Committee on Temperance "ought to pass," was taken from the table.

Mr. STAPLES of Knox: Mr. President: I wish to define my position in regard to this matter. I have no objection to the bill so far as sentences are concerned, but this takes away all the discretion of the Court of this State in that class of cases. There is no other crime in the whole category but what the Court of this State has some discretion. I think they should have in this class of cases. I believe this is a censure upon the Supreme Court of Maine, when they say by that amendment—we cannot trust you and we will take all discretion, whatever it may be, from you in this class of cases.

I care nothing about the sentence, particularly; but I want to stand here and say that I believe that the Supreme Court of this State should have discretion and that they can be trusted; and I want to go upon record as saying that I am perfectly willing, and stand here to defend them against any censure implying that they are not capable and should not be trusted with all discretion in all cases. Saying that, Mr. President, I move that the report be accepted.

Mr. WHEELER of Cumberland: Mr. President: I move that this matter remain upon the table and that Tuesday of next week be assigned for its consideration.

The motion to table prevailed.

On motion by Mr. Hastings of Oxford, House Document No. 158, "An Act to extend the charter of the Cumberland County Power and Light Company," was taken from the table; and on further motion by the same Senator, the Senate concurred with the House in the indefinite postponement of the bill.

On motion by Mr. Milliken of Aroostook, Senate Document No. 313, "An Act to amend Section 17 of Chapter 30 of the Revised Statutes relating to the sale of poisons," was taken from the

table; and on further motion by the same Senator, the same was referred to the Committee on Public Health.

On motion by the same Senator, Senate Document No. 315, "An Act to regulate the purchase and sale of intoxicating liquors by the State Liquor Commissioner and by town liquor agents;" also Senate Document No. 316, being "Report of the Committee on Salaries and Fees, relating to the foregoing bill," were taken from the table; and on further motion by the same Senator, the same were referred to the Committee on Temperance.

On motion by Mr. Looney of Cumberland, Senate Document No. 286, "An Act to amend Section 22 of Chapter 6 of the Revised Statutes, relating to the regulation and conduct of elections," was taken from the table.

Mr. LOONEY of Cumberland: Mr. President: I further move that in Senate Document 286 the minority report be substituted for the majority report; and that in Senate Document 287 that report "B" be substituted for Report "A." I make these two motions together because it is practically the same subject matter.

The PRESIDENT: The Chair will suggest that these matters will have to be acted upon separately. The Chair will consider that the question before the Senate is the first motion made by the Senator from Cumberland, Mr. Looney, namely: To substitute the minority for the majority report in Senate Document No. 286; and that the Senator from Cumberland has given notice to the Senate that he will move the substitution in the other case when it is reached.

Mr. LOONEY: Mr. President: As I desire to have the vote taken on Senate Document No. 287, first, I will make that motion first, and have that first before the Senate.

The PRESIDENT: The Senator from Cumberland, Mr. Looney, moves that in Senate Document No. 287 Report B be accepted and that question is now the pending question before the Senate.

Mr. LOONEY: Mr. President: Senate Document No. 287 provides for two changes in our election laws: first,

as to the form of the ballot; and second, as to the method of voting.

By its terms, the names are to be arranged on the official ballot alphabetically, by candidates, not grouped by parties. After each candidate is printed the name of the official or political designation, or party to which he belongs; and the voter simply makes a mark to the right of each candidate of his choice.

Now this, in brief and in substance, is the Massachusetts system. By the terms of our present law, which in this discussion I shall call the Maine system, the candidates are grouped on the official ballot by parties; and the voter, if he desires to vote the straight ticket, makes a mark in the space over the party group. If he desires to vote a split ticket, he either erases the name of the candidate on the party group or he places a sticker over the name erased, or writes under in the appropriate space the name of the candidate of his choice. Now, if the sticker is not properly placed, or if the name is not correctly written, the voter loses his ballot for that candidate, or candidates. If the name is properly placed on the official ballot, by sticker, or if it is properly written and still a cross is not made in the space over the party group, then the elector loses his vote for the entire ticket, in other words, he is disfranchised. This, Gentlemen of the Senate, is the difference between the Massachusetts system and the Maine system. The distinction and the difference between the two is apparent. The one, the Massachusetts system is simple, easy to understand and within the comprehension of the most untutored voter. The other, the Maine system, is intricate, complicated and confused. By one the voter prepares his own ballot; it represents his deliberate judgment. By the other the ballot is prepared, not by the voter primarily, but by the party which is the genitor, or the political convention. By the terms of one, the Massachusetts system, intelligent, conscientious, independent voting is encouraged. By the other, the Maine system, intelligent and conscientious voting is discouraged. The one, the Massachusetts system, is in

harmony with the spirit and genius of our institutions; while the other, the Maine system, is opposed to it.

I believe that the people of Maine desire that their elections be regulated by the Australian system. The Massachusetts ballot is the most perfect adaptation of that system to American methods that has yet been devised; while the Maine system is a "counterfeit presentment" of the same. If Senate Documents Nos. 286 and 287 are enacted, the elections hereafter will be regulated by the "Simon-pure" Australian system. The bill which I had the honor of introducing in the legislature of 1889 was the Massachusetts system changed in a few particulars so as to conform to local conditions. That bill received 35 votes in the House and the vote was even in the Senate. In 1891 the legislature enacted the so-called Clayson Bill. Under that bill two systems were combined, or were attempted to be combined, on the official ballot: what is termed the Belgian or Indiana system and the Massachusetts system. That is to say, the voter if he desired to vote the straight ticket made one mark over the party group; if he desired to vote a split ticket, he omitted that mark and made a mark to the right of each candidate of his choice. This attempt to combine two systems on the same ballot resulted, as the friends of the Australian system predicted it would result, in confusion and disaster. At the election in 1892 there were thousands of defective ballots and thousands of voters who were disfranchised.

The Legislature of 1893, at its closing hours, without any public notice, without any intimation even to the friends of the secret ballot that the change was being contemplated, at the eleventh hour of the session surreptitiously railroaded through the Legislature the present abortion called the Australian system; and that apology for the Australian system has since regulated the conduct of elections in this State.

I am opposed to the present Maine system, because it is not the Australian system of voting. By the provisions of the Australian system the voter in-

dicates his choice upon each candidate separately, that is to say, each candidate upon the ballot is subject to the voters scrutiny and deliberate judgment. This is the law in the different provinces of Australia, in Great Britain, in Ireland and in the different provinces of Canada and the nations of continental Europe. I believe there is only one nation in Europe where the names are grouped by parties on the official ballot, and that is in Belgium. In Bavaria where we are wont to think the people are ignorant, so far does the nation insist that the voter shall represent his deliberate, conscientious act and judgment, that the law provides that upon the official ballot every voter shall write out the candidates of his choice.

Every State in the Union, with the exception of two, North and South Carolina, have some form of the Australian system. The Maine ballot regulates the law of two other states; that is, West Virginia and Delaware. The Massachusetts law has been adopted, or is being considered by the legislatures of over 20 states of the Union. The Massachusetts system is advocated and endorsed by the best thought of the country upon this subject. As far as my knowledge extends, all the ballot reformers are enthusiasts and particularly in favor of it. Governor Hughes, the Chief Executive of the State of New York, in two messages to the legislature of that state, urged its adoption. The enactment of the Massachusetts system is urged, not only because it encourages intelligent, conscientious voting—not only because the ballot represents the convictions and the discriminating judgment of the voter—not only because upon it every party and every candidate has exact and impartial justice, but also because, more than any other system that has yet been devised, it reduces bribery, intimidation and other corrupt election practices to a minimum. Because the names are arranged alphabetically, by candidates, on the official ballot, and because the voter indicates his choice upon each candidate, it is impossible—the names being near together—to ascertain for which candidate the voter

votes. And because the names are arranged along the official ballot, it is impossible to ascertain whether the voter is voting a straight ticket or not.

I hazard the assertion that bribery and the corrupt use of money are more employed and used at the present time at elections than before the Maine system was enacted. This, I confess, is not a very congenial subject; and justice to the subject—to the principle for which I am contending—alone justifies its discussion. What would be revealed if the truth were told, if the lid was taken off and this tree of Sodom was shaken, I leave for others to determine; but of one thing I am certain, that the Maine system has no terrors for the corruptionist. It is to him what the flowing locks were to Samson, the source of his strength.

Under the present system it can be readily determined by the length of time that a voter remains in a booth whether he is voting the straight ticket or not; and if, after emerging from the booth, he holds up his ballot, it can be readily determined by observing the outlines of the mark for which party he has voted.

The warden of one of the largest wards in the City of Portland told me that he could readily tell in this way how two-thirds of the voters were throwing their ballots.

I think that you will admit that the sticker has become an intolerable nuisance,—that it necessitates at the polls the employment—that is, in the large cities,—I do not know how it is in country places—of hordes of idlers, time-servers, healers and bummers who infest the polling places on the day of election. The Massachusetts system entirely eliminates the sticker. In 1895, the so-called Morey ballot booth law was enacted. By the terms of that law any city or town at an election especially called for the purpose, could determine whether the doors should be placed upon the booths behind which the voter could prepare his ballot with perfect security. Senate Document No. 286 provides for the repeal of that law. You will naturally ask, why? And with your permission I will try to explain. The Morey booth

law was intended to promote honest and fair elections. That it was designed to prevent bribery I cheerfully admit. That, in practice as well as in theory, it has had an exactly opposite effect I think I can show to the satisfaction of the Senate.

In every bargain for bribery there are two parties, the purchaser and the purchased, the briber and the bribee, the corruptionist and his victim. The meat or the quick of the ulcer is for the corruptionist to ascertain how the venal voter votes. Now let us imagine—which I will show you is not very imaginary after all,—that the purchaser has secured an official ballot; he says to the venal voter: here is a ballot which I have prepared and which I desire to have deposited—voted; if you vote this ballot I will give you such and such a sum of money. The venal voter takes the ballot thus marked and thus prepared and places it in his inside pocket, proceeds to the polling place and passes behind the rail. He receives another ballot from the ballot clerk. Then he proceeds into the polling place, effectually concealed by the Morey door; and there substitutes,—because he is entirely concealed,—he substitutes the marked ballot or prepared ballot which he received from the purchaser for the unmarked ballot which he received from the ballot clerk. Then he emerges from the Morey booth; steps up to the ballot box and deposits in the ballot box—not the ballot which he has received from the ballot clerk—but the prepared ballot which he received from the purchaser. Then he leaves the polling place and, at the rendezvous, gives to the purchaser the ballot unmarked and unprepared which he received from the ballot clerk. Thus the first link in the chain of corruption is forged. Thus you see that the Morey booth furnishes positive, absolute and certain proof that the bargain between him and the purchaser has been carried out,—that the goods have been delivered. In other words, the Morey election booth is the most positive and effectual ally of the corruptionist.

This trick which I have just explained is what is termed the Tasmania

dodge, so termed because it was first practiced in the Province of Tasmania, in Australia; and when the authorities found out that the Australian system was entirely nullified,—that under this closed booth corruption was practically more than before, then that part of the law was repealed, and the open booth was substituted; and so everywhere in continental Europe, in Australia, in Great Britain, in Ireland, and wherever the Australian system in its purity regulates elections, they have an open booth; and so the open booth, rather than the closed booth, is a part of the Massachusetts system.

I may be asked: How can the purchaser obtain an official ballot? Now, of course, I cannot, Gentlemen of the Senate, speak from personal knowledge, because I have had no personal experience in matters of this kind; but I think I can demonstrate to your satisfaction that in some way or other the official ballot is secured. My friend, the Senator from Oxford, was a member of the contested Senatorial election two years ago in which Senators Heselton and Reardon were the contestants. He tells me that it was shown in the evidence before that Committee that in one of the towns of Kennebec County the Tasmania dodge was practiced all day, and that the first ballot—that is, the first link in the chain, was the specimen ballot.

I have before me—and by the way I desire especially to call the attention of the Senators from York County to what I am now saying—I have before me a letter from a gentleman of York County who had the misfortune to be a candidate for mayor in one of the cities of York County a few years ago. In that letter he tells me that, on the morning of the day of the election at which he was candidate for mayor, that the City Clerk of that city who, by the law, prepares the ballots and who unfortunately for him happened to belong to the other party, very kindly and generously and considerately distributed a large number of the official ballots to the heelers of his party in the different wards of that city; and that the Tasmania dodge was practiced by the other party all

day, the day of the election; and not unnaturally, inasmuch as the margin of the other candidate was very small—under 30—he attributes his defeat to the Tasmania dodge and to the Morey ballot system. Inasmuch as the Senators are all in favor of pure and honest elections; inasmuch as they are opposed to any device which makes bribery easy and possible, I desire especially here to allude to my colleague, Senator Baxter, and to the Senator from Oxford, now that they know what the effect of this Morey ballot law has been, both in theory and practice,—I know, as honest men, that they will vote for the repeal of the law, although the present system has regulated our elections since 1893, the voters of Maine have not yet fathomed its mysteries, have not yet learned how to vote under it. This is shown by the infinite number of defective ballots thrown at every election and the thousands of voters who are disfranchised because of those defective ballots. Before the contested Senatorial Election Committee of this Senate, two years ago, the evidence showed that over 400 ballots were thrown in Kennebec County which were totally defective. In other words, 41-3% of the votes thrown were thrown out; that is to say, on account of this ballot at the election in Kennebec County in 1906 over 400 voters were disfranchised. Now if the percentage of voters, or the percentage of votes which were thrown out, the ballots which were thrown out in Kennebec County, were thrown out, or existed in other parts of the State, then upon that basis we would come to the conclusion that over 4,000 ballots, totally defective, were thrown in Maine at the election in 1906. In other words, over 4,000 voters were disfranchised by this ballot. This is not an unreasonable assumption, because in my judgment the voters of Kennebec county are as intelligent and understand their political rights as well as the voters in any county of the State.

Some three weeks before the Legislature convened I wrote letters to the clerks of the different cities of the State and to the different towns of

Cumberland County, requesting information, first: as to the number of ballots which were totally defective that were thrown at the election last September; and second: the number of ballots which were thrown which were partially defective. In nearly every instance I received a courteous answer to my request, but from some reason or other the clerks had no record of the number of ballots which were partially defective. From the table which I have in my hand it appears that in the City of Biddeford there were 47 votes which were totally defective; in Bangor 128; in Auburn 52; in Lewiston 40; in the Town of Scarborough, where there was a contest, there were 66 votes partially defective and 19 votes totally defective. In other words, in the cities and towns from which I received answers from their clerks, there were 520 defective ballots thrown, that is, votes which were totally defective. The vote thrown in those cities and towns was 28,134. In other words, about 2% of the votes were totally defective in those cities and towns. If the same average held in the other parts of the State, which it is not unreasonable to presume, then about 3,000 ballots which were totally defective were thrown at the election last September and 3,000 voters were disfranchised.

Mr. STAPLES of Knox: Will the Senator permit a question.

Mr. LOONEY: Certainly.

Mr. STAPLES: What year are you speaking of?

Mr. LOONEY: 1908,—the vote of last September.

In the City of Portland, at the last State election, 10,700 votes, or to be more accurate, 10,695 votes were thrown. The City Clerk tells me that 2 per cent. of those votes were totally defective and 18 per cent. were partially defective. In one ward of the city of Portland 1345 votes were cast and 245 were partially defective. In other words, as I said, 18 per cent. of the votes thrown in the city of Portland was defective, or about 1600 voters in Portland lost their ballots for

some candidates. If the same average was kept up in other parts of the State we reach the conclusion that at the State election last September, over 26,000 voters in the State of Maine lost their ballots as to some of the candidates. Inasmuch as the election last September was in a Presidential year there were not so many contests as at the average election; and it is not unreasonable to assume that the voters as a rule voted the straight ticket; and where there was a contest, as in the case of the town of Scarborough, then we find a large number of defective ballots.

Rev. Mr. Pearson was elected sheriff --and I am always glad that I voted for him, though a straight Republican --there were some 600 defective ballots. Is it unreasonable to say that this wholesale disfranchisement of the voters of Maine by this ballot is truly alarming--that it is positive proof that there is something radically wrong and defective in our present ballot system, and that it is the imperative duty of this Legislature to remedy the evil, to solve the problem, either by the enactment of this law, or by the enactment of some other. I am not an alarmist, but I predict that if this system is not changed, and if at the next election 1910 the margin of the gubernatorial vote is less than 4900, that there will be contested election cases for governor, for members of the Legislature and for county offices, so bitter, so acrimonious and so protracted as to bring the State almost upon the border of a revolution. American freemen value the inalienable rights of suffrage too highly, regard them as too sacred to have those rights destroyed and nullified by a fraudulent scheme like the Maine ballot law. In marked contrast to the Maine system is the Massachusetts system. As far as I can learn, the Massachusetts ballot law is perfectly acceptable to the voters of that state and is satisfactory to all parties, Republican, Democrat, Socialist and Prohibitionist.

Mr. STAPLES: Will the senator permit a question?

Mr. LOONEY: Certainly.

Mr. STAPLES: Do you know, under the Massachusetts System, the Australian ballot system, what the percentage of votes is there which are defective?

Mr. LOONEY: I am about to touch upon that, if you will pardon me a few moments.

Some time before the Legislature convened, I had an interview with the Assistant Secretary of State of Massachusetts, who is the ballot expert of that State, and the Chairman of the election commission of the City of Boston. Both of those gentlemen assured me that not only was the Massachusetts system acceptable to the people of that state but that the people were heartily and enthusiastically in favor of it. Both of them told me that rarely, if ever, do they hear of a ballot thrown which is totally defective and very rarely, although sometimes, a ballot is thrown which is partially defective. Mr. Minough, the Chairman of the Election Commission of the city of Boston, told me that, at the last State election in Massachusetts, in the City of Boston 110,000 ballots were cast, and that among that 110,000 ballots thrown not one was entirely defective; and he said he did not know of any that were partially defective. Gentlemen, how do you explain the difference between the system in Massachusetts and the system in Maine? Is it because the voters in Boston, where they say there is a large proportion of foreigners, are more intelligent than the voters in the cities and towns of Maine? No. The reason is not because the voters in Maine are less intelligent and more illiterate, as a great many of the friends of the Maine ballot say, but because of the radical defect of the Maine ballot; and if, gentlemen of the Senate, you desire to put an end to the disfranchisement of voters in this State, there is only one course for you to pursue, and that is to substitute the Massachusetts ballot for the Maine ballot.

Mr. STAPLES: Will the senator permit me to ask how long the Massachusetts system has been in vogue?

Mr. LOONEY: Since 1902.

Now there is one objection, and the only one worthy of the name, which

has been urged against the Massachusetts ballot, and that is this: that the voters do not vote for the names which are on the lower part of the ballot. The answer to that is this: first, that the object of the ballot is not to compel voters to vote for men if they don't want to, but it is to vote for men whom they do want to vote for; but, as a matter of fact, while this objection was to a certain extent valid when the ballot first regulated the elections in Massachusetts, they tell me it is not true now. But, inasmuch as the percentage of names which are not marked applied equally to all the parties, it affected not in the slightest degree the result. By the terms of the Water District charter of Portland, the voters of Portland voted for trustees on an official ballot where the names of the trustees,—the candidates, are arranged alphabetically; and at the election a year ago last May on the official ballot were 26 candidates for Water Trustees, because under the law any gentleman who receives the names of 50 voters to his petition can become a candidate. The names of the men who were elected were all along the ballot, four names; and as a matter of fact the people of Portland had no difficulty whatever in voting under that ballot and understanding its provisions. The fact that some candidates' names were on the top of the ballot and others at the bottom, did not give the former any advantage over the latter. The voters exercised a discriminating choice and were unaffected in the slightest degree by the position of the names upon the ballots; and because the people of Portland have had practical experience with the Massachusetts system, both in our caucuses and at our elections, that is I presume one of the reasons why the people of Portland are practically in favor of the Massachusetts system. The convention which nominated the five representatives to the Republican convention unanimously passed a resolution instructing their representatives to vote for the Massachusetts system. After the ballot law of Maine was enacted in 1893, the Portland Press which has always been a consistent advocate of ballot reform and of the Massachu-

setts system, said that the evident intent and purpose of the framers of that ballot was to bring the secret ballot into such contempt and ridicule that the people would call for its repeal. It is true that the full purpose of these men was to compel the voter either to vote the straight ticket or to disfranchise him if he did not do so. In this way they have, to a certain extent, succeeded. But they have not succeeded in crushing out and destroying intelligent voting in Maine. The stars in their courses are fighting against them. The mind of Maine is still unfettered. Political independence, the spirit of free inquiry, cannot be suppressed. This is the 20th, not the 16th century.

The bane of American politics is too little, rather than too much independence. Maine should have the best, not the worst ballot system. The genius of her people demands it.

Mr. HASTINGS of Oxford: Mr. President, I am sure that the Senate has listened with a great deal of pleasure, interest and profit to the very able address of the senator from Cumberland. He always brings to the discussion of questions before the Senate great learning, eloquence and a thorough mastery of the subject at hand. For myself and the other gentlemen of this and the other branch of this Legislature who signed the adverse report, I wish simply to say at this late hour, without going into the comparative merits of the Massachusetts and the Maine ballot, we think that the time is not ripe for giving up our present ballot and adopting the ballot recommended and proposed by the favorable report.

We have had this ballot a long time in this State. We have become fairly familiar with it and its workings; and in spite of its defects, it seemed to us that the State as a whole was well satisfied with this ballot and that the State preferred to keep it. For the great majority—the great mass of the voters of the State who always vote the straight ticket, no ballot possibly could be devised simpler than this ballot, which simply requires a cross in the square at the head of the ticket. With the small minority, or very

few who wish to split their ticket, the difficulty of splitting the ticket is not great; the manner of doing it is now well understood; and certainly the manner of doing it is not more difficult, in my judgment, than the manner of voting the Massachusetts ballot where the officials are arranged in groups. It does seem to me, and I think it seemed so to the other members who signed this adverse report, that we should not at this time make the change. Of course, I understand from the instances to which the senator from Cumberland has referred, namely, to the instance in Kennebec county and the instance in York county, it is certainly sure that wherever the Tasmania dodge takes place, it must have taken place with the connivance of corrupt officials; and I cannot possibly understand, with my limited information as to this, why if the officials were elected in this way, this same dodge could not take place under this Massachusetts ballot. Certainly in York county, in order for them to get a start, a corrupt city clerk or a town clerk must be furnished sample ballots with which to start.

My brother Looney admits that in order to manipulate this Massachusetts ballot safely and to have it work surely we must change and make over our present form of booths. Now, after years of experience and trial, the present form of voting booth was adopted. We have barely given it a fair trial, and the proposition now is to change that and to put up an open booth. These booths have been arranged and constructed at great expense by the different towns and cities, and certainly a change would be attended by an expense not inconsiderable. I certainly hope that the motion of the gentleman from Cumberland will not prevail; and when the vote is taken, I move that it be taken by the yeas and nays.

Mr. BOYNTON of Lincoln: Mr. President: It was in 1890, and not in 1902, that the Australian ballot was adopted by Massachusetts, and at that time it was my privilege to be a member



of that state and for several years thereafter to vote with this system of ballot; and I wish to say that it has given to the citizens of Massachusetts a system which is to them entirely satisfactory. If you should take a ballot tomorrow in that state as to whether or not that ballot should be repealed, not one man in 200 would vote to have it repealed or to have any other system substituted for it. It has done many things—among others, it has done away with the corrupt practice of the purchase of votes, for there the goods cannot, under that system, be delivered; and there are many other reasons for retaining it which I will not stop to bother you with. I will say that, if the State of Maine, by this Legislature, should now adopt this system and repeal the one we have, it will be a long step in the right direction, in my opinion.

Mr. WARREN of Cumberland: Mr. President: While I think that we must all deprecate too frequent changes in our ballot law, we certainly ought to eliminate weaknesses so soon as they are developed. I believe in the measure now before us because it strongly accentuates the principle of voting for the man as distinguished from voting with the party. The proposed method encourages thoughtful, considerate, definite voting; and I believe that we ought to support the measure.

Mr. HAMILTON of York: Mr. President: I did not expect to say anything upon this question and I am going to say but a few words. There is no member of this Senate that is more conscientious and painstaking than the senator from Cumberland, Mr. Looney. He never is so apt as he is in his charitable matters where his duties run parallel with his sympathies; and in all of his matters in the Senate he is always happy when his acts will tend to promote righteousness.

I am not in favor of any restrictions to the ballot in Maine. I do not believe that I need go to Australia and adopt the Australian ballot. I do not like that kangaroo child. I do not believe that we ought to go to Massa-

chusetts and adopt the Massachusetts practice; but I believe, and the senator from Cumberland has demonstrated to you clearly and plainly the facts, and I think with all his honesty that he should draw a bill abolishing the whole system of this secret ballot, and let us go back to our old State of Maine, open, patriotic balloting which we used to vote with. You know that a ballot comes down as a snowflake upon the sun, executing the voter's will as luminously as the snowflake executes the will of God. Today where the ballot is restricted there is no patriotism, no interest in the election. One of the most learned men we ever had in our city and who is now dead said that he never had voted—that he did not like to go in like a skunk in a hen-coop and prepare his ballot and that he wasn't going to—that it was un-American; and it is un-American. The world is only righteous by a small majority and voters are only righteous by a small majority, except the Democratic party. I do not care whether you have the Massachusetts system or the Kangaroo system that he says is the real Kangaroo, but this is a sort of morphidite which we now have, I notice that he advocated it years ago and all that is enacted has come in under his bills.

Mr. LOONEY of Cumberland: I beg the senator's pardon. I never advocated the present system in Maine. As I stated in my remarks, the ballot I first introduce was the ballot I introduce here. I think I have been consistent from first to last in advocating the Massachusetts system.

Mr. HAMILTON: Well, won't you be now consistent; and put in a bill to repeal the whole thing? I am glad to notice that you put in, the same as I do, when I churn—a little sour milk for a starter.

Now you (referring to Mr. Looney) made a grand speech, as much so as any that I ever heard made here in reference to the iniquity of this bill and how it disfranchises the men of the State and how it aids corruption and the purchase of votes. That is true. There is no law that could be

placed upon the statute books that I can conceive of where with the ward heeler—and we have them all over the State—and where the politicians—I do not mean statesmen, because there is no statesman until a politician dies and a statesman is a politician dead—so you will understand that when my friend, the senator from Knox county, is dead, he will be a great man and his name will go down to posterity as a statesman—but you will always have the ward heelers and you cannot restrain them.

Now, as to the Massachusetts law, I am informed, and I have taken some pains and spent two or three hours with what you would call a politician in Massachusetts, and he says it is a better law to buy voters than this is and that it is easier than it is under our law; and he goes on to explain it in such a way as to convince me that such was the fact. I do not claim any great honesty about this matter, but if you are going to have an honest ballot—if you are going to have a true ballot, the only ballot you can have is the old ballot which we formerly had and the man who goes and votes under that ballot is proud of his vote and of his rights of sovereignty and feels a sense of his obligations, not only to himself but to his party, his State and his country. I am opposed to this bill because for nearly 20 years I have been trying to educate the people to vote under the ballot as it now is. We have not yet got them educated; but for Heaven's name we don't want to go back and educate them under a new ballot, because we will never so get a square and honest ballot. The people now pretty well know how to vote. Of course, the voters are not all as intelligent as they ought to be, but let us take them as they are. They cannot go and sit down under the Massachusetts ballot with group after group and vote as they wish to, intelligently. They cannot do it. You (the senator from Cumberland) may do it. A majority may do it, but take the ordinary voter and under the Massachusetts ballot he does not know and cannot tell, and it is impossible for him to vote intelligently. He has

not had the experience or the inclination that leads up to it. We have now, under this ballot, for the last 20 years, so educated the people, as Brother Looney says, that they vote dishonestly. But we have educated them under this law and therefore let it remain. It is always better to go by the same old road which you know, even if you can get there nearer through a road you don't know. I am opposed to his bill and in favor of the ballot as it now stands—I am not in favor of it. Now as to the door business, I am certainly in favor of an open place. He has called your attention to what occurred in York county and I have no doubt but what it occurs in all counties—something of that kind. I do not think that was invented or sent from Australia.

Mr. STAPLES: It was invented in York county.

Mr. HAMILTON: Yes—by the Democratic party.

I do not know where it was invented. We have not had an invention of that kind to my knowledge that came from Australia; and I don't know whether that place that he talked about (Tasmania) was in Australia or up in Oxford county. I was in doubt about it. No matter. He says it was in York county and that it came from the Democrats; and we will acknowledge it; but that will occur and does occur everywhere. With this door shut they can change a ballot, and not only change a ballot but they have what they put underneath the ballot and when they mark it, the mark will show whether they were bought or not. They use that a great deal more particularly in the Massachusetts ballot as I am told. Gentlemen, I am in favor of the open door. I believe that is essential to this ballot, if you can make it a ballot that should be called a ballot. I am in favor of the open door; and I am in favor, if we have got to have a Kangaroo, to have the Kangaroo we have now—tamed.

The question being upon the motion to accept Report B "ought to pass" upon Bill, "An Act to amend Chapter 6 of the Revised Statutes relating to the regulation and conduct of elec-

tions, the yeas and nays were called for and ordered and the vote being had resulted as follows: Those voting **yea** were Messrs. Baxter, Boynton, Donigan, Irving, Looney, Milliken, Mullen, Warren, Wheeler (9). Those voting **nay** were Messrs. Colcord, Eaton, Emery, Gowell, Hamilton, Hastings, Howes, Kellogg, Lowe, Macomber, Minott, Reynolds, Shaw, Smith, Staples, Walker (16).

So the motion was lost.

Thereupon, upon motion of Mr. Hastings of Oxford, Report A "ought not to pass" upon the same bill was accepted.

Mr. Looney of Cumberland thereupon moved that the minority report be substituted for the majority report upon Senate Document No. 286 "An Act to amend Section 22 of Chapter 6 of the Revised Statutes, relating to the regulation and conduct of elections."

Mr. HASTINGS of Oxford: Mr. President: In fairness to the Senate, I think the senator from Cumberland, Senator Looney, should explain his motion.

Mr. LOONEY: The minority report is substantially that the Morey booth law be repealed. The minority report in favor of repealing that law, while the majority report is in favor of keeping it as it is.

The question being upon the motion to substitute the minority for the majority report, the yeas and nays were called for and ordered.

Mr. HAMILTON of York: Mr. President: This is a very important matter. I think that is the fundamental part of all these reports, if you are to have the Australian ballot in any form. This amendment, or this minority report on Senate Document 286 does away with the door. It is worth your while, gentlemen, to read that bill if you wish to vote intelligently on it. From the time the voter comes in until he casts his ballot he is in sight of those outside of the rail and has no chance to add what Senator Looney says they did in the county where I reside and probably in other

counties—no chance to change their vote. You can look at him all the time; and I believe, if you are to have a ballot law for the interest of reform and to have a pure ballot and one in which no fraud can be perpetrated it is very important that you should have this open door and that you should have the voter in sight from the time he goes into the ward room until he goes out; and he can make his ballot as well and as quietly and no one can see, in reference to his marking his ballot, whether it was long or short. You know there are devices as I said. Righteousness is only righteousness by a small majority and you may have all the devices in the world to prevent fraud and yet fraud will keep pace with you very nearly. Men will not do any crime in open light. They want to do it in darkness and they want to do it when they are shut up. They don't want to do it upon the hill-tops but they do it when they can shut that door.

The question being upon the substitution of the minority for the majority report, the vote being had resulted as follows: Those voting **yea** were Messrs. Gowell, Hamilton, Looney, Milliken, Minott, Shaw, Smith, Warren (8). Those voting **nay** were Messrs. Baxter, Boynton, Donigan, Eaton, Emery, Hastings, Howes, Kellogg, Lowe, Macomber, Mullen, Reynolds, Staples, Walker Wheeler (15).

So the motion was lost, and on motion by Mr. Hastings of Oxford the majority report was accepted.

On motion by Mr. Macomber of Kennebec, House Document No. 244, "An Act to amend Section 25 of Chapter 53 of the Revised Statutes relating to the necessary regulation of street railroads by municipal officers," was taken from the table and on his further motion Senate Amendment A was adopted and the bill as amended took its second reading and was passed to be engrossed.

On motion by Mr. Hamilton of York, House Document No. 62 "An Act relating to holidays," was taken from the table; and on his further motion

the same was assigned for Friday, March 5.

On motion by the same senator, Senate Document No. 152, "An Act to exempt certain public bonds from taxation," was taken from the table; and on his further motion House Amendment B was adopted and the bill was passed to be engrossed.

On motion by Mr. Macomber of Kennebec, House Document No. 134 "An Act to amend Sections 15 and 16 of Chapter 17 of the Revised Statutes, relating to the practice of medicine," was taken from the table; and on his further motion was passed to be engrossed.

On motion by Mr. Hastings of Oxford, at the request of Senator Osgood, Senate Document No. 323, "Bill, regulating practice of optometry" reported by committee on judiciary, "ought

to pass" was taken from the table; and on his further motion the report was accepted, and the bill was read and assigned.

On motion by Mr. Hamilton of York, Senate Document No. 191, "Bill to amend Section 115, Chapter 15, Revised Statutes, relating to public schools," was taken from the table.

On further motion by the same senator, the bill was assigned for Friday, March 5.

On motion by Mr. Howes of Somerset, Senate Document No. 275, "Resolve for State Prison," reported by committee on State prison, "ought to pass," was taken from the table; and on further motion by the same senator, the bill was passed to be engrossed.

On motion by Mr. Emery of Franklin, the Senate adjourned.