

# 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 Acatous Lake read Nicaious Lake.

1313, for establish read abolish.

**SENATE.**

Thursday, March 11, 1909.

Senate called to order by the President.

Prayer by Rev. Mr. Clifford of Gardiner.

Journal of the previous session read and approved.

Papers from the House disposed of in concurrence.

Bill, "An Act to amend Section 1 of Chapter 173 of the Public Laws of 1905, as amended by Chapter 177 of the Public Laws of 1907, relating to the compensation of the Register of Deeds," came from the House accompanied by report of the Committee on Salaries and Fees "ought not to pass." On motion by Mr. Hastings of Oxford, the bill was tabled pending the acceptance of the report in concurrence.

Bill, "An Act to amend Section 1 of Chapter 173 of the Public Laws of 1905, as amended by Chapter 177 of the Public Laws of 1907, relating to the compensation of Registers of Deeds." This bill came from the House, with accompanying report of the Committee on Salaries and Fees "ought not to pass." On motion by Mr. Hastings of Oxford, the bill was tabled pending the acceptance of the report in concurrence.

Bill, "An Act to provide for clerk hire and for certain expenses of the Clerk of Courts for Oxford County" came from the House accompanied by report of the Committee on Salaries and Fees "ought not to pass." On motion by Mr. Hastings of Oxford, the bill was tabled pending the acceptance of the report in concurrence.

Bill, "An Act to amend Section 1 of Chapter 151 of the Public Laws of 1905, providing for clerk hire for the Register of Probate of Piscataquis County" with accompanying report "ought not to pass" came from the House. On motion by Mr. Knowlton of Piscataquis the bill was tabled pending the acceptance of the report in concurrence.

**House Bills Read and Assigned.**

An Act to authorize and empower Leone R. Cook and others, trustees, to convey certain interests in real estate to the inhabitants of the town of Yarmouth.

An Act to extend and amend the charter of the Cornish, Water, Light and Power Company.

An Act to amend Chapter 260 of the Private and Special Laws of 1887, relating to the powers of the Dover and Foxcroft Village Fire Company, the name of which was changed to "Dover and Foxcroft Water District," by Chapter 11, Section 1, of Private and Special Laws of 1903.

An Act to incorporate the Maple Grove Electric Company.

An Act to incorporate the trustees of an academy under the name of the Nasson Institute.

An Act to amend Sections 94, 96 and 97 of Chapter 15 of the Revised Statutes of 1903 providing for the schooling of children in unorganized townships.

Resolve in favor of Lincoln Academy.

An Act to extend the charter of the Bluehill Trust and Banking Company.

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

An Act to extend the charter of the Cumberland Trust Company. (House Amendment A adopted in concurrence.)

An Act to prohibit ice fishing in Ware pond, in Lee, in Penobscot County.

An Act creating a close time on muskrats in certain tributaries to Lake Sebasticook, from May 1st to March 15th of the following year.

An Act to regulate the length of trout which may be taken in certain ponds in Oxford County.

An Act to regulate fishing in Pleasant Pond, in Somerset County.

An Act to regulate fishing in Belgrade Stream, in Kennebec County.

An Act to amend Section 43 of Chapter 32 of the Revised Statutes relating to Pleasant River in Washington County.

An Act to amend Section 1 of Chapter 356 of the Private and Special Laws of 1907, entitled "An Act to regulate the taking of white perch in Lake Sebasticook, in the Town of Newport, County of Penobscot, and its tributaries."

An Act to regulate fishing in a portion of Sandy River Stream, Franklin County.

An Act to prohibit ice fishing in the Prestile Stream in Aroostook County.

An Act for the protection of deer in Cumberland County.

An Act to provide for ice fishing, in accordance with the general law of the State, in Spectacle, the Stanleys, Traf-ton and Jay Bird Ponds, in Oxford County.

An Act to regulate the taking of fish from Lower Kezar Pond, in Fryeburg, Oxford County, Maine.

An Act to prohibit the swelling of scalloped meats by artificial means.

An Act to amend Section 1 of Chapter 61 of the Special Laws of 1907 relating to the lobster industry within two miles of the shore of Monhegan Island.

An Act regulating the taking of alewives in Patten's Pond Stream in the town of Surrey, Hancock County, Maine.

An Act to prohibit seining smelts in certain parts of Casco Bay.

An Act to amend Section 61 of Chapter 41 of the Revised Statutes of 1903 relating to sea and shore fisheries.

An Act to set off from the Town of Cushing in Knox County Fred Thornton, with his poll and estate and annex him with his poll and estate to the Town of Thomaston in said Knox County.

Resolve in favor of the Plantation of New Canada in Aroostook County.

Resolve in favor of the Town of Roxbury of \$123.75 to be paid to the Town of Roxbury on account of permanent road constructed in the year 1908.

Resolve in favor of the Town of Rumford. (House Amendment A adopted in concurrence.)

Resolve in favor of the Town of Abbott for \$140, to be paid to the town of Abbott on account of State Road constructed in the year 1907.

Resolve in favor of the Town of Caribou.

Resolve in favor of the Town of Dover.

An Act to authorize and ratify the appointment of Portland City Hall Building Commission. (House Amendment A adopted in concurrence.)

An Act to authorize the City of Portland to retire and pension members of

its fire department. (House Amendment A adopted in concurrence.)

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

#### Towns.

By Mr. Hamilton of York: Petition of W. H. Hogarth and 23 others for division of Town of York.

#### Judiciary.

By Mr. Hastings of Oxford: Bill, An Act to amend Section 13 of Chapter 113 of the Revised Statutes relating to detectives.

#### Library.

By Mr. Baxter of Cumberland: Bill, An Act to amend Chapter 88 of the Public Laws of 1907, entitled "An Act to encourage the compiling and teaching of local history and local geography in the public schools."

#### Temperance.

By Mr. Looney of Cumberland: Bill, An Act to amend Section 38 of Chapter 29 of the revised Statutes relative to persons traveling from place to place carrying or offering for sale intoxicating liquor. (On motion by Mr. Howes of Somerset, this bill was tabled for printing, pending reference.)

#### Read and Assigned.

An Act in amendment of Section 1 of Chapter 136 of the Revised Statutes relating to sentence in criminal cases. (On motion by Mr. Hastings of Oxford, this bill was tabled and assigned for consideration Tuesday, March 16.)

An Act to create a State water storage commission.

An Act to amend Sections 40, 41, 44 and 45 of Chapter 15 of the Revised Statutes relating to the union of two or more towns for the employment of a superintendent of schools.

#### Reports of Committees.

Mr. Looney, for the Committee on Labor, on Bill "An Act to further define and enlarge the duties of the Commissioner of the Bureau of Industrial and Labor Statistics," reported that same be referred to the Committee on Judiciary.

Mr. Walker, for the Committee on Education, on Bill "An Act relating to the payment of tuition in secondary

schools," reported same ought not to pass as subject matter has been covered by other legislation.

Mr. Emery for the Committee on Railroads and Expresses, on "Order of the Legislature to inquire into the expediency of all electric roads running the length of 15 miles of more to place upon their cars toilets, and report by bill or otherwise," reported that legislation thereon is inexpedient.

Mr. Hastings, for the Committee on Judiciary, on Bill "An Act authorizing the county Commissioners of Cumberland County to create a sinking fund," reported same ought to pass.

Mr. Baxter, for the same Committee, on Bill "An Act to ratify, confirm and make valid the organization and incorporation of the Winslow Cemetery Association," reported same ought to pass.

Mr. Staples for the Committee on Legal Affairs, on Bill "An Act to incorporate the Union Cemetery Improvement Company" reported same ought to pass.

Mr. Walker for the Committee on Education on Bill "An Act to amend Section 63 of Chapter 15 of the Revised Statutes, relating to public schools," reported same in new draft, under title of "An Act to amend Section 63 of Chapter 15 of the Revised Statutes relating to the payment of tuition in secondary schools," and that it ought to pass.

Mr. Knowlton, for the same Committee, on Bill "An Act for the equalization of school privileges," reported same in new draft under same title and that it ought to pass.

Mr. Baxter, for the Committee on Library on Bill "An Act to establish a department of archives and history," reported a resolve for the preservation of the archives of the State of Maine, and that it ought to pass.

Mr. Wheeler, for the Committee on Taxation, on "Order directing said Committee to consider the expediency of changes in the methods and rates of taxation of telephones, telegraph, palace car and express companies, and report to this legislature by bills or otherwise," reported accompanying bills:

"An Act to amend Sections 35, 37 and 41 of Chapter 8 of the Revised Statutes relating to taxation of telephone and telegraph companies.

"An Act to amend Sections 42 and 44 of Chapter 8 of the Revised Statutes as amended by Chapter 167 of the Public Laws of 1907, relating to taxation of express companies."

"An Act to amend Section 32 of Chapter 8 of the Revised Statutes as amended by Chapter 156 of the Public Laws of 1907, relating to excise tax on palace or other cars, for which extra compensation is charged for riding therein."

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.

An Act amending and additional to Chapter 61 of the Revised Statutes, relating to marriage and the registration of vital statistics.

An Act to prohibit expectoration in certain public places and conveyances.

An Act to render valid the doings of the Monmouth Ridge Sanitary Association.

An Act to extend the charter of the Kezar Falls Water Company.

An Act to amend the charter of the Bangor Railway and Electric Company.

An Act to incorporate the Hiram Water, Light and Power Company.

An Act additional to and amendatory of Chapter 29 of the Private and Special Laws of 1887, entitled "An Act to incorporate the Kennebec Light and Heat Company."

An Act providing for the better protection of the people of the State of Maine from the disease known as tuberculosis.

An Act to authorize the Town of Thorndike to remove bodies from abandoned cemeteries.

An Act relating to pleading a discharge in bankruptcy.

An Act to amend Section 6 of Chapter 106 of the Revised Statutes relating to real actions.

An Act to amend Chapter 43 of the Public Laws of 1907, entitled "An Act for the protection of children."

An Act to amend Section 21 of Chap-

ter 32 of the Revised Statutes relating to hunting on Sunday.

An Act to amend Section 85 of Chapter 15 of the Revised Statutes relating to payment for teachers' services.

An Act relative to the appointment of school physicians.

An Act to extend the charter of the Penobscot Bay Railroad Company.

An Act to extend the charter of the Winter Harbor and Eastern Railway Company.

An Act relating to the Waterville and Fairfield Railway and Light Company.

An Act to incorporate "The R. & T. Cement Railroad."

An Act to incorporate the Fore River Shore Line.

An Act to authorize the Northern Telegraph Company to increase its capital stock.

An Act to authorize Cora B. Norris to build and maintain wharves and piers in Cochnewagan Lake in Monmouth.

An Act to authorize the plantation of Portage Lake to erect, maintain and control a wharf in Portage Lake, in the county of Aroostook.

An Act relating to the Carrabasset Dam Company.

Resolve to provide for repairs of road leading from Roach River to the Grant Farm.

An Act to regulate fishing in the tributaries of Worthley Pond in Peru, in the County of Oxford.

An Act relating to the taxation of street railroads.

An Act relating to the taxation of steam railroads.

An Act to amend Section 13 (Paragraph 2) of Chapter 9 of the Revised Statutes, relating to taxation of personal property.

Resolve making an appropriation for the Passamaquoddy Tribe of Indians.

An Act to amend Section 1 of Chapter 294 of the Private and Special Laws of 1901.

Resolve in favor of Wilton Academy.

Resolve in favor of Lee Normal Academy.

Resolve in favor of the Towns of Solon and Embden in Somerset Coun-

ty. (On motion by Mr. Hamilton of York, this resolve was tabled.)

Resolve in favor of repairing the road between Seboomook and Pittston Farm. (On motion by Mr. Hamilton of York, this resolve was tabled.)

An Act organizing the Oquossoc Railway Company. (On motion by Mr. Gowell of York, Senate Amendment A was adopted and as amended the bill took its second reading and was passed to be engrossed.)

An Act to establish the Kingman Municipal Court. (On motion by Mr. Looney of Cumberland, this bill was tabled, pending the adoption of House Amendment A in concurrence.)

#### Passed to Be Enacted.

An Act to incorporate the Rangeley Lakes & Megantic Railroad Co.

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

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.

An Act to ratify the organization of the Virginia Spring Water Co., and authorize said company to issue bonds.

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 amend Chapter 115 of the Private and Special Laws of the year 1872 entitled "An Act to incorporate the Home for Aged Women at Bangor."

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

An Act to amend Section 20 of Chapter 41 of the Revised Statutes of 1903, relating to sea and shore fisheries.

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

An Act to ratify the organization, acts and doings and extend the powers of the Limerick Water & Electric Co.

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

An Act relating to an open season



for the hunting of certain game birds in the county of Hancock.

An Act to prohibit ice fishing in the Puffer ponds, so-called, in the town of Dexter, Penobscot county.

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

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

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

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

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

An Act to amend and additional to Chapter 50 of the Private and Special Laws of 1866, relating to the Children's Home in Bangor.

An Act to authorize the receiver of the Eustis Railroad Co. to dispose of the property of said company.

An Act to incorporate the North Parsonsfield Water Co.

An Act to require motor boats to be provided with mufflers in certain cases.

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

#### Finally Passed.

Resolve, in favor of the Eastern Maine Insane hospital, for steam sterilizer, tools and machinery, vegetable cellar and piggery extension.

Resolve, in favor of buoys in Richardson lake.

Resolve, in favor of the Maine State prison.

Resolve, in favor of E. L. Philoon, chairman of the special joint committee appointed by the 73rd Legislature, in regard to a State Board of Education.

Resolve, in favor of the Maine Insane hospital for greenhouse, wharf, coal pocket, commander's house, and residences on arsenal grounds.

Resolve in favor of road in Ellitsville.

Resolve for the publication of certain documents by the State historian.

Resolve in favor of Fred A. Houd-

lette and Son, incorporated, of Boston.

Resolve in favor of the Madawaska Training School

Resolve in favor of E. L. Philoon, chairman of joint special committee appointed by the 73d Legislature.

Resolve in favor of the president and trustees of Bates College.

Resolve in favor of Daniel R. Palmer of Buckfield.

Resolve in favor of Eliza A. Getchell of Winslow.

Resolve for repairs of highway in Upton, Magalloway Plantation, and Township "C," in the county of Oxford.

Resolve in favor of the Aroostook State Normal School.

Resolve in favor of the Farmington State Normal School.

Resolve in favor of investigation of Industrial Education.

Resolve in favor of the town of Mount Chase in Penobscot county.

Resolve in favor of the Maine State prison.

Resolve in favor of the Chase Island hospital.

Resolve in favor of the Maine Insane hospital, for support of criminal insane.

Resolve in favor of the Eastern Maine Insane hospital, for purchase of additional land.

Resolve in favor of the Eastern Maine Insane hospital, for concrete walk, grading, painting, furnishings, completion of contracts on barn, tubercular hospital and wing D.

An Act to appropriate moneys for the protection of trees and shrubs from the introduction and ravages of dangerous insects and diseases. (On motion by Mr. Howes of Somerset, the vote whereby this bill was passed to be engrossed was reconsidered; and on his further motion, Senate Amendment A was adopted and the bill as amended was passed to be engrossed.)

Resolve in favor of the Maine Insane Hospital for additional compensation for certain offices. (On motion by Mr. Donigan of Somerset this resolve was tabled pending its final passage.)

Resolve in favor of a fish hatchery in Washington County. (On motion by Mr. Wyman of Washington, this resolve was tabled pending its final passage.)

Resolve in favor of the Maine Insane Hospital to provide for deficiencies. (This resolve being an emergency measure, requiring a two-thirds vote of all the members of the Senate for its passage, a vote was had and 22 Senators, to wit, two-thirds of the members elected, voted in favor of its final passage.)

On motion by Mr. Wyman of Washington "Resolve in favor of a fish hatchery in Washington County," was taken from the table; and on further motion by the same Senator, the vote whereby the Resolve was passed to be engrossed was reconsidered; and on his further motion Senate Amendment A was adopted and the resolve as amended was passed to be engrossed.

Mr. Looney of Cumberland, under suspension of the rules, presented remonstrance of Mannasseh Smith and 33 others of Portland against the passage of Senate Bill "An Act for the better protection of sheep;" also Remonstrance of A. L. Stackpole and 63 others of Lebanon, against same; and on his motion the same were referred to the Committee on Agriculture.

Mr. Macomber of Kennebec, under suspension of the rules, presented Remonstrance of A. A. Stone and 46 others of Sidney against the passage of the same act; and on his motion, the remonstrance was referred to the same Committee.

On motion by Mr. Looney of Cumberland, Senate Document No. 354 "Bill, to amend law about taxing insurance companies," was taken from the table; and on his further motion, was assigned for consideration Wednesday, March 17.

On motion by Mr. Baxter of Cumberland, the vote whereby House Document No. 441, "An Act to amend Section 21 of Chapter 32 of the Revised Statutes relating to hunting on Sunday" was passed to be engrossed, was reconsidered; and on his further motion, the bill was tabled.

#### Orders of the Day.

On motion of Mr. Hastings of Oxford, House Document No. 348, "An Act to regulate fishing in Molridge-wock Pond and Stream, also the inlet to said Molridge-wock Pond, Oxford

County," was taken from the table; and on his further motion, the bill took its second reading and was passed to be engrossed.

On motion by Mr. Osgood of Androscoggin, Senate Document No. 338, "An Act to incorporate the Androscoggin Valley Railroad Company," 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. Irving of Aroostook, the majority report and minority report of the Committee on Temperance on "Resolve for an amendment to the Constitution by abrogating and annulling amendment 5, adopted on the eighth day of September in the year 1884, prohibiting the sale and manufacture of intoxicating liquors," majority report being "ought not to pass" and minority report being "ought to pass," were taken from the table.

The same Senator thereupon moved that the majority report be accepted.

Mr. IRVING of Aroostook: Mr. President and Gentleman of the Senate: At this stage of resubmission I do not think it is necessary to weary the members of the Senate with any long speech, nor do I intend to make one. This question of resubmission has for the past ten years agitated the public mind to quite an extent, and the reasons have been many times stated why the fifth amendment to the Constitution should be submitted to the people. The chief reason for submitting this question, coming professedly from those that believe in the retention of the Prohibitory Law, is that it would give the people a chance to vote again on it and the law would thus be strengthened and reaffirmed. Another reason is along the line that Prohibition makes hypocrites, and that it does not decrease the sale of intoxicants; and that they want some form of license law, believing it could be handled better in that way.

Now my personal opinion is this, that I have respect for the argument of the man—although I do not agree with him—who wants the question submitted for the reason that he wants

the law changed and wants some form of license law and thinks it can be handled in that way. His argument is valid and logical from his view-point. But I do not believe in, nor do I have any respect for the argument of the man—although I may respect the man—who wants the question submitted simply to give the people a chance to vote on it and thus have the law reaffirmed and strengthened. I think his argument is illogical for the reason, that if the question is resubmitted and the people vote on it, we have the same old law—no change is made—we have precisely the same law, nothing more and nothing less, and we have to consider it in the same way.

But, gentlemen, I know that since the smoke of the last campaign battle has cleared away, we are not talking resubmission very much. Go where you will, in the hotels or on the street corners, or even here in the State House, men are silent on this question. They do not mention it. Hence, I conclude that resubmission is a dead issue. We do not as a rule like to talk about the departed, and hence the silence on this question that seems to be of so much importance.

I believe that during the campaign of 1903 this question was twice submitted to the people: In the Republican State Convention at Bangor, and the campaign preceding it, this was the dominant issue; and we all know the outcome.

The Honorable William T. Haines, a very popular gubernatorial candidate, whose only sin, so far as I know, was the fact that he advocated resubmission as a panacea that would cure all ills and smooth out all the wrinkles of the Republican Party—he said, at that Convention: "This question has been resubmitted and I am getting the affects of it."

Again, at the September election, this was the dominant issue; and resubmission at that time met its Waterloo. So I conclude that resubmission is dead. It is a dead issue; and when there is such a wave of prohibition sweeping over our entire country—in the South—in the West—and even permeating the Central West—it appeals to me strong-

up that it ill-becomes prohibition Maine to even talk of prohibition. We ought to have gotten by that point; and I think we have.

At this time I just want to say a word in commendation of the old prohibitory law of Maine. I have a great regard for Maine—for our strong citizenship—for the sturdy character of our men and women—for the strength of their moral fibre—for their noble, rugged character—and I believe that the more than average strength of our citizenship is due largely to the fact that we have had upon the statute books for the past 50 years a law prohibiting—keeping under a ban and minimizing in a large degree, the affects of the saloon. This prohibition sentiment is growing. It is rapidly spreading. Millions of our people within the last few years "have seen a great light" on this subject, and I believe that, now that the saloon is on trial for its life, we can see the handwriting on the wall that announces its doom. I believe it must go. Its doom may be long deferred, but I think that in the near future, a call will come so loudly and insistently from our people, that laws will be enacted along the line of protecting our people from the curses of strong drink; and I say, God grant that the time will speedily come.

But, today, I do not know that that is the question that we are talking about. We are simply here to talk about resubmission, which I believe is a dead issue. We are, as it were, attending the obsequies—performing the funeral rites of this great question; and I am sure that my friend, the honorable Senator from Knox, will do the subject justice in his own inimitable way.

Mr. President, I move that when this question be decided, it be decided by a Yea and Nay vote.

Mr. STAPLES of Knox: Mr. President and Gentlemen of the Senate: I am here today, not in behalf of the saloons, if there are any in the State; I am not here in behalf of the wholesale liquor dealers that are pouring their liquor into this State; I am not here for any rum class; but I am here in behalf of the people of Maine. I

think I represent upon this issue the best element of both political parties in the State of Maine. I do not regard this as a dead issue. No issue where the people demand a right to vote upon a question can ever be a dead issue. And I wish to say right here, that no great question—and this is a great moral question—is ever settled until it is settled right; and the people of this State have time and time again asked that they have a right to vote upon this amendment.

I stand here in behalf of temperance; I stand here in behalf of the young men of the State of Maine; in behalf of good morals; in behalf of the Democratic party, who are willing to do anything that they can to elevate and refine the people of the State of Maine and to give us something with regard to temperance which will not be a farce and a hypocrisy. Why are you afraid, my Republican friends, to submit this to the people and to the great wave of temperance which is passing over the country? Have you any doubt that the people will reaffirm the constitutional amendment? Why are you afraid to submit it to them? I am willing to trust the people upon this question, and you ought to be. They demand the right, and I say that the last election in this State showed it conclusively. I admit that that was one of the great issues, the question of resubmission, upon which this State voted last fall; and you know that upon one question you only carried this State by 7000 votes and, if it had not been a Presidential year, the Republican party would have been buried on this question of resubmission. Why not submit it to the people of the State and let them vote on it? If they reaffirm their belief in the prohibitory law, then we will all be satisfied and it will take it out of politics.

This matter will continue to come here before the Legislature just so long as you keep the prohibitory law upon the statute books and keep it in politics. I understand the position of my friends upon the other side, that they are afraid of the liberal element of the State of Maine, if they do not submit is, and they are afraid of the

temperance element if they do submit it. I pity them and sympathize with them for the very peculiar situation in which I find the Republican party of the State of Maine.

If I was talking politically, I should say, don't submit it; but I am talking in the interests of temperance. I am frank to say, Mr. President and Fellow-Senators, that one of my reasons for wishing to submit this to the people is that I do not believe in the prohibitory law. You have tried it 50 years in the State of Maine and it has not prohibited; and we have given you all the laws that you have asked for on the statute books to enforce it; and you know, as I know, that in the State of Maine today there is sold more than there has been for the last 50 years.

You cannot enforce the law—there is another reason why I want to see it submitted—you cannot enforce any law upon the statute books unless you have public opinion behind you; and you know that the public opinion in the State of Maine is not in favor of the prohibitory liquor law—a few fanatics are, but the common-sense and conservative element of the State of Maine, who have seen it tried for 50 years, do not believe in it because it does not prohibit; and I frankly say to you, I want to see a way proposed in which to regulate this matter. If we have got to have rum among us, let's for heaven's sake, govern it in the best possible way. And the best way is not by the prohibitory liquor law; and you have evidence right here in the State of Maine today to make you blush to know how many saloons are running, while the Sturgis Commission, and every other commission you have got upon the statute books in regard to the liquor question, are floating around the State—and you have got rum all over the State of Maine today.

I am very glad to say I am in favor of local option. I believe in local option because, I submit, you can get more prohibition out of it. Let the people of the towns and cities manage it in their own way. I would have a local option law surrounded by such laws and such restrictions as would

keep it from making our young men drunkards every day. I tell you that the Prohibition party in the State of Maine and the prohibition liquor law have got something to answer for. I stand here to plead in behalf of the young men of the State, in which the prohibitory liquor law is making drunkards every day of the year. You cannot prohibit it, because public sentiment is against it—I believe the people ought to have a right to decide that question. I think you ought not to stand here and say to the people, like the Pharisee of old as he wrapped his cloak around him: "I thank God I am not like other men." That is the effect of the fanatics of this State—"Or, you must not discuss it; O, no, it is sacred; Mrs. Stevens says you must not discuss it;" and you follow on after these fanatics. But I tell you that the people demand it. The vote of last fall in the State of Maine shows how the people demand the resubmission of this amendment. Why have not they a right to vote upon it? They haven't voted upon it for 24 years, why should they not have an opportunity now?

Let's look at the matter just as it is. We find today that there is more liquor imported into the State of Maine than there ever was before. The express companies are loaded with it. And what have you done by the prohibitory liquor law? You have driven the young men and boys of your cross-roads and country towns to send to Boston and other places to get gallons and gallons of liquor and carry it home by the wholesale and drink it; and therefore, we have in our country towns—and I live in the country—far more debauchery from that cause than we had when it was sold openly. And it is growing upon you. It is our duty to the young men of the State to do something.

The people will take care of the rum question in the best possible way; but just as long as you keep it in politics, you cannot enforce the law. You have tried it for 50 years. You have spasms of enforcement just before election, I notice—not just before election, but just after election. Just before election

there is not any enforcement in this State. Everybody knows it. And the majority of the politicians of this State in the Republican party dare not to undertake to enforce the law. You are playing with it upon the one hand one way, and upon the other hand another way, and just as long as you do that, just so long the young men will be driven to ruin, and you have got to be responsible for it somewhere.

I believe if you have a local option law that you can cover it in the best possible way. I will admit that this rum curse is the greatest curse that is known to humanity today. I admit it is doing more injury to the home and the fireside, and that it causes more aching hearts and scalding tears than any other law in the Statute books; and the prohibitory law is responsible for it in my honest judgment.

If you have local option under such restrictions as I conceive it may be had, the young men who now send to Boston for rum will get a glass of beer and we shall not have these drunken debaucheries that we see all over the State, which are a disgrace to the State of Maine.

This prohibitory law cannot be managed in this State in my estimation. It has been enforced, I think, as well as it can be enforced, but you cannot do it where there is no public sentiment behind it. No law can be enforced that has not got a big, vigorous public sentiment behind it. What is the reason that we have no petitions coming in here in favor of resubmission? My answer to that is that the vote of last fall showed that the people demanded a right to vote upon this great, important, moral question that is affecting every fireside and every home almost in New England. I tell you it is a serious question. I do not care anything about the rumseller. I argue here today in favor of submitting this to the people in the interest of temperance and good morals in the State of Maine. I will join anybody who can annihilate liquor from the face of the earth and I will fight with you to do that. I know this curse, and just as long as you have it among you, just so long is it here. Then, let's regulate it in the best pos-

sible way; and if we try local option for one year, or two years and it does not work better than the prohibitory liquor law, I will say, let's go back to the prohibitory liquor law and let the people have a chance to vote on it. Let's create a public sentiment in the State of Maine and then we will find that we shall have less intemperance. Our young men may be saved that are today going down on account of the method of enforcement of the prohibitory liquor law. They tell us they would reaffirm it. All right, let them reaffirm it and we will take it out of politics and all join hands and try to create a sentiment in the State of Maine in favor of true temperance. I will join any party that will show to me that they can annihilate liquor from the State of Maine. It is not that we want liquor, but we want it regulated in the best possible way. That is the policy of the Democratic party which I represent today on the floor of this Senate. It is not for the purpose of screening the rumseller, but it is in the interest of the great moral question of temperance. We believe we have had it tried for 50 years and our young men are going down, down, down to ruin, because of the manner in which you have managed this prohibitory liquor law, which makes drunkards of the young men and hypocrites of them.

It is time we talked plainly about this matter. You know, Mr. Republican, when you get into a convention, that you do not mean what you say, because you do not enforce the prohibitory liquor law—you cannot enforce it, because nine out of 10 Republican politicians in the State would not dare to enforce it for fear that it would go out of power.

Let me say to you that the people are taking hold of this thing and that I believe in the people and am willing to trust them; and if they say, by a vote of this State, that they are not in favor of resubmission, I will say that even that might create a good public sentiment.

I was talking with Mrs. Stevens in the House yesterday, and I said, if your band of women of the Temperance Union had gone right out among the people and taken the poor drunk-

ard by the hand and tried to lift him up to a higher level and arouse in him a spark of manhood, that can be reached by a proper method in every man, I believe that, in the first place, you would create a public sentiment in favor of this great moral question of temperance. I believe they are sincere and that class of women, but the class of men who spoke in the hall yesterday know nothing about the practical workings of the prohibitory liquor law. Their knowledge is theoretical. And I say, if they would go out among the people of the crossroads and in the country towns and take these fellows by the hand, and try to show them the evils of intemperance, talk to them at their firesides and at their homes, that it would do more good in one year than the prohibitory liquor law has done in the 50 years in which it has been on the Statute book.

You have got to create a public sentiment among the people of this State. They have a right to vote on it, and the vote last fall showed it; and you will find in the near future a Legislature will give them that right. And I tell you, there will be a thundering at the polls two years from now if you refuse to give them the right to vote upon this important question.

The great idea of keeping a Republican form of government is in order to get down to the people. I used to read a quotation from the Hon. James G. Blaine, in a speech made years ago—that eminent man whom we all love, whose memory we love and respect. When this question of resubmission came here, the older members will recollect that he was in favor of resubmission and was in favor of taking it out of the constitution, and he says: "The perpetuity of any government is to keep right down with the people;" and I believe with him. I believe as Governor Bell of Vermont said—and he was always a radical prohibitionist all of his life up to that time—you know Vermont changed over to local option and he went over with them, and he was asked why he did it—"Why," he says, "I do it because I can get a grander measure of prohibition under local option than under the prohibitory liquor

law." Let me remind you that President Taft of the United States today, less than six months ago, wrote an article in which he stated that he believed that local option was the best manner and the best method for regulating the matter in this country.

I claim that today I represent in the State of Maine temperance men who are in favor of resubmitting this to the people. Why not do it. It is not a dead issue. It will never be buried until the people vote upon it. It has come to stay and it will be knocking at your doors. They will talk to you at the polls two years from now if you do not give them that right before that time. You know the Republican party was almost frightened to death when in the great Republican State of Maine, they only carried 3500 votes. A slight change would have changed the whole complexion of this matter in the State today. Still, you say, it is a dead issue. Is it a dead issue when two years ago this House was in favor of resubmission and it was only defeated by a few votes in the House?

Don't accuse us of being rummies. Upon the other hand, we claim to stand here in behalf of the best temperance element in the State. I stand here to plead to get away with the hypocrisy that teaches young men to not obey the law and to not reverence the law. Why, they have seen so much corruption—they have seen so much insincerity and so much hypocrisy in regard to this prohibitory liquor law, that like begets like and the young men are acting in that way, showing that they do not respect their laws on account of the hypocrisy practiced in regard to the prohibitory liquor law of this State. You cannot prohibit. You have tried it. You have got all the laws upon the book. Then why longer continue this farce? Let's settle it once for good. Let the people vote upon it and then, if they reaffirm it, as you tell us that they will, it will show that the Republican sentiment is in favor of it. Why not do it? Why say to the people of the State, you are not capable of voting on this question; we don't dare to trust you? I dare to trust the people. Why not give them that right. If you do not do it, let me predict—

and probably shall never be upon the floor of this Senate again—but let me say to you, that if you cram down the throats of the people this right of suffrage, this right to have something to say about the prohibitory law, the places that know you now will know you no more forever. In behalf of the young men of this State, I ask you to submit it. I am frank to say that I, for one, want it to be submitted for two reasons: First, that the people have a right to vote on it; and secondly, I hope I may get rid of it entirely and wipe from the face of the State of Maine the prohibitory liquor law, which has made so many drunkards and hypocrites in this State. I talk this plainly, my friends, because the people are demanding it at my hands and your hands.

If we must have it, let's have it controlled in the best possible way, and I will be satisfied. I am opposed to the law, because it does not prohibit and because it makes drunkards and hypocrites all over the State. Give us local option, and if Augusta wants to have local option, they should have it and everybody else, outside of Augusta, stand their own business as far as that is concerned.

You find liquor almost everywhere open today in the State of Maine. Let's try local option as many of the other states have done; and when you have done that, I believe the cause of temperance will be advanced. Let's stand together for one grand purpose, and that is for the uplifting of mankind and for the betterment of the young man in this State—for good morals—good homes and good firesides. That is my position, my friends. I am earnest in it. I believe in it. I have seen the curse of it through my section of my county and in this State. Let's take it out of politics. Don't let any party undertake to make political capital of it at the expense of the young men of the State.

The ladies of the State of Maine think that I am wrong in this matter, but if they knew about its workings, they would say, let's try something else. And I promise you myself, the support of the element of the Demo-

cratic party which I represent. We are not in the interests of the saloon; and when every saloon man in the State of Maine is in favor of the prohibitory law, I think something is wrong about it. When the liquor dealers in Boston are favoring the prohibitory law, I think there is something rotten in it. And that is why you find the rumseller and those men who are interested, and the misguided in their belief, ministers, walking arm in arm and voting for the prohibitory liquor law.

Let's join hands as temperance men and go to the polls and vote for the best interests of the common people. That is what we want. We all love the people of the State of Maine.

Liquor is sold openly and the Sturgis deputies are walking up and down the street, and the condition cannot be remedied; and with all these conditions confronting you, you say that the people of the State of Maine shall not vote upon it. Then you have all these laws upon the statute books. And I cannot conceive for my life, why any man, Republican or Democrat, upon the question of resubmission to the people, should not dare to do it. I will tell you why I think you do not dare to do it. It is because you are afraid of the temperance element of the Republican party. Let me say to you, that they are all right, but they do not know the practical workings of it. Let me tell you that you have more need to be afraid of the more conservative element of your own party, if you do not submit it.

With these remarks, Mr. President and Gentlemen, and I have been sincere in them, I make this motion. I introduced this bill, and probably never shall do it again, and I say to you now that if you can conceive of any better way than to submit this, I will not stand here and hinder it, but will say Amen to anything that will take the curse from the State of Maine and make a more temperate people and create a better public sentiment. With these remarks, Mr. President and Senators, I submit this question to you. The only question is, will you go home to your constituents and say, we re-

fuse you the right to vote upon this question? The people feel today in the State of Maine—a large proportion of them—that they have but little to do with the management of our government, and the strength of the government is in the people. Certain responsibilities rest upon them and you will not have any trouble in getting the people to the polls to vote. And after all, our whole government as a nation depends upon that program, and that principle; and if you give the people the right to vote upon it, they will feel that they have something to do with this great question of State government.

Mr. HOWES of Somerset: Mr. President: Inasmuch as the distinguished senator from Knox has seen fit to discuss this question from somewhat of a political standpoint, perhaps I shall somewhat follow suit. I am proud of the Republican party in the State of Maine, of its past history—of its present position upon the great issues of the day and upon its future outlook. I am proud of the men who have been associated with it in the years gone by—proud of those of the present time, and proud of those who are to come in the future. For a great many years the Democratic party of Maine almost invariably preached from the same text which in substance was something like this: "Is There No Balm in Gilead; Is There No Physician There?" After years of toiling and waiting, after they had turned their kaleidoscope upon things terrestrial as well as those celestial; after they had viewed the past and present and likewise the future; after they had focused their microscopic powers into the depths of perdition itself; after the lamed doctors of law of the Democratic Sanhedrin of Maine had perused the Mosaic law as promulgated by that great expansionist, Thomas Jefferson; after they had digested the 20th century version of Jeffersonism as revised and copyrighted by the illustrious William J. Bryan, it was only then they found the balm of human ills to be free rum and the physician to be the devil himself. So we have under consideration the issue of re-



submission, the 10-year-old child of the Democratic party, a child whose father is his satanic majesty, a child whose mother is the wholesale and retail liquor interests, and whose foster parents is the Democratic party of Maine. It is an issue that has been thrashed out in every campaign for the past decade and has been buried by decisive majorities in every instance; hence any fair minded person might reasonably consider it as a dead issue, but its presence here this morning as a living corpse with the senator from Knox as the chief mourner, only serves to convince me that I should be more faithful unto the instructions of my earlier years when I was taught to believe in the immortality of the soul and the resurrection of the dead. It is an issue so threadbare of any new arguments that even the learned senator from Knox has presented almost precisely the same arguments as he has for every session for the past 10 years, arguments embellished with the same striking metaphorical allegories and similes; arguments bedewed with tears which flow in rivulets down those furrowed cheeks; arguments that cause that care-worn brow and heaving breast to become fevered as the phantasmagoria of the "debauched condition" of our State rise as mountains high within the depths of the cerebellum of the distinguished senator from Knox.

The only specific charge made against the Republican party is that of hypocrisy. I admit the Republican party has been hypocritical. I regret it, not for one moment do I condone it. On the other hand I condemn it. You must remember that whatever has been done to advance the temperance interests in the State of Maine during the past 50 years has been accomplished through the Republican party. Supposing there has been hypocrisy in the enforcement of the Maine Prohibitory law, is that a sufficient reason to demand its repeal. I contend it is not. On the other hand, commence at the other end of the proposition and remove the hypocrisy. The public official who has made his pledge to the people to enforce and execute the laws and who has taken his oath before God to

do the same and then worships with the rumsellers; the private citizen who will barter away the apparent temperance convictions of a lifetime for the sake of political preferment, such types of citizens, my fellow senators, are the cheapest and the meanest men that walk upon the footstool of the Almighty God. In morality and character they are blacker than the blackest Ethiopian; they are blacker than the densest thicket of the African jungle; they are blacker than the blackest shades of the remotest recesses of the northwest portion of Hell itself. Would that there was a public opinion sufficient to ostracize forever such a type of manhood from the immunities of the American citizenship; would that they might be as a man without a country; would that they might be condemned to the ninth circle of Dante's Hades, where the world's greatest traitors abide such as Judas Iscariot, Brutus and Benedict Arnold, where this assemblage of nullifiers and betrayers may have the joyous companionship one with another and where also they may have daily access to the editorial columns of some of our Democratic newspapers.

As I have just said, there has been hypocrisy in the enforcement of the Maine prohibitory law and all that hypocrisy has been hurled upon the Republican party, but before I am through I shall endeavor to show you that there is a little in the minority party.

What does resubmission mean? It means nothing more or less than free rum and the licensed grog shop, where liquid fire and distilled damnation are sold in the front, where gambling and profane revelry are freely practiced in the rear, where lowd women allure men to destruction overhead, where perdition yawns beneath. This is not an overdrawn picture of the places that we are asked to license. When you speak of making a licensed saloon respectable, it is something that never has existed, does not now exist and never will exist. The licensed saloon stands as a symbol of that horrible trinity of guzzling, gambling and lust.

I condemn the policy of resubmission in behalf of the young men of

Maine. The young men of Maine do not need any rum sympathizer or any rum guzzler to dictate to them upon their future welfare and well-being as well as that of posterity.

The young men of Maine love the scenes of their childhood. They are proud of the home of their nativity and prouder still to be citizens of this State that is destined to endure as long as the nation shall live. The young men of Maine denounce the damnable slander and the hypocrisy against their beloved State of any man who says he had rather bring his boy up in a high licensed state than in the State of Maine, and then in the very next breath says he would be willing to be a public officeholder of a State that isn't fit for his boy to be reared. I am charged with a message from the young men of Maine and what is that message? It is this: The sooner that any man holding these ideas goes into a high licensed state or into the wild and woolly West or Arizona, or a Western mining camp the better, not only for the community in which he dwells, not only for the Maine State Grange, not only for the State of Maine itself, but also for the young men that now are and those yet to be. And when the rum-dazed poker players and blear-eyed rum-guzzlers behold the would-be Governor of Maine in all his angelic form and cherubic graces, garbed in the priestly robes of purification and sanctification that have passed the rigid circumspection of high priest, the Democratic sanhedrin, it is then these poor deluded knights of high licensed State or of the Western mining camp may truly say that the prophecy of the Holy Writ has been fulfilled in that the comforter has come.

Young men of Maine stand upon a loftier, grander, nobler code of principles than have yet been conceived by our Democratic friends.

At the close of the last Legislature the bugle was sounded by the Waterville Sentinel calling attention of the young men of Maine to the great conversion that occurred up in central Maine.

I denounce resubmission in behalf of the womanhood from Fort Kent to

Kittery Point, from Quoddy Head to Hampshire's line. Perhaps some of the women may be fanatics or cranks, but granting such to be the case I can assure you that God Almighty created such women to cope with these very men who are advocating a proposition as far-fetched in the opposite direction.

I reject the proposition in behalf of the best of fathers and in the name of the united forces of morality, the temperance organizations and the Grange and in the name of the great trinity of our rural communities, the home, the church and the school.

It is said on every hand that prohibition does not prohibit. Does the law against murder prevent it? Are not the Statutes against manslaughter violated repeatedly? Is not the Statute that forbids the taking of the name of God flagrantly transgressed? Why not demand the repeal of these statutes and a thousand others because they have failed to prohibit the crime against which they were enacted? The argument is just as plausible in one of these instances as in the others. I want to ask you, fellow senators, if civilization has civilized? You must necessarily answer in the negative. I ask you if Christianity has Christianized the world? You say it has not. I ask you if education has educated. You must respond in the negative here also. Now because these three potent influences in the onward march of the world's progress, namely, civilization, Christianity and education, have failed in the field of their mission, is it any reason that we should abandon these mighty powers that make for the world's advancement? I say no, a thousand times no.

Again, if the liquor interests are so anxious for the prohibitory law to remain upon the Statutes why did they in convention assembled unanimously endorse the following resolutions:

"Whereas, The agitation in favor of prohibition has increased to such an alarming extent all over the country that the very life of our business is threatened; and

"Whereas, It has, therefore, become necessary for the trade to take united action towards defending its rights; and

"Whereas, It is the opinion of a large number of the members of the Wholesale Liquor Dealers' Association of America that that association is the one through and by which work of this kind should be inaugurated and pushed to a successful finish; now, therefore, be it

"Resolved, That a bureau be established by the National Wholesale Liquor Dealers' Association of America, whose sole duty it shall be to prosecute this work; and it shall be called the Protective Bureau of the National Wholesale Liquor Dealers' Association of America."

If we have had 50 years of hypocrisy as you claim we have, if we have had 50 years of farce as you claim we have, why is it that eight other states are under the dominating influence of prohibition? Why is it that every other state in the Union has prohibition counties and towns? Surely your experience of 50 years of farce and hypocrisy could not possibly be kept within the narrow confines of this State. It is certainly a mystery that it should be permitted to the Democrats of Maine to discover this awful state of hypocrisy and farce before anyone else in our broad expansive country of 80,000,000 people. It seems somewhat strange that it is almost invariably permitted to some of our fellow Democrats to enter within the veil that divides the known from the unknown, the past and present from the future, the visible from the invisible. While abiding in this transitory state we know not whether they have the opportunity of communing with Enoch and Moses and Elijah and Elisha, those saints of Bible days, who walked and talked with God and were translated into a fairer clime than ours. They never tell us that part. Whether they are translated into this transitory state by a power Divine or by one infernalistic we know not. But they always return with the same evil forebodings that the State is going to the dogs and the republic to rack and ruin and they always play the same old tune on the same old harpsicord.

Who is it that demands resubmission? It is the sentiment of every dis-

tillery manufacturer, every wholesale and retail liquor dealer, every rum sympathizer and criminal drunkard. Our resubmission friends in order to make their position a little more tenable tell us that some of the gospel ministers of Maine, perhaps 2 per cent., including some now actively engaged in the ministry and also some who have had the title of reverend attached to the name in the years gone by, but now engaged in some other pursuit are in favor of resubmission. Such clergymen need to have another vision of the New Jerusalem. They must needs be revived and rejuvenated, re-energized and regenerated. In fact they must needs be "born again." You will doubtless recall that there was held a resubmission convention in Bangor in September, 1903. The greatest gathering of outlaws that ever assembled within the four walls of any building in the State of Maine outside of the Maine State prison. I wonder whether these so-called clergymen would be found setting side by side these aldermanic rumsellers arrayed in their glittering trappings, or whether we should behold them marching in the rear beating a miniature snare drum for the rebel angels of Hell to march by through the streets of the Queen city of the East. I don't believe anyone of these so-called clergymen were ever ordained by God or by man to enter into the sanctuary of the Almighty God and preach the unsearchable riches from those sacred pages I don't believe they have sufficient "saving grace" to abide with them during the silent watches of the night.

May God's ever widening mercy have an abiding presence with these so-called clergymen who for six days during the week masquerade under the cloak of resubmission which means nothing more or less than free rum, hell, and eternal damnation and then on the seventh day enter into the pulpit of the Living God and tell their parishioners how glad they are salvation is free. Oh, consistency thou art a jewel.

If prohibition is so debauching why is it that the number of criminal drunkards committed in Vermont the last two years under prohibition were

808; while under the last two years under license were 1404. In New Hampshire last year under prohibition 473, license 2181.

### Our Boys.

The following extract is from the speech of one of the officers of the Ohio State Liquor League:

"It will appear from these facts, gentlemen, that the success of our business is dependent largely upon the creation of an appetite for drink. Men who drink liquor, like others, will die, and if there is no new appetite created our counters will be empty, as will our money drawers. Our children will go hungry, or we must change our business to something more remunerative. The open field for the creation of this appetite is among the boys. After men are grown and their habits are formed they rarely change in this regard. It will be needful therefore, that missionary work be done among the boys, and I make the suggestion, gentlemen, that nickels expended in treats to the boys now will return in dollars to your tills after the appetites have been formed. Above all things create appetites."

The Republican party stands today as it has always stood, for home and fireside, for law and order, for the elevation of our citizenship, and for America against all the world. When this Legislature adjourns may it be truly said that Jehovah still guides the destinies of our beloved State and the safety of State is secure in the hands of the God fearing and God abiding citizens of the State.

The pending question being upon the motion of the senator from Aroostook, Mr. Irving, that the majority report "ought not to pass," be accepted the yeas and nays were called for and ordered, and the vote being had, resulted as follows: Those voting yea were: Baxter, Colcord, Donigan, Eaton, Emery, Gowell, Hamilton, Hastings, Howes, Irving, Knowlton, Looney, Macomber, Milliken, Reynolds, Shaw, Smith, Theriault, Walker, Warren, Wheeler, Wyman (22). Those voting nay were Messrs. Boynton, Hill, Kellogg, Lowe, Mullen, Osgood, Staples (7). So the motion prevailed.

Mr. STAPLES of Knox: Mr. President: I move that Senate Doc. No. 255, "Resolve in favor of Home for Feeble Minded" be taken from the table. (The motion prevailed.)

Mr. STAPLES: Mr. President, I have but a few words to say in regard to this matter, because you are all familiar with it. It started two years ago, and has expended, as your committee find, and believe, \$60,000 that we appropriated very economically and for the interest of the institution.

While we are aware that there are 2800 in the State of Maine that are eligible to that institution, you will see at once that it requires quite an appropriation to fulfill the wants of that institution. You will all agree with me that there is no institution within the borders of the State of Maine that is more meritorious and more needed than this institution. That unfortunate class that we have in the State of Maine deserve at our hands our most liberal donations.

I have not at hand the report to cite from, but I think they have put 50 there now, and are occupying all the rooms that they have got from the appropriation made two years ago. Now, they have certain dormitories. I have before me the requirements that they are making this year, and I will read it:

	Amount required for 1909.	Amount required for 1910.
For construction of schoolhouse and manual training building for boys .....	\$ 5,000	
For the construction of cow-barn and stable....	4,000	
For the construction of a building for storage of provisions and supplies and various equipment..	5,000	
For the construction of new kitchen and bakery for group of buildings for girls .....	5,000	
For the construction of new laundry .....	4,000	
For water, to include digging of wells, pumps, purchase and laying of pipes, building of reservoir and piping from same to the various buildings .....	5,000	\$ 2,000
For construction and equipment of dormitory		

for older girls, dormitory and equipment for school girls and dormitory and equipment for school boys, each to accommodate 50 persons	50,000	
For construction of farm colony and its equipment for girls, and dormitory and its equipment for low grade boys, each to accommodate about 50 persons	40,000	
For building dam and penstock and installing a hydro-electric power, setting poles and wiring to school for power and lighting purposes	3,000	22,000
For salaries of officers, attendance, wages of employes, food, clothing, furnishings, heat, light, farm expenses, live stock, feed, fuel, household furnishings, repairs to buildings, postage, stationery, printing, traveling expenses, telephone, telegraph, express, freight, trucking, and other necessary expenses incident to the conduct of the affairs of the Maine School for Feeble Minded	29,000	46,000
The annual appropriation provided in Chap. 44, Pub. Laws 1907, was	30,000	
From the sale of farm products and the use of the same at the institution	6,000	8,000

I will say that the committee that was appointed by the Governor purchased in the town of Standish some 1400 acres of land, and that there are applications now—so many of them that they have no room for them. Economy to the State requires at our hands a liberal appropriation in my judgment, for that institution. I can conceive of nothing that will do so much good to the State of Maine as this institution. Those who have visited the Waverly institution and seen those little, unfortunate children who are brought there, under the discipline and tuition of their masters, could not but feel impressed with its importance, and impressed by the good that is being done, and the discipline they are receiving.

You know, as I said, that there are 2800 in the State of Maine today. It has cost the State year in and year out \$27,000, from my investigation and

by that of the committee, for the support of the feeble minded by the different towns of the State.

Besides that we have been paying Massachusetts some \$3000 every year. It is not a question of money. If you will go to this institution and see how those little children are strengthened, and how hundreds of them come to the Waverley hospital almost every year, and how their minds are strengthened, you would confess that it is not a question of money. It will purify our towns in Maine. Today we have from 50 to 100 more applicants than can possibly be taken care of until those dormitories are built. We have one of the best men as superintendent.

If you give them the \$100,000 asked for this year, and the \$100,000 asked for next year we shall go home feeling that we have done a grand thing for the feeble minded and unfortunate of this class which we have among us. When this matter came before the committee, they thought they ought to have \$235,000. The committee thought they would cut it down \$35,000, but we unanimously agreed, and we believed they ought to have this \$200,000. I believe you cannot appropriate too much money for that institution, to relieve the different towns of the State in the care of this class. Humanity requires it, justice requires it. Education requires it. I have been very much interested in this institution. I drew the bill that made it a law. I have examined the institutions in different states, in New Hampshire and Massachusetts, and I came home impressed with its importance, and with the fact that it was the most humane institution that I ever visited. I know the finance committee, two years ago came home impressed with the great good it had done to the people of this State; and I plead with you to give them this \$200,000.

Dr. Sanborn tells me that in the institution across the river, five per cent. of the inmates there would properly be inmates of this institution. I do not know how it is in the Eastern Maine hospital, but I apprehend that the same is true of that institution.

Let us give it to them, and stop the propagation of idiots in the different towns of the State. If you do, the people will not find fault with you for this appropriation, because it goes right home to the essence of economy and justice.

Mr. SHAW of Kennebec: Mr. President: I laid this Resolve on the table and would have gladly taken it off to-day had the senator from Knox allowed me the courtesy. I did it simply to receive some light. I was in doubt as to what was needed. It seemed to me that the appropriation was large—perhaps too large for the two years, \$200,000. My business calls me among these people, the idiotic especially who receive such great benefit from such an institution. I am, however, somewhat in doubt as to the call for that institution. I know, in my own town, and my immediate vicinity, several who will come under that class; and, knowing them, as I do—knowing the two or three that are on our farm here in town, while they would come under that class, I do not believe in, or stand for those people going away from an institution of that kind, simply for the reason that they have been there for 15 or 20 years, and been self-supporting; and, to a large extent it is their home; and I do not believe they could be sent away, unless there was some law to compel them to go away. So it created in my mind a wonder, whether or not that might not be the case in other instances—what the demand would be; and I thought, whether or not it would not be better policy to build as we needed, and to increase as we needed, each session, appropriating what they called for. That was my object in placing this matter on the table. I, perhaps, in this connection, would say, that I am quite sure that the Governor believes this to be a large appropriation; and, while I have no disposition to attack it in any way, I merely pass my views in this way, and will not make any motion, but would like to hear it further discussed.

The pending question being upon the motion of Mr. Staples of Knox, that the bill be given its second reading, and pass to be engrossed, the motion

prevailed. The bill was read a second time, and passed to be engrossed.

On motion by Mr. Smith of York the Senate recalled from the Executive Department, resolve in favor of the city of Ellsworth. On further motion by the same senator, the vote whereby the resolve was finally passed, was reconsidered. On his further motion, the vote whereby the resolve was passed to be engrossed was reconsidered; and on his further motion, the resolve was recommitted to the committee on claims.

Mr. Macomber of Kennebec moved that the bill relating to Mercantile credit be taken from the table.

The President thereupon informed the senator that the bill is in the hands of the printer for printing.

Mr. MACOMBER: Mr. President: If it is in order, I move that it take its reference to the committee on judiciary.

The President: The Chair thinks that, while the paper itself, is in the hands of the printer, it is in the hands of the printer simply as representing the secretary of the Senate, and therefore it is sufficiently in our hands so that it may be referred at the present time, and the senator's motion is therefore in order.

The motion prevailed, and the bill was referred to the committee on judiciary.

On further motion by the same senator, the bill relating to false stories about banks (also in the hands of the printer) was similarly referred to the committee on judiciary.

On motion by Mr. Milliken of Aroostook, bill, An Act to create the Gregory Sanatorium was taken from the table. On further motion by the same senator, the bill was referred in concurrence.

On motion by the same senator, "Resolve in favor of the town of Williamsburg" was taken from the table; and on further motion by the same senator, Senate Amendment A was adopted, and the resolve as amended was passed to be engrossed.

On motion by the same senator, House Doc. No. 218, "Resolve in favor of the State House extension," was

taken from the table; and on further motion by the same senator, the report of the committee "ought to pass" was accepted, and the bill took its first reading, and was assigned for consideration, Friday, March 12.

On motion by Mr. Staples of Knox, House Doc. No. 40, majority report, committee on legal affairs, "ought to pass" on bill about exceptions and appeal in criminal cases; minority report, from same committee, on same bill "ought not to pass" was taken from the table.

Mr. STAPLES of Knox: Mr. President: I wish to explain that there were two reports, a majority and minority report in this matter. I represent the majority report; and I think the justice of it will appeal to every member of this Senate. Under our Constitution now, a man is convicted of a felony, or by any criminal process, and he has no way to get to the law court, as he would have in any civil case. That was the law at one time, before 1895; but all criminal cases are put under one category, on account of the desire to have sentences in rum cases. This bill does not touch that at all. It only touches cases where the penalty is State prison, or a matter of felony.

It seemed to me to be very just that, if a man were convicted of a crime by a jury—and juries sometimes err, that he should have some right to go to the law court, and have his case reviewed, as he would have in a civil case. If I sell you a horse for \$50, and you get a verdict against me, I have a right to go to the law court and have the evidence reviewed. I am convicted by a jury in a case that sends me to State prison for a term of years, I have no remedy to go to the law court, excepting by a motion to the judge who has tried the case.

I think this bill will meet the approbation of every practicing lawyer in the State of Maine. I was impressed

with the importance of this thing. Less than a year ago I defended a man for arson. I did not think it was a very strong case; and while the jury was out I said: If this man is convicted what can I do? On investigating the matter, I found I had no remedy whatever except by a motion addressed to the trial judge; and thought that that man might have to go to State's prison, and that I could not get his case before the law court. But, fortunately, the jury disagreed and since that time evidence has developed showing that that man was not guilty at all; and it would have been a great hardship to have had such a thing happen.

Now, in cases of felony, and I have talked with many of the best lawyers of the State, they think that should be done in justice to everybody. I move, Mr. President, that the majority report be accepted.

The motion prevailed, and the majority report was accepted. The bill accompanying the report was tabled for printing, under the joint rules.

On motion by Mr. Irving of Aroostook, House Document No. 204 "An Act to amend Section 3 of Chapter 129 of the Revised Statutes, regulating the sale of milk and cream" was taken from the table; on further motion by the same senator, 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, Senate Doc. No. 251, Resolve for Maine Insane hospital (Central Wing), was taken from the table; and, on further motion by the same senator, the bill was indefinitely postponed.

Mr. Macomber of Kennebec: I will say, Mr. President, for the better understanding of the Senate in regard to the foregoing matter, that it was understood by the Governor that the bill should be indefinitely postponed.

On motion by Mr. Knowlton of Piscataquis, the Senate adjourned.