

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Legislative Record

OF THE

Seventy-Fifth Legislature

OF THE

STATE OF MAINE

1911

An Act authorizing the construction of a wharf into the tide waters of Casco Bay in the town of Cumberland. (Tabled on motion by Mr. Milliken of Aroostook.)

An Act to amend Chapter 359 of the Private and Special Laws of 1903. (Tabled on motion by Mr. Milliken of Aroostook, pending second reading.)

An Act to incorporate the Guildford Water District. (Tabled on motion by Mr. Gowell of York, pending second reading.)

On motion by Mr. Milliken of Aroostook, Senate Document No. 176, An Act relating to the marking of historical sites, was taken from the table.

Mr. MILLIKEN: Mr. President: This provides for the establishment of a commission for the purpose of marking historical sites. I said yesterday in relation to this matter unless I got further light upon it I should move to indefinitely postpone the bill. No one has said anything about it, and I do not know whether anyone cares about the bill or not. I move that the bill be indefinitely postponed, and if anyone wishes to take it up tomorrow I shall make no objections.

The motion was agreed to.

On motion by Mr. Stearns of Oxford,
Adjourned.

HOUSE.

Wednesday, March 15, 1911.

Prayer by Rev. Mr. Gibson of Augusta.

Journal of yesterday read and approved.

Papers from the Senate disposed of in concurrence.

First Reading of Printed Bills and Resolves.

An Act to amend section 12 of chapter 55 of the Revised Statutes relating to telephone companies.

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

An Act to limit the number of fish which may be taken in one day in certain tributaries to Wilson Lake which lake is situated in the town of Wilton, also in Alder Brook, a tributary to Weld Pond which pond is situated in the town of Weld, down as far as

Hildreth's mill dam so called, all in the county of Franklin.

An Act to amend sections 49 and 51 of chapter 9 of the Revised Statutes.

An Act to render valid the doings of the Madawaska Improvement Company.

An Act to incorporate the Northern Penobscot Water Company.

Resolve in favor of a highway bridge over the St. John river between Van Buren, Maine, and St. Leonard's, New Brunswick.

The House Order, directing that all joint standing committees shall make final report on or before March 20th, came from the Senate amended by Senate Amendment A, by inserting after the word "Committees" the words "except the committee on appropriations and financial affairs."

The amendment was adopted and the order as amended received a passage.

The following petitions, bills, etc., were presented and referred:

Judiciary.

By Mr. Skehan of Augusta—An Act to amend chapter 256 of the Laws of 1909, relating to trustee process.

Legal Affairs.

By Mr. Percy of Bath—An Act for the investigation of the small loans business.

By Mr. Dunn of Brewer—Remonstrance of P. J. Kelley and 44 others of Bangor and vicinity, against the proposed consolidation of Sea and Shore Fisheries with Inland Fisheries and Game Commission.

Also Remonstrances of the following persons against same:

By Mr. Merrifield of Rockland—Remonstrance of John E. Doherty and 69 others of Knox county.

Also Remonstrance of A. C. McLoon and 44 others of Knox county.

By Mr. Harmon of Stonington—Remonstrance of John P. Barbour and 39 others of Hancock county.

By Mr. Small of Machiasport—Remonstrance of F. H. Wilder and 64 others of Cutler.

By Mr. Bogue of East Machias—Remonstrance of C. Hollis White and 26 others of East Machias.

By Mr. Percy of Bath—Remonstrance of Edward E. Merry and others of Georgetown.

Also, Remonstrance of Leon Oliver and others of Georgetown.

Also, Remonstrance of Fred A. Curtis and others of Sagadahoc county.

Also, Remonstrance of Harry C. Webber and others of Sagadahoc county.

By Mr. Hefferon of Eastport—Remonstrance of C. R. Stickney and 216 others of Washington county.

By Mr. Kelley of Boothbay—Remonstrance of Charles R. Doty and ten others of Boothbay Harbor.

Also, Remonstrance of A. B. Farnham and 109 others of Boothbay.

Also, Remonstrance of E. M. Sargent and 69 others of Boothbay Harbor.

By Mr. Packard of Rockport—Remonstrance of S. K. Hatch and 17 others of Knox county.

Also, Remonstrance of Lucius H. Duncan and 47 others of Knox county.

Also, An Act to amend section 54, chapter 125, Revised Statutes of 1903, as to the appointment of agents for the prevention of cruelty to animals.

Agriculture.

By Mr. Ames of Norridgewock—An Act to protect the fields from the red and orange hawkweed, with statement of facts.

Also, Petition of V. D. Hilton and 29 others, for extermination of red and orange hawkweed.

Mr. WILLIAMSON of Augusta: Mr. Speaker, I understand it is the desire of members signing the minority report in regard to the ballot bill that that matter be debated today, and in order that there may be an opportunity to do that and also to take up matters which are on the table, I move that the reports of committees, the first reading of bills, and bills on their passage to be engrossed and on their passage to be enacted, be now passed over and that we take up the matters on the table.

The motion was agreed to.

Mr. WILLIAMSON: Mr. Speaker, I move that Senate Resolve 174, in favor

of the town of Peru for money due on account of a State pauper, be referred to the next Legislature. The exigency in which we find ourselves at the present time, if I am correctly informed, is this: The revenue of the State can be very accurately estimated. It will be in each of the next two years approximately \$4,200,000. The fixed charges of the State due under general laws, together with the amounts which have been acted upon favorably by committees in this Legislature, amount I am informed approximately to \$4,700,000. Or, in other words, if all the matters which we must report according to law, all the appropriations we must report according to law or which committees have acted favorably upon, should be passed by this Legislature, we should have exceeded our income by about one-half a million dollars. Now of course there are only two things that we can do. We can either raise the mill tax, the State tax which is now one-fifth of a mill, which I believe no one approves of, or we can reduce our expenditures, provided we desire to live within our income. We should all agree that the thing for us to do in the present state of the treasury is that one-half a million of dollars should be cut out of our appropriations. I believe there would be no disagreement among us about that. But of course the question comes as to where those appropriations shall be cut.

Now, gentleman, this is a matter which has received great consideration at the hands of all of us, has received great consideration I know at the hands of the Chief Executive, and it is a matter I think that we should deliberate upon carefully. We must start somewhere. If one class of claims is all used alike, then no one person, no one representative holding one claim of that class, can be found fault with by his constituents. I assume that this class of claims all of which have been gone over by the committee on claims with great care. I assume all those that have been reported by that committee if we had ample funds with which to pay them, might be paid at this time by the State without any debate on the part of this

Legislature. I presume we should not endeavor on the floor of the House to sift out these claims and determine which are relatively important; but I believe that at the present time the State with all its expenses and its present sources of income must begin somewhere to cut appropriations and that this is the place.

Last night I believe both of the parties of the House held caucuses separately. We must remember that in these matters, no matter what legislation is enacted the majority in this House, the majority party of this House, will be held responsible for our legislation. For a great number of years the Republican party has been placed in charge of the State's melon patch. They have had full control and care of it, and last year I am afraid that all the members—I guess the Democrats helped somewhat—paid more attention to getting into the patch and getting out the melons than they did in watching the patch. Now this year, gentlemen, the Democratic party is put in charge of the State's melon patch. It is their duty to guard it. We cannot blame our Republican friends if they get into the patch and get a melon out occasionally but the responsibility of their doing it is upon us. I believe that these claims, one and all of them, can lie over until the next Legislature without harming any one; and I move that this matter be referred to the next Legislature.

Mr. PETERS of Ellsworth: Mr. Speaker, it is perfectly true, as the gentleman from Augusta has so clearly stated, that the responsibility for the care and fate of these resolves rests entirely upon the majority party. They understand and appreciate that fact, and of course the Republicans also appreciate it. But, nevertheless, there is a responsibility resting upon not only the minority as such but upon each individual member of it who desires to vote here and be recorded here in accordance with the dictates of his conscience. I take it from the motion which has been made that the policy adopted by the majority party is to postpone or refuse passage to any

legislation of this character whatever. I regard this as much perhaps of a tax proposition or a tax question as a matter of appropriation. I believe that the various committees who have these matters in charge have had so clear a view of the conditions confronting us that they have in almost every case pared these resolves almost to the limit.

I believe and I am sure that they have sifted out everything that could not properly be recommended for passage. It was no part of their duty of course to know the aggregate of the appropriations which were recommended by other committees. It was impossible for any of these committees to know whether or not there would be available fund under our system of taxation to meet all of their recommendations and all the recommendations of all the other committees. Having performed their duties, and these matters having come to the House, it is for us to discriminate. We find that as a matter of fact the aggregate of the appropriations recommended, together with the aggregate of the necessary expenses of the State, are greater than the revenues in sight. That is a condition which we have had well in mind of course from the beginning as a possibility. Now the question comes up to each one of us who has a sense of his civic responsibility, what attitude he will take in regard to the passage of these resolves or any group of them. I take the position, Mr. Speaker, that a member of this body can only vote for the passage of any one or more of these resolves in case he is willing to vote to raise money by taxation to pay it, because we cannot vote to pass any one or more of them without accepting the responsibility of finding the money to pay.

It is not decent legislation to proceed and vote money unless you have on the other side a place to get it; and, in voting on these questions, as I assume they will come up under the program of the majority, I for one propose to vote only for such resolves, for such appropriations, as I am willing to vote to raise taxes to pay. In

considering the matter along that line I believe as I have always believed that we should not pass a very large group of appropriations which I have referred to as gratuities, matters which represent no legal claim against the State and in many cases scarcely a moral claim and not at all a moral claim in many cases against the State, at the utmost a charitable claim, because in the case of some small towns and some poor communities it is in a sense a charitable claim, their demand for assistance in building a road or a bridge; but as a group, without discriminating between individuals, all matters of aid to towns and communities for bridges and roads and that sort of thing, I believe as I have always believed that this Legislature in its present condition has no legal right to vote. But in the matter of claims, Mr. Speaker, of which Resolve No. 174 is an example, it seems to me that we should consider that these claims are in the nature of debts by the State, that they represent claims against the State which have been presented in the general court of the State, passed upon by a committee of that court delegated for that purpose and recommended unanimously in each case I believe by them for passage. Now unless something else appears, unless we are put in possession of information which if the committee had it would have probably changed its mind, it seems to me we are in duty bound in the case of claims in favor of towns for pauper claims to regard the attitude of the committee as evidencing a debt of the State to those communities, and unless something else appears I am willing to pay that debt and vote for increased taxation in some way, and I personally shall vote to pay claims of this character in the nature of debts, as I look at it, in favor of towns. I suppose there will be no disagreement between us in the matter of charitable institutions. Relief must be furnished and I for one shall vote to furnish such aid so far as is possible, and coupled with that I am willing to vote to raise the necessary money by taxation to do it; but

as to these other matters I personally propose to vote against them for the reasons I have given. I desire to make this statement because I presume all these matters are coming along one after the other.

Mr. DAVIES of Yarmouth—Mr. Speaker, I would like to inquire of some member of the committee on claims if he could give the House the total fund which was recommended by the claims committee to be paid by the various towns for pauper claims. I will ask Mr. Mace of Great Pond.

Mr. MACE—I think approximately \$8000.

Mr. DAVIES—That is the entire sum that was recommended by the committee on claims for that purpose?

Mr. MACE—It is the entire sum that the committee recommended but there are some other claims to come before that committee.

Mr. DAVIES—May I inquire of the gentleman from Augusta (Mr. Williamson) if he thinks the State is not in a position to pay the sum of \$8000 for such a good purpose?

Mr. WILLIAMSON—In answer to the gentleman from Yarmouth through the Chair I will say this: I do not believe that the State at this time should exceed its revenue by paying the claims. We must begin somewhere to economize. The Democratic Representatives of this House by unanimous vote in caucus assembled voted that this is the place to begin. It is always easier to begin on somebody else's appropriation. I believe when our vote is taken on these matters—and when the vote is taken I move that it be taken by the yeas and nays—it will go out through the State as a question of whether we are in favor of economy or whether we are in favor of extravagance.

Mr. AUSTIN of Phillips: Mr. Speaker, I would like to ask the gentleman from Augusta (Mr. Williamson) whether he considers the payment of these claims as a payment of one of the State's just debts or not, or whether he considers the turning down of them is a repudiation of them?

Mr. WILLIAMSON: Mr. Speaker, I would say that personally I should not

consider it a repudiation of them. I should consider it a postponement until a time when we hope the State may be in a better position to pay these claims.

The question being on the motion that the yeas and nays be ordered,

The motion was agreed to.

The SPEAKER: The question before the House is on the motion that resolve in favor of the town of Peru be referred to the next Legislature. Those voting yes will vote to refer this matter to the next Legislature; those voting no will of course vote against the proposition. The clerk will call the roll.

YEA:—Allen of Jonesboro, Ames, Bearce, Bogue, Boman, Burkett, Chase, Clark, Conners, Copeland, Cowan, Cronin, Cyr, Deering of Portland, Deering of Waldoboro, Descoteaux, Dow, Dresser, Dunn, Dutton, Farnham, Files, Frank, Gamache, Goodwin, Gross, Harmon, Hartwell, Hastings, Haffron, Hodgkins, Hogan, Jordan, Kelleher, Lambert, Lawry, LeBel, Libby, Littlefield of Bluehill, Mace, Manter, Marriner, McAllister, McCurdy, Merrifield, Mower, Murphy, Noyes, Otis, Packard, Pattangall, Patten, Percy, Perkins of Kennebunk, Phillips, Pinkham, Plummer, Pollard, Putnam, Ross, Sawyer, Scates, Shea, Skehan, Sleeper, Small, Active I. Snow, Alvah Snow, Stetson, Strickland, Thompson of Presque Isle, Thompson of Skowhegan, Trafton, Trask, Trim, Tucker, Waldron, Weymouth, Wilkins, Williamson, Wilson—81.

NAY:—Anderson, Andrews, Austin, Averill, Benn, Berry, Bisbee, Bowker, Briggs, Brown, Buzzell, Campbell, Clearwater, Colby, Davies, Davis, Doyle, Dufour, Emerson, Emery, Fenderson, Hedman, Hersey, Johnson, Kelley, Kennard, Kingsbury, Knight, Littlefield of Wells, Macomber, Mallet, McBride, McCann, McCready, Merrill, Mitchell, Monroe, Morse of Belfast, Newcomb, Perkins of Mechanic Falls, Peters, Pike, Porter of Mapleton, Porter of Pembroke, Powers, Quimby, Robinson of Lagrange, Robinson of Peru, Russell, Smith, Snow of Bucksport, Soule, Stinson, Trimble, Turner, Weston, Wheeler, Whitney, Wilcox, Woods—60.

ABSENT:—Couture, Drummond, Greenwood, Hodgman, Miller of Hartland, Morse of Waterford, Pelletier—7.

So the motion was agreed to and the resolve was referred to the next Legislature.

Mr. WILLIAMSON: Mr. Speaker, I move that House Resolve, No. 477, in favor of John Holden Company, which I understand is a fire claim, be laid on the table.

The motion was agreed to.

Mr. WILLIAMSON: Mr. Speaker, I move that House Resolve, 481, 486, 487 and 494 be laid on the table.

Mr. DAVIES: Mr. Speaker, may I ask the gentleman from Augusta why those resolves cannot be disposed of at the present time?

Mr. WILLIAMSON: I will say that we have upon the calendar some 40 or more resolves all of which may occasion some debate. In addition to that we have the matter of the ballot, and it seems to me we would not occasion much delay if we passed over resolves which did not relate either to alien paupers or to ways and bridges.

Mr. DAVIES: The gentleman has been so frank in stating the action of the Democratic caucus, may I ask through the Chair if those resolves are caucus matters?

Mr. WILLIAMSON: For the information of the gentleman I will say that these resolves were not caucused upon but undoubtedly they will be. (Applause and laughter.)

Mr. CLEARWATER of Hallowell: Mr. Speaker, I have no desire to hold up the business of this House. If there is any man in the House who is anxious to finish the work of this Legislature and yet give time to do it properly, I am one; but here are three resolves in favor of the Maine Industrial school for girls on this calendar—

Mr. WILLIAMSON: Mr. Speaker, I rise to a point of order. I understand that a motion to lay on the table is not debatable.

The SPEAKER: The Chair so rules. The question being on the motion to lay the resolves on the table, Mr. Davies moved that the yeas and nays be ordered.

The motion was agreed to.

The SPEAKER: The pending question is on the motion of Mr. Williamson of Augusta, that House Resolves, No. 481, 486, 487 and 494 be laid upon the table, if there is no objection on the part of the House to considering those resolves together.

Mr. COLBY of Bingham: Mr. Speak-

er, I do not want to object and to delay the business of the House but it seems to me under an agreement between myself and some others who are interested in House Resolve, No. 481, that the matters reported by the committee on claims are to be treated alike, and from the fact that there may be some money in the hands of the treasurer belonging to the Maine Forestry District the matter may be somewhat complicated in considering these four resolves together. I have no doubt but the gentleman from Augusta is all right, but it seems to me the course which the matter is taking might tend to mix things up, where it has been agreed that the four resolves might lay on the table until next week. I do not want to seriously object, but it seems to me that the matters should not be considered in that way.

The SPEAKER: Does the gentleman from Yarmouth withdraw his motion so far as it applies to House Resolve, No. 481?

Mr. DAVIES: Mr. Speaker, I should be very glad to do so if the gentleman from Bingham will state to the House just what his wishes are in the matter.

Mr. COLBY: I will say, Mr. Speaker, that there are a bunch of fire claims and some of them are on the calendar and some of them are in the hands of the committee to be reported upon tomorrow. Those claims come from different parts of the State but the most of them come from my section and amount to about \$5000; and it is understood, I think, by the leaders on both sides and myself, and also others interested in the matters, that that money will probably be taken from the surplus in the hands of the treasurer of State belonging to the Maine Forestry District and which was left over from last season unexpended; otherwise, if it is not taken in that way, then it is generally understood that the resolves will go along with the rest. It is my wish, and I think it is also the understanding of the gentleman from Augusta, only I think he did not think of it at the time, that all these re-

solves be tabled and be treated together when they come in, when the others come in from the committee on claims.

Mr. DAVIES: I will ask the gentleman from Augusta to assign some date when they may be considered?

Mr. WILLIAMSON: Would next Friday accommodate the gentleman from Bingham and the gentleman from Yarmouth?

Mr. DAVIES: It would be entirely satisfactory to me.

Mr. WILLIAMSON: Then I would move that House Resolve No. 477, in favor of John Holden Company, be specially assigned for Friday, with the understanding that if there is no objection all other fire claims be assigned specially for that time.

Mr. KELLEY of Boothbay: Mr. Speaker, I would say that the committee on claims does not meet again until tomorrow afternoon and it will be Friday morning before these resolves come from the committee, and they would not be printed and be properly before the House in time for that measure to be considered on Friday. I would suggest that some time the first of next week might be satisfactory.

Mr. WILLIAMSON: Next Tuesday?

Mr. KELLEY: That would be all right.

Mr. WILLIAMSON: With the consent of the gentleman from Bingham and the gentleman from Yarmouth, I would ask that the resolve be assigned for next Tuesday morning together with all other claims of a similar nature which have been reported.

The SPEAKER: Is there any objection on the part of the House to House Resolve No. 477 being specially assigned for next Tuesday?

Mr. DAVIES: Then, Mr. Speaker, I would like to withdraw my motion for a yea and nay vote on the resolves which were mentioned by the gentleman from Augusta.

Mr. WILLIAMSON: I would like to ask the gentleman from Hallowell, through the Chair, if next Tuesday would not be a convenient time for the

consideration of the resolve in which he is interested?

Mr. CLEARWATER of Hallowell: Mr. Speaker, I will say that I would prefer an earlier date for the consideration of the resolve in favor of the Maine Industrial School for Girls, but that is perfectly agreeable to me.

The SPEAKER: The gentleman from Yarmouth withdraws his request for the yeas and nays. By special agreement the House assigns House Resolves No. 477 and 481 for Tuesday of next week; and by unanimous consent the House assigns House Resolve No. 486, 487 and 494 for Friday of this week, and it is so declared by the House.

Mr. WILLIAMSON: Mr. Speaker, I move that we now pass over Senate Bill 168, House Bill 141, and the other bills in the calendar included under the first section thereof and take up House Resolve 455, the first resolve tabled and assigned, being a resolve in favor of Machiasport bridge.

The motion was agreed to.

Mr. WILSON of Auburn: Mr. Speaker, the remarks made by the gentleman from Augusta in regard to the pauper claims I believe apply equally well to the resolves in favor of roads and bridges, and for that reason, Mr. Speaker, I move that House Resolve 455 in favor of Machiasport bridge be referred to the next Legislature.

Mr. DAVIES: Mr. Speaker, I notice on the calendar that that is assigned for the 16th.

Mr. WILLIAMSON: Mr. Speaker, I understand that is a mistake in the printing upon the calendar.

The CLERK: The 16th is correct.

The SPEAKER: The point of order is well taken. We cannot consider it until the date assigned.

On motion of Mr. Wilson of Auburn House Resolve 460, in favor of a road in Elliottsville Plantation, was referred to the next Legislature.

On motion of Mr. Williamson on House Resolve 464, in favor of Mat-tanawcook Academy was laid on the table.

On motion of Mr. Skehan of Augusta House Resolve No. 466, in favor of the town of St. George, was referred to the next Legislature.

On motion of Mr. Williamson House Resolve 467, in favor of the town of East Livermore, was referred to the next Legislature.

Mr. WILLIAMSON: Mr. Speaker, I move that House Resolves 330, 331 and 337 be laid upon the table.

Mr. DAVIES: No. 377 is assigned for tomorrow.

Mr. WILLIAMSON: I did not notice that and I will confine my motion to the first two, Nos. 330 and 331.

The question being put, Mr. Austin of Phillips doubted the vote and called for the yeas and nays.

The question being shall the yeas and nays be ordered.

The motion was agreed to.

Mr. AUSTIN: Mr. Speaker, I wish to say that I simply want to get at the wonderful workings of the Democratic mind.

The SPEAKER: It seems to be apparent. (Applause.)

Mr. AUSTIN: Mr. Speaker, this Resolve No. 330—

Mr. PATTANGALL: Mr. Speaker, what is the motion before the House?

The SPEAKER: The motion is to lay the resolves on the table. The gentleman raises the point of order that the motion is not debatable. The point is well taken. (Applause.)

The SPEAKER: The Chair will ask the gentleman from Phillips if there is any objection to taking one vote upon both resolves, 330 and 331?

Mr. AUSTIN: Certainly not; and I will say for the information of the gentleman from Waterville that I was trying to explain to the House why I should insist on so evidently a needless proposition as a yea and nay vote, not that I was trying to debate the motion to lay on the table.

The SPEAKER: The Clerk will call the roll.

YEA:—Allen of Jonesboro, Ames, Bearce, Bogue, Boman, Burkett, Chase, Clark, Connors, Copeland, Cowan, Cronin, Cyr, Deering of Portland, Deering of Waldoboro, Descoteaux, Dow, Dresser,

Dunn, Dutton, Farnham, Files, Frank, Gamache, Goodwin, Gross, Harmon, Hartwell, Hastings, Hefron, Hodgkins, Hogan, Jordan, Kelleher, Lambert, Lawry, LeBel, Libby, Littlefield of Bluehill, Mace, Macomber, Manter, Marriner, McAllister, McCurdy, Merrifield, Mower, Murphy, Noyes, Otis, Packard, Pattangall, Patten, Percy, Perkins of Kennebunk, Phillips, Pinkham, Plummer, Polard, Putnam, Ross, Sawyer, Scates, Shea, Skehan, Sleeper, Small, Active I. Snow, Alvah Snow, Stetson, Strickland, Thompson of Presque Isle, Thompson of Skowhegan, Trafton, Trask, Trim, Tucker, Waidron, Weymouth, Wilkins, Williamson, Wilson—82.

NAY:—Anderson, Andrews, Austin, Averill, Benn, Berry, Bisbee, Bowker, Briggs, Brown, Buzzell, Campbell, Clearwater, Colby, Davies, Davis, Doyle, Dufour, Emerson, Emery, Fenderson, Hedman, Hersey, Hodgman, Johnson, Kelley, Kennard, Kingsbury, Knight, Littlefield of Wells, Mallet, McBride, McCann, McCready, Merrill, Mitchell, Monroe, Morse of Belfast, Newcomb, Perkins of Mechanic Falls, Peters, Pike, Porter of Mapleton, Porter of Pembroke, Powers, Quimby, Robinson of Lagrange, Robinson of Peru, Russell, Smith, Snow of Bucksport, Soule, Stinson, Trimble, Turner, Weston, Wheeler, Whitney, Wilcox, Woodside—60.

ABSENT:—Allen of Columbia Falls, Couture, Drummond, Greenwood, Miller of Hartland, Morse of Waterford, Pelletier—7.

So the motion prevailed and resolves 330 and 331 were laid on the table.

Mr. SKEHAN of Augusta: Mr. Speaker, I move that House Resolve, No. 462, in favor of the town of Norway, be referred to the next Legislature.

Mr. ANDREWS of Norway: Mr. Speaker, I know it is useless but I want to give my protest against the State trying to pass over matters like this.

Mr. DAVIES: Mr. Speaker, may there be included in the motion House Resolve 296 in favor of the city of Biddeford.

Mr. GOODWIN of Biddeford: Mr. Speaker, I move that House Resolve 296 be included and be referred to the next Legislature. (Applause.)

Mr. WILLIAMSON: Mr. Speaker, it would save time if we could also consider at the same time the following resolves, 298, 299, 300, 302, 303, 305, 349, 333, 291, 304, 308, 310, 311, Senate Resolve 136, Senate 139, House Re-

solve 294, 416, 402, Senate 142, Senate 143, Senate 14, House 415, Senate 164 and Senate 165. Those could all be included and save the time of the House.

Mr. AUSTIN: Mr. Speaker, I have no particular objection but it seems to me that some of these resolves are ways and bridges resolves. They are not all pauper resolves. The gentleman from Augusta did not mention House Resolve, No. 297. That is not of that class but it is not accompanied by a statement of facts and I presume a motion to table would be in order as to that.

Mr. WILLIAMSON: In regard to Resolve 297 I understand that is in favor of the town of Buxton to reimburse them for a tax that they overpaid by some clerical error. It is similar to a case where we had given a man a ten dollar bill too much. I understand that ought to lie on the table and be considered separately.

The SPEAKER: Is there any objections to considering these resolves together?

Mr. PETERS: Mr. Speaker, the Chair inquires whether there is any objection to considering these all together. There is none so far as I am concerned, if the vote is to be taken by a viva voce vote. If it is to be taken by the yeas and nays I desire to vote against some of these and in favor of some others; but I presume it will not be necessary to take a yea and nay vote.

Mr. HERSEY of Houlton: Mr. Speaker, I think if we are going to vote on these together, that the resolve for solid and liquid refreshments should be included in that vote.

Mr. WILLIAMSON: Mr. Speaker, I made that motion in line with the suggestion with the gentleman from Yarmouth. I have no objection to considering them separately or collectively. The gentleman from Houlton especially requested that we should debate the ballot law this forenoon, and if the House is of one mind we might save considerable time by taking these up together.

Mr. DAVIES: Mr. Speaker, the gen-

tleman is mistaken in his supposition of what I intended to convey. My idea was this, that if the resolve which he put before the House to be referred to the next Legislature was to be taken on a voice vote, there might be included in it safely the next one which was a resolve in aid of the city of Biddeford; but I by no means intended to give the impression that other resolves were to be included.

Mr. POLLARD of Solon: Mr. Speaker, I move that Resolve No. 415, in favor of the counties of Kennebec and Somerset, be included in the motion.

Mr. WILLIAMSON: Mr. Speaker, as I understand it, the State gave the counties something like \$75,000 with which to build that bridge, and if the towns all over the State are to be cut down I guess the counties of Kennebec and Somerset can stand that reduction, which I think is \$400.

The SPEAKER: Is there any objection on the part of the House to considering the resolves together? If not, as many as are in favor of the motion that the resolves be referred to the next Legislature will say aye.

The motion was agreed to.

Mr. WILSON of Auburn: Mr. Speaker, if in order I move that the gentleman from Houlton have the floor and explain the workings of the Republican caucus—the matter in regard to the ballot question.

Mr. PATTANGALL: Mr. Speaker, the House has before it several more resolves of a like nature with those on which the House has voted. It seems as though it would be proper to take those matters up at the present time and dispose of them. I move to take from the table House Resolve 28 and that it be referred to the next Legislature.

The motion was agreed to.

On motion by Mr. Pattangall, House Resolve 292 was referred to the next Legislature.

On motion of Mr. Tucker of Wiscasset, House Resolve 465, was laid on the table.

On motion of Mr. Williamson, House Resolve 290 was referred to the next Legislature.

On motion of the same gentleman House Resolve 241 was referred to the next Legislature.

On motion of Mr. Colby of Bingham House Resolves 447, 448, 463 and 350 were especially assigned for next Tuesday.

On motion of Mr. Pattangall House Resolve 289, Senate Resolve 101 and Senate Resolve 120, were referred to the next Legislature.

Mr. Peters of Ellsworth moved that House Resolve 475, relating to a monument to Commodore Samuel Tucker be referred to the next Legislature.

On motion of Mr. Pattangall the resolve was tabled.

On motion of Mr. Williamson House Resolve 500, in favor of maintaining lights and buoys on upper and lower Richardson lakes was tabled and assigned for next Tuesday.

On motion of the same gentleman House Resolve 503 relating to navigation on Rangeley lake, was tabled and assigned for next Tuesday.

On motion of the same gentleman House Resolve 139 relating to the reforestation of waste lands was tabled and assigned for next Tuesday.

On motion of the same gentleman House Resolve in favor of the town of Buxton was laid on the table.

Mr. CLEARWATER of Hallowell: Mr. Speaker, I would call the attention of the gentleman from Augusta through the Chair to the fact that resolve in favor of the town of Buxton is practically identical with the resolve in favor of an academy which has been referred to the next Legislature. This appropriation was made simply to correct a clerical error. The academy did not receive the whole amount of the State allowance of \$500 that it should have received.

Mr. WILLIAMSON: I will say that I have no doubt that the statement is correct. The matter was tabled because it was not accompanied by any statement of facts. I would like to have that statement of facts printed and I move that it be especially assigned for next Tuesday.

The motion was agreed to.

Mr. STRICKLAND of Bangor: Mr.

Speaker, in order to correct what might be a wrong impression given by the gentleman from Hallowell, I want to state that I had the resolve in favor of Mattanawcook tabled and not referred to the next Legislature.

Mr. CLEARWATER: I will accept the explanation of the gentleman which I think is correct.

On motion of Mr. Davies, House Resolve 267, in favor of the Central Maine fair, was taken from the table.

Mr. Davies moved that it be referred to the next Legislature.

On motion of Mr. Williamson the resolve was tabled and assigned for next Tuesday.

Specially assigned: Bill, An Act to amend Chapter 6 of the Revised Statutes, relating to the regulation and conduct of elections.

The pending question being the adoption of either the majority report "ought not to pass," or the minority report "ought to pass."

Mr. HERSEY of Houlton: Mr. Speaker, I move that the minority report be accepted, and upon that I wish to speak.

The SPEAKER: The gentleman from Houlton has the floor.

Mr. HERSEY: Mr. Speaker, this bill which is now before the House is An Act providing for the adoption of what is known as the Massachusetts ballot. If the members of the House will turn their attention to the specimen ballots placed upon your desks this morning you will see before you a form of ballot which is a copy of what would have been the Massachusetts ballot had it been adopted and used in the last State election in this city of Augusta. Just a word here as to this ballot in this form. I have placed before you this copy in order that you might have a practical demonstration of this ballot which you might not be able to get from reading the bill. The names are all on one ballot, and there is only one ballot, from Governor to representative to the Legislature; all the officers to be voted for are placed in groups, all the candidates for Governor in one group, auditor in another and representative to Congress in an-

other, and so on. They are arranged alphabetically in groups, Ames first, Fernald next, Hunter next and Plaisted last. That varies of course according to the first letter in the name of the candidate, commencing with "A" and ending with "Z." Opposite the name of the candidate is his residence, and then follows his party, and at the extreme right is the square in which you mark your ballot with a cross. Over the top of the ballot it says "To vote for a person, mark a cross X in the square at the right of the party name, or political designation." And then it says over the top of each group "mark one," "mark three," "mark two," according to which group it is.

Now it seems to me that the human mind cannot devise a more simple ballot. By this form of ballot the voters can make his own ballot. If he can read and write he can make his own ballot; if he cannot read or write there are provisions of law whereby he can be assisted in making his ballot under our present naturalization laws no person can become a citizen and entitled to the ballot unless he can read and write. Those who are now citizens and cannot read or write are protected by the law and a ballot can be marked by the election clerks. So I say, Mr. Speaker, under this form of ballot the voter can make his own ballot if he can read or write, and if he cannot read or write he can have the ballot made for him as he desires. Contrast this ballot with our present ballot! You can see the wonderful simplicity of the Massachusetts form. Our present ballot is not one ballot but it is as many ballots as you have parties. To be sure, the parties are arranged side by side, but each one is nevertheless separate. Over each one there is the square in which to make the mark for the party named, but the voter who attempts under the Maine ballot today to vote anything but a straight party ticket finds himself involved in confusion, and more than liable to lose his ballot. One ballot here is the ballot of the voter, the honest voter, simple and easy to understand, easy for him to vote according to his convictions, easy for him to select the best names for the office; the other ballot is the ballot of the politicians, to make it as difficult as possible for him to cut his ballot and to split his ticket and to vote independently. He must swallow everything that is given

to him by the political party or parties or else run the risk, which is the dread of every voter, that he shall be disfranchised.

Mr. Speaker, time makes peculiar changes, and among the most peculiar changes perhaps are the changes of political positions and political parties. Two years ago, as a member of this Legislature of Maine, I plead with my party then in the majority to adopt this Massachusetts ballot for the benefit of the people of this state and for the benefit of the voters of this state. That party was then in the majority in this state. They could easily have passed this law and adopted this ballot, but the Republican party was then in the control of certain politicians who, I thank God, do not have the control of it today; and those politicians felt that to adopt the Massachusetts ballot meant the defeat of certain politicians and the defeat of a certain political machine. They felt that to retain the power in this state they could do it better with the old ballot where they could put it up to the voter "You must vote the party ticket straight," and the majority party at that time missed their opportunity, they defeated the Massachusetts ballot, they clung to the old system and the politician and they went to the people and thousands and thousands of honest voters of this state went into their booths last September and looked at this monstrous ballot with an idea that they wanted to cut certain persons upon that ballot, that they wanted to vote independently for certain men and for certain principles, and they found themselves with this ballot of the politicians staring them in the face, and they did just what they had a right to do and what I believe they ought to have done, they rebuked that party by voting the straight ticket and not for that party.

Now I am standing, Mr. Speaker, in the minority, and I ask the minority party to a man to vote to adopt the ballot that they repudiated two years ago. Two years ago the Democratic party favored this ballot. Today I understand that they have been caucussing—I may be mistaken, and I hope I am—and have agreed that there should be no ballot reform in this Legislature, that the Massachusetts ballot should not be adopted but they will adopt the ballot of the politicians and place themselves in the position which the Republican party was in two years ago and adopt their tactics. If the Democratic party has not learned

anything from the Republicans, then I say to you that it will.

I want for a moment to discuss this ballot. It has been in operation in Massachusetts for a great many years, something over 20 years. It is in operation in all the states of the Union excepting four. When this ballot was adopted in Massachusetts, the only real true Australian ballot, the short and simple ballot, lots of objections were made to it, that it would tend to confuse the voter, and I cannot name all the objections which were made; but when the Massachusetts election took place one of the ablest magazines of this country sent their representative to watch the Massachusetts election and the working of the Massachusetts ballot as compared with the old system and to report upon it, and that journal said:

"When tried in the city of Boston every one of these objections was proved to be absolutely groundless; that was the testimony of everybody who witnessed the working of the law. It was shown that all classes of voters had no difficulty in using the system; that "heelers," "workers," "bulldozers," and all the other annoying concomitants of elections in American cities had disappeared as if by magic; that bribery had been abolished; that voting was so easy that three minutes was the average time in which the voter prepared and deposited his ballot, instead of the 10 minutes provided by the law; that during voting hours the polling places were as orderly as a prayermeeting, and, finally, that the counting was almost as quickly done as it had been under the old method. In every other part of the State the same demonstration was made, and when the polls closed on election night there could not be found in the state of Massachusetts a single opponent of the Australian system. As one of the bitterest opponents of it said after witnessing its operation: "It is as easy as rolling off a log."

"Under the Australian method the voter is taken charge of from the moment he enters the polling booth, is guarded against annoyances of all kinds, is helped in every way to pre-

pare his ballot, has a path marked out for him to follow in depositing it, and a separate door for him to depart from when his work is done. He could not go astray if he tried. That such a system as this should be called "complicated" is, in the light of experience, an absurdity. It is small wonder that the success of the Massachusetts law has created so general a demand for similar laws that it is a safe prediction to make, that within five years every state in the Union will have adopted a similar statute."

Two years ago in the Legislature of Maine in the Senate was a senator from the city of Portland, in Cumberland county, a man of honesty and ability, a man who believes in and who stands for the highest American citizenship, I allude to Senator Looney. Now, Mr. Looney when the matter was brought before the Senate said:

"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, among the most pleasant things in the life of one who has attended a legislative session are the friendships that he makes, the men with whom he comes in contact, regardless of politics. After a service of two sessions in this Legislature I shall return to my home carrying with me, Mr. Speaker, some of the most pleas-

ant recollections and friendships of my life. I shall always remember the men with whom I have worked and labored in these two sessions of the Legislature. Among those friendships and among those men whom I shall cherish in my heart is a man that I love and a man that I respect and a man that I honor, and no one will stand higher in my affection than the senator from Lincoln county, Mr. Boynton. I looked upon him two years ago, and I look at him now as one of the great men of the State of Maine, a man of brains, a man of honor, a man of ability, a man whom the Democratic party of Maine ought to honor. Two years ago Senator Boynton, speaking upon this ballot law, said:

"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 revealed, not one man in 200 would vote to have it revealed 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 Legislature, should now adopt this system, if the State of Maine, by this tem and repeal the one we have, it will be a long step in the right direction, in my opinion."

And I say that the Republican party of Maine missed its greatest opportunity for years when it turned down that ballot, and the Democratic party saw it. Upon the stump in the last campaign every Democrat stood for ballot reform: the Democratic press of the State stood for ballot reform. Your candidate for Governor stood for ballot reform and the Massachusetts ballot. Your Democratic party

told the people if they returned you into place and into power in the State of Maine you would give them the Massachusetts ballot. Your candidate for Governor, the present Governor of this State, in his letter of acceptance was in favor of ballot reform. He said: "The independent voter is the safeguard of both State and nation." That is right. "Every facility should be given him to express his intelligent convictions by his ballot"—that is right—"and every means used to increase the weight of his influence in public affairs. To that end improvements in our ballot laws may well be the subject of serious consideration." And the people elected him Governor believing that he would give them if he could ballot reform and the Massachusetts ballot, and when after election he had been declared to be Governor of Maine by the people of this State, feeling and knowing the causes that led to the success of the Democratic ticket in Maine, he went up to the city of Boston and gave an interview to the Boston Globe, and said: "The ballot in Maine is a wicked thing. I am going to do my best to see that it is changed into something like the Massachusetts ballot." And the Governor of Maine never said a better truth than that. But then, Mr. Speaker, there came a day when the Governor of Maine met the politicians in his own party, politicians who hated the Massachusetts ballot as much as the devil hates holy water, and he went into their council and sat down and talked with them and talked over the policy to be pursued in this Legislature. There came a time when he prepared his message, and we all thought, the people of the State of Maine thought, that there would be something in that message about ballot reform that we had heard so much about on the platform and on the stump and in the Democratic press, but he was silent as the grave upon that matter in his message. He missed his opportunity; he missed it, and he said nothing about ballot reform. Here is my friend over here, the gentleman from Rockland, the editor of the Opinion, and the man who expresses his

opinion in the Opinion, and he did not like the caucusing of the Democrats that turned down ballot reform that was advocated in the press and on the platform, and so my friend from Rockland said in the Opinion:

"The best form of ballot," says the Opinion, "is what is known as the Australian system, under which the voter merely marks a cross against the name of every candidate for whom he wishes to vote, the name and politics of each candidate being clearly printed and conveniently arranged. One can scarcely spoil a ballot like that if he tries. It works to perfection in every country where it was ever tried, and in no country or province where it has been tried has it ever been proposed to change it. Our people are as familiar with this ballot as with their own." This was what the people demanded in the first place, the Opinion declares, but the politicians gave them something different in what it calls "the Looney law," although the law always advocated by Mr. Looney has been the Massachusetts law; and when something better was demanded, they responded with the present Clason law, under which, says the Opinion, "thousands of votes are lost each election and voting is made as difficult as possible—unless one yields to the boss and votes a straight ticket. The people have not changed their mind. They want the Australian ballot, same as Massachusetts has. They expected to get it from this Legislature, and if they do not they will by and by elect a Legislature that will give it to them." That is right. (Applause.)

The Democratic press of the State of Maine, as I said, was a unit for it before election, and chief among those papers stands the Waterville Sentinel, the paper of the secretary of State. Now that paper was not satisfied with the Democratic caucusing against this ballot reform, and the Sentinel of February 2, only last month, in one of its issues said:

"The Maine ballot is a monstrosity. It was conceived in evil, has been perpetuated by boss rule, and it is high time for it to be reformed consistently with reason and justice. Just as a man has a right

to vote, so should there be ample provision made for a free exercise of the franchise. With our present ballot in force, augmented by the strictures decreed by the supreme court, the privilege of voting is about as easy and safe as is a buzz-saw."

And also in the issue of February 16 the Sentinel said:

"If the Democratic Legislature now in session neglects to put into effect ballot reform, it will be remiss in its duty to the public. Following such a refusal to depart from the ways of standpat Republicanism will come an accounting of stewardship which will not measure to the fullness of an opportunity improved.

"The people of this State want an intelligent form of ballot. For years has the press voiced its condemnation of the boss-dictated form of ballot. This Legislature should rise to the importance of the occasion and give Maine voters a form of ballot consistent with reason and justice."

The independent voter and the honest voter when he was deprived of his honest vote by the present ballot which says "you must vote a straight ballot or you are going to lose your ballot" attempted to accomplish what he was told to do by the use of the sticker, and all over the State of Maine men armed themselves with stickers trying to get at what they wanted to do, to vote independently, and what is the result? Thousands and thousands of ballots spoiled and ruined by the sticker because the voter placed the sticker too far up or the sticker was a little bit too large or in using the sticker the voter put it on and covered up the name of the office and therefore spoiled the ballot. Read the decision of the courts of Maine on the late election contests. Read the rule laid down by our court, and it seems to me that every man must feel ashamed of the Maine ballot which disfranchises the citizens who are using stickers. Read the decision of our court upon the question of marks put upon the ballot, where the cross is made too large or too small or is not made just perfect, and I think you will be ashamed of yourselves that you are voting for

something that disfranchises your fellow man.

Here is another editorial which appeared in the Sentinel:

"The act of voting should be made safe and easy. It is now fraught with difficulty and danger. The party ballot, such as we have, is restrictive and unreasonably so. The performance of the franchise should be liberal in its exercise, whether judged from the standpoint of political expediency or otherwise.

"Ballot reform in Maine is an important issue. It cannot be snuffed out by legislative snubbing. There is a constitutional way by which it can be reached and by which it will be reached if it is not afforded through regular channels. The Democratic majority should not forget the right of petition through the initiative."

Mr. Speaker, we have arrived at a time in this Legislature when we must look things squarely in the face in regard to ballot reform. There was a day early in the history of this country, in the old days away back in the time of the early colonies, when the first American citizen stood up with his fellows at the ballot box with his neighbors, and they called the roll of the citizenship and each man answered to his name. Two centuries have gone past, and what has been the history? The American citizen was given the written ballot, a ballot which he had a right to prepare himself, and which he did prepare himself, but which grew into a system where the politician prepared the vote for him, where under written ballots men in lots of five were led or driven to the ballot box and voted, where the vote was not the vote of the voter but the vote of the politician prepared for him. And then came the Australian ballot, not the true ballot, but the imitation of it made by the politicians to satisfy the people and made for party purposes only. When the voter went into the booth there to prepare his ballot they passed to him the ballot which said "You must vote the party ticket straight or be disfranchised." And now you see the result. Two hundred years have gone and up to the voter has come the Massachusetts ballot. Give him that ballot and

what do you do? You make the secret place the same. He enters that secret place and he is alone with his conscience to prepare his ballot. He takes this ballot, gentlemen, the only true ballot, this simple ballot and with his pencil he selects the names of the men whom he has in his mind, the men who stand for the best interests of the State, and he prepares his ballot; no politicians can longer prepare it for him, and when he has prepared it and deposited it he has performed his greatest duty to his state.

Mr. Speaker, a short time ago a noted English statesman visited America and investigated our election matters, and on his return to his own country he was asked what impressed him most in his acquaintance with the American voter, and he said: "I was surprised the most by the American citizen who had the ballot, by his appearance; the American voter stands erect and looks everybody in the face as though he was a king." Mr. Speaker, give to the voter of Maine this ballot and he will stand erect, he will stand like a king; and there will be something more—a noted writer said that when a man has high desires, unselfish motives and patriotic resolve it will show in his countenance, and that writer wrote a wonderful book entitled "The Being with the Up-turned Face." Give the citizen of Maine this ballot and he will not only stand erect, look a king, but he will be "the being with the up-turned face." (Applause.)

Mr. PATTANGALL of Waterville: Mr. Speaker, I have understood there are two or three gentlemen who wish to be heard upon this question, and as the hour is late I would move that the House take a recess until 2 o'clock this afternoon.

The SPEAKER: If it is agreeable to the House the Chair would suggest an evening session.

Mr. PATTANGALL: That is entirely satisfactory to me, and I would change my motion to have a recess until 7.30 this evening.

The motion was agreed to.

EVENING SESSION.

The SPEAKER: The matter under discussion at the time the House took

a recess was the substitution of the minority report for the majority report with reference to the Bill, An Act to amend Chapter 6 of the Revised Statutes relating to the regulation and conduct of elections. Is there anything further to be said upon this question before the question is put to the House?

Mr. TRAFTON of Fort Fairfield: Mr. Speaker, I wish to say a few words upon this question before it is put to a vote. I have not prepared any set speech or anything of that sort. It seems to me that the object of the ballot is to provide the easiest, simplest method for the voter to express his will at the polls. I think that ought to be the proposition. The only question is, what is the best and most feasible way to accomplish this? What provision can be made whereby the voter can best and in the simplest way and the easiest way possible express his wishes? Now, the proposition before us is to introduce the Massachusetts ballot, so-called. The gentleman from Houlton, Mr. Hersey, describes this ballot as a very simple and easy ballot to use, something, so he says, by means of which anybody can vote intelligently and correctly. Now, let us see about that. This ballot which we have here before us consists, of course, as it must necessarily, of a great number of names, these names being arranged upon the ballot alphabetically and without any regard to any particular order, as far as the party designation is concerned, and to my mind it seems a little peculiar or would be peculiar in the minds of the average voter.

Now you will please bear in mind, Mr. Speaker and gentlemen of the House, that it is not for people like the gentleman from Houlton, or like the gentlemen here who are accustomed to write and to read, and all that sort of thing, but we must bear in mind that this ballot is being prepared for the great mass of people and while they can read and write, it still remains true that in the rural districts and in some sections in the manufacturing parts of our State great numbers of our citizens, of our voters, can read and write only with difficulty;

and it is to take care of that class of citizens that I claim this ballot should be especially prepared, because, Mr. Speaker and gentlemen of the House, any one who is accustomed to writing and to reading, any of us for example, could vote correctly and intelligently upon any sort of a ballot probably, either the Massachusetts ballot or the ballot which we now have in Maine, or any other system of balloting which we would be likely to adopt. But it is for this great middle class, the class of people who can read and write but who do it with difficulty that the ballot ought to be, as I claim, prepared because the people who cannot read and write at all, and yet who are eligible to vote can of course have assistance. Now, what is the voter up against when he attempts to vote this ballot, this Massachusetts ballot? Take the man who reads very little, he goes into his booth which is perhaps dimly lighted, and he is more or less excited, and he sees here a great mass of names, his party is not taken out from another party and the names are all mixed up just as they happen to come on the alphabet. Now, for that voter to vote that ticket he is obliged to make 15 crosses on that piece of paper. I submit, Mr. Speaker, that that is not quite a fair proposition to this voter whom I have described as belonging to the middle class, the man who reads and writes with difficulty but who can still read and write sufficiently so that he is not entitled to have assistance in marking his ballot.

Now here is one great objection that I have to the Massachusetts system of voting, it compels every voter who wants to vote the whole ticket to make a great number of crosses and I submit that in order to make this voting easier you must reduce to the lowest possible number the number of crosses that he is obliged to make. The gentleman from Houlton says, and I have no doubt truly, that under this system there is a very small percentage of defective ballots. That may be true as to absolutely defective ballots. A man has probably been instructed so that he votes correctly and more or less intelligently, possibly for the candidate for governor, and perhaps if he has more instructions for

two or three others, the principal officers; but, gentlemen, the candidates for Representatives, and the county ticket, at the end of the ticket—the tail end as we call it, are left out. I submit that is the experience of our friends in Massachusetts. The Governor is voted for. The Lieutenant Governor is voted for, but the county ticket, the tail end of the ticket, is neglected to a certain extent. Of course those ballots are counted for Governor. Now, under our present system of voting, if a man wishes to vote of course a straight ticket he simply has to make one cross. I claim that the voter ought to be permitted and allowed to vote, if he wants to do so, a straight ticket by making one cross, because every one will admit I think that that is the simplest and easiest possible way that a man can vote, he can make one cross and vote the whole ticket. If he wants to vote a split ticket the claim is that it is made unduly hard for him to vote the split ticket. I say in regard to that that the method of voting the split ticket is no more difficult than the method of voting any ticket under the Massachusetts law, provided we correct some of the difficulties which now exist in our present ballot by taking away the technicalities so that the will of the voter can be counted just as he intended to express it, and by making a few simple corrections without making any very material change in the ballot. I claim that the present ballot which we now have in the State of Maine can be made, effective and just as simple as this ballot even for the man who wants to vote a split ticket; and of course it goes without saying it would be far more so for any one who happens to want to vote the straight ticket. Now as a matter of fact this happens and it is true that a large percentage, quite a large percentage of the total vote of both sides votes the straight ticket of course. Those people are taken care of by the ballot as we have it, and as I say, by making a few simple corrections for the man who wants to vote the split ticket and by taking away the technicalities which now surround our ballot under the decisions of our Supreme Court, which I think we can easily do here—when those corrections are made then I think the man can vote the split ticket just as easily, and perhaps more easily, than he can vote on the Massachusetts ballot, and under this ballot if a man wants to vote for any other name than those on the ticket he has to write it in there and he does not

have to trouble, as I understand it, about using stickers.

Now bear in mind, gentlemen, we should provide a ballot which would allow the voter in the simplest possible manner to express his will, and I say that the fewer changes we make in the present ballot law, the better, after we have made the necessary corrections to avoid the difficulties which experience has shown to be in our way.

The SPEAKER: Is there anything further to be said upon this question?

Mr. HERSEY of Houlton: Mr. Speaker, if the question is to be put to the House at this time I will move that the vote be taken by yeas and nays.

Mr. OTIS of Rockland: Mr. Speaker, I would like to make a few remarks upon this question before the vote is taken. No one who has had interest enough in the matter to know what I think and what I propose to do to inquire can doubt the fact that I have consistently for many years advocated the Australian ballot, and I could not consistently, without stultifying myself, go back upon it tonight. Very many years ago when Australia first adopted this system of voting I read a description of it, and was struck with the fairness and with the good points which it possessed. In this discussion we have had here today this has been called very generally the Massachusetts ballot. The Massachusetts ballot is one variety of the Australian ballot. It is the Australian ballot all right. I am in favor of the Australian ballot, and these are the specific points of that system. In the first place, secrecy. That is attained moderately by the ballot which we have here in the State of Maine today, and equally so for the one which they have in Massachusetts, and it is an essential feature of the Australian ballot. The ballot we have in Maine falls far short of being the system used in Australia in the respect that it has the parties grouped, the candidates are grouped by parties, and a space provided at the top by which they can vote the whole ticket by making one mark. That is inconsistent with the Australian ballot which requires that in voting every voter shall

intelligently make his choice between the parties and between the candidates. On the Australian ballot there is no provision made for voting by means of one mark. To vote that ticket one must make a cross against every candidate for whom he proposes to vote. The gentleman from Fort Fairfield claims that that is an advantage in that one can vote the whole ticket at one time and it is claimed that they can do so intelligently. It may be easily seen that that is not true and that that point is not well taken. The voter does not know what is on the ticket below. He must take the secretary of State's or the city clerk's or the town clerk's certification at the top that it is there. That was well demonstrated not many years ago when our Republican friends fixed up a little scheme to carry the two strongest towns, Democratic towns, in Knox county, the towns of St. George and Rockport. They sent us down some ballots duly certified by the secretary of State which contained the Lincoln county ticket instead of the Knox county ticket. The voters of St. George had been voting on them for nearly an hour before anybody noticed that they were voting for the ticket in another county. Now, tell me what intelligent choice does the voter make when he simply sticks his cross in a place at the head of his ticket, marked Democrat or Republican or Socialist? He does not know and you and I do not know when we vote, we do not know whom we are voting for. The Australian ballot compels him to think. If that is something the American voter is incapable of doing then the present system is all right. If the voters of Maine are intelligent enough to discriminate and make choice, not only of their party but of their candidates, then the present Maine system is entirely inadequate and insufficient.

After Australia adopted this system it spread very rapidly. England adopted it, and many of the states of our Union have adopted it. Massachusetts I think was the first. No state and no country and no province that has adopted the Australian ballot has ever changed it, and so far as I know, it

has never been proposed by any party or any association of men to change over after they have once started in with that ballot. Years have proved its availability and its good points. A great deal has been said today in regard to the caucus which the Democrats held, and it has been put forth here that the Democrats are bound by that caucus to vote against the Australian ballot. I think those who are here and who were present at that caucus will bear me out in this statement that it did not have that effect. In that caucus the question was whether the measure which was proposed by Senator Donigan, which was called the Connecticut bill, and which was no more like the Australian ballot than the present Maine ballot,—and the whole discussion there was between the merits of Senator Donigan's bill and the present system, and the caucus very strongly voted not to adopt the Donigan measure, or the Connecticut system; and that as I remember was as far as the action of the caucus went. At that time I took occasion to advocate the Australian ballot. I made no motion and it was not voted upon, but I submit that no Democrat in this hall is bound to vote against the Australian ballot by any action of that caucus.

The objections that have been raised here have been largely on account of the form. That caucus did indicate that the present form of the ballot ought not to be changed for the reason that it would confuse voters, and that is perhaps the strongest argument that has been used here, that the voters had become accustomed to the present style of voting and the present form of ballot and they would be confused by any change. It seems to me that it is quite possible to maintain the present form of the Maine ballot and at the same time have the two essential principles of the Australian ballot incorporated into it. You will all remember the present form of the ballot. It is only necessary to take off the spaces at the head of the ballot where the crosses are marked and leave the ballot exactly as it is, and

require the placing of crosses opposite the name of the candidate as is done on the Massachusetts ballot. In any respect that would be a very much better ballot than the Massachusetts ballot. In the Massachusetts ballot the candidates are grouped by the office for which they are to be voted upon, first, for Governor, as shown on the specimen ballot we have here, and then down through the other offices, and the candidates are placed along alphabetically. That requires some little time to pick out the candidates you want. Our present system grafted onto it in the manner I have described will leave the party designation at the top but you have to put your cross against every name. That fully complies with the requirements of the Australian ballot. Another thing that ought to be changed on this ballot. If this is a copy of the Massachusetts ballot, and I am not sure that it is—you will observe here that the party designation, first comes the name and then the party designation and clear beyond that is the space in which to put the cross. Now if that were before the name it would be very much easier to pick out your candidates and I would suggest that as a change in this form of ballot. And I submit, Mr. Speaker, that a change of that kind would give us without altering the form of the Maine ballot a perfect Australian ballot and one that would be better than anything that has ever been used in any country that I know of. To that principle of the Australian ballot many Democrats, if not the Democratic party is committed, and we will be stultifying ourselves and our Governor if we vote down this proposition; and in order that these changes may be made I will move that these reports be recommended with a view to having the amendments made in that way.

Mr. MACE of Great Pond: Mr. Speaker, I have listened with pleasure to the eloquent remarks of my friend from Houlton and the explanation offered by the gentleman from Rockland. It is true that a political revolution took place in the State of Maine

on the 12th day of last September. I have heard many explanations attempted, many reasons given why the voters of Maine entrusted the government of this State to the Democratic party, but in my opinion the most unique reason that has been advanced was advanced by the gentleman from Houlton that the voters in the Republican party, because their leaders, the political leaders, had not seen fit to relieve them from a ballot that they themselves formulated after 14 years experience, had refused to continue them in power. I think, Mr. Speaker and gentlemen of the House, that there are other reasons why the voters of this State after long years of mis-rule and extravagance by the Republican party turned to the Democratic party for relief from those evils. I do not believe that this ballot, although it may be imperfect—I do not believe that we would gain by changing from the system that we have used for 14 years and adopting an entirely new ballot. It is true that we should give to the intelligent voters of this State all the facilities for them to register their expressed will and conviction, but it is equally true that for the great mass of voters in the State of Maine who desire to vote a straight ticket, that we should consult their wishes in making our ballot. I believe that this Legislature should pass a law that the distinguishing marks should be obliterated, that a wider space should be used between the names and the ballot printed on better paper, and if this Legislature should pass such a law the voters of this State, especially in the country districts where they do not have this secret ballot in their town elections, could easily express their ideas and convictions. I do not believe that any party except they are doubtful of the voters in the State of Maine in expressing their honest convictions need desire a change. The voters of this State at the last September election entrusted their destinies and the government and the affairs of this State to the Democratic party. Why? Because they wanted relief from the leaders of the Republican party in the State of Maine who had depleted

her resources and had exhausted her treasury and despoiled her good and fair name.

Mr. BOMAN of Vinalhaven: Mr. Speaker, I wish to say a few words in regard to this Australian ballot. I understand this is a copy of the present Massachusetts ballot. I hope that this matter will not be considered as a political matter at all because I believe with my friend from Rockland that no Democrat has bound himself to vote for any particular ballot reform. I have not and never would. So I think every Democratic member is free to vote as he chooses on this matter.

Now, it seems to me, Mr. Speaker and gentlemen, that if this ballot is good enough for Massachusetts why is it not good enough for Maine? I understand that this ballot has been in use for twenty-three years in Massachusetts and in that time there has never been a change made in the ballot. Now, is it not fair to suppose that if there was anything wrong about this ballot there would have been some changes made in that time? I think it speaks very well for the ballot itself. We would not tolerate it in Maine for twenty-three years if it was not all right. The illiterate class of voters have been referred to. I know by observation that the mistakes in marking the ballot have not been made altogether by the ignorant voters. I have had something to do with our present style of ballot. We had at the time it was first introduced eleven spoiled ballots in our town. At our last election we had twenty-three, and all the advantages of all the education of all these years did not prevent the result that there were fifty per cent more spoiled ballots than there were the first time the ballot was ever used. So I do not think that that idea has anything to do with it.

I cannot see any possible argument against the Australian form of ballot. I know that twelve representative people in my town have expressed themselves as being in favor of a change in the form of voting. The people do not like to use a sticker. Under the Massachusetts ballot, if a

man should go into a booth, take his time to vote carefully, I know of no reason why he would not be able to mark ballot according to the dictates of his conscience. A man should take time enough for that when he votes. For my part, Mr. Speaker, I am in favor of the bill advocated by the gentleman from Houlton.

Mr. BEARCE of Eddington: Mr. Speaker, I would not think I was doing my duty to my constituents if I did not place myself on record as favoring the old method of voting. I do not believe it is right for us to change to some other way. No doubt there are other methods that are very good if you were educated up to them, but our old way is just as good and our people know how to vote and vote more intelligently I believe in the old way than they would in some new way. It is a fact that there are many voters in the State of Maine, in the cities as well as in the country, who do not care to run over a ballot and write in names and to make their crosses before or after every name. They like to vote a straight ticket and be done with it. There are men working upon the farms and in the woods and in the shops that are not born penmen. They cannot seem to comprehend the desirability of writing these names in. We are making a mistake if we make any change in our method of balloting except what has been suggested in respect to better paper and a larger space in which to make the crosses. I hope this House will vote not to make any change in the ballot.

Mr. PATTANGALL: Mr. Speaker, I will detain the House but just a moment on this matter. I should not do that except for one thing. In the course of the debate it has been suggested that the Governor of Maine would favor this change. Now no man on the floor of this House either Republican or Democrat has a right to make that statement. After listening to the speech of the gentleman from Houlton this morning in which he quoted from an alleged interview in the Boston Globe some expression of the Governor that related to the ballot

law of Maine, for my own information and that of the House, desiring to know what the opinion of His Excellency was upon the matter, I called on the Governor and asked him about it. He told me that he had never taken the trouble to deny that interview because there had been so many interviews attributed to him which he never gave that he thought it would take up too much of his time to deny them. But he said that he was not in favor of a change at the present time to the Massachusetts ballot. So nobody need be afraid that he is stultifying the Governor or going contrary to his opinion if he votes against this bill.

I do not believe that the present ballot which we have in Maine is a perfect one by any means, nor would we object to some changes in our ballot law. I would recall to my fellow Democrats the fact that our party held three caucuses on that subject and discussed it fully, and I was one of the unfortunate minority in company with others in those caucuses, for we stood for some simple changes in the ballot, but our party by a very large vote indeed in caucus decided to have no change in the ballot law at the present session excepting the simple change indicated by the gentleman from Eddington. Nobody could charge the gentleman from Rockland with any lack of party fidelity in the position he has taken here tonight, because in a very manly way in the last caucus held on that subject he stated to the caucus that he should not be bound by its action. As for me, I supposed that the discussion so far as we were concerned ended when those caucuses ended, otherwise some bill of some kind would have been prepared, not so sweeping a change as that proposed by the gentleman from Houlton but something that the voters of Maine could adjust themselves to readily in a reasonable time. We have had our present ballot since 1891 with one change. The Australian ballot law passed in 1891 and was changed in 1893 or 1895, and since then our voters have gradually become accustomed to it, awful as it is, and accustomed to the use even of stickers. During that

twenty years there has been no very loud call from the then dominant party for a change in the ballot. The conversion of the Republican party to ballot reform has been fairly sudden. In the last Legislature a ballot reform bill was introduced, proposing the adoption of the Massachusetts ballot. The position of the gentleman from Houlton was then what it is now, that we ought to have a change, and like my friend the gentleman from Rockland he is absolutely consistent in the matter; but two years ago on March 11 this House when the vote was taken voted against any change in the ballot by a vote of 92 to 34. That was a fairly strong Republican House. At that time that ballot looked good to my friends the Republicans. They liked it. It was their ballot. They had had it for eighteen years and they saw no reason to change it. Something has happened evidently between the last Legislature and this one to convert a good many Republicans to a belief in the Massachusetts form of ballot. The conversion has been almost as sudden as the conversion of Saul of Tarsus.

It is said that both parties are bound to ballot reform. Who bound them? Look over your platform and see if the Democrats are bound by it and see if you can find a single word for ballot reform. There was nothing in the Democratic platform about ballot reform, nothing in the Republican platform about ballot reform; and even had there been, that would not necessarily bind members of either party to vote for this ballot. A change is not necessarily a reform. Adopting something which Massachusetts has had a few years might be good and might be bad. I doubt if any one who has looked at the Massachusetts ballot believes that it is well fitted for the use of the whole electorate of the State of Maine at the present time. This is not saying that in time we might not become accustomed to its provisions, but it is to say that it is a ballot which requires study, requires care, requires a different mental action on the part of the voter than that which we have used for twenty years.

Probably three-quarters of the voters of the State of Maine go to the polls for the purpose of voting a straight ticket, three-quarters at least of all the voters of Maine went to the polls at the last election because in their minds the Democratic party stood for certain policies. The Republican party have certain policies, and they were not concerned so very much about who the different candidates were for each office. That had been settled in caucus and convention. The voter knows what he wants to do, and under our present ballot he can do it simply by making a cross above the name of the party to which he belongs. Under this Massachusetts system he must go of course all the way down through and mark thirteen different candidates on this simple ballot. What is the result of the use of that ballot in Massachusetts? In Massachusetts every year the Governor receives thousands and thousands more votes than any other candidate on the ticket. Why? Because the voter knows that he can safely find the Governor's name with three or four candidates and mark that. When he gets down among his lower candidates, for fear that he might make an error he does not mark at all. The general effect of the Massachusetts ballot is pretty well illustrated in the result of the last fall's election. I think it would be generally conceded by people in Massachusetts that there was no one man against whom the ire of the independent vote of Massachusetts was directed as it was towards Henry Cabot Lodge. Thousands of men voted the Democratic ticket in remonstrance against Henry Cabot Lodge's leadership, and yet because they had that form of ballot they only got as far as marking their Governor and did not get to the members of the Legislature, and so they landed Foss to the Governor's chair and sent Lodge back to the United States Senate. That was not what the people of Massachusetts wanted, I do not believe. I do not believe any one believes that was what they wanted.

Now what do you do when you

change the method of voting in the State? I want to give a figure or two. Any change in the method of voting in a State discourages voters from going to the polls and disfranchises a large number of voters who make mistakes. In 1880 we cast 147,000 votes in this State, and in 1884, the next Presidential election, 142,000. In 1888 we cast 145,000. Now we were using the old fashioned system of voting then. Everybody was familiar with it, everybody went to the polls and their votes were counted. In 1892 you adopted the new method for the first time, and that was an election which was sharply fought. Instead of an average of 144,000 votes that had been cast in the three preceding elections, we cast a total of only 130,000 votes. Fifteen thousand voters were disfranchised or stayed away from the polls because they did not understand the new way of voting.

I would like to ask if there is any real popular demand for a change to the Massachusetts ballot. I know that in some newspapers there has been a demand, but even a newspaper demand does not mean very much sometimes. The gentleman from Houlton read an editorial from the Waterville Sentinel in which there was a loud demand for ballot reform. But I remember that the night before that editorial appeared was one of the nights that we had a party caucus, and among the visitors at that caucus was the present secretary of State who was the managing owner of the Sentinel, and at that caucus Mr. Davis very strongly impressed upon us all the undesirability of making any change at all in the present law. So it seems that the Sentinel editorially did not even represent the sentiments of the owner of the paper. Outside of a certain newspaper demand, so far as I have been able to learn—and of course I have only the same means that other men have—the feeling through the State is not in favor of any change in the ballot law. Could we gain by it? I do not mean politically, because politically it would affect one party well in one locality and the other well in another locality depending on cir-

cumstances. I am not worried about the political effect of it very much. But what would we gain by it in a public way? Would we cease to have defective ballots? That has been stated. If gentlemen think that I wish they would read the decision in the Lewiston case where Judge Savage ruled out one ballot because he said the cross in the square was evidently made by a weak, wavering and infirm hand. Now if a weak, wavering and infirm man would make a defective ballot where there was only one square to be marked, I would not want to trust that man to make a good ballot when it was necessary to make sixteen crosses. The gentleman from Vinalhaven says if it is a good thing for Massachusetts, why not for Maine. Well, we have had our ballot law almost as long as they have had theirs. Under its workings we got this Democratic Legislature, and to be honest about it—this is in strict confidence, I would not want it repeated in public—I am afraid this Legislature would not have been Democratic if we had not had our form of ballot. (Laughter and applause.) Under the Massachusetts form of ballot they got Foss elected Governor and got the same old Republican Legislature. In my opinion a divided administration is always a poor administration. But it is said it is not an intelligent vote unless the voter picks out the Governor he finds by name, and the county commissioner and the other officers by name, that it is not an intelligent vote. That is not true. Cannot a man intelligently want to vote the whole ticket? The gentleman from Houlton would not contend that he could not do so. I know that a man can intelligently want to vote the whole Democratic ticket, there is no doubt about that. (Applause.) Now suppose a man really wanted to vote the whole Democratic ticket. Is there any reason why he should not put one cross on his ballot and have it done with? It was said this morning that this ballot that we have now is a ballot of the boss. I do not remember who was the boss of the Republican party in 1891 when

it was adopted, but the Republican party kept that ballot of the boss right down through from 1891 to the present time. Is there anything in that idea of the ballot of the boss except balderdash. You have got a secret ballot. Under the provisions of the law which this Legislature has passed, the use of the doors to the booths has been made compulsory so that hereafter you will have as secret a ballot as a ballot can be and a voter under those circumstances is about as free from the domination of any boss as anybody can be whether he makes one cross or fifteen. Is it right for your illiterate man who has been puzzled a good deal to get around even the method that we now use, after twenty years of practice, to change over and give him something more complicated? I do not believe it. Rather than to change to the complication of the Massachusetts ballot, I would prefer myself to retain with all its imperfections the ballot which we now have. You never can get a perfect one. You never can get a secret ballot that will not reveal a certain number of defective votes. You never can get all intelligent votes. In other words, you never can reach ideal conditions in this world, but our people during twenty years have been coming nearer and nearer to an understanding of our form of ballot, and defective ballots have been growing more and more scarce. The people have learned how to split their tickets better than they used to. They have learned to be more careful of their nominations, to take more interest in them, since Maine became closely political, and I believe if you let them go along in the way they are going by making here and there some little change in the ballot if they find one necessary, that out of that will grow a system which will fit conditions in Maine just as well as this ballot fits conditions in Massachusetts, and will not cause us to perform an act which in my opinion would result in a dropping off of fifteen thousand or twenty thousand votes in Maine as did the original change made in 1891. (Applause.)

Mr. GOODWIN of Biddeford: Mr. Speaker: A great many years ago, long before we had any modern form of ballot, there was a great wave of discontent over this State and Maine went hell-bent for Governor Kent. (Laughter.) I never heard it said that the form of the ballot used at that time had anything to do with the victory which Governor Kent achieved. Last year another wave of discontent rolled over the State and Maine went hell-baited for Governor Plaisted, and I never heard until my friend from Houlton today explained it to us that the ballot, or the form of the ballot, had anything to do with that victory. I have heard it attributed to the high cost of living, I have heard it attributed to extravagance of the Republican State administration, I have heard it attributed to pure cussedness on the part of certain Republicans, I have heard it attributed to everything, but I never heard anybody say that the form of the ballot had anything to do with it; and, gentlemen, I don't believe it did.

I don't see why the Republicans should object to this ballot. They have carried the State of Maine every year but once since this ballot was adopted. And I cannot see why the Democrats should object to it because they have carried the State the only time they ever did carry it by a straight party ticket. (Applause.)

Who in God's name wants to change the ballot? All we want to do, as one of my friends says, is to make a little wider space between the names and print the names in a little larger type. A good many years ago I wrote to George Francis Train asking if he would send me his autograph and give me some little expression of some sort or another, to put into my scrap book. He wrote back, "Young man, don't smoke, don't swear, don't drink, don't don't, don't!" and I say, don't change this ballot. (Applause.)

Mr. MURPHY of Portland: Mr. Speaker, I wish to be recorded against any change in the ballot. On every election day between the hours of six o'clock in the morning and seven o'clock, the men in the cities on their

way to work stop at the polls to cast their ballot. Those men do not return to their homes until after the clock strikes five, consequently that is the only chance that they have to vote. Between the hours of twelve and one o'clock the men that take an hour at noon stop at the various polling places in the city and cast their ballot. Hundreds of them stop then, that is the only opportunity they will have if they have not taken the trouble to stop on their way to work between six and seven in the morning. Many of them are in a hurry. Just imagine some of the honest, every-day working men going into one of the dark closets which are provided to vote in, men who are not familiar with documents of that kind, men who are accustomed to use this ballot that we have been using for the past fifteen years. This proposed change is a good and efficient means to take to prevent them from casting a vote on election day.

There is another matter that a good many will take advantage of if this ballot is adopted. That is this. Many men will say, "I don't understand it," and they will be some of the men that you want to have an understanding with. Consequently the warden will be asked to furnish instructions for that man. He may be in league with somebody on the outside. It is all made up to tell just how that man votes. There are more opportunities to practice that under this Massachusetts ballot than there are under the present one. Living in the city of Portland, in the center of five wards where the majority of the voters are every-day, laboring men and men that are employed in the offices or in mercantile establishments, I know that they do not have any time to waste, I know that they dislike to leave their work or business, and many of them will not be allowed to leave their work even if you sent for them. I am aware that some people in Portland would like to have us adopt the new ballot, but an overwhelming majority as I believe are perfectly contented with the present ballot and have become accustomed to it.

Mr. HERSEY: Mr. Speaker, I rise

to answer one or two objections. I have been much interested in hearing hashed over a great many objections that within the last ten years have been shown over and over again to be worthless objections. But experience has shown that the bugbears and nightmares raised here in this House tonight by certain gentlemen never happened. Now as to a few of those. One is that a man who wants to vote his party ticket straight, cannot do it. I do not see how this ballot deprives him of that privilege. Suppose a man wants to vote the Democratic ticket and he don't know what to put down. He don't know who has been nominated. He takes this ballot into the booth and all the instruction that man wants is to take that right hand corner and read the word "Democratic" in each column and mark it; and he can do it very easily and very quickly, if you want to do that kind of business. You are not depriving that man of a great privilege by that, but I say there isn't much straight voting today in the State of Maine and there will be less in the future. The time has come when men are going to rule the State of Maine and not political parties. The time has come when the honest, conscientious voters of the State of Maine are demanding a ballot whereby they can elect men to office and not politicians.

Now it is admitted that under the present form of ballot there are a great many defective ballots, and it is said that our court has ruled that if you do not make your cross so and so you lose your ballot, and it is said that it is better to run the risk of making your cross all right once than to run the risk of making it wrong 13 times, that there is less chance of losing your ballot by marking it once than by marking it 13 times. Suppose a man in marking that ballot has to mark 13 times. Suppose he does not make an exact cross in one place. He does not lose his ballot, he has voted for 12 men at least, and if he has made a cross that cannot be told for the 13th man he will not lose his ballot. If you make a mistake just once in the present ballot you lose your ballot. Now is that the kind of nonsense that this

Legislature wants to show when this matter comes to a vote? Again, it is claimed that the working man is injured by this ballot, the man in the factory, the man who has a family to support and has not much time to wait and who on his way to work drops into the polling place to vote, and it is said that this ballot deprives him of his right to vote because he has not the time. Massachusetts said that the average time required to vote was three minutes. And there has been something insinuated that the working man does not know enough to vote, that his ballot should be prepared for him. I say it is not true. The defective ballots in the state today are not cast by the men in the common walks of life. They study their ballot and they act intelligently and the most of them vote honestly; and I tell you what you all know that the demand for this ballot comes largely from the working men. Your labor unions all ask for the Massachusetts ballot. Four grangers ask for the Massachusetts ballot. I said today and I repeat it that this ballot pleases the politician, but the people demand a change.

Mr. PATTANGALL: Mr. Speaker, I want to say a word in regard to the making of one cross and the making of 13 on the Massachusetts ballot. According to the decision of our court, if a man makes a mistake in any one of those 13 attempts to make a cross, it invalidates the whole ballot. Every time a man puts his pencil to paper in the State of Maine, under the present rulings of the court he is taking a chance of making a distinguishing mark. The more times he puts his pencil to paper the worse off he is. I say the man who comes out of a mill and hurries to the polls and marks his ballot and hurries away has neither the time nor the inclination to go through a list of candidates and pick out 12 or 14 that he wants to vote for. He has become acquainted with the political situation by going to the public meetings and reading the papers and by talking with his neighbors and he has made up his mind that he wants to vote with either one party or the other, and he does it unless there is some objectionable candidate on one side or some friend of his on the other,

and then under our present ballot he can use a sticker for one and cross out the name of the other. He don't want to go through 15 or 16 candidates for that purpose. I resent just a little bit the imputation that everybody who wants this change is in some way of a purer mind, living in a higher atmosphere, than those who do not want it, and that the rest of us are at the dictation of the politicians. I do not believe because a man believes in one form of ballot that it makes him any better than the man who believes in some other form of ballot. Up in Boston those pure-minded men use this new ballot. They don't have any politicians in Massachusetts. Over in New York they do not have this form of ballot but they have a reform ballot there. Our little simple Maine ballot is too corrupt for Tammany Hall. They have a reform ballot in New York city. In Philadelphia with its corrupt voting they have a reformed ballot. It is only down here in Maine, wicked Maine, where we have got away from the reform methods of Boston, New York and Philadelphia that we have this vicious ballot under which bosses and politicians rule the State. Now, they don't. There is no politician or boss rule in Maine. People might have believed that story a little while ago. (Laughter and applause). But times have changed. Our people are intelligent enough to take this poor, old-fashioned Maine ballot and use it and vote intelligently with it and vote right with it; and now that the city elections are over, all that they are waiting for in Maine, I believe, is a chance for another election to come around in order to illustrate to our friends how well they can use that old ballot once more. I think they ought to have one more chance. If they don't do it well the next time, we will try something new. (Applause.)

Mr. DUNN of Brewer. Mr. Speaker, I simply wish to state that I believe we do not want to change the form of our ballot.

Mr. QUIMBY of Turner: Mr. Speaker, if they don't want to, evidently from the proceedings this forenoon they won't. (Great laughter and applause.)

Mr. OTIS: Mr. Speaker, I will withdraw my motion to recommit.

The question being shall the yeas and nays be ordered,

The motion was agreed to.

The SPEAKER: The question is on substituting the minority report "ought to pass" for the majority report "ought not to pass." Those voting yes will vote to substitute the minority report for the majority report; those voting no will vote to sustain the report "ought not to pass." The Clerk will call the roll.

YEA:—Anderson, Andrews, Austin, Averill, Benn, Berry, Bisbee, Boman, Bowker, Briggs, Brown, Buzzell, Campbell, Clearwater, Copeland, Davis, Davies, Doyle, Emerson, Emery, Fenderson, Hedman, Heffron, Hersey, Hodgman, Johnson, Kennard, Kingsbury, Knight, Macomber, McBride, McCann, McCready, Merrill, Mitchell, Monroe, Morse of Belfast, Newcomb, Otis, Perkins of Mechanic Falls, Peters, Pike, Porter of Mapleton, Powers, Quimby, Robinson of Peru, Russell, Smith, Snow of Bucksport, Soule, Stinson, Trimble, Weston, Wheeler, Whitney, Wilcox, Woodside.

NAY:—Allen of Jonesboro, Ames, Bearce, Bogue, Burkett, Clark, Conners, Cowan, Cronin, Cyr, Deering of Waldoboro, Descoteaux, Dow, Dresser, Dunn, Dutton, Farnham, Files, Frank, Goodwin, Hartwell, Hastings, Hodgkins, Hogan, Jordan, Kelleher, Lambert, LeBel, Libby, Littlefield of Bluehill, Mace, Manter, Marriner, McAllister, McCurdy, Merrifield, Mower, Murphy, Noyes, Packard, Pattangall, Patten, Perkins of Kennebunk, Phillips, Pinkham, Plummer, Porter of Pembroke, Putnam, Ross, Sawyer, Scates, Shea, Skehan, Sleeper, Small, Active I. Snow, Alvah Snow, Stetson, Strickland, Thompson of Presque Isle, Thompson of Skowhegan, Trafton, Trask, Trim, Tucker, Waldron, Weymouth, Wilkins, Williamson, Wilson.

ABSENT:—Allen of Columbia Falls, Chase, Couture, Deering of Portland, Drummond, Dufour, Gamache, Greenwood, Kelley, Lawry, Littlefield of Wells, Mallet, Miller of Hartland, Morse of Waterford, Pelletier, Robinson of Lagrange, Turner.

Yes, 59; no, 73.

Absent, 19.

Pair, Colby, yes; Pollard, no. Gross, no; Snow of Bucksport, yes. Harmon, no; Percy, yes.

So the motion was lost.

Mr. HERSEY: Mr. Speaker, as to the reciprocity resolution a motion was pending to indefinitely postpone the resolution, and I call the matter up now for this purpose—when the vote was taken there were but few present, less than a hundred. There is a good attendance tonight

and I would like to have a vote because a great many came to me who were absent who wished to vote upon the matter. Therefore, I renew my motion that the resolution be indefinitely postponed and I ask that the vote be taken by yeas and nays.

The question being shall the yeas and nays be called,

The motion was agreed to.

Mr. DAVIES: Mr. Speaker, I want to say a word in explanation or my vote for I believe reciprocity is a part of our tariff policy and that the treaty proposed by President Taft aims to take the duties from those articles which the duty should not come from first. The treaty proposed by President Taft, it seems to me, is for the benefit of the manufacturer and not for the benefit of the farmer; although on general principles I desire to be recorded as voting no.

YEA:—Anderson, Austin, Averill, Benn, Berry, Bisbee, Boman, Bowker, Briggs, Burkett, Buzzell, Campbell, Colby, Copeland, Cyr, Davis, Deering of Waldoboro, Dow, Doyle, Dutton, Emerson, Emery, Fenderson, Gross, Harmon, Hedman, Hersey, Johnson, Kennard, Kingsbury, Knight, Macomber, McAllister, McCann, McCready, McCurdy, Merrill, Mitchell, Monroe, Morse of Belfast, Packard, Peters, Pike, Plummer, Porter of Mapleton, Porter of Pembroke, Powers, Quimby, Russell, Sawyer, Smith, Soule, Stinson, Thompson of Presque Isle, Trafton, Trask, Trim, Weston, Wheeler, Whitney, Wilcox.

NAY:—Allen of Jonesboro, Ames, Bearce, Bogue, Brown, Clark, Clearwater, Conners, Cowan, Cronin, Davies, Deering of Portland, Dresser, Dunn, Farnham, Files, Goodwin, Hartwell, Hastings, Heffron, Hodgkins, Hogan, Jordan, Kelley, Kelleher, LeBel, Libby, Littlefield of Bluehill, Mace, Manter, Marriner, Merrifield, Mower, Murphy, Noyes, Otis, Pattangall, Patten, Perkins of Kennebunk, Perkins of Mechanic Falls, Phillips, Putnam, Scates, Shea, Skehan, Sleeper, Active I. Snow, Alvah Snow, Stetson, Strickland, Trimble, Tucker, Waldron, Weymouth, Wilkins, Williamson, Wilson, Woodside.

ABSENT:—Allen of Columbia Falls, Chase, Couture, Descoteaux, Drummond, Dufour, Frank, Gamache, Greenwood, Hodgman, Lambert, Lawry, Littlefield of Wells, Mallet, McBride, Miller of Hartland, Newcomb, Pelletier, Percy, Pinkham, Pollard, Robinson of Lagrange, Robinson of Peru, Ross, Shea, Snow of Bucksport, Thompson of Skowhegan, Turner.

Yes, 61; no, 58.

Absent, 28.

Paired: Morse of Waterford, yes; Small, no.

So the motion prevailed and the resolve was indefinitely postponed.

Reports of Committees.

Mr. Allen of Jonesboro, from the Committee on Education, reported "ought not to pass" on Bill, An Act to amend Section two of Chapter 15 of the Revised Statutes, relating to conveyance of school children.

Mr. Skehan from the Committee on Railroads and Expresses, reported same on Bill, An Act to regulate the naming of Railroad Stations.

Mr. Davis from the Committee on Interior Waters reported same on Bill, An Act to incorporate the Carrabassett Storage Company.

Mr. Allen of Jonesboro, from the Committee on Education on Petition of F. B. Staples and 19 others, praying for a change of the law in regard to school management and election of school officers, reported that the petitioners have leave to withdraw.

Mr. Clark from the Committee on Inland Fisheries and Game, on Bill, An Act to permit pickorel fishing through the ice in Upper, Lower and Middle Range ponds, and Tripp pond, in Androskoggin county; also remonstrances against the same, reported that the same be placed on file as the subject matter of this bill has been incorporated in another bill reported by this Committee, entitled "An Act to regulate ice fishing in Androskoggin county."

Mr. Lawry from the Committee on Interior Waters, on Resolve relating to the placing of buoys in Lewys Long and Big Lakes, reported that the same be referred to the next Legislature.

The report were accepted.

Mr. Bogue from the Committee on the Judiciary, to which was recommitted Bill, An Act to amend Chapter 54 of the Special Laws of 1895 as amended by Chapter 60 of the Special Laws of 1903, by enlarging the territory of the Rumford Falls Village Corporation, reported that the same ought to pass.

Mr. Goodwin from same committee, on Bill, An Act to amend Chapter 133 of the Private and Special Laws of 1909 and Chapter 420 of the Private and Special Laws of 1903, relating to the use of automobiles in the town of Eden, reported the same in a new draft under title of "An

Act relating to the use of automobiles and other motor vehicles in the town of Eden," and that it ought to pass.

Mr. Davies from same committee, on Bill, An Act granting additional powers and privileges to the Peaks Island Corporation, reported the same in a new draft under the same title and that it ought to pass. (Tabled pending acceptance and assigned for tomorrow on motion of Mr. Scates of Westbrook.)

Mr. Mallet from the committee on appropriations and financial affairs reported "ought to pass" on Resolve in favor of Harry Stetson.

Mr. Otis from the same committee, on Resolve in favor of Frank L. Hodgkins, reported the same in a new draft under the title of "Resolve in favor of Frank L. Hodgkins of Lamoine," and that it ought to pass.

Mr. Kelleher from same committee, on Resolve in favor of Harvard C. Jordan, reported the same in a new draft under the title of "Resolve in favor of Harvard C. Jordan of Ellsworth, and that it ought to pass.

Mr. Shea from the same committee, on Resolve in favor of Otis Littlefield, reported the same in a new draft under the title of "Resolve in favor of Otis Littlefield and others," and that it ought to pass.

Mr. Allen of Jonesboro, from the committee on education, reported "ought to pass" on Bill, An Act to amend an act for the equalization of school privileges. (Tabled and assigned for Tuesday on motion of Mr. Murphy of Portland.)

Same gentleman from same committee reported same on Bill, An Act to amend Section 34 of Chapter 15 of the Revised Statutes, relative to the election of the superintendent of schools.

Same gentleman from same committee, on Bill, An Act for the encouragement of industrial education, reported the same in a new draft under the title of "An Act for the encouragement of industrial education," and that it ought to pass. (Tabled and assigned for Tuesday on motion of Mr. Murphy of Portland.)

Mr. Skehan from the committee on railroads and expresses on Bill, An Act relating to the change of location

of tracks of street railroads, reported the same in a new draft under the title of "An Act relative to the change of location of tracks of street railway companies," and that it ought to pass.

Same gentleman from same committee, on Bill, An Act to extend the rights and charter of the Penobscot Bay Railroad Company, reported the same in a new draft under the title of "An Act to extend the rights and charter of the Penobscot Bay Railroad Company," and that it ought to pass.

Mr. Lawry from the committee on interior waters, reported "ought to pass" on Bill, An Act to amend the charter of the Bangor Boom Company.

Same gentleman from same Committee, on Resolve in aid of navigation on Moosehead Lake, reported the same in a new draft under title of "Resolve in aid of navigation on Moosehead Lake," and that it ought to pass.

Mr. Clark from the Committee on Inland Fisheries and Game, on petition of George C. Jones and 27 others, to regulate the fishing in Sandy Stream, Mosquito Bog and Moxie Pond, in Somerset county, reported a Bill entitled "An Act to regulate fishing in Sandy Stream, so called, a tributary to Moxie Pond, in the county of Somerset."

Mr. Noyes from the Committee on Insane Hospitals, on Resolve in favor of Eastern Maine Insane Hospital for year 1911, reported the same in a new draft under the title of "Resolve in favor of Eastern Maine Insane Hospital for year 1911," and that it ought to pass.

Same gentleman from the Committee on Resolve in favor of Eastern Maine Insane Hospital for year 1912, reported the same in a new draft under the title of "Resolve in favor of Eastern Maine Insane Hospital for year 1912," and that it ought to pass.

On motion of Mr. Williamson,
Adjourned.