

MAINE STATE LEGISLATURE

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Legislative Record

Seventy-Fifth Legislature

SPECIAL SESSION

STATE OF MAINE

1912

same time; and if the gentleman has an amendment which he desires to have considered I would cheerfully withdraw my motion that the bill ought to pass as amended in order to give the gentleman an opportunity to offer any amendments so that they may be considered now without any delay; and if the gentleman says he has a motion to amend I will withdraw my motion that the bill ought to pass.

Mr. OTIS: I have no amendment to offer, but Mr. Plummer moved to reconsider for the purpose of offering an amendment and the House did not reconsider, and it appeared to me that an amendment would be in order at this time if he wished to offer it. That was the point I was making.

Mr. PETERS: I misunderstood the gentleman from Rockland. If he has no amendment I will now insist on my motion that the bill be reported, ought to pass.

The CHAIRMAN: The Chair will rule that no amendment can be made.

Mr. PLUMMER: When can we offer these amendments?

The CHAIRMAN: The question is on the motion of the gentleman from Ellsworth that the bill ought to pass.

The motion was seconded by Mr. Celby of Bingham.

The question being on the motion of Mr. Peters of Ellsworth that the committee of the whole rise and report to the House, ought to pass, as amended on House Document No. 1.

The motion was agreed to.

The CHAIRMAN: And will the committee suggest some member to report the bill to the House?

On motion by Mr. Newbert, the chairman of the committee was delegated to report the bill, ought to pass, to the House.

The purpose for which the committee was formed having been accomplished the duties of the committee were ended.

In the House.

The Speaker resumed the chair.

Mr. STRICKLAND of Bangor: Mr. Speaker, the committee of the whole House having had under consideration House Document No. 1, have at-

tended to their duties and beg leave to report that the same ought to pass as amended.

The SPEAKER: Gentlemen, you have heard the report of the committee. This bill is reported back to the House and the House takes notice of the report of the committee, and is it the pleasure of the House that the report of the committee be accepted. As many as are in favor thereof will say aye; those opposed will say no.

The report was accepted.

On motion by Mr. Strickland, the rules were suspended and the resolve adopted its first reading.

Pending the second reading of the resolve.

Mr. PLUMMER of Lisbon: Mr. Speaker, I am aware of the fate which awaits this amendment which I am about to offer, but, nevertheless, in order that it may be voted upon on its merits purely, I move that the words, wherever they occur in the amendment or in the resolve as reported from the committee "and maintaining" or "and maintenance," whichever it may be, be stricken from the resolve. I made all the talk I have to make on the bill previously.

The question being on the motion of Mr. Plummer to amend by striking out the words "and maintaining,"

The motion was lost.

On motion by Mr. Peters of Ellsworth the resolve received its second reading and was passed to be engrossed.

On motion by Mr. Scates of Westbrook a recess was taken until 2.30 o'clock in the afternoon.

Afternoon Session.

The SPEAKER: The first matter for consideration is House Bill No. 2, An Act to provide for the use of uniform ballot boxes and for the preservation of ballots cast at elections.

Mr. NEWBERT of Augusta: Mr. Speaker, I move that the House go into committee of the whole for the consideration of House Bill No. 2.

The motion was agreed to.

The SPEAKER: The Chair appoints as the presiding officer of the committee

of the whole the gentleman from Ellsworth, Mr. Peters, who will now take the place of the Speaker.

In Committee of the Whole.

Mr. Peters of Ellsworth in the Chair.

The CHAIRMAN: Unless objection is raised, the consideration of this bill will be section by section.

Mr. NEWBERT of Augusta: Mr. Chairman and gentlemen of the committee, I presume there is very little difference of opinion in this committee relating to this bill, and I do not believe that much discussion will be necessary. It is not a radical bill. It is designed to improve the methods of making election returns and especially to safeguard and preserve the ballots after they have been once cast. I do not believe, nor do any of us, that there are many men in the State of Maine who handle our election machinery who are dishonest in intention or purpose. I think there have been a great many mistakes made, and if this bill will help a little to correct these mistakes I think it will be a good thing for our laws. I wish to call the attention of the committee to this matter, not by way of criticism of the election laws, but I put it in as a fact. We will take the city of Gardiner. After the September election of 1910 our neighboring city, composed of good people and, I believe, honest officials, and in that city the city clerk makes his return and it is signed by the aldermen, and the city returned 591 votes for Bert M. Fernald, Governor, and 611 votes for Frederick W. Plaisted for Governor, giving Frederick W. Plaisted a majority of 20 or 22 votes, and not until a few weeks ago was it understood that there was an error in this case, an error of about 100 votes in the returns; and as Governor Plaisted said to me, his father was elected by only 69 majority in Maine, and had this election been close it might have been a very difficult matter to find out where the difficulty was. The clerk and aldermen returned a total vote in Gardiner of 1223, and by some means or other in the month of February last the question was brought up and a certified copy of the record was obtained from the city clerk showing a total vote there of 1323 instead of 1223, and that Bert M. Fernald had 591 votes and Frederick W.

Plaisted had 711 instead of 611. Now, this Legislature canvassed those returns and made a tabulation and there were 100 citizens of the city of Gardiner who were disfranchised by an error committed in open city meeting.

I speak from experience, having been elected city clerk in the city of Augusta. I believe the uniform ballot box provided by this bill will be a most excellent thing. In this city we have done something I think unlike any other town or city in Maine. We have for many years had ballot boxes which the city clerk sends out in the morning on election day by the city marshal to our eight wards, and these boxes are under lock and key. In each box are placed all the articles necessary for the ward room to use during the day, comprising everything from pens, sealing wax and twine to official ballots. All the returns properly sealed come back to the city clerk of Augusta after the election is over, and the ballots have been counted, and this year I had ward room seals made, and these packages have all come back to me in splendid condition, so that when we have had a recount here we have had no serious mistakes. Personally, I believe the bill is a good one.

Mr. SCATES of Westbrook: Do I understand the chairman it is the desire to act upon each section separately as to its adoption, and then adopt it as a whole?

The CHAIRMAN: The Chair said it would assume, in the absence of any other motion, that the bill would be considered section by section. It is not necessary to follow that procedure if the committee desires to proceed otherwise.

Mr. SCATES: If it is the desire of the committee, I move that we adopt section one of the bill as printed.

The motion was agreed to, and section one was adopted by the committee.

The CHAIRMAN: The next matter for consideration by the committee will be section two of the bill.

Mr. Newbert of Augusta moved that section two of the bill as printed be adopted.

The motion was agreed to and section two of the bill as printed was adopted by the committee.

On motion by Mr. Scates of West-

brook Section Three of the bill as printed was adopted by the committee.

On motion by Mr. Strickland of Bangor, Section Four of the bill as printed was adopted by the committee.

Mr. HERSEY of Houlton: Mr. Chairman, I have no objections to Section Four, of the bill with the exception of that part of it, which may allude to Section Six. I like the provision there about the ballots that have been cast to be sealed up and marked, but I do not approve of the ballots being sent to the secretary of State. Further on I shall offer an amendment to Section Four, possibly striking out anything that may seem to allude to the ballots being sent to the secretary of State. There is a part of that section now, beginning with line 40, which says, "the ballots and check lists returned to the city clerk after any city election and all other ballots returned to him which he is not required to forward to the secretary of State according to the provisions of Section Six of this act, shall be preserved by him as a public record for six months," which infers that according to Section Six the ballots shall be returned—some ballots shall be returned to the secretary of State, and if that part should be eliminated I would make no objection to its adoption at the present time; but it does not seem to me it should be done without some understanding. I wish to state to the committee that to my mind there is a serious objection to the adoption of Section Six, in so far as it applies to the sending of all ballots within 24 hours to the secretary of State. The section is somewhat complicated but it means substantially this, that within 24 hours after the close of the polls the ballots shall be sealed, put into the express office prepaid and sent to the secretary of State at Augusta, and that he shall be the custodian of the ballots of every election in every town, plantation and city in the State of Maine. It further provides in Section Eight, Mr. Chairman, that after obtaining the custody of all the ballots used at the last election that any candidate or other interested person may inspect all these ballots

so returned in the presence of the secretary of State or in the presence of the clerk in his office whom he may designate for that purpose, and after they have been inspected they will again be sealed up and marked that they were inspected at a certain time, and still be in the custody of the secretary of State; and if any other person for a long period of time wants to inspect them under those conditions they may come from all over the State and inspect them in the presence of the secretary of State or in the presence of the clerk in his office.

The practical question, Mr. Chairman, is this: Shall the people of Maine who have counted the ballots in open town meeting, who have had the ballots inspected by their municipal officers and their town clerks and the record made up accordingly, shall they then surrender that evidence that proves their record to be correct? Shall they surrender that record of what they have done into the hands of any one man or his clerk? Do the people of Maine want that done, or would they rather have the ballots remain in the care and custody of their own municipal officers or their town clerks and in the custody of their own towns. I can easily see, Mr. Chairman, that after ballots have been returned to the office of the secretary of State and after these several inspections have taken place there may be a question arise between the secretary of State or his clerk in his office as to whether the ballots are the same as they were when they were inspected in the town or in the plantation. And in case there ever should come a conflict I fear the people of the State of Maine would not be satisfied to be bound by the statement of the secretary of State or his clerk when opposed to that of their town officials. There has been a time in the history of this State, not a great many years ago, when the Capitol attempted to count a Legislature not elected by the people, and attempted to do so by a change of the returns in the office of the secretary of State; and the time may come, Mr. Chairman, when even the State of Maine, no matter under whichever political party it may be, may not have in the

secretary of State's office a man, like Caesar's wife, above suspicion; there may come a time when the clerk in the secretary of State's office here in the Capitol may not be the best court of last resort to sit and settle this question between the people and the politicians here in the Capitol as to who is elected or who is not when the ballots have been counted. I don't think the Democratic party wants to go on record as taking from the people of Maine the authority for their own local self-government and put it into the hands of any politicians here at the Capitol, no matter what party they belong to. When you take the ballots of the State of Maine in every town, city and plantation and place them here in the custody and in the charge of one man and his servants and allow the inspection under the circumstances set forth here you have destroyed the confidence of the people in the servant if you would approve such a bill as this.

I do not wish to accuse anybody of trying to change our election laws for political purposes, but you never could get the people to believe if you should pass this law but what it is done for the purpose of taking from them their rights. As for these little errors which creep into the town clerks' reports, like some we had at the last election, it is not the fault of the law; those are little errors which almost anyone might make. I have no objection to your ballot boxes being changed and made uniform, but where the municipal officers of the towns, cities and plantations have counted the ballots, when they have inspected them and when they have made up their record they shall retain them in their hands as proof of what they have done, and they should not be turned over to anybody else; and if there are any amendments made to this law allowing those ballots to be inspected by the proper authorities and on proper occasions afterwards, I agree to that and you will agree to that; but the final keeping of those ballots, it seems to me, must be in the hands of the people themselves through their properly constituted officials at home. I say, Mr. Chairman, that it seems to

me that it is our duty to see that that section and those parts of the section that say the ballots from home shall come up here to the Capitol to be put into the hands and custody of one man is wrong.

Mr. QUIMBY of Turner: Mr. Chairman, I would like to say just a word upon that point. I noticed at the last election when these official ballots came from Augusta to our town—I don't know how it is with others, but you can answer for yourselves—the official ballots were not counted correctly when they were sent, and that bothered us a good deal, last fall, and this winter I found the same thing. The first bunch I opened contained one too many; the ones I opened, last fall, contained three ballots too many, and it seems to me as though there should be more care used. If the count is wrong here I don't want them to have our official count from Turner; if they are not going to count it correctly I should prefer to have them remain there with our clerk.

Mr. Hersey moved that Section 4 of the bill be laid upon the table.

The motion was agreed to.

The CHAIRMAN: The next subject for consideration is Section 5.

Mr. Hersey moved that Section 5 of the bill be laid upon the table.

The motion was agreed to.

Mr. HERSEY: Mr. Chairman, I move that the further consideration of this bill be laid upon the table until the session, tomorrow morning, in order that we may have opportunity to make up the proper amendments.

The CHAIRMAN: Does the gentleman from Houlton consider whether that would have any effect in postponing the time of adjournment? This bill has not gone to the Senate. Could the gentleman so formulate his motion that it could be considered, this evening.

Mr. HERSEY: I will withdraw my motion and make it this evening, if we are going to hold an evening session.

Mr. SCATES of Westbrook: I would like to ask if there are any sections of the bill that any other gentleman here objects to?

The CHAIRMAN: The committee hears the question of the gentleman from Westbrook. The Chair assumes that the gentlemen who have objections will be prepared at the earliest possible moment to remedy the objectionable features by the introductions of amendments.

Mr. HERSEY: I move that the further consideration of this bill be postponed to the next session of the committee.

Mr. NEWBERT: Mr. Chairman, I don't know what the plans are for adjournment. It seems to me it would be a mistake to defeat the plans for an early adjournment. We are here this afternoon and we have nothing further to do, and we can't even take up rum yet. We ought to be able to go through this bill and amend it as may be necessary. I personally do not believe those sections should be put on the table. I doubt whether we have a right to table matters in committee of the whole. I raise that point of order.

The CHAIRMAN: The gentleman from Augusta raises the point of order that we do not have the right to table matters. The Chair rules that the committee has the right to table a pending matter.

Mr. NEWBERT: I do not care for the parliamentary aspect of it, but I think this committee of the whole is new to all of us; I do not care for the technical part of it at all, but I believe it is stated in Reed's Rules the various things we cannot do here and among them is to lay the subject on the table. I take that to mean any part of it.

The CHAIRMAN: The Chair cannot understand how a parliamentary body would proceed logically without the power to lay upon the table any matter under discussion.

Mr. NEWBERT: For the information of the committee I will read that part of it for whatever it may be worth; "Among the things that cannot be done, no limit can be placed on debate unless by the House itself; debate cannot be adjourned; a motion to postpone either indefinitely or to a day certain is not in order; nor can the previous question be called or the subject laid on the table or the yeas and nays be called; the only way in which debate can be limited is by

way of order of the assembly." I don't care to question the right of the committee to do this, only I did not like to have the matter delayed.

The CHAIRMAN: The Chair would suggest that it is now only three o'clock in the afternoon and there is a lot of time between now and six o'clock, and a way out of this difficulty might be reached if a recess were taken and the gentlemen interested in the various sections having objections be allowed in that time to prepare amendments; and if at the end of the recess they were not ready I presume the committee would take a further recess.

Mr. HERSEY: Mr. Chairman, I want to assure the gentleman from Augusta that it is not my intention as one member of this body to delay an early adjournment. If I had my way we would not be here at all, and I am ready to go home in five minutes if we can do so. I will say to him that I withdraw my motion, if possible, to let it go over to the evening session, if we can have a recess where we may be able to sit down and draw our amendments to this bill which has been brought in here this morning for the first time; we may be able to arrive at a mutual understanding that will enable us to get rid of this matter this afternoon. I think the gentleman from Augusta may see that there is or should be very serious objections to this bill standing as it is. I will withdraw my motion to lay upon the table.

On motion of Mr. Austin of Phillips a recess was taken until 3.45 o'clock P. M.

After Recess.

The CHAIRMAN: The pending question is the adoption of section four. What is the pleasure of the committee?

Mr. Hersey offered the following amendment: "Amend House Bill No. 2, section four, by striking out lines 42 and 43; also amend said bill by striking out all of section six; also amend said bill by striking out in section seven all of lines six and seven and all of line eight to the word 'and'; also amend said bill by striking out all of section eight of said bill and inserting in place thereof the following: 'Section eight. Any candidate or other person authorized by him in writing may inspect the ballots in the possession of the town or city clerks

under reasonable regulation or restriction after due notice to the adverse party or parties; after each inspection the packages shall be again sealed and the fact and date of inspection noted on the package'; also amend by striking out all of section ten of said bill; also amend by striking out all of section eleven after the word 'constitution' in the ninth line thereof."

The question being on the adoption of the amendment,

Mr. HERSEY of Houlton: Mr. Chairman, I wish again to call the attention of the committee to my amendment. I have tried in the very short time I have had to put it in some kind of shape that it might get the matter before you in the way in which I think it ought to be. This bill under ordinary conditions should have been sent to a committee that should have had time to consider it and have given public hearings, and have made a draft of that bill in such shape as to embody the wisdom of that public hearing, and in that time you could have heard from the people. Here is a long bill, a great many sections, thrown in here, this morning, for the first time in print, and we are expected under the stress of this special session to enact a law for the regulation of elections that shall meet the views of a constituency with whom we have not had the privilege of consulting; and we as representatives sitting here, today, must take the responsibility, if we can, as we see it of protecting the rights of the common people at home.

Now, Mr. Chairman, as I said before, I am one of those who believe in placing around our elections every possible safeguard. In the matter of Sections One, Two and Three in regard to the conduct of elections, I heartily agree with those sections. Any amendments to this bill that make the ballot box more sacred and that make it more difficult to commit a fraud upon the voters, and that preserves and protects the ballot must meet with the hearty approval of us all; and after the ballots have been cast and after they have been counted I heartily approve of the provision of Section 25 as to the sealing up of those ballots and the

preservation of those ballots. The only matter to which I object is contained in lines 42 and 43 of Section Four, on page five of the bill, which are struck out by my amendment.

Now, coming down to Section Six, I ask that that be struck out for the reason I believe the people at home do not want it there, do not want such a law. It provides in substance that within 24 hours after the ballots have been cast they shall be sealed up and sent by express to the secretary of State from every city, from every town, from every plantation, from every voting place, and all the ballots used in a state or national election shall find their way thereby into the custody of the secretary of State. I do not think the people at home want the ballots that have been inspected by their municipal officers, inspected by their city officials, inspected by their town clerks from which the record is made—I do not think the people want those ballots to leave home and go to the Capital and be out into the hands and custody of a single man or his servant. I ask that Section Eight be struck out which provides that after these ballots get into the hands and possession of the secretary of State that any person interested or any candidate may inspect those ballots in the presence of the secretary of State or in the presence of the deputy secretary or in the presence of a clerk in the office, and after that inspection takes place being sealed up and marked, and then the next day or the next hour another inspection may take place for somebody else; and then if a question at home comes up as to whether or not the record is correct, whether or not there is a difference between the ballots and the record, and whether or not the ballots are the same as those which were passed in the election, and whether or not they have been changed, you have on the one side the officers at home and you have on the other side the secretary of State or his clerk. I say it should remain as it is now; the officials at home, the town clerks and the municipal and town officers who made the inspection of the ballots and who made up the record should have the proof of that

record by the ballots themselves and have the ballots in their own possession, and they never should be surrendered.

Now Mr. Chairman, my amendment means nothing more than to strike out of this bill those provisions which provide that the custodian of the ballots of the people shall be the secretary of State, his clerk or his deputy, and leave it in the hands of the people themselves through their servants at home to say that the ballots that they cast shall be in the hands and in the custody and in the case of their own servants at home whom they have elected for that purpose. And as I suggested to you before recess, when some of you were absent, the people of Maine I believe have more confidence and more faith in the men they elect to represent them in the municipal offices, city officials and town clerks—they have more confidence in those men than they have in any one single man in the State of Maine, even if he is the secretary of State or if he is a clerk in the office of the secretary of State. I call your attention to the fact that when a deputy secretary of State having charge of the records of the State and the returns of the State changed them and admitted that he did it for political purposes—I say that the people never would be satisfied to have the ballots that they have cast which prove the record that they make set aside by any secretary of State or any deputy that may be elected by this administration or any other administration that may take its place, be it Republican or be it Democratic. The people at home have an idea that at the Capital there are congregated at times a great many politicians and that there are a great many political schemes enacted at the Capital, and sometimes they believe there is an attempt to steal the elections away from the people, and they would rather have the ballots at home even if their town clerks do occasionally make a mistake in their figures, not intentionally or dishonestly in making up the returns. I have allowed in this bill all those provisions and added to them that any party or candidate through its attorney or his agent can have an inspec-

tion of the ballots and have them at the town clerk's office by notifying the adverse party. What more can you ask? What more can you want? But you cannot make the people believe in this section that takes away from them their ballots, takes away from them that which is their evidence in the case and puts them in the hands of somebody up here at the Capitol and gives them into the care and custody and keeping of some clerk.

Mr. NEWBERT of Augusta: Mr. Chairman and gentlemen of the committee, I said at the beginning this afternoon that this is a good bill, and I still believe it to be a good bill. I do not believe this committee sitting here is willing to delegate power to the gentleman from Houlton to draft a bill which he wants put through here in three-quarters of an hour. His amendments if passed by this committee simply take the bowels out of that bill which was drawn after the most careful deliberation and after codifying all the election laws and by no less a man than the Hon. John A. Morrill of Auburn, at the personal request of the Governor of this State. This bill was drafted on account of conditions brought to the attention of the public after the election of last September in which the county in which Brother Hersey lives had some part, as you will remember. The main purpose of this bill is to protect the integrity of the ballots cast by all the citizens of this State. There is no question here of taking away the right of self government from a town; this does not concern your municipal elections, your town elections or your city elections; this relates to the election of State officials, election of electors for the offices of President and Vice President of the United States.

These ballots are issued from the State House and this bill provides that they shall be returned to the State House for custody and for preservation, for protection against fires. In going over our State we will find many methods of keeping ballots after they have been counted. They have been known to be found in bureau drawers, in women's hat boxes, in pantry cupboards and other places around the house where the wife and daughter of the clerk had more charge of the ballots than the clerk him-

self. This is a matter of common knowledge. Now I do not believe, gentlemen of the committee, that the State of Maine will have a dishonest secretary of State once in a hundred years, nor have a dishonest deputy, nor a dishonest clerk once in a century. We have a trust somebody in this world of ours; we are all human; we must trust somebody. Today we trust five or six hundred city, town and plantation clerks. I submit, can we not trust a man elected by the Legislature of Maine is the high office of secretary of State? These ballots come to him sealed, and he nor any one in his employ can touch those ballots only for inspection purposes. Now any interested party may come to my office and demand to inspect the ballots of me as city clerk, and I submit them to him; I have done it for years. The secretary of State can only do that.

There was in this House a short time ago a man whose integrity cannot be questioned, whose judgment is excellent and whose legal learning is well known. He was city clerk of Augusta a great many years before I took the office. I refer to a man who was a member of the Maine Legislature in 1909, Hon. Lewis A. Burleigh of Augusta; and this morning in his paper, the Kennebec Journal, is an editorial on this same bill. I think I know who wrote it and I am not sure but what he wrote it, and he commends the measure highly; he commends it highly as a piece of needed and necessary legislation, and he commends this idea of sending all the ballots to the State House. He has only one criticism to make, and that is instead of sending them within 24 hours there should be a longer period provided for so that local men could examine the ballots if necessary, and he suggests a period of fourteen days before they are shipped to the State House. That is the only criticism that Lewis A. Burleigh, for ten or fourteen years clerk of this city, suggests. This whole thing, gentlemen, makes for convenience in inspecting the ballots. Supposing you had a close contest in a congressional district. It is a great undertaking and a large expense for candidates to go all through the district examining packages of ballots in the hands of various town, city and plantation clerks. I remember a time in this coun-

ty, in 1906, when we had a close vote for senator and three men with the other candidates went over this county at great expense and almost infinite toil in the hot days of September looking over those ballots; and I remember the candidate for county commissioner went into a room in a neighboring city below us here and found there interested candidates on the other side not only inspecting ballots that the clerk handed out, but pawing over the ballots, and they were on the table and they were on chairs and they were on the floor. You never could get that condition of things under this inspection provided here in this bill in the presence of the secretary of State. I hope, gentlemen of the committee, that these amendments offered by the gentleman from Houlton will be voted down because they take the very spirit out of this bill. I say to you that it should be preserved in its original form and adopted without material change. (Applause.)

The question being on the adoption of the amendment offered by Mr. Hersey of Houlton,

The amendment was not adopted.

The question being on the adoption of section four of the bill as printed,

Mr. Newbert of Augusta moved that section four of the bill as printed be adopted.

The motion was agreed to.

The question being on the adoption of section five of the bill as printed,

Mr. Strickland of Bangor moved that section five of the bill as printed be adopted.

The motion was agreed to.

The question being on the adoption of section six of the bill as printed,

Mr. Scates of Westbrook moved that the section be adopted, as printed.

The motion was agreed to.

Mr. SCATES of Westbrook: Mr. Chairman, I suppose under the rule here or under the vote we have to take these matters up section by section. That was the vote as I understood it, was it not?

The CHAIRMAN: That was not the vote but that was an assumption by the Chair that unless objection were raised that would be the procedure. The Chair sees no objection and un-

less objection is made the Chair sees no reason why the motion cannot be entertained to adopt or reject the remaining sections.

Mr. SCATES: If there is no objection I will move that the remaining sections in the bill as printed be adopted.

The motion was agreed to and the remaining sections of the bill were adopted.

Mr. NEWBERT: Mr. Chairman, I move that the committee now rise and that the Chairman report to the House this House Bill No. 2 with the recommendation that it ought to pass.

The motion was agreed to.

The purposes for which the committee was formed having been accomplished, the duties of the committee were ended.

In the House.

The Speaker resumed the chair.

Mr. PETERS of Ellsworth: Mr. Speaker, the committee of the whole House asks leave to report that it has had under consideration House Bill No 2, "An Act to provide for the use of uniform ballot boxes and for the preservation of ballots cast at elections," and that the same ought to pass.

The report was accepted.

On motion by Mr. Peters the rules were suspended and the bill received its two readings at the present time; on further motion by Mr. Strickland of Bangor the rules were suspended and the bill received its third reading and was passed to be engrossed.

Mr. SLEEPER of South Berwick: Mr. Speaker, the committee on apportionment which was appointed to re-district the state into congressional districts begs leave to report bill "An Act to apportion Representatives to Congress," and I move that the bill have its two several readings at the present time.

The motion was agreed to.

On further motion by the same gentleman the rules were suspended and the bill received its third reading and was passed to be engrossed.

The SPEAKER: It seems that there

is but one matter remaining now for consideration unless amendments come back from the Senate on matters which we have already passed, and that is the bill providing an amendment to the Constitution relating to sale and manufacture of intoxicating liquors. With reference to this bill shall we proceed at once with the discussion or wait until the evening session?

Mr. AMES of Norridgewock: Mr. Speaker, I move that we proceed with the business of the House.

Mr. NEWBERT of Augusta: Mr. Speaker, the only question arises, it seems to me, is whether or not we are all tired and with only one measure remaining whether or not we cannot settle that this evening.

Mr. AMES: There might be unforeseen difficulties arise and we may want to get home.

Mr. PETERS of Ellsworth: I assume, Mr. Speaker, that we have got to remain in session anyhow to receive these matters from the Senate, and there would be no real advance made by cutting the matter in two and having part of it before recess and part of it after. I hope the gentleman will withdraw his order so that we can consider the matter in its entirety at the evening session.

Mr. AMES: I will withdraw the motion. I would a good deal rather stand some debate than to stay here.

Mr. QUIMBY of Turner: Mr. Speaker, I would be in favor of proceeding with the business now. I think we have heard enough about this liquor law already so that it hadn't ought to take very much wind to put it through. (Laughter.)

Mr. DAVIES of Yarmouth: It seems to me, Mr. Speaker, that the matter can very safely and properly go over until this evening. The gentleman from Augusta, Mr. Newbert, undoubtedly wishes to address the House in some way, and he has had rather a hard afternoon thus far and I think it would be courtesy for us to adjourn or take a recess until this evening at some hour which may be decided upon by the House.