

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Seventh Legislature

OF THE

STATE OF MAINE

1915

SENATE

Wednesday, January 6, 1915.

Pursuant to the provisions of the constitution and laws of the State of Maine, the senators-elect to the 77th Legislature convened in the Senate Chamber and were called to order by William E. Lawry, secretary of the Senate of 1913.

Prayer was offered by Rev. C. G. Mosher of Augusta.

The following communication was read by the secretary:

STATE OF MAINE.

Office of the Secretary of State.

To the Secretary of the Senate:

In compliance with Section 26, Chapter 2 of the Revised Statutes, I hereby certify that the following are the names and residences of the senators-elect to the 77th Legislature, as appears by the report of the Governor and Council under date of September 30, 1914:

First Senatorial District—Aaron B. Cole, Eliot; Cecil F. Clark, Hollis; George G. Emery, Sanford.

Second Senatorial District—Henry M. Moulton, Cumberland; Ephriam B. Jillson, Otisfield; Edward F. Flaherty, Portland; Edward W. Murphy, Portland.

Third Senatorial District—Young A. Thurston, Andover.

Fourth Senatorial District—David R. Hastings, Auburn; Alonzo M. Garcelon, Lewiston.

Fifth Senatorial District—Eugene I. Herrick, Rangeley.

Sixth Senatorial District—Wallace N. Price, Richmond.

Seventh Senatorial District—Willis E. Swift, Augusta; Joseph W. Allen, Mt. Vernon; Martin F. Bartlett, Waterville.

Eighth Senatorial District—Forrest H. Colby, Bingham; William L. Walker, Skowhegan.

Ninth Senatorial District—Martin L. Durgin, Milo.

Tenth Senatorial District—Charles R. Dunton, Bangor; John Leary, Hampton; G. Gilmore Weld, Oldtown.

Eleventh Senatorial District—Leslie Boynton, Jefferson.

Twelfth Senatorial District—Gilford B. Butler, So. Thomaston.

Thirteenth Senatorial District—Charles M. Conant, Winterport.

Fourteenth Senatorial District—Melvin D. Chatto, Brooksville; Sherman S. Scammon, Franklin.

Fifteenth Senatorial District—Robert J. Peacock, Lubec; Alfred K. Ames, Machias.

Sixteenth Senatorial District—Aaron J. Fulton, Blaine; Albert A. Burleigh, Houlton; Ira G. Hersey, Houlton.

In testimony whereof I have caused the seal of the State to be hereunto affixed, this fifth day of January, A. D. nineteen hundred and fifteen, of the Independence of the United States of America the one hundred and thirty-ninth.

(Signed)

JOSEPH E. ALEXANDER,
Secretary of State.

The roll being called, the following named senators-elect responded to their names: Joseph W. Allen, Martin F. Bartlett, Leslie Boynton, Albert A. Burleigh, Guilford B. Butler, Melvin D. Chatto, Cecil F. Clark, Forrest H. Colby, Aaron B. Cole, Charles M. Conant, Charles R. Dunton, Martin L. Durgin, George G. Emery, Edward F. Flaherty, Aaron J. Fulton, Alonzo M. Garcelon, David R. Hastings, Eugene I. Herrick, Ira G. Hersey, Ephraim B. Jillson, John Leary, Henry M. Moulton, Edward W. Murphy, Robert J. Peacock, Wallace N. Price, Sherman S. Scammon, Willis E. Swift, Young A. Thurston, William L. Walker—29, and 29 senators-elect having answered to their names, a quorum was declared present.

Mr. Boynton of Lincoln moved that a message be sent to the Governor and Council informing that body that a quorum of senators-elect of the 7th Legislature is present in the Senate chamber, ready to take and subscribe the oaths of office to qualify them to enter upon their official duties. The motion being duly seconded, prevailed, and Senator Boynton of Lincoln was appointed to convey such message and thereafter reported that he had deliv-

ered the message with which he was charged.

Senators Take the Oath

The Governor and Council thereupon came in, before whom the senators-elect took and subscribed the oaths required by the Constitution, and the Governor and suite then withdrew.

Thereafter Senator-elect Ames of Washington came in.

On motion by Mr. Peacock of Washington that senator conducted Senator-elect Ames to the Council chamber for the purpose of administering the oaths of office necessary to qualify him to enter upon his official duties.

Thereafter the same senator reported that he had performed the duty assigned to him.

On motion by Mr. Emery of York, that senator with Messrs. Durgin of Piscataquis and Herrick of Franklin were appointed by the secretary a committee to sort and count votes for President of the Senate. The committee reported 29 votes cast, and Ira G. Hersey of Aroostook received 16 and Leslie Boynton of Lincoln received 13.

The report was accepted and Ira G. Hersey of Aroostook was declared elected President of the Senate for the political years 1915 and 1916.

Mr. Boynton of Lincoln was appointed a committee to conduct the President to the chair.

Mr. BOYNTON: Senators: Two years ago it was my privilege to stand in this place and introduce to the members of the Senate of the 76th Legislature the honored and respected gentleman of Aroostook, President Milliken.

It is now indeed a pleasing duty for me to perform to introduce another illustrious son of the glorious county, whom you have just elected as your President.

Senator Hersey of Aroostook, President of the Senate, Gentlemen of the Senate. (Applause).

Fellow Senators:

I would be insensible to the kindly feelings of our common humanity did I not on this occasion mingle with sincere gratitude a little touch of real pride in the fact that I have been

chosen to preside over this honorable body.

This is a great office. It has been honorably filled by many noble and illustrious sons of Maine. Men who have written great chapters of the proud history of our people.

But high and above the mere public honor that comes with this office, I hold dearer the fact that this position has come to me as the unanimous choice of my party associates, and I also with pleasure know that under that thin guise called politics the hearts of the Democratic Senators in this Chamber are mine, and that their best wishes follow me in the discharge of the solemn duties of this great office.

Somehow I must tell you that you all have assisted in making this great responsibility and this most important task to me one of sincere pleasure and a supreme delight when I remember the men who today compose the Senate of Maine. I do not mould language into false praise or fulsome flattery when I say there is not a small man among you. I am proud to preside over a body of men in whom I have every trust and confidence. Men that I know will not descend to do mean things.

There is a little room next to this Senate Chamber called the President's office. It has been provided by the State not for the holding of party caucuses, or for the personal pleasure of the President. It belongs to the Senate during the days to come. The door to that room will be unlocked. Don't knock, come in, all of you regardless of party and talk it over with me at any time. Don't be afraid of my politics. As President of the Senate, I fear I shall many times forget the name of the party to which I belong. I want you all to feel free to offer any suggestions, comments or criticisms in regard to my work or duties. I will be frank with you on all occasions, and know you will be honest with me. If from my experience I can be of help to you in the work, business or procedure of the

Senate come to me. Do you understand me? Perhaps I can make my meaning plain by an illustration. In the ancient Roman Senate it was the pride of that great body that every Senator was the peer of every other. Filled with that ancient pride and with that noble boast upon my lips I know I shall have your warm and hearty co-operation, and that together we may conscientiously labor with high resolve, noble purpose and with infinite patience do noble things that will bless the people whose servants we are.

The Chair awaits the pleasure of the Senate. (Applause.)

On motion by Mr. Hastings of Androscoggin, that senator with Messrs. Walker of Somerset and Swift of Kennebec were appointed a committee to receive, sort and count votes for secretary of the Senate. The committee reported 30 votes cast. William E. Lawry had 16.

The report was accepted and William E. Lawry was declared elected secretary of the Senate. Senator Murphy of Cumberland was appointed by the Chair to conduct the secretary-elect to the Council chamber to take and subscribe the necessary oaths of office before the Governor and Council. Subsequently that senator announced that Mr. Lawry had taken and subscribed said oaths of office, and the secretary of the Senate thereupon entered upon the discharge of his official duties.

On motion by Mr. Burleigh of Aroostook, that senator and Messrs. Chatto of Hancock and Butler of Knox were appointed a committee to receive, sort and count votes for assistant secretary of the Senate. The committee reported 31 votes cast. L. E. Thornton had 17, R. W. Belknap had 14.

The report was accepted and L. E. Thornton was declared assistant secretary of the Senate. The assistant secretary of the Senate thereafter took his oath of office.

On motion by Mr. Cole of York, that senator with Messrs. Allen of Kennebec and Herrick of Franklin were appointed a committee to receive, sort and count votes for messenger. The committee reported 31 votes cast and Charles W.

Lovejoy received 31 votes, and was declared elected. (Applause)

On motion of Mr. Conant of Waldo, that senator, with Messrs. Dunton of Penobscot and Flaherty of Cumberland were appointed a committee to receive, sort and count votes for assistant messenger. The committee reported 30 votes cast. J. F. Ashford had 18, and W. R. Fairclough had 12.

The report was accepted and J. F. Ashford was declared duly elected assistant messenger.

On motion by Mr. Jillson of Cumberland, that senator, with Messrs. Peacock of Washington, and Price of Sagadahoc were appointed a committee to receive, sort and count votes for folder. The committee reported 31 votes cast. John E. Taylor had 18, Henry Crowley 13.

The report was accepted and John E. Taylor was declared duly elected folder.

On motion by Mr. Clark of York, that senator, with Messrs. Leary of Penobscot and Herrick of Franklin were appointed a committee to receive, sort and count votes for assistant folder. The committee reported 28 votes cast. Percy F. Crane had 16, John Deacey had 12.

The report was accepted and Percy F. Crane was declared duly elected assistant folder.

Mr. BOYNTON of Lincoln: Mr. President: I move in behalf of the minority members of the Senate that the secretary of this Senate cast one vote for Arthur A. Knight of Garland as postmaster of this Senate.

The motion was adopted, the Secretary of the Senate cast a vote and Arthur A. Knight was declared duly elected postmaster of the Senate.

Mr. BOYNTON of Lincoln: Mr. President. In behalf of the minority members of the Senate, I move that the Secretary be required to cast a vote of the Senate in the name of Stephen B. Lord as doorkeeper of the Senate.

The motion was adopted, the Secretary cast a vote and Stephen B. Lord was declared duly elected doorkeeper of the Senate.

On motion of Mr. Allen of Kennebec it was

Ordered: That the President of the Senate be authorized to appoint two pages for the Senate.

The President then announced the appointment of Charles F. Barnes of Houlton and Donald C. Gates of Augusta.

On motion of Mr. Cole of York it was

Ordered: That Fred W. Lee of Augusta be appointed official reporter of the Senate with the compensation fixed at the same amount as that of the official reporter at the last regular session.

On motion of Mr. Walker of Somerset it was

Ordered: That a committee of seven be appointed by the President to whom the returns of the votes for senators for the political years of 1915-1916 shall be forwarded for examination and report.

The President thereupon appointed as such committee Messrs. Walker of Somerset, Conant of Waldo, Clark of York, Boynton of Lincoln, Hastings of Androscoggin, Durgin of Piscataquis and Wells of Penobscot.

On motion of Mr. Garcelon of Androscoggin it was

Ordered: That returns for votes for Governor given in the several cities, towns and plantations of the State for the political years of 1915-1916 be referred to a joint select committee of seven on the part of the Senate with such as the House may join.

The President appointed as the committee on the part of the Senate, to whom the votes for Governor shall be referred, Messrs. Garcelon of Androscoggin, Burleigh of Aroostook, Moulton of Cumberland, Herrick of York, Chatto of Hancock, Allen of Kennebec and Butler of Knox.

Sent down for concurrence.

On motion of Mr. Durgin of Piscataquis it was

Ordered: That a message be sent to the House of Representatives informing that body that the Senate is duly organized by the choice of Ira G. Hersey as President; W. E. Lawry as secretary, and L. E. Thornton as assistant secretary; and that Senator was appointed to convey said message. Subsequently that Senator reported that he had delivered the message with which he was charged.

On motion of Mr. Peacock of Washington it was

Ordered: That a message be sent to the Governor and Council informing that

body that the Senate is duly organized by the choice of Ira G. Hersey as President; W. E. Lawry as secretary and L. E. Thornton as assistant secretary, and that senator was appointed to convey said message and subsequently reported that he had delivered the message with which he was charged.

On motion of Mr. Cole of York, it was

Ordered: The House concurring that the joint rules and order of 1913 be adopted as the joint rules and orders of this Legislature.

Sent down for concurrence.

Mr. BOYNTON of Lincoln: Mr. President: I desire to offer the following order and move its passage;

Ordered: The House concurring that a joint committee on reference of bills, resolves, orders and petitions be appointed, consisting of one on the part of the Senate and two on the part of the House, with the President of the Senate, and Speaker of the House, members, ex-officio, whose duty it shall be to refer to the proper committee all bills, resolves, orders and petitions offered in either House.

The order was adopted and sent down for concurrence.

The following communication was received from the Executive Department:

STATE OF MAINE.

Executive Chamber.

Augusta, Maine, Jan. 6, 1915.

To the Honorable Senate and House of Representatives:

In compliance with the constitution of the State I herewith communicate to the Legislature each case of reprieve, remission of penalty, commutation or pardon granted during the years 1913 and 1914, stating the name of the convict, the crime of which he was convicted, the sentence and its date, the date of the reprieve, and the conditions, if any, upon which the same was granted.

(Signed)

WILLIAM T. HAINES,
Governor.

Read and placed on file.

STATE OF MAINE.

Office of the Secretary of State.

Augusta, Maine, Jan. 5, 1915.

To the President of the Senate and Speaker of the House of Representatives:

I have the honor of herewith transmitting the returns of the votes given by the several cities, towns and plantations in this State, for Governor, on the 14th day of September last.

Very respectfully,

Your obedient servant,

J. E. ALEXANDER,
Secretary of State.

Read and referred to the committee on gubernatorial vote, and sent down for concurrence.

STATE OF MAINE.

Office of the Secretary of State.

Augusta, Maine, Jan. 5, 1915.

To the President of the Senate:

I have the honor herewith to transmit the returns of votes given by the several cities, towns and plantations in this State on the 14th day of September last for Senators.

Your obedient servant,

J. E. ALEXANDER,
Secretary of State.

Read and referred to the committee on senatorial vote, and placed on file.

STATE OF MAINE.

Office of the Secretary of State.

Augusta, Maine, Jan. 5, 1915.

To the Senate and House of Representatives:

By order of the Governor and Council I have the honor to herewith transmit a report of the votes cast at the special election Sept. 8, 1913, in reference to two amendments to the Constitution proposed by Chapters 264 and 354, respectively, of the Resolves passed at the regular session of the Legislature in 1913. Chapter 264 of the above mentioned resolves proposed to amend Section 8 of Article 9 of the Constitution so that it should read as follows:

"Section 8. All taxes upon real and personal estate assessed by authority of this State, shall be apportioned

and assessed equally, according to the just value thereof; but the Legislature shall have power to levy a tax upon intangible personal property at such rate as it deems wise and equitable to other classes of property."

This amendment was sustained by the people, the vote being 18,060 in favor and 8157 in opposition.

Chapter 354 proposed to amend Section 2 of Article 10 of the Constitution so that it should read as follows:

"Section 2. The Legislature, whenever two-thirds of both Houses shall deem it necessary, may propose amendments to this Constitution; and, when any amendment shall be so agreed upon, a resolution shall be passed and sent to the selectmen of the several towns, and the assessors of the several plantations, empowering and directing them to notify the inhabitants of their respective towns and plantations in the manner prescribed by law, at the next biennial meeting in the month of September, or to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of senators and representatives, on the second Monday in September following the passage of said resolve, to give in their votes on the question, whether such amendments shall be made; and if it shall appear that a majority of the inhabitants voting on the question are in favor of such amendment, it shall become a part of the Constitution."

This amendment also was sustained by the people, the vote being 16,746 in favor and 6741 in opposition.

Very respectfully,

J. E. ALEXANDER,
Secretary of State

Read and placed on file.

On motion by Mr. Boynton of Lincoln it was

Ordered: That a message be sent to the House of Representatives proposing a convention of the two branches of the Legislature at two o'clock P. M. in the Hall of the House for the purpose of electing a Secretary of State, Treasurer of State, At-

torney General, Commissioner of Agriculture, and seven executive councilors.

Sent down for concurrence.

On motion of Mr. Cole of York a recess was taken for ten minutes.

The Senate called to order by the President.

MESSAGE FROM THE HOUSE.

A message was received from the House informing the Senate of the organization of the House by the election of Herbert W. Trafton as Speaker, Chandler C. Harvey of Houlton as clerk and Fortuna Belleau as assistant clerk.

The PRESIDENT: The Secretary of the Senate will proceed to the House with a message for a joint convention this afternoon.

The Secretary retired and subsequently reported that he had delivered the message with which he was charged.

MESSAGE FROM THE HOUSE.

A message was received from the House conveyed by the Clerk informing the Senate that the House concurred in the proposition of the Senate for a joint convention this afternoon at 2 o'clock.

On motion by Mr. Scammon of Hancock a recess was taken until 2 o'clock this afternoon.

Afternoon Session

Senate called to order by the President at 2 o'clock.

The Senators retired to the hall of the house for the purpose of holding a joint convention.

(For proceedings in convention see House report.)

Upon return of the Senate to its chamber

Upon motion by Mr. Murphy of Cumberland.

Adjourned until tomorrow morning at 10 o'clock.