

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Ninth Legislature

OF THE

STATE OF MAINE

1919

AUGUSTA
KENNEBEC JOURNAL PRINT
1919

SENATE

Wednesday, January 1, 1919.

Pursuant to the provisions of the constitution and laws of the State of Maine, the senators-elect to the 79th Legislature convened in the Senate chamber and were called to order by Percy F. Crane, assistant secretary of the Senate of 1917.

Prayer by Rev. Wm. R. Wood of Augusta.

The following communication was read by the assistant secretary:

STATE OF MAINE

Office of the Secretary of State

To the Secretary of the Senate:

In compliance with Section 29, Chapter 2, of the Revised Statutes, I hereby certify that the following are the names and residences of the senators-elect to the 79th Legislature, as appears by the report of the Governor and Council under date of Oct. 10, 1918:

First Senatorial District--J. Merrill Lord, Kezar Falls; Joseph W. Gordon, Ogunquit; John P. Deering, Saco.

Second Senatorial District--Charles E. Gurney, Portland; Freeman M. Grant, Portland; George H. Babb, Sebago; Howard Davies, Yarmouth.

Third Senatorial District--Orman L. Stanley, Porter.

Fourth Senatorial District--John M. Googin, Lewiston; Edward R. Parent, Lewiston.

Fifth Senatorial District--Whiting L. Butler, Farmington.

Sixth Senatorial District--Rupert H. Baxter, Bath.

Seventh Senatorial District--Guy P. Gannett, Augusta; William O. Cobb, Gardiner; Arthur J. Chick, Monmouth.

Eighth Senatorial District--Leroy R. Folsom, Norridgewock; William L. Walker, Skowhegan.

Ninth Senatorial District--Milford Metcalf, Greenville Junction.

Tenth Senatorial District--Leon F. Higgins, Brewer; Freeman D. Dearth, Dexter; George W. Thombs, Lincoln.

Eleventh Senatorial District--Elton H. Lewis, Boothbay.

Twelfth Senatorial District--Charles A. Creighton, Thomaston.

Thirteenth Senatorial District--James J. Clement, Montville.

Fourteenth Senatorial District--Willis A. Ricker, Castine; Arthur B. Holt, Gouldsboro.

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

Sixteenth Senatorial District--Leander E. Tuttle, Caribou; Seth S. Thornton, Houlton; Delmont Emerson, Island Falls.

In testimony whereof I have caused the seal of the State to be hereunto affixed at Augusta, this 31st day of December, nineteen hundred and eighteen, of the independence of the United States of America, the one hundred and forty-third.

(Signed) FRANK W. PAUL,
Secretary of State.

The roll being called the following named senators-elect responded to their names: Alfred H. Ames, Rupert H. Baxter, Whiting L. Butler, Arthur J. Chick, James J. Clement, William O. Cobb, Charles A. Creighton, Howard Davies, Freeman D. Dearth, John P. Deering, Delmont Emerson, Leroy R. Folsom, John M. Googin, Joseph W. Gordon, Freeman M. Grant, Charles E. Gurney, Leon F. Higgins, Arthur B. Holt, Elton H. Lewis, J. Merrill Lord, Millard Metcalf, Edward R. Parent, Robert J. Peacock, Willis A. Ricker, Orman L. Stanley, George W. Thombs, Seth S. Thornton, Leander E. Tuttle, William L. Walker--29, and 29 senators-elect having answered to their names, a quorum was declared present.

Mr. Baxter of Sagadahoc moved that a message be sent to the Governor and Council informing that body that a quorum of senators-elect of the 79th Legislature is present in the Senate chamber, ready to take and subscribe the oaths of office required by the constitution to qualify them to enter upon their official duties. The motion prevailed and Senator Baxter of Sagadahoc was appointed to convey such message and thereafter reported that he had delivered 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.

On motion by Mr. Thombs of Penobscot that senator with Messrs. Ames of Washington and Googin of Androscoggin were appointed by the secretary a committee to receive, sort and count votes for President of the Senate. The committee reported the whole number of votes cast 29; necessary for a choice, 15. Leon F. Higgins received 29 votes.

Report was accepted and Leon F. Higgins was declared elected President of the Senate for the political years 1919-1920.

Mr. Googin of Androscoggin conducted the President to the Chair.

The PRESIDENT: Senators, I want to take this opportunity to thank you, one and all, for elevating me to this high office. I assure you that I consider it the highest honor ever conferred upon me during my life. It is an ambition that I have always cherished, and it would not be right if I did not express to you in a measure my feelings along these lines.

I am deeply grateful for your confidence and your respect in having elected me to this high office. I further want to say that it will be my utmost endeavor to work with you to make this session of the Legislature the most expeditious and progressive ever held here before in this grand old commonwealth of Maine.

I realize that many perplexing questions will come before us, and we will each have our individual opinion. I ask your hearty co-operation along these lines, and assure you as your presiding officer it is my desire to give you the very best energies within me, and do all I can for your advantage and the advancement of the interests of our State.

In the wise providence of the State an office has been provided for the President of the Senate. I want to say to you at this time that the door of that office, to the best of my knowl-

edge and belief, will never be locked. I shall hope to confer with you, and ask that you confer with me on all matters pertaining to the mutual welfare of this Senate and its legislation. And the Chair will ask your indulgence at all times, which, I assure you, will be reciprocated.

Please feel perfectly free to come to me, and to the office, at any time, and I assure you of my very heartiest co-operation along all lines. And, gentlemen, what more can I say?

I thank you from the bottom of my heart. I am deeply grateful for the confidence you have reposed in me, gentlemen, I thank you. (Applause)

On motion by Senator Chick of Kennebec that senator with Messrs. Clement of Waldo and Creighton of Knox, were appointed a committee to receive, sort and count votes for secretary of the Senate. The committee reported 23 votes cast. Percy F. Cram had 23 votes.

The report was accepted and Percy F. Cram was declared elected secretary of the Senate. Senator Grant conducted the secretary to the Council chamber where he took the necessary oaths of office before the Governor and Council.

On motion by Mr. Davies of Cumberland that senator with Messrs. Gordon of York and Tuttle of Aroostook were appointed a committee to receive, sort and count votes for assistant secretary of the Senate. The committee reported 26 votes cast. Harry P. Hawes had 26 votes.

The report was accepted and Harry P. Hawes was declared elected assistant secretary of the Senate. Mr. Hawes thereafter took his oath of office.

On motion by Mr. Lord of York that senator with Messrs. Emerson of Aroostook and Holt of Hancock were appointed a committee to receive, sort and count votes for messenger of the Senate.

The committee reported whole number of votes cast, 28. Necessary for a choice, 15. J. F. Ashford had 28.

The report was accepted and J. F. Ashford was declared elected messenger of the Senate.

On motion by Mr. Chick of Kennebec that senator with Messrs. Folsom of

Somerset and Gurney of Cumberland were appointed a committee to receive, sort and count votes for assistant messenger of the Senate.

The committee reported 25 votes cast. Necessary for a choice, 13. Stephen D. Lord had 25. The report was accepted and Stephen D. Lord was declared elected assistant messenger of the Senate.

On motion by Mr. Deering of York the senator from Washington, Senator Ames, cast the vote of the Senate for William W. Brown, folder; Philip T. Carroll, assistant folder; W. M. Stuart, postmaster; and Forrest E. Cross, door-keeper. The senator reported that he had performed the duty with which he was charged, and the several officers were declared elected to their respective positions.

On motion by Mr. Metcalf of Piscataquis is was

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

On motion by Mr. Stanley of Oxford it was

Ordered: That Fred W. Lee of Augusta be appointed official reporter of the Senate.

On motion by Mr. Walker of Somerset that officer was appointed to convey a message to the House of Representatives informing that body that the Senate is duly organized by the choice of Hon. Leon F. Higgins of Penobscot as president; Percy F. Crane of Whiting as secretary, and Harry P. Hawes of Vassalboro as assistant secretary. The senator conveyed the message and subsequently reported that he had performed the duty with which he was charged.

On motion by 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 Hon. Leon F. Higgins of Penobscot as President; Percy F. Crane as secretary and Harry P. Hawes as assistant secretary.

The Chair appointed Senator Peacock to convey the message. Subsequently the senator reported that he had delivered the message with which he was charged.

On motion by Mr. Ames of Washington it was

Ordered: The House concurring, that the returns of votes for Governor given in the several cities, towns and plantations of the State for the political years 1919 and 1920 be referred to a joint select committee of seven on the part of the Senate with such as the House may join.

The Chair appointed as such committee on the part of the Senate: Messrs. Ames of Washington, Chick of Kennebec, Metcalf of Piscataquis, Lord of York, Ricker of Hancock, Stanley of Oxford and Googin of Androscoggin.

Sent down for concurrence.

On motion by Mr. Thombs of Penobscot it was

Ordered: That a committee of seven be appointed by the President to whom the returns of votes for senators for the political years 1919 and 1920 shall be referred for examination and report.

The President thereupon appointed as such committee Messrs. Thombs of Penobscot, Holt of Hancock, Emerson of Aroostook, Lewis of Lincoln, Baxter of Sagadahoc, Peacock of Washington and Butler of Franklin.

On motion by Mr. Tuttle of Aroostook, it was

Ordered, the House concurring, that the members and officers of the Legislature be furnished with express and parcel post transportation for all packages and department reports in a sum not exceeding \$5 for each member and officer thereof, and that such transportation be furnished and expended under the direction of the State Library department. Any unexpended balance at the close of the year 1919 shall be available for use in 1920.

Sent down for concurrence.

On motion by Mr. Chick of Kennebec, it was

Ordered, that the secretary of the Senate be directed to furnish each member and officer of the Senate during the present session of the Legislature with three daily papers, published in the State, such as each member or officer may select.

On motion by Mr. Ricker of Hancock, it was

Ordered, that the secretary of the Senate be authorized to procure the

services of two typewriter operators during the present session.

On motion by Mr. Lewis of Lincoln, it was

Ordered, that the secretary of State be directed to furnish for the use of the Senate four copies of the Revised Statutes of the State, one copy each of the Holy Bible, Webster's International, Worcester's Unabridged and Standard Dictionaries, Lippincott's Pronouncing Gazetteer, Reed's Rules and Cushing's Law and Practice of Legislative Assemblies.

On motion by Mr. Emerson of Aroostook, it was

Ordered, the House concurring, that the joint rules and orders of 1917-18 be the joint rules of this Legislature.

Sent down for concurrence.

On motion by Mr. Gurney of Cumberland, it was

Ordered, that the official reporter of the Senate be authorized to procure the services of a typewriter operator, during the present session, at an expense not exceeding three hundred dollars; also, an assistant reporter, at an expense not exceeding five hundred dollars, for the preparation and completion of the Legislative Record.

On motion by Mr. Deering of York, it was

Ordered, that the rules and orders of the Senate for the years 1917-18, be the rules and orders of this Senate until otherwise ordered.

On motion by Mr. Folsom of Somerset, it was

Ordered, that the State librarian be directed to provide each member and officer of the Senate with a copy of the Acts and Resolves of 1917.

On motion by Mr. Googin of Androscoggin, it was

Ordered, that the secretary of the Senate prepare and have printed 150 diagrams of the Senate chamber for the use of the Senate.

On motion by Mr. Deering of York, it was

Ordered, the House concurring, that the business of the last session of the Legislature referred to this Legislature be taken from the files and referred to the proper committees.

On motion by the same senator the Acts and Resolves taken from the

files were tabled pending reference to a committee.

On motion by Mr. Gordon of York, it was

Ordered, that the secretary of the Senate be directed to invite the clergymen of Augusta, Hallowell and Gardiner to officiate as chaplains of the Senate in rotation during the present session.

On motion by Mr. Baxter of Sagadahoc, it was

Ordered, the House concurring, that a joint committee consisting of two members on the part of the Senate and such as the House may join, be appointed with full authority to make a contract with the New England Telegraph and Telephone Company for telephone service for the members of the 79th Legislature for matters connected with their official duties.

The Chair appointed on such committee on the part of the Senate Messrs. Baxter of Sagadahoc and Gordon of York.

Sent down for concurrence.

On motion by Mr. Parent of Androscoggin, it was

Ordered, that the Senate hold one session a day commencing at 10 o'clock in the forenoon until otherwise ordered.

On motion by Mr. Clement of Waldo, it was

Ordered, that the secretary of the Senate be authorized to furnish wrappers and postage stamps for each member and officer of the Senate not to exceed five dollars in amount each, for the purpose of distributing the various reports of the departments of the State and other public documents such as they may desire to mail to the citizens of the State.

On motion by Mr. Thornton of Aroostook, it was

Ordered, the House concurring, that the secretary of the Senate and the clerk of the House jointly prepare a Senate and House register and that 3000 copies be printed for the use of the Legislature.

Sent down for concurrence.

On motion by Mr. Emerson of Aroostook, it was

Ordered, that the president of the Senate be authorized to appoint a

document clerk for the custody of the Senate documents.

The PRESIDENT: The Chair desires to state to the members of the Senate that we have not been officially notified of the organization of the House, and the Chair would declare a recess of 15 minutes.

Mr. THOMBS of Penobscot: Mr. President, before we take a recess may I be permitted to state to the members of the committee who were appointed to canvass the senatorial vote, that this is a matter that requires immediate attention before we go into joint convention. As chairman I suggest that you meet with me in this room at the final adjournment of the morning session.

RECESS

After Recess

Message from the House

A message was received from the House informing this branch that the House was duly organized with a choice of Frank G. Farrington of Augusta as Speaker, Clyde L. Chapman of Fairfield, Clerk, and Bertrand L. Smith of Augusta, as Assistant Clerk.

Communications from Heads of Departments

A communication was received from the office of the Secretary of State transmitting returns of the votes given in the several cities, towns and plantations in the State, on the 9th day of September last, for senators.

The report was referred to the Senatorial Committee.

A communication was received from the office of the Secretary of State transmitting returns of votes given in the several cities, towns and plantations of the State, on the 9th day of September last, for Governor.

Referred to the Gubernatorial Committee.

On motion by Mr. Deering of York, a recess was taken until 2.30 o'clock this afternoon.

After Recess

The Senate was called to order by the President at 2.30 o'clock.

Communications from the Heads of Departments

A communication was received from the office of the State Auditor submitting a tabulation, amounting to \$818,790.42, the cost of the session of the Legislature, all salaries fixed by law, general departmental expenses of the State government, and the ordinary current expenses or maintenance of the State institutions, which may be required for the period prior to the adjournment of the Legislature.

Tabled pending reference to a committee.

On motion by Mr. Grant of Cumberland, it was

Ordered, that a message be sent to the House of Representatives proposing a convention of the two branches of the Legislature forthwith in the hall of the House for the purpose of electing a secretary of State, treasurer of State, attorney general, commissioner of agriculture and seven Executive Councillors.

The Chair appointed the secretary of the Senate to convey the message to the House.

Subsequently the secretary reported that he had delivered the message with which he was charged.

Mr. DEERING of York: Mr. President, I heard some talk about the fact that the Gubernatorial results had not been presented to the House for their action.

The PRESIDENT: The Chair will state for the information of the senator from York that that matter is all in the hands of the House at their recess session this afternoon.

Mr. Thombs from the committee to which was referred the examination and counting of the senatorial vote, submitted the following report:

STATE OF MAINE.

Senate Chamber.

The committee to which was referred the returns of votes cast for senators in the several districts at

the State election held on the 9th day of September, 1918, has attended to its duty and asked leave to report as follows:

The following persons have received a plurality of the votes cast in their respective districts and are, therefore, elected senators:

First Senatorial District—J. Merrill Lord, Keazer Falls; Joseph W. Gordon, Oguinquit; John P. Deering, Saco.

Second Senatorial District—Charles E. Gurney, Portland; Fremont M. Grant, Portland; George H. Babb, Sebago; Howard Davies, Yarmouth.

Third Senatorial District—Orman L. Stanley, Porter.

Fourth Senatorial District—John N. Googin, Lewiston; Edward R. Parent, Lewiston.

Fifth Senatorial District—Whiting L. Butler, Farmington.

Sixth Senatorial District—Rupert H. Baxter, Bath.

Seventh Senatorial District—Guy P. Gannett, Augusta; William O. Cobb, Gardiner; Arthur J. Chick, Monmouth.

Eighth Senatorial District—Leroy R. Folsom, Norridgewock; William L. Walker, Skowhegan.

Ninth Senatorial District—Milford Metcalf, Greenville Junction.

Tenth Senatorial District—Leon F. Higgins, Brewer; Freeman D. Dearth, Dexter; George W. Thombs, Lincoln.

Eleventh Senatorial District—Elton H. Lewis, Boothbay.

Twelfth Senatorial District—Charles A. Creighton, Thomaston.

Thirteenth Senatorial District—James J. Clement, Montville.

Fourteenth Senatorial District—Willis A. Ricker, Castine; Arthur B. Holt, Gouldsboro.

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

Sixteenth Senatorial District—Alexander E. Tuttle, Caribou; Seth S. Thornton, Houlton; Delmont Emerson, Island Falls.

(Signed) GEORGE W. THOMBS.
Chairman on the part of the Senate.
The report was accepted.

RECESS

After Recess

Message from The House

A message was received from the the House of Representatives conveyed by the clerk, informing this body of the concurrence of the House in the proposition for a joint convention for the purpose of electing a secretary of State, treasurer of State, attorney general, commissioner of agriculture and seven executive councilors.

Thereupon the senators retired to the hall of the House for the purpose of holding a joint convention.

(For proceedings in convention see House report).

IN SENATE

From the House: The joint order appointing a committee on Gubernatorial vote came from the House, that body having joined on the part of the House: Conroy of Bucksport, Mason of Ellsworth, Pike of Eastport, Burns of Eagle Lake, Varney of Jonesport, O'Connell of Millinockett and Carlton of Rockport.

On motion by Mr. Walker of Somerset, adjourned until tomorrow morning at 10 o'clock.