

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Ninth Legislature

OF THE

STATE OF MAINE

1919

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SENATE

Thursday, January 2, 1919.

Senate called to order by the President at 10 o'clock.

Prayer by Rev. C. D. Boothby of Augusta.

Journal of the previous session read and approved.

Reports of Committees

Mr. AMES of Washington from the joint select committee on the Gubernatorial vote, under suspension of the rules by unanimous consent, submitted the following report:

STATE OF MAINE

The joint select committee on the returns of votes for Governor given in the several cities, towns and plantations of this State for the political years 1919 and 1920, has attended to its duty and ask leave to report that the whole number of votes returned for Governor was

	123,021
Carl E. Milliken had	64,027
Bertrand G. McIntire had	58,994

(Signed) ALFRED K. AMES,
Chairman on the Part
of the Senate.

WILEY C. CONARY,
Chairman on the Part
of the House.

The report was accepted and sent down for concurrence.

A Communication

A communication was received and read by the secretary from Henry L. Irish of Turner, Androscoggin county, setting forth that he had been elected a State senator for Androscoggin county, and asking that he be heard with his witnesses.

Referred to the committee on Senatorial vote.

The report of the joint select committee on the Gubernatorial vote came back from the House read and accepted in concurrence.

On motion by Mr. Emerson of Aroostook it was

Ordered, the House concurring, that a committee of three on the part of the Senate with such as the House may join, be appointed to wait on the

Honorable Carl E. Milliken, and inform him that he has been duly elected Governor of the State of Maine for the current political years 1919-1920.

The Chair appointed as such committee on the part of the Senate, Messrs. Emerson of Aroostook, Gurney of Cumberland, and Thombs of Penobscot.

Sent down for concurrence.

Subsequently the committee reported that they had discharged the duties with which they were charged.

Under suspension of the rules, by unanimous consent, Mr. Emerson of Aroostook introduced the following resolve and moved its adoption, and the resolve was read by the secretary:

Resolve ratifying a proposed amendment to the constitution of the United States prohibiting the manufacture, sale or transportation of intoxicating liquors within, the importation thereof into or the exportation thereof from the United States and all territory subject to the jurisdiction thereof."

The resolve was adopted and sent down for concurrence.

Mr. DAVIES of Cumberland: Mr. President, my understanding is that the resolve has received a unanimous vote for its adoption. Am I correct?

The PRESIDENT: No objection having been raised, that is my understanding.

On motion by Mr. Walker of Somerset, it was

Ordered, that a message be sent to the House of Representatives proposing a convention of both branches of the Legislature forthwith in the hall of the House for the purpose of administering to the Honorable Carl E. Milliken, Governor-elect, the oaths required by the Constitution to qualify him to enter upon the discharge of his official duties.

The secretary conveyed the message and subsequently reported that he had performed the duty with which he was charged.

Message from the House

A message was received from the House conveyed by the clerk, in-

forming this body that the House had concurred in the proposition of the Senate to hold a joint convention in the hall of the House of Representatives forthwith for the purpose of administering to the Hon. Carl E. Milliken, Governor-elect, the oaths required by the Constitution to qualify him to enter upon the discharge of his official duties.

The Senate thereupon proceeded to the hall of the House for the purpose of holding a joint convention.

(For proceedings in joint convention see House report.)

On return of the Senate to their chamber, on motion by Mr. Deering of York, it was

Ordered, that a joint select committee of three on the part of the Senate, with such as the House may join, be appointed to consider the Governor's message, and report a reference of its several objects to appropriate committees.

The Chair appointed on such committee on the part of the Senate, Messrs. Deering of York, Thombs of Penobscot, Gurney of Cumberland.

Sent down for concurrence.

On motion by Mr. Walker of Somerset, it was

Ordered, the House concurring that when the Senate and House adjourn they adjourn to meet Tuesday, Jan. 7, at 4.30 o'clock in the afternoon.

Sent down for concurrence.

Subsequently the Chair reported that the House had passed the order in concurrence.

Mr. DEERING of York: Mr. President, I desire to offer the following order and move its passage, and I think perhaps some explanation may be necessary to go with it.

Ordered, that the House be directed to return to the Senate for its reconsideration, "Resolve ratifying a proposed amendment to the Constitution of the United States prohibiting the manufacture, sale or transportation of intoxicating liquors within, the importation thereof into or the exportation thereof from the United States and all territories subject to the jurisdiction thereof."

The idea is, Mr. President, that there were some who did not feel familiar with our procedure, and the matter went through in a way which is usual when there is no objection. It developed afterwards that there were some who perhaps might wish to vote against this resolve, and it was suggested that this method be taken and the resolve brought back here for an aye and yea vote upon it.

With that explanation I offer the order and move its passage.

The order received a passage.

Mr. DEERING: Mr. President, if this had come up early in the morning it would have been more proper, and I understand that some of the gentlemen who ask that the resolve be brought back are in opposition to it and feel that if the vote ratifying this amendment should be overwhelming it will be used perhaps to the advantage of those who wish the resolve passed in other states. I think we should wait until a full membership is present and I suggest that it remain with us until some day next week, perhaps Wednesday.

The PRESIDENT: The Chair suggests to the senator from York that when the matter is returned to us a motion should be made to table it until Tuesday or Wednesday of next week.

Mr. DEERING: Mr. President, I desire to make such a motion.

On motion by Mr. Metcalf of Piscataquis, it was

Ordered, that 800 copies of the Governor's message be printed for the use of the Senate.

Messages from the Executive

STATE OF MAINE

Executive Department.

To the Honorable Senate:

I respectfully return herewith without my approval "Resolve to provide for the building of an armory at the University of Maine."

This resolve was presented to me just before the adjournment of the 78th Legislature. It was well under-

stood that sufficient funds could not be relied upon for the purpose indicated in the resolve unless the amount could properly be taken from the million-dollar appropriation for war purposes. After careful consideration and with the advice of the attorney general, I was convinced that the construction of an armory at the University of Maine could not be accomplished with funds derived from the sale of war bonds on account of the constitutional limitations upon those funds. In these circumstances the straightforward course on my part seemed to be to withhold approval of the resolve rather than by signing it to arouse expectations which could not be realized.

It is true that such an armory during the fall of 1918 would have served a useful purpose in connection with the students' army corps at the University of Maine. But that opportunity could not be foreseen in April, 1917, and is now passed. While the armory should sometime be provided I concur heartily with the view recently expressed to me by the President of the University, namely, that the University needs a substantial increase in its appropriation for maintenance more urgently than it needs an armory, indeed, any other building.

CARL E. MILLIKEN,
Governor.

Dated at the Executive Chambers,
January 1, 1919.

The PRESIDENT: The question before the Senate is shall this resolve become a law, the objection of the Governor notwithstanding?

Mr. WALKER of Somerset: Mr. President, would it not be well in view of the fact that so many of the senators are absent that the matter lie on the

table until some time next week?

I move that the resolve lie on the table and be taken up Tuesday.

The motion was agreed to and the resolve was tabled.

STATE OF MAINE.

Executive Department.

To the Honorable Senate:

I respectfully return herewith without my approval Senate Document No. 22 of the 78th Legislature, entitled "An Act to amend Section 18 of Chapter 45 of the Revised Statutes relating to Lobster Licenses."

This bill was presented to me for approval just before the adjournment of the 78th Legislature. The purpose of the act is to exempt the residents of a certain island in Casco bay from the general requirements of the State law relating to lobster licenses.

It is manifest that exemption of any particular locality from the provisions of the general law would lead to numerous requests for similar consideration to other localities. I am strongly of the opinion, therefore, that it would be unwise to begin granting such exemption.

CARL E. MILLIKEN,
Governor.

Dated at the Executive Chambers,
January 1, 1919.

On motion by Mr. Walker of Somerset the bill was tabled and assigned for next Tuesday.

The Chair announced the following appointments: George H. Chick of Monmouth and Julian K. Croxford of Newport, pages; H. G. Smallidge of Winter Harbor, document clerk.

On motion by Mr. Thornton of Aroostook, adjourned until next Tuesday, January 7, at 4.30 o'clock in the afternoon.