

# MAINE STATE LEGISLATURE

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# Legislative Record

OF THE

# Eightieth Legislature

OF THE

# State of Maine

1921

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## HOUSE

Wednesday, Jan. 5, 1921.

In convention of the members-elect of the House of Representatives of the 80th Legislature.

This being the day designated by the Constitution of the State for the meeting of the 80th Legislature, the members-elect of the House of Representatives assembled in the hall of the House of Representatives at 10 o'clock A. M. and were called to order by Clyde R. Chapman, clerk of the last House.

Prayer was offered by Rev. Mr. Phelan of Augusta.

A communication was received from the Secretary of State transmitting a certified roll of the Representatives-elect of the 80th Legislature.

A call of the roll by the Clerk revealed the presence of a quorum, 141 members-elect answering to their names.

On motion by Mr. Maher of Augusta, Messrs. Maher of Augusta, Mason of Ellsworth, Moody of York, Hodgkins of Bangor, Farnsworth of Caribou, Varney of Windham and Clarke of Stonington were appointed a committee to wait upon the Governor and inform him of the presence of a quorum of the members-elect of the House of Representatives, and request his attendance to administer the oath required by the Constitution to enable them to enter upon the discharge of their official duties.

Subsequently Mr. Maher reported that the committee had discharged the duty assigned it and that His Excellency, the Governor, was pleased to say that with his Council, he would forthwith attend upon the Convention for the purpose indicated in the message.

The report of the Committee was accepted.

Thereupon, the Governor, accompanied by his Council, came in and administered, and the members-elect subscribed, the oaths necessary to qualify them to enter upon the discharge of their official duties.

The Governor and Council then withdrew.

On motion by Mr. Wilson of Presque Isle, Messrs. Wilson of Presque Isle, Case of Lubec, Owen of Milo, Forbes of Paris, Dunning of Charleston, Dodge of Portland and Mason of Ellsworth were appointed a committee to receive, sort and count votes for Speaker.

Having attended to the duties assigned it, Mr. Wilson from the committee reported 144 votes cast; necessary for a choice, 73; Mr. Barnes of Houlton had 134, and Mr. Morneau of Lewiston had 10.

The report was accepted.

Charles P. Barnes was thereupon declared speaker of the House for the present session, and was conducted to the Chair by Mr. Morneau of Lewiston.

Mr. MORNEAU: Gentlemen, it gives me great pleasure indeed to present to you the Speaker-elect, the Honorable Charles P. Barnes of Houlton. (Applause.)

At this point a message was received from the Senate, through Senator Baxter of Sagadahoc, informing the House that the Senate had been duly organized by the choice of Hon. Percival P. Baxter as President, L. Ernest Thornton as Secretary and Harry P. Hawes as assistant secretary.

The SPEAKER: Gentlemen of Maine: You have conferred on me distinguished honor. You have placed me irretreivably in your debt. You have laid upon me grave responsibilities. You have made me your servant. You have roused within me the urge to redoubled effort. The times challenge our wisest activities. The call is to action, instant, unflagging, purposeful action. The keynote, work. Let us repossess the thrift of the fathers, the wisdom of the fathers, the faith of the fathers. If it be your pleasure we will now proceed with the election of the Clerk.

Mr. WEEKS of Fairfield: Mr. Speaker, I move that a committee of seven be appointed by the Chair to receive, sort and count votes for

Clerk of this House for the present session.

The Chair appointed on that committee: Messrs. Weeks of Fairfield, Harriman of Prospect, O'Connell of Millinocket, Phillips of Orrington, Brewster of Portland, Smith of Skowhegan and Hussey of Blaine.

Mr. Morneau of Lewiston stated to the House that the Democratic members endorsed the candidacy of Mr. Chapman, and moved the unanimous election of Mr. Chapman for Clerk of the House, and that gentleman was declared duly elected Clerk of the House for the 80th Legislature.

On motion by Mr. Roberts of Lyman, Messrs. Roberts of Lyman, Cram of Portland, Brewster of Portland, Baker of Steuben, Main of Woolwich, Crafts of Greenville and Heal of Weston were appointed a committee to receive, sort and count votes for assistant clerk of the House.

Mr. Bartlett of Waterville stated to the House that the Democratic members of the House endorsed the candidacy of Mr. Roy C. Fish and moved that the Clerk of the House cast one ballot for Mr. Fish for Assistant Clerk of the House.

The Clerk attended to the duty assigned to him and Roy C. Fish was duly declared elected Assistant Clerk of the House for the 80th Legislature.

On motion by Mr. Murray of Portland, that gentleman was charged with a message to the Governor, notifying him of the organization of the House by the election of Hon. Charles P. Barnes as Speaker, Clyde R. Chapman as Clerk and Roy C. Fish as Assistant Clerk.

Mr. Murray subsequently reported that he had discharged the duty assigned him.

The report was accepted.

On motion by Mr. Murchie of Calais that gentleman was charged with a message to the Senate, informing that body of the organization of the House by the election of Hon. Charles P. Barnes as Speaker, Clyde

R. Chapman as Clerk and Roy C. Fish as Assistant Clerk.

Mr. Murchie subsequently reported that he had discharged the duty assigned him.

The report was accepted.

On motion by Mr. Smith of Skowhegan that gentleman was charged with the duty of conducting the Clerk and Assistant Clerk to the Governor to receive and subscribe the oaths necessary to qualify them to enter upon the discharge of their official duties.

Mr. Smith subsequently reported that he had performed the duty assigned him.

The report was accepted.

The Clerk and Assistant Clerk then assumed their official stations.

Mr. Holly of North Anson presented the following order:

Ordered, that Patrick Hayes of Chelsea be messenger; H. G. Smallidge of Winter Harbor be assistant messenger; Harry L. Rankin of Sanford be postmaster; D. S. Clement of Winthrop be mail carrier; Julian K. Croxford of Newport be first folder; Francis J. Cayouette of Augusta be second folder; Patrick Fitzgerald of Augusta be doorkeeper; and that the Speaker appoint two pages and a document clerk.

The order received a passage.

The Speaker then appointed as document clerk Francis C. Colburn, and as the two pages of the House Alfred R. Dostie and Charles J. Whiting.

Mr. Maher of Augusta presented the following order:

Ordered, that the Maine Bar Association be granted the use of the Hall of the House of Representatives on the afternoon of January 12, 1921.

The order received a passage.

Mr. Brewster of Portland presented the following order:

Ordered, that the Secretary of State be directed to furnish each member and officer of the House with postage stamps to the amount furnished the members and officers of the 79th Legislature.

The order received a passage.

Mr. Perkins of Orono presented the following order:

Ordered, that the Secretary of State be directed to deliver to the Clerk of the House one copy of the Holy Bible, one copy of Webster's Unabridged Dictionary, latest edition, one copy of the Standard Dictionary, and one copy of Hinds' Precedents.

The order received a passage.

Mr. Granville of Parsonsfield presented the following order:

Ordered, that the Clerk of the House furnish a catalogue containing the names, alphabetically arranged, with residence, postoffice address, boarding place, occupation, politics, number of seat, and diagram of the House, and that the usual number of copies be printed and distributed.

The order received a passage.

Mr. Holley of North Anson presented the following order:

Ordered, that the rules and orders of the last House of Representatives be adopted for the government of this House until otherwise ordered.

The order received a passage.

Mr. Dodge of Portland presented the following order:

Ordered, that the Secretary of State be directed to deliver to the Clerk of the House all typewriting paper, pencils, fountain pens, carbon paper, and other necessary supplies which may be needed in the Clerk's office during the present session.

The order received a passage.

Mr. Weatherbee of Carroll presented the following order:

Ordered, that Cecil Clay of Belfast be appointed official reporter of the House for the present session, the compensation to be the same as at the last regular session.

The order received a passage.

Mr. Kimball of Hampden presented the following order:

Ordered, that the Clerk of the House be authorized to procure the

services and typewriter during the present session of the Legislature.

The order received a passage.

Mr. Brewster of Orland presented the following order:

Ordered that the Clerk of the House be directed to invite the clergymen of Augusta, Hallowell and Gardiner to officiate as chaplains of the House during the present session.

The order received a passage.

Mr. Newcomb of Newburg presented the following order:

Ordered, that the Clerk of the House be directed to furnish to each member and officer of the House during the present session one copy each of three daily papers printed in this State as each member and officer may select.

The order received a passage.

Mr. Twombly of Howland presented the following order:

Ordered, that the official reporter of the House be authorized to procure the services of a typewriter operator during the present session for the preparation and completion of the Legislative Record, the compensation to be three hundred and fifty dollars.

The order received a passage.

From the Senate: Ordered, the House concurring, that the return of votes for governor given in the several cities, towns and plantations in the State for the political years of 1921-1922 be referred to a joint select committee of seven on the part of the Senate with such as the House may join.

The order received a passage in concurrence.

The Chair appointed on the part of the House on the above committee Messrs. Fagan of Portland, Wing of Auburn, Willard of Sanford, Barwise of Bangor, Carroll of Norway, Chandler of Dover, and Nickerson of Swanville.

From the Senate: Ordered, the House concurring, that the joint rules

and orders of the 79th Legislature be the joint rules of this Legislature, with the following exceptions: "Amend paragraph one of the joint rules by inserting in its proper alphabetical order in the list of joint standing committees, the following: 'On State Sanitoriums' also amend paragraph one by changing the name of the committee on State School for Boys, State School for Girls and Woman's Reformatory, so that it shall read 'State School for Boys, State School for Girls, and State Reformatories.'"'

The order received a passage in concurrence.

From the Senate: 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 Telephone and Telegraph Company for full telephone service for the 80th Legislature.

The order received a passage in concurrence.

The Chair appointed as members of the above committee on the part of the House; Messrs. Rounds of Portland, Roberts of Lyman, and Carroll of Norway.

From the Senate: Ordered, the House concurring, that the Secretary of the Senate and the Clerk of the House jointly prepare the Senate and House Register, and that 2000 copies be printed for the use of this Legislature.

The order received a passage in concurrence.

Mr. Fagan of Portland presented the following order:

Ordered, that the Superintendent of Buildings be directed to purchase for the office of the Clerk of the House a typewriter, and charge the same to Legislative expenses.

The order received a passage.

On motion of Mr. Moody of York, the House recessed until 2:30 P. M.

## AFTERNOON SESSION

The House called to order by the Speaker.

The SPEAKER: The Chair wishes to make a statement and would like the House in order. By your vote this morning, you adopted the rules of the preceding session. The Chair will call the attention of the House to a rule which prohibits smoking in the House of Representatives during business sessions. This rule will be implicitly obeyed by the members, and no less by the guests of the House.

There being no business requiring immediate attention the House will be at ease and respond at the sound of the gavel.

A communication was received from the Senate, through its secretary, proposing a joint convention of the two branches of the Legislature, to be held in the hall of the House of Representatives for the purpose of electing a Secretary of State, State Treasurer, Attorney General, Commissioner of Agriculture and seven executive councilors.

On motion by Mr. Buzzell of Belfast, the House voted to concur in the resolution for a joint convention.

On further motion by Mr. Buzzell the Clerk of the House was charged with the message to the Senate, signifying the concurrence of the House in the proposition for a joint convention.

The Clerk of the House subsequently reported that he had discharged the duty assigned him.

A communication was received from the office of Secretary of State, transmitting a report of the votes cast in the several cities, towns and plantations in the State for Governor on the 13th of September last.

On motion this communication was referred to the Committee on gubernatorial votes in concurrence with the Senate.

A communication was received

from the Governor, communicating to the Legislature each case of re-  
prieve, remission of penalty, com-  
mutation or pardon granted during  
the years 1919 and 1920, stating the  
name of the convict, the crime for  
which he was convicted, the sentence  
and its date, the date of the reprieve,  
remission, commutation or pardon,  
and the conditions, if any, upon which  
the same was granted.

In the Senate this was read and  
ordered placed on file.

In the House read, and ordered  
placed on file in concurrence.

A communication was received from  
the Secretary of State, transmitting  
a report of the votes cast upon three  
proposed constitutional amendments.  
(1) Division of towns into polling  
places. (2) Bonus for soldiers and sail-  
ors. (3) Income tax and (4) the refer-  
endum question "Shall Chapter 120  
of the Public Laws of 1919 entitled  
an act granting to women the right  
to vote for presidential electors be-  
come a law."

In the Senate this was read and  
ordered placed on file.

In the House read and ordered  
placed on file in concurrence.

At this point the Senate came in  
and a joint convention was formed.

### IN CONVENTION

The president of the Senate as-  
sumed the Chair.

On motion by Senator Holt of Han-  
cock, it was voted to appoint a com-  
mittee to receive, sort and count votes  
for Secretary of State.

The Chairman of the Convention  
then appointed as members of that  
committee Senators Holt and Folsom,  
and Representatives Owen, Warren,  
Teague, Forbes and Bartlett.

Having attended to the duties as-  
signed it, Senator Holt from the Com-  
mittee reported as follows:

Whole number of votes cast, 157;  
necessary for a choice, 79; Frank W.  
Ball had 142 and B. G. McIntire, 15.

The report was accepted and Frank  
W. Ball was declared duly elected  
Secretary of State.

On motion by Senator Baxter of  
Sagadahoc, it was voted to appoint a  
committee to receive, sort and count  
votes for Treasurer of State.

The Chair then appointed Senators  
Baxter and Emery, and Representa-  
tives Farnsworth, Austin, Barwise,  
Thomas of So. Portland and Wiseman.

The committee having attended to  
the duties assigned it, Senator Bax-  
ter reported as follows:

Whole number of votes cast, 161;  
necessary for a choice, 82; William L.  
Bonney had 144; Thomas Doherty  
had 17.

The report was accepted and Wil-  
liam L. Bonney was declared duly  
elected State Treasurer.

On motion of Senator Cobb of Ken-  
nebec it was voted to appoint a com-  
mittee to receive, sort and count  
votes for attorney general.

The Chairman then appointed as  
members of that committee Senators  
Cobb and Thompson, and Representa-  
tives Wilson, Weeks, Bean, O'Connell  
and Kerswell.

Having attended to the duties as-  
signed it, Senator Cobb from the com-  
mittee reported as follows:

Whole number of votes cast, 155;  
necessary for a choice, 78; Ransford  
W. Shaw had 140, and Frank H. Has-  
kell, 15.

The report was accepted and Rans-  
ford W. Shaw was declared duly elect-  
ed Attorney-General.

On motion by Senator Putnam of  
Washington, it was voted to appoint a  
committee to receive, sort and count  
votes for Commissioner of Agriculture.

The Chairman then appointed as  
members of that committee, Senators  
Putnam and Parent, and Representa-  
tives Daigle, Wood, Kimball, Jordan  
and Rogers of Jonesport.

Having attended to the duties as-  
signed it, Senator Putnam from the  
committee reported as follows:

Whole number of votes cast, 156;  
necessary for a choice, 79; Frank P.  
Washburn had 144, and Frank E. Mace  
had 12.

The report was accepted and Frank  
P. Washburn was declared duly elect-  
ed Commissioner of Agriculture.

On motion by Senator Babb of Cumberland, it was voted to appoint a committee to receive, sort and count votes for seven executive councillors.

The Chairman then appointed as members of that committee, Senators Babb and Allen, and Representatives Viles, White, Clarke, Bragdon of Perham and Downing.

Having attended to the duties assigned it, Senator Babb from the committee reported as follows:

Whole number of votes cast, 158; necessary for a choice, 80; Henry H. Hastings of the First District had 142, Herbert A. Lombard of the Second District had 142, Ernest F. Clason of the Third District had 142, Willis E. Swift of the Fourth District had 142, George A. Gregory of the Fifth District had 142, George W. Stearns of the Sixth District had 142, and Clarence A. Powers of the Seventh District had 142. For the First District Thomas F. Locke of Biddeford had 16, for the Second District, Edward H. Flaherty of Portland had 16, for the Third District Harry Stetson of Lewiston had 16; for the Fourth District L. Eugene Thayer of Waterville had 16; for the Fifth District, Cornelius Doherty of Rockland had 16, and for the Sixth District, Harry Saunders of Greenville had 16; and for the Seventh District James E. Madigan of Houlton had 14.

The report was accepted.

The Chair thereupon declared Messrs. Hastings of Bethel, Lombard of Bridgton, Clason of Lisbon Falls, Swift of Augusta, Gregory of Boothbay Harbor, Stearns of Millinocket and Powers of Fort Fairfield duly elected executive councillors.

On motion by Senator Sprague of Piscataquis the Secretary of the Convention was directed to inform the several State officials and the executive councillors of their election.

Subsequently the Secretary of the Convention reported that he had performed the duty with which he was charged.

On motion by Senator Gurney of Cumberland a committee was ap-

pointed to notify the executive councillors-elect that the convention is assembled ready to administer the oaths required to qualify them to enter upon the discharge of their official duties.

The Chairman of the Convention thereupon appointed Senator Gurney to convey the message to the Councillors and inform them that the Convention is ready to administer the oath.

Subsequently Senator Gurney reported that he had performed the duty with which he was charged.

Thereupon the Councillors-elect came in and took the oaths necessary to qualify them to enter upon the discharge of their official duties.

Senator Farrington of Kennebec presented the following order:

Ordered, that a message be sent to the Governor informing him of the election of Hon. Frank W. Ball of Dover as Secretary of State, Hon. W. L. Bonney of Bowdoinham as Treasurer of State, Hon. Ransford W. Shaw of Houlton as Attorney General, Hon. Frank P. Washburn of Perry as Commissioner of Agriculture and of the election and qualification of the Honorables Henry H. Hastings of Bethel, Herbert A. Lombard of Bridgton, Ernest F. Clason of Lisbon Falls, Willis E. Swift of Augusta, George A. Gregory of Boothbay Harbor, George W. Stearns of Millinocket and Clarence A. Powers of Fort Fairfield as Executive Councillors for the political years of 1921 and 1922.

The order received a passage.

The Chairman of the Convention thereupon appointed Senator Farrington to deliver the message and report back to the Convention.

Mr. Farrington retired and subsequently reported that he had performed the duty assigned him.

At this point the Senate retired to its Chamber.

### IN THE HOUSE

The Speaker in the Chair.

On motion by Mr. Viles of Augusta.

Adjourned to 10 o'clock tomorrow morning.