

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Fourth Legislature

OF THE

STATE OF MAINE

1909

LEGISLATIVE RECORD

SEVENTY-FOURTH LEGISLATURE

SENATE.

Wednesday, Jan. 6, 1909.

Pursuant to the provisions of the constitution and laws of the State of Maine, the senators-elect to the 74th Legislature convened in the Senate Chamber and were called to order by F. G. Farrington, Secretary of the Senate of 1907.

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

The following communication was read by the Secretary:

State of Maine.

Office of 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 74th Legislature, as appears by the report of the Governor and Council under date of Oc. 30, 1908:

First Senatorial district—George H. Smith, Waterboro; Edward F. Gowell, Berwick; Benjamin F. Hamilton, Dayton.

Second Senatorial district—Percival P. Baxter, Portland; William H. Looney, Portland; John E. Warren, Westbrook; Edward W. Wheeler, Brunswick.

Third Senatorial district—Henry H. Hastings, Bethel.

Fourth Senatorial district—Charles H. Osgood, Lewiston; Hewitt M. Lowe, Turner.

Fifth Senatorial district—Frank A. Emery, Jay.

Sixth Senatorial district—Charles V. Minott, Jr., Phippsburg.

Seventh Senatorial district—George E. Macomber, Augusta; Wellington T.

Reynolds, Winslow; Arthur A. Shaw, Clinton.

Eighth Senatorial district—Allison P. Howes, Palmyra; Albert F. Donigan, Bingham.

Ninth Senatorial district—William S. Knowlton, Monson.

Tenth Senatorial district—James B. Mullen, Bangor; W. Scott Kellogg, Pathe; Francis W. Hill, Exeter.

Eleventh Senatorial district—Leslie Boynton, Jefferson.

Twelfth Senatorial district—L. M. Staples, Washington.

Thirteenth Senatorial district—Benjamin F. Colcord, Searsport.

Fourteenth Senatorial district—Luere B. Deasy, Eden; William A. Walker, Castine.

Fifteenth Senatorial district—George H. Eaton, Calais; Jasper Wyman, Milbridge.

Sixteenth Senatorial district—Patrick Therriault, Grand Isle; Athill E. Irving, Presque Isle; Carl E. Milliken, Island Falls.

In testimony whereof I have caused the seal of the State to be hereunto affixed at Augusta, this fourth day of January, A. D., Nineteen hundred and nine and of the Independence of the United States of America the one hundred and thirty-third.

(Seal) (Signed) A. I. BROWN,
Secretary of State.

The roll being called, the following named senators-elect responded to their names: Messrs. Percival P. Baxter, Leslie Boynton, Benjamin F. Colcord, Luere B. Deasy, Albert F. Donigan, George H. Eaton, Frank A. Emery, Edward F. Gowell, Benjamin F. Hamilton, Henry H. Hastings, Allison P. Howes, Athill E. Irving, W. Scott Kellogg, William S. Knowlton, William H. Looney, Hewitt M. Lowe,

George E. Macomber, Carl E. Milliken, Charles V. Minott, Jr., James B. Mullen, Charles H. Osgood, Wellington T. Reynolds, Arthur A. Shaw, George H. Smith, L. M. Staples, Patrick Theriault, William A. Walker, John E. Warren, Edward W. Wheeler, Jasper Wyman—30, and thirty senators-elect having answered to their names, a quorum was declared present.

Mr. Warren of Cumberland moved that a message be sent to the Governor and Council informing that body that a quorum of senators-elect of the 74th 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 Warren of Cumberland was appointed to convey such message and thereafter reported that he had delivered the message with which he was charged.

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. Hastings of Oxford, that senator and Messrs. Baxter of Cumberland and Mullen of Penobscot were appointed by the secretary a committee to receive, sort and count votes for President of the Senate. The committee having attended to its duty reported as follows:

Whole number of votes cast,	28
Necessary for a choice,	15
Luere B. Deasy of Hancock received	21
L. M. Staples of Knox received	7

The report was accepted and Luere B. Deasy of Hancock was declared elected president of the Senate for the political years of 1909 and 1910.

Messrs Hastings of Oxford and Staples of Knox were appointed to conduct the President to the Chair."

Mr. STAPLES of Knox: Gentlemen of the Senate: It is with great pleasure that I introduce to you the Hon. L. B. Deasy, who has been duly elected President of this Senate of the 74th Legislature of Maine. (Applause.)

THE PRESIDENT:

Fellow Senators—I am deeply sensible of the honor you have conferred upon me in selecting me to preside over your deliberations.

In the performance of my duties I shall need, I shall ask, I shall confidently expect your forbearance and your assistance.

It has been 88 years since the first Maine Legislature convened. Since that time there have been 73 Legislatures. This is the seventy-fourth. Most of the splendid names that have made Maine's history illustrious are found on the roster of membership of this body. Most of the great men that Maine has sent out into the councils of the nation have, at one time or another served here. I need not mention names.

These walls which have echoed their voices are eloquent with their memories. We cannot promise to add new lustre to Maine's Legislative history, but we can promise; and, as your presiding officer, I assume to promise that we will not tarnish that lustre. We cannot court comparison with the men of mighty mould, who, in years long gone by, have occupied the places that we now occupy; but we may, as they did, bring to and lay upon the shrine of our beloved State our best gifts.

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

On motion of Mr. Macomber of Kennebec, that senator with Messrs. Wheeler of Cumberland and Minott of Sagadahoc were appointed a committee to receive, sort and count votes for Secretary of the Senate, and the committee having attended to its duties, reported:

Whole number of votes cast	26
Necessary to a choice	14
F. G. Farrington had	22
C. K. Miller had	4

The report was accepted and F. G. Farrington was declared duly elected Secretary of the Senate, and Senator Shaw of Kennebec 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, and subsequently that senator an-

nounced that Mr. Farrington 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. Milliken of Aroostook, that senator with Messrs. Looney of Cumberland and Walker of Hancock were appointed a committee to receive, sort and count votes for Assistant Secretary of the Senate; and the committee having attended to their duty reported:

Whole number of votes cast	26
Necessary to a choice	14
S. C. W. Simpson had	20
Percy E. Storer had	3
L. M. Staples had	3

The report was accepted and S. C. W. Simpson was declared duly elected Assistant Secretary of the Senate.

The Assistant Secretary of the Senate thereafter took his oath of office.

On motion by Mr. Knowlton of Piscataquis, that senator with Messrs. Shaw of Kennebec and Lowe of Androscoggin were appointed a committee to receive, and count votes for messenger, and the committee having attended to their duty reported:

Whole number of votes cast	28
Necessary to a choice	15
Charles H. Lovejoy had	22
Clinton C. Stover had	6

The report was duly accepted and Charles Lovejoy was declared elected messenger of the Senate.

On motion of Mr. Wheeler of Cumberland, that senator with Messrs. Reynolds of Kennebec and Staples of Knox were appointed a committee to receive, sort and count votes for assistant messenger, and the committee having attended to their duty reported:

Whole number of votes cast	25
Necessary to a choice	13
J. F. Ashford had	20
W. M. Staples had	4
Charles E. Stevens had	1

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

On motion of Mr. Emery of Franklin, that senator with Messrs. Irving

were appointed a committee to receive, sort and count votes for second assistant of Aroostook and Boynton of Lincoln messenger, and the committee having attended to its duty reported:

Whole number of votes cast,	21
F. Ray Neal had	21

The report was accepted and F. Ray Neal was declared duly elected second assistant messenger.

On motion by Mr. Therriault of Aroostook, that senator with Messrs. Macomber of Kennebec and Kellogg of Penobscot were appointed a committee to receive, sort and count votes for folder, and the committee having attended to its duty reported:

Whole number of votes cast,	23
Necessary for a choice,	12
W. T. Fuller had	22
F. Ray Neal had	1

The report was accepted and W. T. Fuller was declared duly elected folder.

On motion by Mr. Knowlton of Piscataquis, that senator with Messrs. Howes of Somerset and Donnegan of Somerset were appointed a committee to receive, sort and count votes for first assistant folder, and the committee having attended to its duty reported:

Whole number of votes cast,	22
Necessary for a choice,	12
W. B. Nulty had	22

The report was accepted and W. B. Nulty was declared duly elected first assistant folder.

On motion by Mr. Looney of Cumberland, that senator with Messrs. Walker of Hancock and Osgood of Androscoggin were appointed a committee to receive, sort and count votes for second assistant folder, and the committee having attended to its duty reported:

Whole number of votes cast,	22
Necessary for a choice,	12
C. W. Wescott had	2
Leon S. Lippincott had	20

The report was accepted, and Leon S. Lippincott was declared duly elected second assistant folder.

On motion by Mr. Shaw of Kennebec, that senator with Messrs. Wheeler of

Cumberland and Mullen of Penobscot were appointed a committee to receive, sort and count votes for doorkeeper, and the committee having attended to its duty reported:

Whole number of votes cast,	23
Necessary for a choice,	12
Stephen D. Lord had	20
C. A. Robbins had	2
Seth Beady had	1

The report was accepted and Stephen D. Lord was declared duly elected doorkeeper.

On motion by Mr. Walker of Hancock it was—

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

The President announced the appointment of James G. Scales of Guilford and Edward B. Chase, Jr., of Bluehill as pages.

On motion by Mr. Reynolds of Kennebec, 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 of Mr. Wheeler of Cumberland, it was—

Ordered: That Edward K. Milliken of Portland be appointed official reporter of the Senate with the compensation fixed at the same amount as that of the official reporter at the last session.

On motion by Mr. Mullen of Penobscot, that senator with Messrs. Gowell of York and Hastings of Oxford were appointed a committee to receive, sort and count votes for postmaster and the committee having attended to its duty, reported:

Whole number of votes cast,	23
Necessary for a choice,	12
Albert W. Buck had	22

The report was accepted and Albert W. Buck was declared duly elected postmaster.

On motion by Mr. Eaton of Washington 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 Hon. Luere B. Deasy of Hancock as President; F. G. Farrington of Augusta as secretary, and S. C. W. Simpson of Portland 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 by Mr. Wyman 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. Luere B. Deasy of Hancock as President; F. G. Farrington of Augusta as secretary and S. C. W. Simpson of Portland 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 by Mr. Colcord of Waldo, it was—

Ordered: That the secretary of the Senate prepare the usual Register of the Senate and that 800 copies of the same be printed for the use of the Senate.

On motion by Mr. Gowell of York, 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 1909-1910 shall be forwarded for examination and report.

The President thereupon appointed as such committee Messrs. Gowell of York, Wheeler of Cumberland, Shaw of Kennebec, Howes of Somerset, Knowlton of Piscataquis, Osgood of Androscoggin, Boynton of Lincoln.

On motion by Mr. Looney of Cumberland, it was—

Ordered: That returns of votes for Governor given in the several cities, towns and plantations of the State for the political years of 1909 and 1910 be referred to a joint select committee of seven on the part of the Senate with such as the House may join.

* On motion by Mr. Hamilton of York, it was—

Ordered: That the rules and orders of 1907 be the rules and orders of the Senate until otherwise ordered.

The President appointed as the committee on the part of the Senate to whom the votes for Governor shall be referred, Messrs. Looney of Cumberland, Smith of York, Minott of Sagadahoc, Wyman of Washington, Hastings of Oxford, Mullen of Penobscot, Staples of Knox.

On motion by Mr. Macomber of Kennebec, it was—

Ordered: That the secretary of the Senate be authorized to secure the services of a stenographer and typewriter operator during the present session of the Legislature.

On motion by Mr. Walker of Hancock, it was—

Ordered: That the secretary of the Senate be directed to furnish each member and officer of the Senate one copy of the Daily Kennebec Journal and two other daily papers published in the State, such as each member and officer may select.

On motion by Mr. Howes of Somerset, 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 Cumberland, it was—

Ordered: That the secretary of the Senate be directed to provide each member and officer of the Senate with a copy of the Acts and Resolves of 1907.

On motion by Mr. Emery of Franklin, it was—

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

Mr. Hastings of Oxford presented:

Order: That the secretary of the Senate be authorized to furnish wrappers and postage stamps to each member and officer of the Senate, not to exceed \$10 in amount of each, for the purpose of distributing the various reports of the departments of State, and other public documents, such as they may desire to mail to the citizens of the State. On motion

by the same senator the order was tabled pending reference to a committee.

A message was received from the House of Representatives, conveyed by Mr. Montgomery of Camden, that the House is duly organized for the 74th Legislature, by the election of George G. Weeks of Fairfield as Speaker, E. M. Thompson as clerk and W. R. Roix as assistant clerk.

On motion by Mr. Macomber of Kennebec, it was—

Ordered: That the secretary of the Senate prepare and have printed 150 diagrams of the Senate chamber for use of the Senate.

On motion by Mr. Wheeler of Cumberland, it was—

Ordered: The House concurring, that the joint rules and orders of 1907-1908 be adopted as the joint rules and orders of this Legislature, with the following amendment: In Rule One, add after the words "on taxation" the words "on schools for feeble-minded."

The order was sent down for concurrence.

Senator Staples of Knox presented the following Resolve and Bill, and moved that they be tabled pending reference, viz.:

Resolve for amendment to the Constitution relating to sale and manufacture of intoxicating liquors;

An Act to repeal Section 92 of the Laws of 1905.

The President announced the following communication from the Governor:

Augusta, Jan. 6, 1909.

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

In conformity with the provisions of Section II, Article V, of the Constitution, I hereby communicate a list of pardons granted by me, with the advice and consent of the Council, during the years 1907 and 1908.

(Signed) WILLIAM T. COBB.

The foregoing communication was ordered placed on file.

A recess was here taken.

At the close of the recess the President announced that a communication has been received from the House announcing the appointment of a committee of that branch on the Gubernatorial vote. (See House report.)

The following communication was received from the secretary of State:
To the President of the Senate:

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

Very Resp'y.,

Your Ob'd't. Serv't.,

A. I. BROWN,
Secretary of State.

On motion by Mr. Hastings of Oxford the foregoing communication was referred to the committee on senatorial vote.

The following communication was also received:

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

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

Very Resp'y.,

Your Ob'd't. Serv't.,

A. I. BROWN,
Secretary of State.

On motion by Mr. Looney of Cumberland the foregoing communication was referred to the committee on Gubernatorial vote.

On motion by Mr. Howes of Somerset, the Senate adjourned to meet on Thursday, January 7th, 1909, at 10 o'clock in the forenoon.

HOUSE.

In convention of members-elect of the House of Representatives.

Augusta, Jan. 6, 1909.

This being the day designated by the Constitution of the State for the meeting of the 74th Legislature, the members-elect of the House of Representatives assembled in their hall at 10 o'clock A. M. and were called to order by the clerk of the last House.

Prayer was offered by Rev. L. W. Coons of Augusta.

A communication was received from the secretary of State transmitting a certified roll of the representatives-elect of the 74th Legislature. A call of the roll by the clerk revealed the presence of a quorum, 141 members answering to their names.

On motion of Mr. Spear, Messrs. Spear of South Portland, Charles of Rome, Stetson of Hartland, Bradford of Livermore, Harmon of Stonington, Burse of Pittsfield and Hodgkins of Damariscotta, 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 in Representatives' hall, 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. Spear 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.

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.

In House of Representatives.

On motion of Mr. Andrews, Messrs. Andrews of Augusta, Beal of Auburn, Ludgate of Sherman, Whitney of Gorham, Merrill of Bluehill, Pinkham of Lincoln and Spear of Warren were