

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Ninth Legislature

OF THE

STATE OF MAINE

1919

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HOUSE

Wednesday, Jan. 1, 1919.

In convention of the members-elect of the House of Representatives of the 79th Legislature.

This being the day designated by the Constitution of the State for the meeting of the 79th 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 William R. Roix, clerk of the last House.

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

A communication was received from the secretary of State transmitting a certified roll of the representatives-elect of the 79th Legislature.

A call of the roll by the clerk revealed the presence of a quorum, 148 members-elect answering to their names.

On motion by Mr. Allan of Portland, Messrs. Allan of Portland, Houghton of Weld, Chamberlain of Winslow, Marr of Somerville, Small of Brewer, Berry of Waterville and Sawyer of Fort Fairfield 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 the hall 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. Allan 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. Barnes of Houlton, Messrs. Barnes of Houlton, Clason of Lisbon, Furbish of Rangeley, Plummer of Benton, Love of Southport, Reed of Bangor and Brann of Lewiston were appointed a committee to receive, sort and count votes for Speaker.

Having attended to the duties assigned it, Mr. Barnes from the committee reported 143 votes cast; necessary for a choice, 72; Mr. Farrington of Augusta had 112; Mr. Berry of Waterville had 31.

The report was accepted.

Frank G. Farrington was thereupon declared Speaker of the House for the present session, and was conducted to the chair by Mr. Berry of Waterville.

Mr. BERRY: Gentlemen of the House: It gives me great pleasure to introduce to you the honored gentleman from Augusta, Mr. Farrington, whom, by your votes, you have selected as your Speaker for the coming session. Mr. Speaker, I wish you a Happy New Year and all that goes with it.

The SPEAKER: Gentlemen of the House: It is impossible for any man to stand here and not feel, and feel deeply, the responsibilities and the extremely exacting duties that devolve upon the Speaker of the House. Now I shall need during this session your continued good will and your constant co-operation. There are many members of this House who are experiencing legislative matters for the first time. I want to say to you that I wish you to feel perfectly free to come to the Speaker and ask for any assistance or help that in his power to give in any matter that may interest you; and I know when I say this that I am also speaking for the older members of the House who have traveled the way before.

At the close of the last session we were just about entering upon this war which is so nearly, and we believe entirely, closed. From that day to this the watchwords of the nation

have been service and sacrifice. There will be private interests and personal interests coming before the members of this House, and there will be matters which especially relate to the good of the State and of the people in particular. Private rights and private interests insofar as they are just and right are entitled to our careful consideration and to the enactment of such measures as may protect and preserve those rights; but when matters involving the interest of the State and the people at large come to the front, is it not fair for me to say that we, so far as possible, should put personal interests in the background? If we are not willing to do this, men of this House, are we true to the spirit that sent two million of our best American boys to France, and true to the spirit that has been teaching every man of us during these past months to put self in the background and to look beyond and to see the greater good of the many? Now my friends, fellow members of this Legislature, may we have that good judgment and that disposition to treat justly and fairly, and if possible, generously, the private interests that come before us so long as they are right; and may we at the same time have the courage of our convictions and the will to do the thing that we know is right, and may we all the time have that wisdom and clear vision, which will enable us to detect the sham and that which on its face bears the interest of the people, but which may in its essence be pernicious and dangerous. We Republicans have come here through the avenue of Republican majorities, the Democrats through the avenue of Democratic majorities; but now that we are here we are citizens of the State of Maine and may we have a single purpose to serve the State. The Chair wishes a Happy New Year, a prosperous New Year, to the members of the House, and the Chair awaits your pleasure. (Applause).

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

of the House for the present session.

The Chair appointed on that committee Messrs. Wilson of Portland, Hussy of Blaine, McLeary of Farmington, Smith of Skowhegan, Arthur of Farmingdale, Corliss of Bath and Morin of Brunswick.

Mr. Berry of Waterville stated to the House that no candidate of the Democratic party would have his name presented for the office of clerk of the House, and moved that Mr. Wilson of Portland cast one ballot for Clyde R. Chapman for clerk of the House. Mr. Wilson attended to the duty assigned him, and Clyde R. Chapman was duly elected clerk of the House for the 79th Legislature for the years 1919 and 1920.

On motion of Mr. Eaton of Rumford, Messrs. Eaton of Rumford, Maher of Augusta, Savage of Mt. Desert, Ridlon of Corinna, Millett of Palmyra, Pike of Eastport and Overlock of Washington were appointed a committee to receive, sort and count votes for assistant clerk of the House.

Mr. Berry of Waterville stated to the House that no candidate of the Democratic party would have his name presented for the office of assistant clerk of the House, and moved that Mr. Eaton of Rumford cast one ballot for Bertrand E. Smith for assistant clerk of the House. Mr. Eaton of Rumford attended to the duty assigned him and Bertrand E. Smith was duly elected assistant clerk of the House for the 79th Legislature for the years 1919 and 1920.

A message was received from the Senate through Senator Walker of Somerset informing the House that the Senate had been duly organized by the choice of Hon. Leon F. Higgins as President, Percy F. Crane as secretary, and Harry P. Hawes as assistant secretary.

On motion by Mr. Buzzell of Belfast that gentleman was charged with a message to the Governor notifying him of the organization of the House by the election of a Speaker, clerk and assistant clerk.

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

The report was accepted.

On motion by Mr. Allen of Sanford that gentleman was charged with a message to the Senate informing that body of the organization of the House by the election of a Speaker, clerk and assistant clerk.

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

The report was accepted.

On Motion by Mr. Garcelon of Auburn 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. Garcelon subsequently reported that he had performed the duty assigned him.

The report was accepted.

The clerk and assistant clerk then assumed charge of their respective positions.

Mr. PERKINS of Orono: Mr. Speaker, I move that the rules be suspended and that a bill presented at this time be laid on the table pending reference to a committee.

The SPEAKER: The Chair will suggest to the gentleman from Orono, Mr. Perkins, that this lie dormant for a time until we have finished the regular routine and adopted rules for the conduct of the House, and then be taken up.

Mr. Washburn of Perry presented the following order:

Ordered, that Patrick Hayes of Chelsea be messenger; Chester Worthing of Augusta be assistant messenger; Bird F. Cole of Etna be postmaster; Thomas M. Rollins of Augusta, mail carrier; Joseph H. Dixon of Eliot, first folder; Benjamin A. Swasey of Augusta, second folder; Charles Ashford of Augusta, doorkeeper; and that the Speaker appear two pages and a document clerk.

The order received a passage.

The Speaker then appointed as document clerk Israel G. Pierce of Augusta, and as the two pages of the House Ansel Reeves of Augusta and J. F. Williams of Phippsburg.

Mr. Williams of Auburn presented the following order:

Ordered, that the secretary of State be directed to deliver to the clerk of the House all typewriting paper, pencils, carbon paper, and other necessary supplies which shall be needed in the clerk's office during the session of the 79th Legislature.

The order received a passage.

Mr. Rounds 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 78th Legislature.

The order received a passage.

Mr. Brackett of Limington 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, one copy of the Standard Dictionary, one copy of Lippincott's Gazeteer, and one copy of Cushing's Manual.

The order received a passage.

On motion by Mr. Murchie of Calais,

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

On motion by Mr. Pattee of Harmony,

Ordered, that the clerk of the House be directed to furnish each member and officer of the House with one copy each of three daily papers printed in the State, such as each member and officer may select.

On motion by Mr. Porter of Mapleton,

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

On motion by Mr. Hanson of Saco, Ordered, that the clerk of the House be authorized to procure a typewriter and procure the services of a stenog-

rapher during the present session of the Legislature.

The SPEAKER: The Chair is under the painful necessity, inasmuch as you have adopted the rules and orders of the last House, of reminding you that there is tucked away there something which was inserted at the beginning of the last session to the effect that members are not permitted to smoke on the floor of the House while it is in session. (Applause.) That applies to the members back of the rail, equally. (Applause.)

On motion by Mr. Mitchell of Kittery,

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.

Mr. ROUNDS of Portland: Mr. Speaker, I would like to have the order relating to Mr. Clay, our stenographer in the House, tabled, and I will tell you my reason therefor. Mr. Clay has been a very efficient stenographer for this House, and by reason of the increased cost of living I wish this order tabled long enough that we may see if he cannot have a little more salary. I think this is no more than right. Stenographers all over the State are having their salaries increased in a large measure, and I think we should consider our stenographer here.

On motion by Mr. Rounds the House voted to re-consider the vote whereby the order received a passage.

On further motion by the same gentleman the order was tabled pending passage.

Recess

The SPEAKER: A delay has arisen on account of the failure of the Senate to send up the order relating to the canvassing of the gubernatorial vote. I understand that the Senate has taken a recess until 2.30 o'clock this afternoon. Now I am going to suggest to the gentleman from Orono, Mr. Perkins, that he allow his resolve to lie here until after-

noon because there should be an order come along relating to the joint rules of the session.

The Chair will at this time appoint as monitors Mr. Rowe of Yarmouth in the first division, Mr. Barnes of Houlton in the second division, Mr. Porter of Mapleton in the third division, and Mr. Alden of Gorham in the fourth division.

On motion by Mr. Allan of Portland, the House voted to take a recess until 2.30 P. M.

AFTERNOON SESSION

The House called to order by the Speaker.

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

The order received a passage in concurrence.

From the Senate: Ordered, the House concurring, that the joint rules and orders of 1917-1918 be the joint rules and orders of this Legislature.

The order received a passage in concurrence.

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

On motion by Mr. Rowe of Yarmouth the above order was tabled pending its passage.

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 con-

tract with the New England Telephone & Telegraph Co. for telephone service for members of the 78th Legislature in matters connected with their official duties.

This order came from the Senate with the following committee named in that branch: Senators Baxter of Sagadahoc and Gordon of York.

On motion by Mr. Rounds of Portland, the order was accepted in concurrence with the Senate.

The Speaker thereupon appointed on the part of the House as members of such committee, Messrs. Rounds of Portland, Savage of Mt. Desert, and Bradford of Turner.

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 3000 copies be printed for the use of this Legislature.

The order received a passage in concurrence.

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 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. Those appointed on the part of the Senate were Senators Ames of Washington, Chick of Kennebec, Metcalf of Piscataquis, Lord of York, Holt of Hancock, Stanley of Oxford and Googin of Androscoggin.

The order received a passage in concurrence.

The Chair appointed on the part of the House on the above committee, Messrs. Conary of Bucksport, O'Connell of Millinocket, Mason of Ellsworth, Varney of Jonesboro, Greeley of Oakland, Burns of Eagle Lake, and Carleton of Rockport.

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 ninth day of September last.

On motion this communication was referred to the Committee on Gub-

ernatorial votes in concurrence with the Senate.

The SPEAKER: The Chair will state that these papers should get into the hands of the committee just as soon as possible, and the committee should get busy and do its work so as to be ready to report the first thing in the morning in order that we may proceed at that time with the inaugural of the Governor.

Now that we have passed the joint rules and orders in concurrence with the Senate it is proper at this time to entertain the motion of the gentleman from Orono, Mr. Perkins, that the rules be suspended and that he be permitted to present out of order a joint resolve.

A viva voce vote being taken, it was voted that the rules be suspended and Mr. Perkins of Orono presented a joint resolve providing for the creation of a commission to investigate the entire question of ownership and development by the State of the undeveloped powers within the State and all issues necessarily involved therein.

On motion by Mr. Allan of Portland the resolve was tabled pending reference to a committee.

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 election of State officers.

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

On further motion by Mr. Baxter the Clerk of the House was charged with a 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.

In Convention

The President of the Senate assumed the chair.

On motion by Senator Peacock of Washington it was voted to appoint a

committee to receive, sort and count votes for secretary of State.

Mr. BERRY of Waterville: Mr. Chairman, in order to save time, I am authorized to withdraw the names of the nominees of the Democratic caucus for the State officers to be elected by this convention.

I move you, Mr. Chairman, that this joint convention authorize the secretary of the convention to cast the vote of the convention for Hon. Frank W. Ball for secretary of State.

The secretary of the joint convention having attended to his duty, Hon. Frank W. Ball was declared elected secretary of State.

Mr. BARNES of Houlton: Mr. Chairman, I move that the secretary of this joint convention cast the ballot of the convention for Hon. Joseph W. Simpson for treasurer of State.

The motion was agreed to and the secretary having attended to his duty, Hon. Joseph W. Simpson was declared elected treasurer of State.

Mr. DEERING of York: Mr. Chairman, I move that the secretary of this joint convention cast the ballot of the convention for Hon. Guy H. Sturgis of Portland for attorney general.

The motion was agreed to and the secretary having attended to his duty, Hon. Guy H. Sturgis was declared elected attorney general.

Mr. THOMBS of Penobscot: Mr. Chairman, I move you that the secretary of this joint convention cast the ballot of the convention for Hon. John A. Roberts for commissioner of agriculture.

The motion was agreed to and the secretary having attended to his duty, Hon. John A. Roberts was declared elected commissioner of agriculture.

Mr. BERRY of Waterville: Mr. Chairman, I move you that the secretary of the joint convention cast the ballot of the convention for the following executive councillors:

First District--Edward F. Gowell of Berwick.

Second District--George W. Norton of Portland.

Third District--Walter E. Plummer of Lisbon.

Fourth District--Willis E. Swift of Augusta.

Fifth District--Elmer S. Bird of Rockland.

Sixth District--Norman H. Fay of Dexter.

Seventh District--Clarence A. Powers of Fort Fairfield.

The motion was agreed to and the secretary having attended to his duty, the above named gentlemen were declared elected executive councillors.

On motion by Mr. Grant of Cumberland the secretary of the convention was directed to inform Hon. Frank W. Ball of Dover of his election as secretary of State, Hon. Joseph W. Simpson of his election as treasurer of State, Hon. Guy H. Sturgis of his election as attorney general, Hon. John A. Roberts of his election as commissioner of agriculture, and the several executive councillors of their election.

Subsequently the secretary of the convention reported that he had performed the duty with which he was charged, with the exception of the Hon. Joseph W. Simpson, treasurer of State.

Mr. Barnes of Houlton moved that the rules be suspended by unanimous consent, and that a message be sent to the executive councillors-elect informing them that the two branches of the Legislature are in convention assembled ready to administer to them the oaths required by the constitution to qualify them to enter upon the discharge of their official duties.

The motion was agreed to and by unanimous consent the rules were suspended.

The chairman of the convention thereupon appointed Mr. Barnes to transmit the message to the councillors-elect, and subsequently that gentleman reported that he had performed the duty with which he was charged.

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

Mr. Gurney of Cumberland 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. Joseph W. Simpson of York, as treasurer of State, Hon. John A. Roberts of Norway as commissioner of agriculture and Hon. Guy H. Sturgis of Portland as attorney-general, and of the election and qualification of the Hons. Edward F. Gowell of Berwick, George W. Norton of Portland, Walter E. Plummer of Lisbon, Willis E. Swift of Augusta, Elmer S. Bird of Rockland, Norman H. Fay of Dexter and Clarence A. Powers of Fort Fairfield as executive councillors for the political years 1919 and 1920.

The order received a passage.

The chairman of the convention thereupon appointed Mr. Gurney of Cumberland to convey the message.

Mr. Gurney 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. Rounds of Portland it was voted to take from the table the order relating to the appointment and compensation of the House reporter. The same gentleman offered House Amendment A to the order appointing an official reporter

of the House, as follows: "Amend said order by striking out all of said order after the word 'compensation' and inserting in place thereof, the following: 'to be twelve hundred and fifty dollars.'"

The SPEAKER: Is it the pleasure of the House to adopt House Amendment A?

Mr. ALLAN of Portland: Mr. Speaker, what is the increase?

The SPEAKER: Two hundred and fifty dollars.

The question being on the adoption of the amendment,

A viva voce vote being taken, the amendment was adopted.

The question then being on the adoption of the order as amended offered by the gentleman from Portland, Mr. Rounds,

The order as amended received a passage.

The SPEAKER: The Chair wishes once more to call the attention of the committee on gubernatorial vote to the necessity of getting together with the Senate committee at once and making the necessary canvass of the vote so there will be no question about the report coming in the first thing in the morning.

On motion by Mr. Barnes of Houlton,

Adjourned until tomorrow morning at 10 o'clock.