

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

HOUSE

Tuesday, January 14, 1919.

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Wood of Augusta.

Journal of previous session read and approved.

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Papers from the Senate disposed of in concurrence.

The following bills, petitions and resolves were presented and, on recommendation of the Committee on Reference of Bills, were referred to the following committees:

Claims

By Mr. Allan of Portland: Resolve appropriating money for the payment to Delano Mill Company of Portland for material furnished in the construction of Stevens Cottage at Skowhegan for the Reformatory for Women.

Education

By Mr. Cochrane of Monmouth: Resolve in favor of Litchfield Academy.

By Mr. Pattee of Harmony: An Act for the rating and standardization of rural schools.

By the same gentleman: An Act to amend paragraph one of section fifty-seven of chapter sixteen of the revised statutes as amended by chapter one hundred and eighty-eight of the public laws of nineteen hundred and seventeen, relative to the payment of state aid to superintendents of unions of towns.

Legal Affairs

By Mr. Garcelon of Auburn: Petition of Lewis L. Peck of Lewiston and others of Lewiston and Auburn asking that November eleventh be set apart as a State holiday.

By Mr. Lanpher of Sebec: Bill an act relating to time of opening and closing polls at all elections of state and county officers. (500 ordered printed).

By the same gentleman: Act re-

lating to enrollment of voters for primary elections. (500 ordered printed).

Pensions

By Mr. Case of Lubec: Resolve providing a State pension for Caroline Davis.

State Lands and Forest Preservation

By Mr. Hammond of Van Buren: Report of the Forest Commissioner on investigation of settlers claims in Township number seventeen, Range five, Aroostook County, according to a resolve passed by the last Legislature.

Mr. ALLAN of Portland: I move the suspension of the rules in order to introduce a resolution out of order, and with the consent of the House I would like to read the resolution from my seat:

WHEREAS: Thousands of Germans and Austrians formerly living in this country, some of whom had taken papers as citizens of the United States, returned to Germany and Austria to fight in the German and Austrian army for principles entirely at variance with all our ideals, and,

WHEREAS: It is common report that many of these Germans and Austrians contemplate returning to the United States for business and residential purposes, and,

WHEREAS: We believe it would work an injustice to our own loyal citizens if such Germans and Austrians are allowed to come back to the United States:

THEREFORE, BE IT RESOLVED: That the Secretary of State be instructed to write to all the Representatives of Maine in the Congress of the United States requesting them to take such steps as are necessary to bring about proper legislative action to prevent any German or Austrian reserivist or other person who was engaged in any manner in opposition to the United States and its Allies, returning to the United States for any purpose whatever, and,

BE IT FURTHER RESOLVED: That we firmly believe that all enemy aliens interned in this country

for pernicious activity in opposition to the best interests of the United States should, at the end of the war, be deported and forever barred from returning to this country.

Mr. Speaker, I wish to move its adoption.

The SPEAKER: The gentleman from Portland, Mr. Allan, presents a resolve which he has read from his seat. It is unnecessary for the Chair to read it again, and the gentleman moves that this resolution be adopted. As many as are in favor of its adoption will say aye.

Mr. BARNES of Houlton: Mr. Speaker, I would like to inquire through the Chair, whether the gentleman from Portland (Mr. Allan) would object to having that resolution printed?

Mr. ALLAN: I should not.

On motion by Mr. Barnes the resolution was tabled for printing pending its adoption.

Orders

On motion by Mr. Allan of Portland,

Ordered, that the State librarian be directed to furnish each member and officer of the House with a copy of the Revised Statutes of 1916 and a copy of the session laws of 1917.

Mr. Holley of North Anson presented the following resolution:

STATE OF MAINE
House of Representatives
Augusta, Maine, Jan. 14, 1919.

WHEREAS, Clarence W. Dutton, a member of this House, has met with a great loss and bereavement in the death of his wife:

BE IT THEREFORE RESOLVED, that the members of this House do hereby express their deep and heartfelt sympathy to Mr. Dutton in this time of sorrow; and,

RESOLVED, That a copy of this resolution be sent to him by the clerk of the House.

The resolution was adopted by a unanimous rising vote.

Mr. JILLSON of Oxford: Mr. Speaker, I ask that the rules be suspended that I may present at this time out of order the petition of Albert J. Stearns and fifty others of Norway favoring a law providing that no persons shall

take, catch and kill in one day more than five black bass in the waters of Lake Pennesseewassee in Oxford county.

The SPEAKER: Is it the pleasure of the House that the rules be suspended and that this bill be received at this time out of order?

Mr. FLINT of Monson: Does this come under special legislation, Mr. Speaker?

The SPEAKER: The Chair will state to the gentleman from Monson (Mr. Flint) that it is a petition favoring a law providing that no persons shall take, catch and kill in one day more than five black bass in the waters of Lake Pennesseewassee in Oxford county.

Mr. FLINT: We passed a law two years ago whereby the commissioner should regulate those private and special laws for taking fish, either opening or restricting it and in several cases where it was asked for this has been done. Last session we were loaded up with this special legislation, and the Governor asked that these things be referred to the committee where they may be considered.

The SPEAKER: Does the gentleman from Monson have any motion to make? The Chair would suggest that a motion to lie on the table is in order.

On motion by Mr. Flint of Monson the petition was tabled pending reference to committee.

Mr. BARNES of Houlton: Mr. Speaker, in behalf of the committee on elections I wish to present the following report in the case of George A. Phillips against Herbert L. Graham for the office of representative to the 79th Legislature from the town of Bar Harbor in the county of Hancock, that said George A. Phillips received 355 votes and the said Herbert L. Graham received 342 votes, and that therefore the said George A. Phillips received a plurality and was legally elected to the 79th Legislature of Maine from said Bar Harbor, and shall be seated and henceforth become a duly accredited representative from Bar Harbor.

Mr. Barnes then presented the report of the committee that it is the judgment of this House that Herbert L. Graham of Bar Harbor was not legally

ected as the representative from Bar Harbor and that said George A. Phillips was legally elected as such representative, and moved the adoption of the report.

Mr. ROUNDS of Portland: Is there any way that the other gentleman could be reimbursed for his expenses? I would like to ask if the committee took that under consideration?

The SPEAKER: The gentleman from Portland, Mr. Rounds, through the Chair, makes inquiry of the committee on elections, through its chairman, Mr. Barnes of Houlton. Has the gentleman from Houlton any reply?

Mr. BARNES: Mr. Speaker, the practice in the Maine Legislature is for a contestant or a seated member to introduce, if he cares to, a resolve carrying a small appropriation sufficient to reimburse him for any expense to which he has been put in contesting the seat.

Mr. ROUNDS: Mr. Speaker, being here in 1909, there came up these election cases and they were reimbursed for expenses. I do not know who this gentleman is, but if he has been to any expense I think it no more than fair that he should be reimbursed, if he thought he was legally elected. I would like to table the resolve and find out.

The SPEAKER: The Chair would suggest to the gentleman from Portland, Mr. Rounds, that this is simply a report indicating an election of a member to a seat in this House, and ought to be accepted. The matter of relief is entirely a separate matter and can be put in later by anybody.

The report was accepted.

On motion by Mr. Barnes of Houlton, it was voted that the resolve which in effect seats Mr. Phillips, and which accompanies the report be adopted.

Mr. BARNES: Mr. Speaker, I move that the chairman appoint a commit-

tee of one to present the gentleman from Bar Harbor, Mr. George A. Phillips, before the Governor to receive the oath necessary to qualify him to enter upon the discharge of his official duties.

Mr. Barnes of Houlton was appointed a committee to conduct Mr. George A. Phillips as a member-elect to the Governor to receive the oath necessary to qualify him to enter upon the discharge of his official duties.

By unanimous consent of the House and under suspension of the rules, an emergency appropriation bill, being an act to appropriate moneys for the cost of the 1919 session of the Legislature, for the payment of all salaries fixed by law, for general departmental expenses of maintenance of the State institutions required for the period prior to the adjournment of the present Legislature, was taken up out of order.

This bill came from the Senate, read twice under suspension of the rules and passed to be engrossed.

On motion by Mr. Small of Brewer the rules were suspended, and the bill was given its three several readings and passed to be engrossed in concurrence with the action of the Senate.

From the Senate: Bond number 15,839 of Hon. Joseph W. Simpson, State treasurer, for fifty thousand dollars.

In the Senate read and referred to the committee on appropriations and financial affairs.

In the House, unanimous consent being given, the rules were suspended and the bond was referred to the committee on appropriations and financial affairs in concurrence.

On motion by Mr. Rowe of Yarmouth,

Adjourned until tomorrow morning at 10 o'clock.