

# MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Eighty-First Legislature

OF THE

STATE OF MAINE

1923

KENNEBEC JOURNAL COMPANY  
AUGUSTA, MAINE

## HOUSE

Wednesday, January 3, 1923

In convention of the members-elect of the House of Representatives of the 81st Legislature.

This being the day designated by the Constitution of the State for the meeting of the 81st 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 the Rev. Frank L. Phelan of the National Soldiers' Home.

A communication was received from the Secretary of State transmitting a certified roll of the Representatives-elect of the 81st Legislature.

A call of the roll by the clerk revealed the presence of a quorum, 151 members responded to the call.

On motion by Mr. Moody of York, Messrs. Moody of York, Clarke of Stonington, Nickerson of Swanville, Barwise of Bangor, Reed of Harmony, Tilden of Hallowell and Rogers of Rockland 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. Moody 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. Weeks of Fairfield, Messrs. Weeks of Fairfield, Rounds of Portland, Story of Washburn, Wood of Bluehill, O'Connell of Millinocket, Granville of Parsonsfield and Baker of Steuben were appointed

a committee to receive, sort and count votes for Speaker.

Having attended to the duties assigned it, Mr. Weeks from the committee reported 147 votes cast necessary for a choice, 74. Mr. Hooley of Anson had 116 and Mr. Bartlett of Waterville had 29, scattering, 2.

The report was accepted.

Frank H. Holley was thereupon declared Speaker of the House of Representatives for the present session, and was conducted to the Chair by Mr. Bartlett of Waterville.

Mr. BARTLETT of Waterville: Members of the 81st Legislature: I have the pleasure of presenting to you Frank H. Holley of Anson, whom you have elected Speaker of the House of Representatives for the 81st Legislature. (Applause)

The SPEAKER: I deeply appreciate the confidence you have expressed by placing me in this responsible position. It has ever been considered an honor to preside over the Maine House of Representatives, but to preside over a House in which woman makes her first official bow in the history of our State is an honor indeed. With both branches of the home now represented within this hall I doubt if any presiding officer of former years has felt the same thrill of pride, or complete sense of satisfaction which I am now enjoying. To you and other loyal friends I owe it all.

You have placed me forever in your debt. You have given me certain responsibilities. I accept these responsibilities fully confident that I shall have your assistance in all perplexing questions, and believing that the spirit of fairness will manifest itself in all things considered.

The need of the hour is men and women of vision and training in every walk of life, measuring up to the great needs of the time; men and women who can forget personal ambition and desire for personal gain; men and women who will cast aside partisan politics, whose political activities will be symbolic of the flag, and who will bring to the service of the State the best thought and energy of which they are capable. Believing the members of the 81st Legislature are so constituted, I have no fear for the future.

A part of the value and the significance of the present moment in my life is the opportunity which the position offers for the formation of new and enduring friendships, for

the cultivation of closer associations and relations with old friends. In true friendship there must be both give and take, patience and forbearance with, rather than blindness to, faults and failings. I shall have my faults, many of them. You may have yours. Let us keep in our minds, however, the fact that conditions may change, old things may pass away, new things may take their places, men may depart and never return, but friendship endures. It is immortal.

Let us accept as our guide our own consciences, never forgetting the constituency at home to whom we are responsible and to whose service we now dedicate our best thoughts and efforts. The Chair awaits your pleasure. (Prolonged applause, the House rising.)

On motion by Mr. Brewster of Dexter, the Chair appointed Messrs. Brewster of Dexter, Fickett of Naples, Sayward of Alfred, Hamilton of Caribou, Plummer of Bridgton, Martin of Augusta and Bartlett of Waterville to receive sort and count votes for Clerk of the House.

Having attended to the duties assigned it, Mr. Brewster from the committee reported 138 votes cast, necessary for a choice, 70. Mr. Chapman had 111, and James P. Quine of Bangor, 27.

Mr. Gagne of Lewiston 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 81st Legislature.

On motion by Mr. Crafts of Greenville, the Chair appointed Messrs. Crafts of Greenville, Morse of Bath, Hallett of Ashland, Jones of South Portland, Dunbar of Orland, Edwards of Bethel, and Pendleton of Islesboro to receive, sort and count votes for Assistant Clerk of the House.

On motion by Mr. Winn of Lisbon it was voted that the Clerk cast the ballot of the House for Roy C. Fish as Assistant Clerk.

The Clerk attended to the duty assigned to him and Mr. Fish was duly declared elected Assistant Clerk of the House for the 81st Legislature.

On motion by Mr. Tilden of Hallowell that gentleman was charged with a message to the Governor, notifying him of the organization of the House by the election of Hon. Frank

H. Holley as Speaker, Clyde R. Chapman as Clerk, and Roy C. Fish as Assistant Clerk.

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

The report was accepted.

On motion by Mr. Barwise of Bangor that gentleman was charged with a message to the Senate, informing that body of the organization of the House by the election of Hon. Frank H. Holley as Speaker, Clyde R. Chapman as Clerk, and Roy C. Fish as Assistant Clerk.

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

The report was accepted.

At this point a message was received from the Senate through Senator Hinckley of Cumberland, informing the House that the Senate had been duly organized by the choice of Hon. Frank G. Farrington as President, L. Ernest Thornton as Secretary and Royden V. Brown as Assistant Secretary.

On motion by Mr. Nickerson of Swanville 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. Nickerson subsequently reported that he had performed the duty assigned him.

The report was accepted.

The Clerk and Assistant Clerk then assumed their official stations amid the applause of the House.

#### ORDERS

On motion of Mr. O'Connell of Millinocket it was

Ordered, that H. Ralph Hayes of Randolph be Messenger; Frank H. Treworgy of East Surry, Assistant Messenger; George A. Dow of Portland be Postmaster; D. S. Clement of Winthrop be Mail Carrier; Julian K. Croxford of Newport be First Folder; Alvin S. Ramsdell of York be Second Folder; Patrick H. Fitzgerald of Augusta be Doorkeeper, and that the Speaker appoint two pages and a document clerk.

Thereupon the Speaker appointed as pages, Alfred Dostie of Augusta and Michael Senegie of Good Will Farm; as Document Clerk, Francis Colburn of Windsor.

On motion by Mr. Moody of York, it was

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.

Mr. GARDINER of Gardiner: Mr. Speaker, I move you that the rules be suspended in order that I may introduce a resolution out of order. It is unfortunate that our first meeting should be tinged with sorrow. It is but a short time ago that a distinguished gentleman, who was elected to this House, died, and in sorrowing for his loss we do not detract from the welcome to his successor.

The SPEAKER: The gentleman from Gardiner (Mr. Gardiner) asks that the rules be suspended and that he be allowed to introduce a resolution out of order.

The rules were suspended and Mr. Gardiner introduced the following resolution:

Whereas death has claimed Professor Frank E. Woodruff of Brunswick, who was elected to this House, and we have been deprived of the benefit of his strong intellect and the genial qualities of his personality.

Be it resolved, that we spread upon our records this brief indication of our sorrow at his loss and our feeling of sympathy for his family.

The resolution was unanimously adopted by a rising vote.

On motion by Mr. Crafts of Greenville, it was

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.

On motion by Mr. Rounds of Portland, it was

Ordered that the Secretary of State be authorized and directed to furnish the Maine State Year Book to each member and officer of the House.

On motion by Mr. Clarke of Stonington, it was

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 four hundred dollars.

On motion by Mr. Rounds of Portland, it was

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.

On motion by Mr. Rounds of Portland, it was

Ordered, that all committees cause all Legislative hearing notices to be printed in the Kennebec Journal of Augusta, and in such other papers as the committees may designate.

On motion by Mr. Story of Washburn, it was

Ordered that Cecil Clay of Belfast be appointed official reporter of the House for the present session, the compensation to be fourteen hundred dollars.

On motion by Mr. Baker of Steuben, it was

Ordered, that the Superintendent of Buildings be directed to purchase for the Clerk of the House a typewriter and such other office equipment as shall be deemed necessary by the clerk, and charge the same to legislative expense.

On motion by Mr. Rogers of Rockland, it was

Ordered, that the Secretary of State be directed to deliver to the Clerk of the House one copy of Webster's Unabridged Dictionary, and one copy of Bouvier's Dictionary.

On motion by Mr. Nickerson of Swanville, it was

Ordered, that the Secretary of State be directed to furnish each member and officer of the House with postage stamps to the amount of ten dollars.

On motion by Mr. O'Connell of Milinocket, it was

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

From the Senate: Ordered, the House concurring, that the members and officers of the Legislature be furnished with express and 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 1923 shall be available for use in 1924.

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 members of the 81st Legislature on matters connected with their official duties.

The order received a passage in concurrence.

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 4000 copies be printed for the use of the Legislature.

The order received a passage in concurrence.

From the Senate: Ordered, the House concurring, that the joint rules and orders of the 80th Legislature be the joint rules and orders of this Legislature.

The order received a passage in concurrence.

The SPEAKER: The Chair presents, out of order, communication from the office of Secretary of State, transmitting the returns of the votes given by the several cities, towns and plantations in this State on the 11th day of September last for Representatives in the Legislature.

The communication was received and referred to the committee on elections.

The SPEAKER: The Chair presents, out of order, communication from the office of the Secretary of State, transmitting the returns of votes given in the town of Brunswick in this State on the 28th day of December last for representative to the Legislature.

The communication was received and referred to the committee on elections.

The SPEAKER: The Chair presents, out of order, communication from the office of Secretary of State, transmitting a report of the votes

cast upon the three proposed constitutional amendments, submitted to the electors of the State at the special election held on September 12, 1921, which amendments were as follows:

1. Absent Voting Law.
  2. The issuing of bonds for building State-aid highways.
  3. Bonus for Spanish War Soldiers.
- The communication was received and ordered placed on file in concurrence.

The SPEAKER: The Chair presents, out of order, communication from the office of Secretary of State, transmitting a report of the votes cast upon the referendum question, submitted to the electors of the State at the election held on September 11th, 1922, "Shall Chapter 213 of the Public Laws of 1921, entitled 'An Act to provide for a full time State Highway Commission, amending Section three and Section four of Chapter twenty-five of the Revised Statutes, relative to State highways, and also amending section thirty-four of Chapter one hundred and seventeen of the Revised Statutes, relative to salary of the State Highway Commission,' become a law?"

The communication was received and ordered placed on file in concurrence.

The SPEAKER: The Chair presents, out of order, communication from the office of the Secretary of State to the President of the Senate and Speaker of the House of Representatives, transmitting the return of votes given by the several cities, towns and plantations in this State on the 11th day of September last for governor.

Comes from the Senate referred to the committee on gubernatorial vote.

In the House, received and referred 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 1923-1924 be referred to a joint select committee of seven on the part of the Senate, with such as the House may join.

In the Senate the following committee was appointed: Senators Brewster, Bailey, Clark, Emery, Smith, Kirschner and Elliot.

In the House the order was passed in concurrence and Messrs. Maher of Augusta, Ludgate of Patten, Holmes

of Lewiston, Kitchen of Presque Isle, Jordan of Westbrook, Brown of Bar Harbor and Lord of Wells were joined on the part of the House.

On motion by Mrs. Pinkham of Fort Kent, the House recessed until 2.30 P. M.

#### AFTERNOON SESSION

The House called to order by the Speaker.

The SPEAKER: The House may consider itself at ease until we receive a communication from the Senate.

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 forthwith for the purpose of electing a secretary of State, State treasurer, attorney-general and seven executive councillors.

Thereupon the House voted to concur with the Senate in accepting the proposition for a joint convention.

On motion by Mr. Baker of Steuben, 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.

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

#### IN CONVENTION

The President of the Senate assumed the Chair.

On motion by Senator Ryder of Piscataquis, it was voted to appoint a committee to receive, sort and count votes for Secretary of State.

The Chairman of the convention then appointed as members of that committee, Senator Ryder of Piscataquis and Senator Morneau of Androscoggin and Representatives Rounds of Portland, Macomber of Jay, Douglas of Lamoine, Hayes of Chelsea, and Newcomb of Newburg.

Having attended to the duty assigned it, Senator Ryder from the committee reported as follows:

Whole number of votes cast, 151; necessary for a choice, 76; Frank W. Ball had 132 and Harry A. Saunders had 19.

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

Secretary of State for the political year 1923-1924.

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

The Chair then appointed Senator Carlton of Sagadahoc, Senator Kirschner of Androscoggin and Representatives Wood of Bluehill, Farley of Bridgewater, Winn of Lisbon, Siddall of Sanford and Baker of Steuben.

The committee having attended to the duty assigned it, Senator Carlton reported as follows:

Whole number of votes cast, 168; necessary for a choice, 85; W. L. Bonney had 138; A. W. Plummer, 29; scattering, 1.

The report was accepted and William L. Bonney was declared duly elected State Treasurer for the years 1923-1924.

On motion by Senator Powers of Aroostook, it was voted to appoint a committee to receive, sort and count votes for Attorney-General.

The Chairman then appointed as members of that committee, Senator Powers of Aroostook, Senator Elliot of Knox, Representatives Jacobs of Skowhegan, Ramsdell of Milo, Curtis of Brewer, Conant of Buckfield, and Dain of Bath.

Having attended to the duty assigned it, Senator Powers from the committee reported as follows:

Whole number of votes cast, 164; necessary for a choice, 83. F. H. Haskell had 30 and Ransford W. Shaw, 134. The report was accepted, and Ransford W. Shaw was declared duly elected Attorney-General for the years 1923-1924.

On motion by Senator Wadsworth of Kennebec, 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, Senator Wadsworth of Kennebec, Phillips of Hancock and Representatives Perkins of Orono, Moody of York, Piper of Jackman, Stratton of Albion and Crowley of Lewiston.

Having attended to the duty assigned it, Senator Wadsworth from the committee reported as follows:

Whole number of votes cast, 162; necessary for a choice, 82; Cecil F. Clark of the First District had 132, Herbert A. Lombard of the Second

District had 132, Rupert H. Baxter of the Third District had 132, Leroy R. Folsom of the Fourth District had 132, James J. Clement of the Fifth District had 132, William S. Owen of the Sixth District had 132, and Robert J. Peacock of the Seventh District had 132. For the First District, Henry A. Descoteaux of Biddeford had 30, for the Second District, John Clark Scates of Westbrook had 30, for the Third District, Edward W. Larrabee of Bath had 30; for the Fourth District, Carleton M. Holt of Skowhegan had 30; for the Fifth District, Albert J. Skidmore of Liberty had 30; for the Sixth District, Leon G. C. Brown of Milo had 30, and for the Seventh District, Oscar H. Dunbar of Machias had 30.

The report was accepted, and the Chair thereupon declared Messrs. Clark of Hollis, Lombard of Bridgton, Baxter of Bath, Folsom of Norridgewock, Clement of Montville, Owen of Milo and Peacock of Lubec duly elected executive councilors for the years 1923-1924.

On motion by Senator Sargent of Hancock, the secretary of the convention was directed to inform the several State officials and the executive councilors 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 Croxford of Penobscot, the rules were suspended, by unanimous consent, and that gentleman was charged with a message to the councilors-elect informing them that the two branches of the Legislature are in joint 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.

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

Thereupon the councilors-elect, with the exception of Leroy R. Folsom of the Fourth District, who was

absent, came in and took the oaths necessary to qualify them to enter upon the discharge of their official duties.

On motion by Senator Buzzell of Waldo, it was 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, and of the election and qualification of Hon. Cecil F. Clark of Hollis, Hon. Herbert A. Lombard of Bridgton, Hon. Rupert H. Baxter of Bath, Hon. James J. Clement of Montville, Hon. William S. Owen of Milo and Hon. Robert J. Peacock of Lubec, and of the election of Hon. Leroy R. Folsom of Norridgewock as executive councilors.

The order received a passage.

The CHAIRMAN: The Chair will state at this point that Mr. Folsom is not here today to qualify.

The Chairman of the convention thereupon appointed Senator Buzzell to convey the message to the Governor and report back to the convention.

Senator Buzzell then retired and subsequently reported that he had performed the duty assigned him.

At this point the joint convention was dissolved, its purposes having been accomplished, and the Senate retired to its Chamber.

#### IN THE HOUSE

The Speaker in the Chair.

On motion by Mr. Douglas of Lamoine, the rules were suspended, and that gentleman was given permission to introduce the following order, out of order:

Ordered, that the American flag be displayed at the desk of the Speaker during all sessions of the 81st Legislature. (Applause.)

The order received a passage.

On motion by Mr. Wing of Auburn adjourned until 10 o'clock tomorrow morning.