

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Legislative Record

OF THE

Eighty-First Legislature

OF THE

STATE OF MAINE

1923

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

SENATE

Wednesday, January 3, 1923.

Pursuant to the provisions of the Constitution and laws of the State of Maine, the senators-elect to the 81st Legislature convened in the Senate Chamber and were called to order by L. Ernest Thornton, secretary of the Senate of 1921.

Prayer by Rev. A. T. McWhorter of Augusta.

The following communication was read by the secretary:

STATE OF MAINE

Office of the Secretary of State.
To the Secretary of the Senate:

In compliance with Section 29, Chapter 2 of the Revised Statutes, I hereby certify that the following are the names and residences of the senators-elect to the 81st Legislature, as appears by the report of the Governor and Council under date of 1922:

First Senatorial District—Harmon G. Allen, Sanford; Wilber D. Spencer, Berwick; George N. Stevens, Kennebunkport.

Second Senatorial District—Ralph O. Brewster, Portland; Harry L. Cram, Portland; Frederick W. Hinckley, So. Portland; Alexander Speirs, Westbrook.

Third Senatorial District—Frederic O. Eaton, Rumford.

Fourth Senatorial District—William H. Kirschner, Lisbon; Albert D. Morneau, Lewiston.

Fifth Senatorial District—*Charles R. Hall, Wilton.

*Senator-elect, Charles R. Hall died December 27, 1922, and a new election has been ordered for January 15, 1923.

Sixth Senatorial District—Frank W. Carlton, Woolwich.

Seventh Senatorial District—Herman H. Adams, Belgrade; Frank G. Farrington, Augusta; Herbert E. Wadsworth, Winthrop.

Eighth Senatorial District—Walter S. Bemis, Harmony; Clyde H. Smith, Skowhegan.

Ninth Senatorial District—Erwin G. Ryder, Brownville.

Tenth Senatorial District—Taber D. Bailey, Bangor; Byron G. Croxford, Newport; Byron P. Morison, Corinth.

Eleventh Senatorial District—Herbert A. Clark, Jefferson.

Twelfth Senatorial District—Richard C. Elliott, Thomaston.

Thirteenth Senatorial District—Hodgdon C. Buzzell, Belfast.

Fourteenth Senatorial District—Jos. D. Phillips, Southwest Harbor; Percy G. Sargent, Sedgwick.

Fifteenth Senatorial District—Roscoe C. Emery, Eastport; Varney A. Putnam, Danforth.

Sixteenth Senatorial District—Stetson H. Hussey, Blaine; Paul H. Powers, Houlton; Allen C. T. Wilson, Presque Isle.

In testimony, thereof, I have caused the seal of the State to be hereunto affixed at Augusta, this 2nd day of January, A. D. 1923, of the Independence of the United States of America, the one hundred and forty-seventh.

(Seal)

(Signed) FRANK W. BALL,
Secretary of State.

Roll Call

The roll being called the following named senators-elect responded to their names: Messrs. Adams, Allen, Bailey, Bemis, Brewster, Buzzell, Carleton, Clark, Cram, Croxford, Elliot, Emery, Farrington, Hinckley, Hussey, Kirschner, Morison, Morneau, Phillips, Powers, Putnam, Ryder, Sargent, Smith, Speirs, Spencer, Stevens, Wadsworth, Wilson—29.

29 senators having answered to their names the secretary declared a quorum present.

Mr. Bailey of Penobscot, moved that a message be sent to the Governor and Council informing that body that a quorum of senators-elect of the 81st Legislature is present in the Senate Chamber, ready to take and subscribe the oaths of office required by the Constitution to qualify them to enter upon their official duties.

The motion prevailed and Mr. Bailey was appointed to convey such message, and thereafter reported that he had delivered the message with which he was charged.

Senators Take The Oath

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.

Election Of President

On motion by Mr. Allen of York, that senator with Messrs. Morneau of Androscoggin and Emery of Washington, were appointed by the secretary a committee to receive, sort and count votes for President of the Senate.

The committee reported the whole number of votes cast 28: necessary

for a choice 15. Frank G. Farrington had 25; Albert D. Morneau had 3.

The report was read and accepted and the secretary declared the Hon. Frank G. Farrington duly elected President of the Senate of the 81st Legislature.

Mr. Morneau of Androscoggin then escorted President Farrington to the chair.

President's Address

Fellow Senators:

To say that I gratefully appreciate the honor that you have conferred upon me in making me your presiding officer can convey to you a very slight conception of that appreciation.

My only hope is that from this time, on through the busy days of the session, up to its very close, I may have the same confidence that you feel in me now.

We shall be very closely associated together, and will see much of one another during the time that will be occupied in trying to solve together the problems that will confront us. We will not always agree, but we may be sure of this, that all differences of opinion will result from a common desire to serve the State to the best of our several abilities.

It will be a busy session. Matters of the greatest importance will come before us for consideration; requests for appropriations of money will be numerous and most insistent. May we have the wisdom to see our duty and the courage to do it when once we clearly see what that duty is.

We should be very careful in the laws that we enact and we should scrutinize with the greatest care all bills and resolves carrying appropriations of money. The resources of the State are limited, and the State following the only safe course which should guide the individual must measure its expenditures, not by what it might desire if the resources of the State were inexhaustible, but by what it needs, and we must not lose sight of this fact as the work of the session progresses.

It is needless for me to say to the members of this Senate that we are here as servants of the people, and as such may we be true in every way to the trust that has been imposed upon us.

May I say that if your presiding officer can be of any assistance to the members, old or new, who make up this Senate, this great family body so closely connected, as we really are, the door of his office is always open.

The Chair awaits the pleasure of the Senate.

On motion by Mr. Cram of Cumberland, Messrs. Cram of Cumberland, Clark of Lincoln and Morneau of Androscoggin were appointed committee to receive, sort and count votes for secretary of the Senate.

Having attended to this duty Mr. Cram for the committee reported as follows: Number of votes cast, 28; necessary for a choice, 15. L. Ernest Thornton had 28.

Which report was read and accepted and L. Ernest Thornton of Augusta, having received all the votes cast was declared duly elected secretary of the Senate of the 81st Legislature.

At the Request of the President Mr. Cram escorted the secretary-elect to the Council Chamber for the purpose of taking and subscribing the necessary oaths of office to qualify him to enter upon the discharge of his official duties.

Subsequently Mr. Cram reported to the Senate that he had attended to the duty assigned him and that L. Ernest Thornton had, before the Governor and Council, taken and subscribed the oaths of office required to qualify him for the discharge of the duties of the secretary of the Senate.

Secretary Thornton assumed the duties of his office.

On motion by Mr. Powers of Aroostook, it was

Ordered, that the secretary of the Senate be authorized to secure the services of two stenographers for the present session, one for the office of the President and one for the office of the Secretary.

On motion by Mr. Brewster of Cumberland, it was

Ordered, the House concurring, that the returns of votes for Governor, given in the several cities, towns and plantations of the State for the political years 1923 and 1924 be referred to a joint select committee of seven on the part of the Senate, with such as the House may join.

The President appointed Messrs. Brewster of Cumberland, Bailey of Penobscot, Clark of Lincoln, Emery of Washington, Smith of Somerset, Kirschner of Androscoggin and Elliot of Knox.

On motion by Mr. Adams of Kennebec, Messrs. Adams of Kennebec, Ryder of Piscataquis and Elliot of Knox were appointed committee to receive.

sort and count votes for assistant secretary of the Senate.

Having attended to the duty Mr. Adams from the committee reported as follows:

Whole number of votes, 24; necessary for a choice, 13. Royden B. Brown had 24.

The report was read and accepted, and Royden B. Brown, having received a majority of all the votes cast, was declared elected assistant secretary of the Senate for the political years 1923-1924.

Mr. Brown subsequently appeared before George G. Leadbetter, Esq., authorized *dedimus protestatem* and took and subscribed the oaths of office.

On motion by Mr. Putnam of Washington, Messrs Putnam of Washington, Wilson of Aroostook and Bemis of Somerset were appointed committee to receive, sort and count votes for messenger of the Senate.

Having attended to the duty Mr. Putnam from the committee reported as follows:

Whole number of votes cast, 26; necessary for a choice, 14. James F. Ashford had 26.

The report was read and accepted, and James F. Ashford of Whitefield, having received all the votes cast was declared elected messenger of the Senate for the political years of 1923-1924.

On motion by Mr. Buzzell of Wado, the secretary of the Senate cast the ballot of the Senate for Stephen D. Lord of Lebanon for assistant messenger, William Stuart of Newport for postmaster, Mellen Tryon of Pownal for doorkeeper, William W. Brown of Bowdoinham for folder and Philip T. Carroll of Southwest Harbor for assistant folder.

On motion by Mr. Sargent of Hancock, it was

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

The President thereupon appointed George H. Chick and Frank Hughes.

On motion by Mr. Clark of Lincoln, it was

Ordered, That Fred W. Lee of Augusta be appointed official reporter of the Senate with the same compensation as paid at the last regular session of the Legislature.

On motion by Mr. Hinckley of Cumberland, the same senator was charged with a message to the House of Rep-

resentatives informing that body that the Senate had organized by the choice of the Hon. Frank G. Farrington as President; L. Ernest Thornton as secretary, and Royden V. Brown as assistant secretary.

That Senator retired to the House of Representatives and subsequently reported that he had delivered the message with which he was charged.

On motion by Mr. Smith of Somerset, the same senator was charged with a message to the Governor and Council informing them that the Senate had organized by the choice of Hon. Frank G. Farrington as President; L. Ernest Thornton as secretary, and Royden V. Brown as assistant secretary.

The senator retired to the Council Chamber and subsequently reported that he had delivered the message with which he was charged.

On motion by Mr. Adams of Kennebec, it was

Ordered, That the President of the Senate be authorized to appoint a document clerk for the custody of the Senate documents.

The President appointed Herbert Sawyer.

Message From The House

A message was received from the House of Representatives by Mr. Barwise informing the Senate that the House of Representatives had organized by the choice of the Hon. Frank H. Holley as Speaker, Clyde F. Chapman of Belfast as Clerk, and Roy C. Fish as assistant clerk.

Communications From The Department Of State

Transmitting the senatorial vote.

Which was read and referred to the committee on senatorial vote.

Transmitting the gubernatorial vote.

Which was read and referred to the committee on gubernatorial vote.

Sent down for concurrence.

Transmitting a report of the votes cast upon the three proposed constitution amendments and upon the referendum question submitted to the electors of the State at the election held September 11, 1922.

Which was read and placed on file.

Sent down for concurrence.

On motion by Mr. Hinckley of Cumberland, it was

Ordered, that a committee of seven be appointed by the President to whom the returns of votes for senators for the political years 1923 and 1924 shall be referred for examination and report.

The President appointed:
Messrs. Hinckley of Cumberland
Spencer of York
Wadsworth of Kennebec
Croxford of Penobscot
Willson of Aroostook
Putnam of Washington
Morneau of Androscoggin.

On motion by Mr. Spencer of York, it was

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 \$5 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.

Sent down for concurrence.

On motion by Mr. Clark of Lincoln, it was

Ordered, that the Secretary of the Senate be directed to furnish each member and officer of the Senate with three daily papers published in the State, such as each member and officer may select.

On motion by Mr. Hussey of Aroostook, 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 and Standard Dictionaries; Lippincott's Pronouncing Gazetteer; Reed's Rules and Cushing's Law and Practice of Legislative Assemblies.

On motion by Mr. Kirschner of Androscoggin, it was

Ordered, that the rules and orders of the Senate of the Eightieth Legislature be the rules and orders of the Senate.

On motion by Mr. Smith of Somerset, it was

Ordered, that the State Librarian be directed to provide each member and officer of the Senate with a copy of the Acts and Resolves of the Eightieth Legislature.

On motion by Mr. Wilson of Aroostook, it was

Ordered, that the Secretary of the Senate prepare and have printed one

hundred and fifty diagrams of the Senate Chamber for the use of the Senate.

On motion by Mr. Carlton of Sagadahoc, it was

Ordered, that the official reporter of the Senate be authorized to procure the services of a typewriting operator during the present session at an expense not exceeding \$350; also an assistant reporter at an expense not exceeding \$600 for the preparation and completion of the Legislative Record.

On motion by Mr. Bemis 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. Sargent of Hancock, it was

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 Telegraph and Telephone Company for telephone service for the members of the Eighty-first Legislature with matters connected with their official duties.

The President appointed as members on the part of the Senate:

Messrs. Sargent of Hancock
Wadsworth of Kennebec.

On motion by Mr. Stevens of York, it was

Ordered, that the Secretary of the Senate be authorized to furnish wrappers and postage stamps for each member and officer of the Senate, not exceeding five dollars in amount 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 Mr. Ryder of Piscataquis, it was

Ordered, the House concurring, that the Secretary of the Senate and Clerk of the House jointly prepare the Senate and House Register and that four thousand copies be printed for the use of the Legislature.

Sent down for concurrence.

On motion by Mr. Buzzell of Waldo a recess was taken until 2.30 o'clock this afternoon.

AFTERNOON SESSION

Senate called to order by the President at 2.30 o'clock.

On motion by Mr. Morison of Penobscot, it was

Ordered, that a message be sent to the House of Representatives proposing a convention of the two branches of the Legislature forthwith in the hall of the House for the purpose of electing a secretary of State, treasurer of State, attorney-general and seven executive councilors.

The Secretary conveyed the message and subsequently reported that he had delivered the message with which he was charged.

Message from the House

A message was received from the House conveyed by the Clerk informing this body that the House concurred in the proposition for a joint convention to be held forthwith in the hall of the House for the purpose of electing a secretary of State, treasurer of State, attorney-general and seven executive councilors.

The Senate thereupon proceeded to the hall of the House for the purpose of holding a joint convention.

(For proceedings in joint convention see House report.)

Upon the return of the senators to their chamber, the Senate was called to order by the President.

On motion by Mr. Bemis of Somerset, it was

Ordered, that the Senate hold one session a day commencing at 10 o'clock in the forenoon until further ordered.

On motion by Mr. Wadsworth of Kennebec, it was

Ordered, that the Secretary of the Senate purchase such stationery, office supplies and equipment as may be needed to carry on the business of the Senate, and as may be requested by the President and approved by the Senate.

Communication from the Executive Department:

STATE OF MAINE EXECUTIVE CHAMBER

Augusta, Me., Jan. 3, 1923.
To the Honorable Senate and House of Representatives:

In compliance with the Constitution of the State I herewith transmit to the Legislature each case of reprieve, remission of penalty, commutation or pardon granted during the years 1921 and 1922, stating the name of the convict, the crime of which he was convicted, the sentence and its date, the date of reprieve, remission, commutation or pardon, and the conditions if any upon which the same was granted.

(Signed) PERCIVAL P. BAXTER,

Governor.

Placed on file and sent down for concurrence.

On motion by Mr. Bailey of Penobscot,

Adjourned until tomorrow morning at 10 o'clock.