

MAINE STATE LEGISLATURE

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Acts and Resolves

As Passed by the

Seventy-Eighth Legislature

OF THE

STATE OF MAINE

1917

Including Acts and Resolves of the Special Session of the
Seventy-Seventh Legislature held in 1916.

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GOVERNOR MILLIKEN'S INAUGURAL ADDRESS

(Jan. 4, 1917)

Gentlemen of the Seventy-eighth Legislature:

Chosen by the people of Maine for a common task, you and I are set apart together by solemn oath before Almighty God. Not as individual farmers, manufacturers, professional men, but as the directors of a great corporation, we are to plan together for the welfare of the whole people. We shall best show our gratitude to those who sent us here and best deserve their confidence by full recognition of the obligation imposed by this relationship. We are public servants and the public good must be our only interest.

Our government is divided into three branches, legislative, judicial and executive, yet this partition of powers is neither absolute nor complete. My responsibility is primarily executive, but it is my constitutional duty to suggest appropriate legislation and to register approval or disapproval of each act or resolve which you will pass. Therefore, with due deference to your judgment and with no desire to usurp in the slightest degree any proper function of yours, I still frankly accept my share of the responsibility for the final results of your labors and invite your consideration of some important general features of the task before you.

My first suggestion is a word of caution against too much legislation. The enactment of too many laws tends to confuse the people and decrease the general respect for law. You can earn fame and the lasting gratitude of your constituents by making only necessary and well-considered changes in our statutes, and by rejecting everything petty or trivial. You are especially urged to refuse private and special legislation for purposes that can be accomplished under the general law and to decline further to cumber the statutes with special regulations of fishing in particular streams or ponds.

The Budget System

It is your duty to make adequate provision by appropriation from the public treasury for all proper public needs and to provide the necessary funds by just and equitable taxation. State departments and institutions are entitled to your first consideration. Next you should provide reasonably for those charitable and benevolent institutions whose work partakes of the character of public service.

The high cost of all materials and supplies creates a special emergency in connection with this problem. An examination of the requests for appropriations filed with the State Auditor by State departments and charitable and benevolent institutions shows that the total asked for during 1917 and 1918 exceeds by more than \$4,000,000 the total appropriations for all purposes for the years 1915 and 1916.

I urge you to meet this extraordinary situation by careful and painstaking scrutiny of all sources of revenue and all proposed appropriations before any expenditures are finally authorized. Ordinary business sense plainly dictates such a course. Yet in the experience of our Maine Legislatures such knowledge in advance of final decision on resolves appropriating money is not only never obtained but is impossible under our customary procedure. Private and special resolves are introduced on the same footing with those providing for necessary public expenditures. Each is heard by the appropriate legislative committee and each reaches the Governor for approval without review even by one central committee of the Legislature and in the haphazard order of final passage.

The average member of the Legislature desires to consider all proposed appropriations carefully. He finds, however, that during the first weeks of the session very few such matters are heard before committees and little other business is actually done, while the rush and hurry later in the session prevent anything like adequate comprehension of the entire financial program, either by the members of the Legislature or by the general public. The legislators themselves fail to acquire a due sense of the relative importance of each proposed appropriation in the general financial program, and the public cannot definitely fix the responsibility for any particular expenditure.

It is only because of the average high character of the membership of our Legislatures that we in Maine have escaped the full consequences of extravagance and waste which this faulty system has produced elsewhere. A similar method prevails in most states and in the National government. America is, however, the only great democracy in the world that permits the appropriation of public funds by such inefficient and irresponsible methods.

The remedy is found in the executive budget used in Great Britain for more than two hundred years. It is now favored in some states in this country, has actually been adopted in one state and has been advocated for the National Government by at least one recent President during his term of office.

The budget plan is the presentation of a complete financial program by the responsible executive before any expenditures have been authorized by the Legislature. Such presentation must include a summary of available revenue and a detailed schedule of expenditures. Members are thus enabled to judge for themselves the comparative importance of all proposed appropriations. By this system, a member favoring an increase in any particular appropriation beyond the budget estimate must accept a definite responsibility for advocating this added expenditure. It is also evident to every member and to the general public that an increase in any particular expenditure beyond the amount suggested in the budget must be offset by a corresponding decrease in some other item.

A prudent tailor before grasping his shears marks out his patterns carefully upon the available cloth. So the executive presenting a budget to the legislative assembly points out clearly how much revenue may be expected and suggests a corresponding schedule of expenditures. Just as the tailor may shift any pattern before he uses his shears, so the Legislature may

change the size of any particular appropriation but in that case must be reasonable to the people for such deviation from the budget proposal.

Mindful of the special financial emergency which now confronts us, and believing earnestly that a change from our customary method of making appropriations is advisable, I ask you to join with me in an effort to establish a real budget system. No new legislation is necessary at present. I propose a series of informal public hearings conducted jointly by the Governor and Council and the appropriate legislative committee. The representatives of each department or institution asking an appropriation can be invited in turn to present their requirements in such detail as may seem advisable. After about three weeks of such discussion and conference, I hope to present a detailed budget for your consideration. You will then go about the work of making appropriations and will give to the budget suggestions such weight as in each instance you may think proper. The time spent in preliminary hearings will have caused no delay, for, under our customary method of formal committee hearings, practically no business is done during the first four weeks of the average session. Each of you will have had the opportunity to hear every detail of the financial program discussed, a privilege no one member of any previous Legislature ever enjoyed. By constant attendance during January, you will have acquired early in the session that mutual acquaintance which is a necessary basis for useful public service. Through these preliminary hearings, much of the expense of legislative advertising will be eliminated, for in each case where the budget suggestion is accepted by the institution or department, no formal hearing later in the session will be necessary.

This proposal is the fruit of a diligent study of our financial problems in the light of past legislative experience and it is made for the sole purpose of improving our method of managing the public business. By common consent it is the Governor's duty to restrain the total of appropriations within the limits prescribed by reasonable expectation of revenue. The budget plan is not an attempt to enlarge that responsibility; it is only a suggestion that such restraint be preceded by a detailed financial program presented after careful examination of all pertinent facts and after full discussion with each of you and with every interested party.

State Departments

I commend to your attention the printed reports of the various departments, all of which will soon be available. They contain many suggestions worthy of your careful thought. The departments themselves are the State's machinery for conducting its business and any possible improvements in that machinery should have your earnest consideration. I suggest the wisdom of transferring the duty of collecting the inheritance tax from the Attorney General's office to that of the Treasurer and the establishment of uniform practice in all the counties with any further additions to the law which seem likely to make the collection of all such taxes more certain. The office of the Attorney General ought also to be definitely established at the Capitol. In harmony with what should be the general policy of the State, that is, full-time service for full-time pay, he should be available at his office in

Augusta whenever his official services are needed. It is possible that the adoption of these suggestions would permit the discontinuance of the office of Assistant Attorney General.

It should also be the duty of the Attorney General to appear for the State at the request of the Governor whenever the interests of the people are involved before the Public Utilities Commission or elsewhere.

The State Library should be developed further along the lines for which it was originally intended: that is, as a reference library for the use of the Legislature and the departments. The circulation of traveling libraries in communities having no public library should also be continued and extended.

In view of the present high cost of printing you may well consider whether it is feasible to provide for general circulation a State bluebook containing extracts from the department reports and reduce correspondingly the general circulation of complete reports. Other suggestions regarding department machinery will be mentioned under their appropriate topics.

Ballot Reform

It is the duty of the State to make it easy for every voter freely and secretly to vote for each candidate of his choice. Our present system of voting at elections not only causes confusion through its variance from the method in vogue at the primaries, but is faulty in its requirement of adherence to the party column. The tendency of the party column ballot is to breed carelessness in voting and to encourage the nomination of weak candidates who rely upon the ticket as a whole to pull them through. I earnestly urge that the election ballot be brought into closer similarity with that used in the primaries and that the required use of the party column be eliminated.

Certain other desirable changes connected with our voting machinery may be mentioned in this connection. For example, the employment of paid solicitors to canvass for signatures on primary nomination blanks, initiative or referendum petitions should be forbidden.

The law should be so changed as to abolish the unfortunate twilight zone now existing in the period of three months preceding an election for those who change their place of residence within the State during that time. There is doubtless a sound reason for requiring three months' residence before permitting the citizen to vote at his new home, but until he has acquired this right he ought not to be forbidden to vote in his old home precinct.

The Constitution by implication forbids the establishment of more than one polling precinct in towns of less than four thousand inhabitants. This provision works a hardship on many sparsely settled towns of large area. The constitutional limitation should be removed and the Legislature should be left free to enact laws that will permit towns to establish more than one voting precinct.

I favor granting the right of suffrage to women in Maine on equal terms with men. Now that a large majority of women seem ready to accept this responsibility and the voters of Maine have unmistakably indicated a desire to express their views upon this matter at the polls, submission of the requisite constitutional amendment ought not longer to be delayed.

Agriculture

I have directed your attention to the business management of the State and suggested certain improvements in the machinery of government. Your responsibility does not stop here. You are also the custodians of the State's material resources and it is your duty to encourage the conservation and development of all such resources by every reasonable and proper means. Our farms constitute the most important single source of material wealth. Farm life must be made profitable, comfortable and attractive to the younger generation. The automobile, the telephone and rural free delivery of mail are doing much in this direction. Encouragement should be given to the further dissemination of all useful, scientific information that will help the farmer to make the most of the soil. State aid to agricultural fairs should be conditional upon and proportional to their value as aids to agriculture. Not only should objectionable features be rigidly excluded but the State should not be expected to aid any so-called agriculture fair which is merely an out-of-door vaudeville entertainment.

Our present antiquated and unjust system of taxation by which intangible personal property virtually evades assessment altogether is a serious discrimination against the farmer whose property is in tangible form, plainly visible to the assessor. A suggestion for correcting this inequality will be presented later in connection with the budget.

The most pressing economic need of our Maine farmers today is the construction and maintenance of suitable roads which shall encourage the coming of summer visitors in larger numbers and reduce the cost of marketing farm products.

Highways

Beginning with the establishment of a State Highway Commission in 1905, we have rapidly developed a program of road improvement. This now includes State aid to cities and towns for the repair of roads under State supervision, construction of permanent highways at the expense of the State and systematic maintenance of improved highways through an organized patrol service.

These expenditures are abundantly justified by the resulting improvement of the physical condition of our highways. An even greater benefit is found in the rapid development of public sentiment for good roads and the gratifying progress in general knowledge of the essentials of real economy in road building. Formerly we were content to fritter away many thousands of dollars annually in temporary repairs upon the surface of our roads. Now our people are beginning to learn that through the main arteries of traffic permanent highways must be constructed upon solid foundations and thereafter maintained by constant supervision. This advance in public opinion is our most substantial return for the investment thus far made in improved highways.

Public opinion unmistakably demands continuance of the good roads program. Upon this point all are agreed. There is some difference of opinion as to how much the State should spend annually for permanent highways and as to the wisest method of raising the necessary funds. Your chief consid-

eration of this important problem will be, therefore, in connection with the amount of revenue required annually for construction of State highways and the most equitable method of assessing the necessary tax.

There are those who suggest the immediate construction of a complete system of roads including trunk lines and connecting market roads. This plan would require the expenditure of many millions of dollars within three or four years. So great a burden would necessarily be transferred in part to the future by a bond issue. Such a program appeals strongly to the imagination. In the near future we may reach a point of development which would warrant its serious consideration. At present, however, the limits imposed by labor conditions and the equipment of our existing organization permit us to continue only at about the current rate of State highway construction.

Only \$200,000 is still available from the proceeds of State Highway bonds. Beyond that point you must provide new revenue at the rate of about \$500,000 annually if the present program is to be continued. Shall this revenue be provided by a further bond issue requiring an additional amendment to the Constitution or by some form of direct tax? In either case, the tax must finally be paid by the property of the State according to its valuation. The real question is whether an expenditure of \$500,000 annually for permanent roads ought to be paid for out of annual revenues or deferred to the future by means of a bond issue. Unquestionably the bond issue offers the easiest way out because it demands a smaller immediate payment from the public funds. But aside from the delay involved by the necessity of securing a constitutional amendment, I urge you to consider earnestly whether a further bond issue for an expenditure of this size is justifiable.

A study of the rapid per capita increase of public debt in states and municipalities in this country shows clearly the need of more self-restraint in the use of public credit even for permanent and necessary improvements. In my judgment, a public bond issue is only justifiable in case the proposed expenditure for a permanent improvement is large in size compared with the resources of the State and is unlikely to recur at frequent intervals.

It is true that good roads properly constructed and maintained ought to be a permanent improvement, but the expenditure of \$500,000 is proposed as an annual charge, not as a single or occasional outlay for this purpose. Furthermore, this annual expenditure is not large enough to constitute an improper burden upon the property of the State in the form of a direct annual tax.

I, therefore, urge you to provide by direct taxation for continuance of State highway construction at about the existing rate. As compared with an ordinary appropriation from the general fund, a mill tax offers two advantages; it carries its own tag with it so that the people understand the designated purpose of the extra revenue and it affords those in charge of the practical details of road construction reasonable expectation of a constant annual appropriation for this purpose.

It is the duty of the State to take every precaution for the security of the traveling public on the highways. The advent of the automobile has intensified and complicated this problem. I earnestly recommend the passage of a law requiring the display of lights upon all vehicles traversing the highways at night.

In view of the alarming number of recent fatalities resulting from accidents to automobiles at grade crossings, I suggest some further protection of all grade crossings including in the more important cases installation of automatic signals.

Serious injury to some of our improved State highways has already resulted from the use of traction engines and motor trucks carrying excessive loads. You may well consider the wisdom of limiting by law the weight of load which may be transported over an improved State highway.

Water Powers

The water power of the State should be preserved for the benefit of all the people. It must be conserved for the development of cheap hydro-electric power, not only for manufacturing plants but for domestic use even in rural communities and on the farm. You must prevent the placing of obstacles in the path of progress and at the same time guard the people's interest in the water powers so that it will not be released without adequate compensation.

Forests

Steady and constant water power for the use of industry can only be maintained by cherishing the forests which form the natural and essential reservoir of our lakes and rivers. The forests are also the source of supply for our great paper and lumber plants and furnish shelter for wild game. It is important to provide for adequate protection from fire and the ravages of insect pests and also for the development of a wise and continuous policy in line with the best prevailing practice. An essential feature of such a program is the complete separation of the forestry service from the influence of party politics. Every employee should feel that his retention depends upon his efficiency, not upon political influence. I recommend the creation of a non-partisan forestry board of five members whose terms of office shall expire annually in rotation. The members of this board should serve without pay except for actual and necessary expenses and should be charged with the duty of directing the general policy of the State in the management and protection of forests. They should have the power to appoint and control the chief forester and other employees of the service.

A non-paid commission is suggested for this purpose in the light of the experience of other states. It is believed that this plan offers the most likely method of securing the services of high grade men whose time the State could not hope to command on a commercial basis.

Fisheries and Game

The game in the forests and the fish in the lakes and rivers and along the sea coast form an important economic asset of our State. They provide healthful sport and recreation for our own people and bring many summer visitors among us every year. The sea and shore fisheries also furnish support for thousand of families and represent an industry whose total annual product is valued at millions of dollars.

For the preservation of fish and game, the State has enacted certain laws and is annually expending large sums of money. For making this program more effective, the most urgent need is better co-operation on the part of the public in the enforcement of the laws protecting fish and game. For example, the lobster industry, worth millions of dollars in annual revenue, is in danger of actual extinction from lax enforcement of the law regulating the size of lobsters that may be taken. Unless conditions in this industry are improved, we shall be driven before many years to one of two alternatives: close time in some form or entirely unrestricted open time with the abandonment by the State of all efforts either to propagate lobsters or to regulate lobster fishing.

One contributing cause of the present unfortunate condition has been too close association in the popular mind between the warden service and partisan politics. I recommend in place of the existing Department of Inland Fisheries and Game and Sea and Shore Fisheries, an unpaid non-partisan commission of five, who shall determine the general policy and appoint the salaried executive officer for each of the fields now represented by these two departments.

Centennial of Maine's Admission to the Union

In the year 1920 will come the centennial of the admission of the State of Maine to the Union. You might well provide for the appointment of a committee of distinguished citizens whose duty it shall be to present to the next Legislature suggestions for a fitting observance of this event.

The National Guard

The members of the National Guard who took part in the expedition to the border are entitled to our gratitude and admiration. That the supreme sacrifice of the soldier was not required of them detracts nothing from their patriotic devotion to duty. We rejoice in their safe return. You may properly consider a State appropriation in any case of failure by the Federal government to make provision for the necessary aid furnished to the family of a soldier during his absence on this patriotic service. A careful study of our State military law is also appropriate for the purpose of making it harmonious in all particulars with the laws of the Federal government.

Public Health

You are properly concerned with the conservation of the State's material resources but it is your more important duty to protect the people from dangers threatening their physical welfare. I call your attention to the number of deaths from tuberculosis, 933 in the year 1915. A distinguished authority has estimated the pecuniary loss alone from this waste of life and productive energy at \$8,000,000 annually for the State of Maine. Our campaign against this disease should include larger powers of the State Board of Health for control of advanced cases, better support of institutions providing treatment for patients, and a wider program of education. Public

opinion needs to be further aroused to the necessity of decreasing and if possible stamping out altogether this destructive scourge.

It is not sufficient, however to content ourselves with the treatment of this disease. More stringent measures should be taken for its prevention. Undoubtedly many new cases are caused every year by human consumption of milk from cows affected with tuberculosis. I suggest a State law forbidding the sale of milk from untested cows. The State board of Health might well be given charge of the enforcement of this law together with other laws involving the question of public health.

One of the most common dangers to the public health is the pollution of the sources of domestic water supply. The State Board of Health, alone, or in conjunction with the Public Utilities Commission should be given adequate power to prevent such pollution. A water company or water district ought not to be compelled to purchase all the land surrounding its source of supply in order to protect the health of its customers.

The expansion of our program for care, segregation and treatment of the feeble-minded is one of the State's most urgent needs. No further expenditures for extension of plant should be made, however, until there has been a thorough investigation of the whole problem with the aid of the best expert advice that can be obtained. Appropriations for improvements should be made available for expenditure in the discretion of the Governor and Council after the results of such an investigation are available.

Labor

It is a necessary condition of real prosperity in a state that industry profitable to capital, be steadily prosecuted by competent and contented workmen whose labor is adequately rewarded and performed under reasonably comfortable and safe conditions. The constant gathering of industry into larger units tends to lessen the former intimate and personal relationship once prevailing between employer and workman. In the interest of the whole people the state government is properly concerned with the conditions under which industry is conducted.

It is especially desirable in accordance with sound public policy that the labor of women and children be restricted within reasonable limits by authority of the State. Maine began this policy in 1909 by the enactment of a law limiting the labor of women and children to fifty-eight hours a week. The last Legislature wisely advanced further along the same line by passing the so-called Fifty-four Hour Law. This law was endorsed by the people at the September election and has been in force a little more than two months. Changes are already proposed and a full trial of the law may disclose the need of some amendments, but this is the people's law, not only in the usual sense of being enacted by their chosen representatives, but also, in this instance, by virtue of their direct endorsement at the polls. No amendment should be made at this session.

I recommend the repeal of the so-called Peonage Law, now Section 12 of Chapter 128 of the Revised Statutes. This law is open to serious objections which in my judgment far outweigh any practical usefulness which it may have been found to possess. Furthermore, it was passed to meet an occa-

sional and unusual emergency and is an unwarranted reflection upon thousands of contented workmen regularly employed in the pulp and lumber industries.

Your attention is directed to the existence of considerable complaint regarding failure on the part of employment agencies to observe strictly the existing laws regulating their management. It is possible that the Commissioner of Labor and Industry needs more definite authority in this connection.

Dependency

With the progress of civilization has come general recognition of society's obligation to maintain decently and in comfort those unfortunates who have encountered defeat in the economic battle of life. Care of the indigent poor is managed in Maine through the town or city almshouses. Experience in other states has clearly shown that the county or district almshouse provides better care for the inmates at less average cost to the communities charged with their support. Forty states care for their paupers through county almshouses, Rhode Island and the District of Columbia each have one large almshouse and several states are planning to consolidate their county almshouses into institutions serving even larger districts. I commend to your thoughtful attention the recommendation of the State Board of Charities and Corrections that some sort of district almshouse system be established in Maine.

One of the most important and appealing problems in connection with dependency is the condition of children of a widowed or deserted mother whose unaided earning power is insufficient to support the family. In all cases where the mother is a worthy person of good character, it is evidently better to help her keep the family together and bring up her own children than to attempt to care for them in an institution at public expense. Laws providing for State aid to dependent mothers have been in existence for some time in other states and are no longer untried experiments. I recommend the establishment of such a policy in Maine under the supervision of the State Board of Charities and Corrections with the provision that applicants for aid must be recommended by the local overseers of the poor and that the expense be divided between the town or city and the State.

The same principle of division of responsibility and expenditure between the city or town and the State should be applied to the administration of the law providing for pensions for the needy blind, not only because it is equitable that the local communities should share the expense but also because such an arrangement would insure the automatic rejection of unworthy applicants.

State Prison

In order to bring Maine abreast of what I find to be the best prevailing practice in other states the prison at Thomaston should be thoroughly reorganized and separated from the influence of partisan politics. I urge the abandonment of the present divided and ambiguous system of management, and the creation of an unpaid non-partisan board of prison commissioners to

direct the reorganization of our prison discipline. This board should be authorized to arrange for the employment of prisoners along the lines approved by penal experts and organized labor such as the manufacture of commodities for State consumption, and labor on public works including highways, State farms and forest reserves.

Welfare of Children

From any point of view the children are the finest asset of our State. So far as possible they must all have equal opportunities for study and play, the rightful heritage of childhood. Under wise leadership our schools have advanced rapidly during the past ten years and little new legislation is needed just now. You may well consider the wisdom of encouraging further medical inspection and physical training in the public schools, expert supervision of playgrounds, and the more general use of school houses for community purposes. It is also desirable that the system of school supervision by district superintendents be extended throughout the State as rapidly as possible.

A child who must leave school to enter the ranks of the toilers is especially entitled to the fostering care of the State. He must even be protected from the ignorance or greed of his own parents. I urge that our laws relating to the labor of children be brought up in all respects to the level of the recent Federal act and that you consider further extension of the list of occupations prohibited for children. Some more definite provision should be made for medical inspection of children working in mills and factories.

Usury Law

It is your duty not only to protect our citizens from dangers to their physical health but also from unwarranted invasions of their property rights. The loan shark who preys upon the occasional financial need of the wage earner should be restricted to a reasonable rate of interest. I recommend the passage of an adequate law against usury.

Enforcement of Law

Under any form of government, and especially in a democracy, it ought to be a matter of course that the laws will be faithfully and honestly enforced by the properly constituted authorities. Any contrary policy leads by the way of nullification straight to anarchy and the ultimate destruction of all government. In the old days kings or ruling classes made the laws and enforced them upon the people. As pioneers in the art of self-government we have magnificently demonstrated upon this new continent the right and capacity of the people to make their own laws. But unless we can develop a corresponding ability to obey our laws after we have made them, this experiment in popular government is doomed to certain failure.

In certain parts of Maine there are those who, for pecuniary gain, have persistently and systematically sought to violate the so-called Prohibitory Law and the laws against gambling and kindred vices. We have no feeling

of malice against individuals who through ignorance or the pressure of financial need have been drawn into such unlawful business. They should be shown the injury they are doing to humanity and induced to enter some safer and cleaner occupation.

We can feel nothing but sympathy for the wretched victims of that unnatural appetite to which the liquor traffic panders. If possible, some method should be devised for providing suitable medical treatment at public expense for those who cannot secure it for themselves.

But the real backers and promoters of the liquor traffic in Maine, those affluent and ostensibly respectable outlaws both within and outside our state who organize the systematic defiance of our laws in the interest of their own selfish greed, deserve nothing but the contempt of all decent citizens. For the sake of unlawful and swollen profits they are willing to imperil the morals of our youth, inflict needless suffering upon helpless women and children, and bring physical and financial ruin upon many of our citizens. In order to continue their unhallowed business without hindrance they have the audacity to demand that the organic law of the State be administered to suit their convenience. They even have the amazing effrontery to point to the continued existence of their traffic as an evidence of the failure of the very law which by every known method of bribery, trickery and debauchery they are constantly seeking to break down.

Thus in certain sections of Maine, happily few in number and limited in area, there has developed an issue which ought never to be debatable in a civilized State; namely, the question whether the organic law of the State shall be honestly enforced in accordance with its plain meaning and its undoubted purpose, or whether officials charged with law enforcement shall be permitted to modify its administration in accordance with supposed local sentiment, even to the extent of permitting the law to be systematically and flagrantly violated.

This question is one of the issues upon which the people of Maine registered their decision at the September election. The issue was neither dodged nor evaded in the slightest degree. The dominant party is definitely committed to State and National prohibition and to honest enforcement of the Prohibitory Law as well as all other laws in this State. Furthermore by letters to thousands of citizens, and by public utterances in practically every nook and corner of our state, I am pledged to use every resource at my command as Governor of Maine for the honest statewide enforcement of these laws which have been thus flagrantly violated. That pledge I have just re-affirmed by solemn oath subscribed to in your presence.

No more effective weapon can be furnished any official than an intelligent and patriotic public opinion, alive to the urgent need of upholding the majesty of the law. I earnestly urge upon all good citizens their responsibility for giving such active support to all faithful officers.

There are many gratifying evidences that the public conscience is becoming unusually well aroused upon this point. But while the existence of a strong local public opinion in favor of enforcement is an important aid to the constituted authorities, an apparent lack of such sentiment in a particular locality cannot be accepted as sufficient excuse for failure of a local official to do his duty. To meet such a situation better State control over local

officials is highly desirable. It is essential that the lawbreaker should recognize positively both the power and the determination of some competent authority to punish him. It is necessary also that every local official charged with enforcement of the law should know that regardless of supposed local sentiment his failure to do his duty faithfully will bring prompt and certain punishment, including dismissal from public office. The present method of dealing with this situation is tedious, bungling and expensive. I recommend a constitutional amendment, giving the Governor power to remove a sheriff for cause after notice and hearing, and a statute conferring the same power in the case of county attorneys.

It is also important that owners of buildings where nuisances exist should be held more certainly and readily accountable. I recommend such changes in the injunction law as will make it easy to invoke, and certain and permanent in its operation both against the person and the property involved.

For the complete suppression of the liquor traffic it is necessary that a persistent offender should face the certainty of a jail sentence upon conviction. The plain intention of the people on this point is expressed in the penalties of "Fine and imprisonment," or "Fine and in addition thereto imprisonment" for certain violations of the Prohibitory Law. Unfortunately the evasion of these penalties has been made possible by a subsequent enactment now part of section I Chapter 137 of the Revised Statutes which reads as follows: "When it is provided that he shall be punished by imprisonment and fine, or by imprisonment or fine, or by fine and in addition thereto imprisonment, he may be sentenced to either or both." You should repeal this objectionable paragraph and thus leave the penalties to be imposed as originally enacted by the Legislature and intended by the people.

The above amendments seem to me to be necessary in the interest of better enforcement of the Prohibitory Law but are not mentioned to the exclusion of other additional legislation which may appeal to you as wise and reasonable. Many other suggestions are made. For example, in most prohibition states the standard for intoxicating liquors is the same as that of the United States Government. There is merit also in the proposal that vehicles used in the illegal transportation of intoxicating liquors within the State be confiscated as is the case with gambling implements.

I have directed your attention in turn to the needs of the State respecting financial management, conservation of natural and material resources, and proper safeguards for the physical welfare of our people. All these interests are important but nullification of law injures society at every one of these points, and in addition, by tolerating intrinsic evils, and by engendering disrespect for all law breaks down the very moral fibre of our citizenship. Your responsibility for encouraging enforcement of law is therefore your most urgent public duty. For a patriotic and virile citizenship is our only adequate equipment with which to face the portentous era of world history now opening before us.

We rightly view with pity and sympathy the stricken and struggling nations of the Old World. Yet from the standpoint of probable fitness for impending world rivalry, the actual strain of this period of horror and devastation is not upon any nation of Europe but rather upon America. Their cruel trial brings with it some measure of compensation. Out of the

white-hot crucible of national anguish will emerge a purified and patriotic citizenship trained to sacrifice for the common good. On the other hand during their years of agony and trial we are engulfed in a flood of European gold. The fibre of our citizenship is weakened by unexampled affluence and ease. This is our crisis hour, not theirs! Not, in God's mercy, by the same awful road, not, we hope, through a like experience of national suffering and woe, but by some equally effective challenge to our citizenship, we must match their newly won capacity for utter sacrifice if we are to hold our rightful place among the nations.

Personal abstinence and governmental prohibition have been forced upon European nations as war measures in the face of the national peril. These safeguards of our citizenship are equally urgent patriotic necessities in our own country. I confidently count upon your support for all reasonable measures against that unholy alliance which more than any other internal or external foe menaces the very existence of our nation,—a defiant liquor traffic joined with nullification of law.

Gentlemen of the Legislature, a great task and corresponding responsibility are yours! As representatives of a Christian State you will appropriately begin each daily session with devotional exercises. May these express your conscious dependence upon the guidance of Him who holdeth the nations in the hollow of His hand. Thus may you hope to perform a really useful public service and deserve the approval of those who sent you here.

CARL E. MILLIKEN,
Governor.

GOVERNOR MILLIKEN'S WAR MESSAGE

(April 3d, 1917)

Gentlemen of the Legislature:

Since you first assembled three months ago, world events have moved swiftly to a fateful climax. I have summoned you in joint convention at the very opening of your session this morning because the moment has come for the State of Maine, acting through her chosen representatives, to begin playing her proper part in world affairs.

For more than thirty months Americans have watched with growing horror and amazement the appalling world catastrophe across the sea. We are a peaceful people committed by ancient tradition to a policy of aloofness from European alliances. This policy we have struggled to maintain. Through all these weary months we have taken no part except that of messenger of succor and relief to the distressed.

But continued isolation from the struggle has become increasingly impossible. Neither the broad expanse of the Atlantic nor the faith of treaties, nor the instincts common to humanity have sufficed to protect our peaceful and law abiding citizens from the assassin. With unbelievable patience and self-restraint we have seen our flag insulted, our rights insolently invaded,