

# 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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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.

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## 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,

our citizens, even women and children, foully murdered upon the high seas. Our self-respect and honor as a nation forbid further endurance of these intolerable aggressions.

But we are to enter the war at last not only because of the threat against the integrity of our own nation and this hemisphere for which we have some measure of responsibility. This is to be no mere defensive war on our part. We are to strike and strike with all the energy and power at our command because we are at last convinced that the very fate of civilization is at stake.

A ruthless military frenzy is running amuck in the world, armed, not with bludgeon and spear suited to such a survival of savagery, but with the most frightful engines of destruction that modern science can devise. Our warfare is not against the German people but against the brutal despotism which assumes to govern them,—a belated survival of mankind's age-old enemy, the cruel and arrogant spirit of autocracy, which soon, please God, is utterly to vanish from the earth.

More is concerned in this titanic struggle than the honor or the life of any nation. It has become a world conflict for that freedom of self-governing democracies of which our flag is the supreme token among mankind. The allies are fighting for civilization against despotism. With the battle finally joined upon this issue our flag would droop in the breeze if withheld ingloriously from the conflict.

Last night before a joint convention of Congress, the President asked that a state of war be declared to exist and that our government at once enter upon the conflict upon the side of the Allies with all the energy and power at our command. You have read his calm and patriotic utterance.

Congress will meet again this noon to put into full effect his recommendations. Before that time, let us, by appropriate action, assure the President and Congress of our full and loyal support in this solemn hour of national crisis. No words need be added to his noble statement of the case. The eloquence of deeds can best be ours.

I urge that you provide immediate authority for the issuance of bonds to the amount of one million dollars and give the Governor and Council full authority to spend such portion of this amount as may be necessary for military purposes.

You will also enact such defense measures as may seem to you fitting, giving the constituted authorities powers appropriate for them to use in time of war.

You should also make suitable provision for adequate care of the families and dependents of soldiers. This can best be done in my judgment by granting some discretion to the Governor and Council without attempting to make a fixed rule applicable to all cases.

So much of our duty we may now foresee. Whatever more our country asks of us will be given with cheerful and unswerving loyalty. You will remain in session for the next few days, even into next week if necessary in order to be ready to take instant action upon matters within the jurisdiction of the State as fast as events shall point the way.

Our little State has a role in the coming conflict far out of proportion to her size. Our rocky shores look out upon the broad Atlantic, once the highway of peaceful commerce, now the possible path of the ruthless in-

vader. When today the leaders of our nation meet in solemn conference, let it be known that Maine is true to her glorious traditions of other days,—that now as always in the past her sons are willing to offer freely the last full measure of devotion when their country calls.

CARL E. MILLIKEN,  
Governor.

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## GOVERNOR MILLIKEN'S MESSAGE ON TAXATION

April 2, 1917

*To the Senate and House of Representatives:*

Gentlemen:—

During the next few days, you will pass upon a series of taxation measures which will determine how much of the revenue of the State during 1917 and 1918 will be raised from indirect taxation and how much by direct tax upon the people.

For the past few years approximately one-half of the total revenue of the State has been provided by a direct tax upon the people, and the other half by various forms of indirect taxation. For the coming two years, because of inflation in prices we are confronted with necessarily increased expenditures in all departments and institutions. You will recall that I pointed out in the budget message that to grant the amounts asked for and make no change in the laws governing indirect taxation, would impose upon the people of the State a direct tax of not less than eight mills for each of the years 1917 and 1918.

I suggested a reduced schedule of expenditures involving rigid economy in the management of all departments and institutions and showed, that by adhering to this schedule and enacting certain laws increasing the revenue from indirect taxation, the entire necessary public financial program, including the mill tax for roads could be accomplished with a direct State tax of only five mills for each year, the same rate that has heretofore prevailed. This means a saving of more than \$3,000,000 to the people of the State in the two years as compared with the tax rate indicated by the estimate filed with the State auditor.

The schedule of expenditures has in fact been worked out in almost exact accordance with the budget suggestions. The total public expenditures agreed upon for 1917 exceed the budget recommendations by only \$7,292.08. The total excess in 1918 is \$38,007.67. In each instance the changes have been agreed upon in conference with the committees having the appropriations in charge. I wish to express to all the members of the legislature and especially to the committees having the appropriations in charge, my sincere appreciation of the unfailing co-operation on your part that has made this result possible.

You have also been willing, at my request, to delay action upon special items outside the budget until it should become evident how much revenue would be available. By arrangement with the committee on appropriations

and financial affairs, these items will be provided for in a supplementary appropriation bill. Only the budget items have been included in the first appropriation bill for each of the years 1917 and 1918.

What remains to be determined is the apportionment of the revenue between direct and indirect taxation. The enactment of all the proposed changes, in indirect taxation, namely: increase in the corporation franchise tax; taxation of personal property in unorganized townships, savings deposits in national banks, and intangible property; increase in the tax on parlor cars, railroad, telephone and telegraph companies and the repeal of the railroad rebate tax law, would make possible a five mill tax for each year. The failure of any one of these measures must be offset by a corresponding increase in the direct State tax beyond five mills. The failure of all these measures would make a six mill tax imperative and leave scant margin for any special appropriations outside the budget.

These additional indirect taxes were suggested with the idea that the special interests concerned might fairly be asked to pay their share of the increased cost of government. They have appeared at committee hearings and protested against the proposed increases, as they had a perfect right to do. You are asked to remember that the alternative in each case is an increased tax upon all the people of the State whom you collectively represent.

I have not used and will never under any circumstances use either personal friendship or the appointing power to influence the decision of any member of the Legislature upon matters pending here before you. I have the right to expect that in deciding these matters of taxation, you will disregard all personal interest and act solely in your capacity as public servants.

CARL E. MILLIKEN,  
Governor.

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### Veto Message

#### BELFAST MUNICIPAL COURT

*To the Honorable House of Representatives:*

I have carefully examined house bill entitled "An Act to Establish the Police Court of the City of Belfast" and respectfully return the same herewith without my approval.

This bill abolishes the existing Belfast Municipal Court and creates a new court in its place with the stipulation that the judge must be a member of the Waldo County Bar.

The present judge of the Belfast Municipal Court is a man learned in the law and so far as I am aware is properly performing the duties of his office, but he is not a member of the bar and has not studied law in a law office or law school a sufficient length of time to qualify him for admission to the bar.

The practical effect of the enactment of this bill would be to remove the present judge from office and make him ineligible for reappointment.

In regard to all other similar cases pending at this session you have properly taken the position that no court ought to be abolished by legislation when the sole or main purpose is to remove the judge of that court. A proper process is provided under the Constitution for accomplishing this object where there are justifiable causes.

I feel sure that the same rule should apply in this case. If it is sought to require all municipal and police court judges to be members of the bar, that can be accomplished by passing a general law to that effect. In fact I believe that such a bill is now pending in the Legislature. If other changes in the charter of the Belfast Municipal Court are necessary they can be accomplished without abolishing the court.

CARL E. MILLIKEN,  
Governor.

Augusta, April 6, 1917.

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#### Veto Message

#### RELATING TO SMELTS

*To the Honorable House of Representatives:*

I have carefully examined House bill entitled "An Act to Amend Section Seventy-Six of Chapter Forty-Five of the revised statutes Relating to Smelts," and respectfully return the same herewith without my approval.

Our established policy relating to smelt fishing as expressed in the general law of the State forbids fishing in the tidal waters along the coast within one-half mile of the coast line at mean high water mark, starting from Cape Small Point on the west bank of the Kennebec river and continuing easterly along the coast of Maine to Owls Head in Penobscot Bay except by hook and line, weirs or set nets through the ice.

The purpose of this bill is to except from the provisions of the general law the Sheepscot river to Merrill's Ledges, and in the Damariscotta river to Merry's Island in Lincoln County.

There seems to be a conflicting interest between the seiners on the one hand and the hand line fishermen on the other, but like all other similar questions this should be decided in accordance with the probable effect upon the fishing industry as a whole.

In the absence of any authoritative and disinterested decision by experts upon this matter I cannot resist the conclusion that the danger of injury to the general smelt fishing industry is sufficient to make the passage of this bill in its present form inadvisable.

CARL E. MILLIKEN,  
Governor.

Augusta, April 7, 1917.

## NUMBER OF ACTS AND RESOLVES PASSED

*To the President of the Senate and Speaker of the House:*

A list of the acts and resolves passed during the present session of the Legislature and approved by me, numbering 514 acts and 119 resolves, is hereby transmitted.

I have no further communication to make.

CARL E. MILLIKEN,  
Governor.

**NOTE: Governor Milliken's Budget Message with appendix will be found in full in the Legislative Record.**

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STATE OF MAINE

## A Proclamation by the Governor

## REGISTRATION DAY

Whereas in accordance with the Act of Congress of May eighteenth the President of the United States has designated Tuesday, June fifth, as Registration Day, now, therefore, I do hereby summon all male persons between the ages of twenty-one and thirty, both inclusive, to present themselves between the hours of 7 A. M. and 9 P. M. on the said fifth day of June at the registration place in the precinct wherein they have their permanent homes, excepting, only, officers and enlisted men of the Regular Army, the Navy, the Marine Corps, and the National Guard and Naval Militia while in the service of the United States, and officers of the Officers' Reserve Corps and enlisted men in the Reserve Corps while in active service.

This call to registration will come to the young men of Maine not only as the summons of law but also as an opportunity to perform with spontaneous enthusiasm a patriotic duty. No fear of penalties will be needed to insure universal response to the summons. I urge upon all our citizens the importance of aiding in every possible way to make the registration one hundred per cent efficient and to surround it with the enthusiasm appropriate to the occasion.

Employers of labor are urged not to make the day an industrial holiday, but to arrange for the presence of their employees at the places of registration at convenient intervals during the day.

Owners of automobiles are requested to offer them for service where needed. I hope that the significance of the day will be emphasized by the general display of the American flag. Clergymen are requested to announce from their pulpits the date of registration, and newspapers are urged to give it all possible publicity.

Maine has always been staunch in her patriotism. No flag of a Maine regiment has ever yet been surrendered to an enemy. On this most mo-



mentous day in the history of our country, I confidently summon our entire citizenship to a triumphant demonstration that shall be worthy of our glorious tradition.

[SEAL]

Given at the Executive Chamber at Augusta, this first day of June, in the year of our Lord one thousand nine hundred and seventeen, and of the Independence of the United States of America the one hundred and forty-first.

CARL E. MILLIKEN,  
Governor.

By the Governor,  
Attest:  
Frank W. Ball,  
Secretary of State.

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## STATE OF MAINE

### A Proclamation by the Governor

#### REGISTRATION OF ALIENS

Whereas, at the session of the legislature beginning January 3, 1917, an emergency act was passed entitled "An Act Relating to the Registration of Information Concerning Aliens."

And Whereas, it is provided in said act that whenever between the United States of America and any foreign country a state of war shall exist the Governor may by proclamation direct and require every subject or citizen of such foreign country within this state to appear within twenty-four hours after such proclamation and from time to time thereafter within twenty-four hours after his arrival in this State before such public authorities as the Governor may in such proclamation direct, and then and there such subject or citizen of such foreign country shall personally register his name, residence, business, length of stay and such information as the Governor may from time to time in such proclamation prescribe and the person in control, whether owner, lessee, manager or proprietor, of each hotel, inn, boarding house, rooming house, building and private residence shall within twenty-four hours after said proclamation notify said public authorities of the presence therein of every said subject or citizen of such foreign country and shall each day thereafter notify such public authorities of the arrival thereat and departure therefrom of every such citizen or subject.

And Whereas a failure to comply with all the requirements of this act is declared to be a misdemeanor punishable by a fine not exceeding one thousand dollars and by imprisonment not exceeding one year or both.

And Whereas a state of war now exists between the United States of America and The Imperial German Government,

Now, Therefore, I, Carl E. Milliken, Governor of the State of Maine, by authority of said act, do by this proclamation, direct and require, that all

subjects or citizens of The Imperial German Government, shall within twenty-four hours appear before the clerks of the towns where they are located or the boards of registration, if located in cities and register and all other persons shall notify such clerks and boards of registration of the presence of subjects or citizens of The Imperial German Government in any building under their control as provided in this act.

[SEAL]

In Witness Whereof, I have caused the seal of the State to be hereunto affixed, at Augusta, this seventh day of April, in the year of our Lord one thousand nine hundred and seventeen, and of the Independence of the United States of America the one hundred and forty-first.

CARL E. MILLIKEN,  
Governor.

By the Governor:

Attest:

FRANK W. BALL,  
Secretary of State.