

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eightieth Legislature

OF THE

STATE OF MAINE

1921

Including Acts and Resolves of the Special Session held in 1920.

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LEWISTON, MAINE

1921

VETO MESSAGES

AUSTIN W. JONES COMPANY.

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA

April first, 1921.

To the Honorable Senate:—

I respectfully return herewith, without my approval, resolve of the Eightieth Legislature entitled "Resolve in Favor of the Austin W. Jones Company of Veazie, Maine, Reimbursing it for Property Destroyed by Fire."

If the above mentioned resolve were passed a dangerous precedent would be established. It is alleged that an inmate, released on parole, from the Bangor State Hospital set fire to the buildings of the Austin W. Jones Company. The inmate referred to was released in good faith by the officials of the Hospital and the State should not assume responsibility for the conduct of the inmates released from the various state institutions. In the case in point the inmate confessed to having set the fire but there is no actual proof that he did so. Apart from this, however, I am of the opinion that there is neither legal nor moral obligation upon the State to reimburse the Company that suffered the loss. While I regret the occurrence the loss should remain where it fell.

The Minority Report of the Committee is to the effect that the Jones Company be allowed to bring a suit at law against the State of Maine, and should the Legislature have any doubt as to the State's liability the Court is the proper tribunal to determine this question.

Respectfully,

(Signed) PERCIVAL P. BAXTER,
Governor of Maine.

BATES COLLEGE
STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA

April fourth, 1921.

To the Honorable Senate:—

I return herewith without my approval "Resolve in Favor of the President and Trustees of Bates College."

Bates College is an institution of which the State of Maine may well be proud. Its Board of Trustees, its President and teaching staff are performing services of great value in the education of the youth of our State. Colby and Bowdoin are doing the same. The State, however, in my opinion is not in a position to contribute to the aid or support of all these splendid institutions and should not, at the present time at least, contribute to any of them, for the State's resources are limited and its taxpayers overburdened.

Our State is committed to the policy of maintaining one large institution, although that institution is not strictly speaking a state institution. An appropriation of not less than one-half million dollars, and perhaps more, for the University of Maine, will be passed by this Legislature, and this is all that the State under existing conditions should be called upon to contribute for higher education.

A practical rather than a sentimental situation confronts us and it must be faced in a businesslike way. The appropriation of \$30,000 in favor of Bates College was not approved by the Committee on the Budget and unless some impelling reason exists for making an appropriation outside the Budget report, this Legislature should in my opinion refuse to act favorably upon such matters. It is necessary that the State of Maine say "No" to many meritorious requests for aid.

Respectfully,

(Signed) PERCIVAL P. BAXTER,
Governor of Maine.

EASTERN STATES' EXPOSITION BUILDING

STATE OF MAINE

OFFICE OF THE GOVERNOR

AUGUSTA

April fourth, 1921.

To the Honorable Senate:—

I return herewith without my approval "Resolve in Favor of the Erection of a State of Maine Building on the Grounds of the Eastern States' Exposition at Springfield, Massachusetts."

This resolve appropriates the sum of \$30,000 for the construction of a building in Springfield, Massachusetts, the same to be permanently used by the State of Maine in connection with the Eastern States' Exposition. If the State's finances warranted the expenditure of \$30,000 for the purposes referred to some benefit undoubtedly would accrue to the State of Maine from this annual exhibition of agricultural products.

The erection of the proposed building would commit the State to the definite policy of maintaining it and of providing suitable exhibits therefor. The expenses of such an undertaking are necessarily large and would constantly increase. The people of the State are interested in securing a market for their agricultural products beyond the limits of the State but in my opinion with the demands now pressing upon us for appropriations it is unwise at the present time to invest money in a building in a neighboring state. Our local fairs and exhibitions are calling for more money from the State than is now available and until these reasonable demands are met the State's activities in this direction may well be confined within its own borders.

Respectfully,

(Signed) PERCIVAL P. BAXTER,
Governor of Maine.

MICHAEL BURNS

STATE OF MAINE

OFFICE OF THE GOVERNOR

AUGUSTA

April fourth, 1921.

To the Honorable House of Representatives:—

I am returning to you without my approval "Resolve Authorizing Michael Burns to Bring a Suit at Law Against the State of Maine."

In this resolve it provides that "if it appears that such prosecution was begun and carried on by the order of the Executive" that suit may be brought against the State for damages.

The Executive, under the terms of the Constitution, is charged with the duty of instigating prosecutions if in his opinion the laws of the State are being violated. I am of the opinion that the passage of this resolve might create a dangerous precedent, and if the doctrine were extended the State might be compelled to respond in damages if a judge should issue a Bench Warrant under which a person is arrested and compelled to defend himself.

In 1919 a resolve was passed by the Committee on Judiciary and later by the Legislature, of which I was a member, authorizing Michael Burns to bring suit at law against the State of Maine but that resolve did not contain the provision that suit might be brought "if it appears that such prosecution was begun and carried on by the order of the Executive." Nothing should be done to hamper the Executive in the enforcement of law and for this reason I cannot approve the resolve presented to me.

Respectfully,

(Signed) PERCIVAL P. BAXTER,
Governor of Maine.

BOXING EXHIBITIONS

STATE OF MAINE

OFFICE OF THE GOVERNOR

AUGUSTA

April fourth, 1921.

To the Honorable House of Representatives:—

I am returning without my approval "An Act Regulating Boxing Exhibitions within the State of Maine."

This act creates an indefinite number of commissions to supervise and control boxing or sparring matches. It selects one form of sport from all the others and gives it a dignity of special recognition by the State. It is difficult to understand why boxing should be licensed and controlled by the State in preference to baseball, football, horse racing, tennis, golf, and other indoor and outdoor sports. Some of these sports are conducted by professionals, some by amateurs, and some by both professionals and amateurs, and all have their devotees. If the sport of boxing should, however, fail to be conducted in a clean and wholesome manner those who patronize it have a remedy within their own power for they can refuse to attend unless those who promote it have acquired an established reputation for fair play and honest sport. The authority of the State should not be called upon to regulate sport and athletics.

The provisions of the Bill in question legalizing boxing contests conducted for prizes and purses are questionable and a provision that where the contestants are not acting in good faith "the prize, purse, or any part thereof" shall be "confiscated and sold and the proceeds given to the local charities" appears to me to be an attempt to gain support for a measure that possesses little or no merit. In my opinion public sentiment in the State of Maine will not approve of the State's recognition of boxing matches as appears in the bill in question. It seems unnecessary to provide that boxing exhibitions shall not be conducted on Sunday and this provision together with that prohibiting children under 16 years of age to attend these contests is an attempt to gain support for this bill.

The existing law in my opinion is sufficiently liberal and boxing matches of 12 rounds conducted with all the paraphernalia that is used in such exhibitions with purses and prizes for the victors come so close to the line of what are generally understood to be "prize fights" that it is difficult to distinguish between them.

Respectfully,

(Signed) PERCIVAL P. BAXTER,
Governor of Maine.

MEDICAL SCHOOL OF MAINE

STATE OF MAINE

OFFICE OF THE GOVERNOR

AUGUSTA

April fourth, 1921.

To the Honorable House of Representatives:—

I return herewith without my approval "Resolve in Favor of the Medical School of Maine Established by Chapter XVI of the Private and Special Laws of Maine, Eighteen Hundred and Twenty as Amended." I do not favor the establishment of a State Medical School because it is my opinion:—

First: That the object for which the school would be established, the education of physicians who would be willing to practice their profession in the rural communities of the State, will not be attained if this resolve becomes a law;

Second: That the State should not commit itself to the founding of this institution because our citizens do not thoroughly understand the questions at issue, and do not realize what financial and other problems, of the present and future, are involved by this proposed action;

Third: That the State should not embark upon an enterprise of this magnitude unless it is prepared to maintain a medical school of the highest grade, and this would call for an expense far in excess of any appropriation provided for by this resolve;

Fourth: That the present condition of the State's finances and the heavy tax burdens now borne by our people do not justify the expenditure of the money required to found a new state institution, especially in view of the fact that the requirements of a State Medical School would increase with each passing year;

Fifth: That a state should not establish a STATE MEDICINE any more than a STATE RELIGION, and notwithstanding the language of the bill that the school is for "all branches of medicine," it is understood that the course of study would be such as is usually provided for by one particular school of medicine. The individual should be free to select his own method of treatment and the taxpayers' money should not be used for the advancement of any one medical or religious faith.

The above reasons I consider fundamental. My secondary reasons are:—

First: That the unanimously unfavorable report on this resolve made by the Joint Committee on Judiciary and Public Health, composed of 20 members of this Legislature, is at least strong prima facie evidence that the bill ought not to pass, especially in view of the fact that the Joint Committee referred to conducted exhaustive hearings on the subject.

Second: That certain gifts to the proposed school are contingent upon its being maintained as a Class "A" school, which means a school of the highest grade, and this classification is determined by a Board over which the State of Maine has no control. If the school should fall below the required grade some question might be raised as to the State's being able to retain the gifts, regardless of the fact that the State might have done all in its power to maintain the highest standards.

Third: That, should this resolve become law, a judicial decision would be necessary in connection with certain endowment funds, and there is some doubt whether the State would receive the benefit of the funds referred to, which if not received would place upon the State an unexpected burden.

Fourth: That the opinion of the medical profession of Maine is divided as to the desirability or necessity of a state medical school.

For the reasons above stated I cannot approve the Medical School Resolve.

Respectfully,

(Signed) PERCIVAL P. BAXTER,
Governor of Maine.

CARY HOSPITAL

STATE OF MAINE

OFFICE OF THE GOVERNOR

AUGUSTA

April fifth, 1921.

To the Honorable House of Representatives:—

I return herewith without my approval "Resolve in Favor of Cary Hospital, Caribou, Aroostook County, to Aid in the Construction of a Hospital."

This resolve appropriates the sum of \$10,000 for a hospital in the Town of Caribou. The State at the present time is appropriating \$465,125 to "state aided institutions, hospitals and children's homes." This large sum of money is appropriated to assist worthy institutions but there is a limit upon the amount which the State should and can appropriate for private institutions. The demands upon the State from institutions of the above class are constantly increasing and many of the thinking people of the State believe that the time will come when the State's charities will be confined to state institutions. The time for such a proposed change is not ripe and should it come about, it would be advisable to make the change gradually so that the institutions could accommodate themselves

to the new conditions. For the reasons herein stated I cannot approve the additional appropriation, especially in view of the fact that it was not recommended by the Budget Committee.

Respectfully,

(Signed) PERCIVAL P. BAXTER,
Governor of Maine.

P.S. Before the State of Maine assumes additional obligations to aid private institutions, even though such institutions are performing valuable services, a definite policy should be adopted as to the State's contributions for private charities. The demands for funds from the regular state institutions such as the two insane hospitals, men and women's reformatories, School for the Deaf, School for the Feeble-Minded, Bath Orphan Asylum, the three State sanatoriums, and the two State Schools—one for girls and one for boys—already amount to over three and a quarter million dollars for the fiscal period, and these figures have been reduced to the minimum amount required to keep these institutions in proper condition.

The fact that the citizens of Caribou are willing to contribute to the aid of this hospital speaks well for their public spirit, but it does not lessen the burdens of the State of Maine. When it is understood that the State now grants annual aid to 38 institutions similar to the hospital in question, and to 34 private institutions of learning, it can readily be seen that each institution that is added to this already long list brings additional burdens, and there now seems to be an end to what the State can afford to do.

With these facts before us it cannot be said that the State of Maine is failing to do its part in the support of its sick and dependent citizens, if it refuses to pass this resolve.

Respectfully,

(Signed) PERCIVAL P. BAXTER,
Governor of Maine.

MILEAGE OF MEMBERS OF LEGISLATURE

STATE OF MAINE

OFFICE OF THE GOVERNOR

AUGUSTA

April fifth, 1921.

To the Honorable House of Representatives:—

I return herewith without my approval "An Act to Amend Section 12 of Chapter 117 of the Revised Statutes Relating to Mileage of Members of the Legislature."

Under the present law the total mileage paid to members of the Legislature is \$3,916, and the Act which I return would increase this total mileage to \$19,580. While it is generally admitted that the salary of members of the Maine Legislature is inadequate for the services rendered and that the members make a financial sacrifice, the State at the present time is not in a position financially to increase the pay or mileage of its legislators. In my opinion if the salary of the members of the Senate and House is to be increased it is better to do so directly rather than in an indirect manner as is provided in the Act returned herewith. Every item in the appropriation bill must be carefully scrutinized and as this Act will increase the State's expenses by \$15,664 I believe it is unwise to pass it at the present session, for it would add \$15,664 to the item of legislative expenses.

Respectfully,

(Signed) PERCIVAL P. BAXTER,
Governor of Maine.

SCIENTIFIC INVESTIGATIONS IN ANIMAL HUSBANDRY

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA

April fifth, 1921.

To the Honorable House of Representatives:—

I return herewith without my approval "An Act to Amend Section 14 of Chapter 34 of the Revised Statutes Increasing the Annual Appropriation for Scientific Investigations in Animal Husbandry."

Under the existing law the sum of \$5,000 per year is appropriated for scientific investigations in animal husbandry. This work is done in connection with the Maine Agricultural Experiment Station and a large herd of cattle is maintained for the purpose. There is a wide divergence of opinion among cattle breeders of the State upon the desirability of maintaining the herd in question. The work is experimental and its value has not yet been established. Some of the Trustees of the University of Maine are of the opinion that this herd is a needless expense in the State and they have advocated disposing of it. Since the time these experiments were begun the State has expended approximately \$100,000 on this work, and if interest is figured upon the annual appropriations that have been made by the Legislature, these figures would be increased by several thousand dollars.

In view of the great expense involved in and the doubtful value of this experimental work, I am of the opinion that at least for the present the appropriation should be limited to \$5,000 a year if not wholly discontinued. I believe that the proposed appropriation of \$10,000 is unwarranted. It is the policy of the State of Maine to aid and encourage its agricultural interests and I am of the opinion that the total amount called for by this resolve can be spent to better advantage if it is used in connection with the regular agricultural courses at the University.

Respectfully,

(Signed) PERCIVAL P. BAXTER,
Governor of Maine.

STATE SCHOOL FOR BOYS

STATE OF MAINE

OFFICE OF THE GOVERNOR

AUGUSTA

April eighth, 1921.

To the Honorable House of Representatives:—

I return herewith without my approval "Resolve, in Favor of the State School for Boys for the Construction of a Central School Building."

The State School for Boys is an institution doing excellent work and its management is efficient. An appropriation of \$99,309 has already been made by this Legislature for its maintenance. The appropriation asked for by the accompanying resolve would be used in the erection of a central school building but in my opinion it is not necessary to construct this school house at the present time. It has already seemed wise to this Legislature to postpone all new construction at the various state institutions for which there is not an immediate need. The boys at the State School are being properly educated and the construction of the schoolhouse can safely be postponed. It is doubtful if the \$20,000 recommended would build and equip this school and once it was started it would be necessary to complete it regardless of cost. In the past appropriations have often been made whereby new construction was commenced and then, it being too late to stop, heavy demands were made upon the State Treasury to complete the work. I do not believe that any building should be authorized by the Legislature until it is definitely understood what it will cost, so that the Legislature itself and not the Governor and Council may make provision for paying the bills. That is the only business-like way to conduct the State's affairs.

Respectfully

(Signed) PERCIVAL P. BAXTER,
Governor of Maine.

PROTECTION OF WILD BIRDS

STATE OF MAINE

OFFICE OF THE GOVERNOR

AUGUSTA

April eighth, 1921.

To the Honorable Senate:—

I return herewith without my approval "An Act to Amend Section Fifty-seven of Chapter Thirty-three of the Revised Statutes, as amended by Chapter Two Hundred and Nineteen of the Public Laws of Nineteen Hundred and Seventeen, and Chapter Sixty-one of the Public Laws of Nineteen Hundred and Nineteen, Relating to the Protection of Wild Birds."

The object of this Act is to make it lawful to kill seagulls under certain conditions. The value of birds both from practical and sentimental reasons is admitted by all our citizens and no act should be passed allowing their destruction unless there is sound reason for such action.

This act would violate the integrity of the "Convention Between the United States and Great Britain for the Protection of Migratory Birds in the United States and Canada" known as the "Migratory Bird Treaty Act," which provides that gulls shall be protected at all times and which contains the provision that the Secretary of the U. S. Department of Agriculture or other interests in any particular community shall investigate, and if the alleged injury is serious provide for the killing of the birds.

The proposed law would overrule the authority and judgment of the Commissioner of Inland Fisheries and Game, who by an Act of the seventy-ninth Legislature, was given power to co-operate with the U. S. Department of Agriculture and grant permits to kill birds that shall be shown to be injuring agricultural or other interests.

Through the Migratory Bird Treaty Act, and the act of the Seventy-ninth Legislature, the citizens of Maine have their interests amply safeguarded and at the same time due protection is given to our wild birds, of all kinds.

It is a coincidence that this Act comes before the Chief Executive on the first Bird Day that has ever been established in the State of Maine and I urge the Legislature to give the question serious consideration before it passes a law that will make it lawful to destroy one of the most valuable members of the bird kingdom.

Respectfully,

(Signed) PERCIVAL P. BAXTER,
Governor of Maine.

SUCCESSION TAXES

STATE OF MAINE

OFFICE OF THE GOVERNOR

AUGUSTA

April eighth, 1921.

To the Honorable House of Representatives:—

I herewith return without my approval "An Act to Re-enact Section Twenty-four of Chapter Sixty-nine of the Revised Statutes Relating to when no Succession Tax shall be Assessed on the Stock, Bonds and Evidences of Debt of Maine Corporations."

This Act would make a radical change in our inheritance taxation laws. Many corporations come to Maine for the purpose of taking advantage of our laws. Under the present system if a non-resident of the State of Maine owns stock in these corporations this stock is subject to our collateral inheritance taxation laws. Under this amendment non-residents would not be required to pay these taxes to the State of Maine. At present the State is receiving from the estates of non-residents an annual amount of \$165,136.35 which is an increase over the past year of \$79,636.15. The Budget report relies upon this income to help meet the legislative appropriations. In January and February of 1921 the increase in this item over 1920 amounts to \$26,247.36.

The Legislature is under the obligation to provide sufficient revenue to meet its appropriation bill and in my opinion it is safer to hold fast to this source rather than to give it up and expect an increase in the corporation organization taxes and franchise taxes which it is alleged would accrue to the State by reason of the proposed law. The reason advocated for the change of law is that estates of non-residents are put to expense and delay by reason of our present tax laws. Upon investigation I find that but few complaints have been made and that the Attorney General's Office has handled this matter promptly and without unnecessary delay. In my opinion it would be unwise to change the present law.

Respectfully,

(Signed) PERCIVAL P. BAXTER,
Governor of Maine.

NORTHERN MAINE SANATORIUM

STATE OF MAINE

OFFICE OF THE GOVERNOR

AUGUSTA

April eighth, 1921.

To the Honorable House of Representatives:—

I return herewith without my approval "Resolve Making an Appropriation for the Construction of a New Building at the Northern Maine Sanatorium, Presque Isle, Aroostook County, and for the purchase of Equipment therefor and for Maintenance."

This resolve was introduced in the House on April 5th, read three times under Suspension of the Rules, passed to be engrossed. On April 6th it was read twice in the Senate and passed to be engrossed. An appropriation of \$100,000 is called for and it was not included in any of the recommendations in the Budget. If this resolve is passed it will make a substantial addition to the tax rate.

I am of the opinion that the new building called for by the Resolve to cost \$65,000 is not required at that institution at the present time. The Sanatorium at Presque Isle has been established two years and I am informed it is accommodating all the persons who have applied for admission, so that there are no applicants on the waiting list.

This Legislature has decided that it is unwise to enter upon any extensive new construction at State institutions. The appropriations for new buildings at the Augusta State Hospital and Bangor State Hospital have been entirely eliminated, while the appropriation for new work at the State School for Feeble-Minded has been cut by 50%. The new work at the State Reformatories for Women and for Men, has also been reduced one-half. The University of Maine notwithstanding its splendid work has withdrawn its request for a new dormitory. In view of the above facts in my opinion it would be unwise to make an exception in favor of an appropriation that was not recommended by the Budget Committee. I desire to call your attention to the fact that the Presque Isle Sanatorium has already received the appropriation for Personal Services and Maintenance that is asked for, amounting to \$65,771.88 and the resolve which I return herewith would add an even \$100,000 to this item.

In my opinion the Legislature by passing this resolve would place itself in the position of having favored this particular State institution.

Respectfully,

(Signed) PERCIVAL P. BAXTER,
Governor of Maine.

UNIVERSITY OF MAINE

STATE OF MAINE

OFFICE OF THE GOVERNOR

April ninth, 1921.

To the Honorable House of Representatives:—

I return herewith without my approval "Resolve in Favor of the University of Maine."

Although the University of Maine strictly speaking is not a State Institution, the State has assumed a definite obligation to grant sufficient aid from the Public Treasury to help maintain the University on a reasonable and proper basis. The State first aided this institution in 1867 with an appropriation of \$20,000 and the institution has steadily grown, as has the State's appropriation, until the sum of \$170,000 was appropriated for each of the years 1919 and 1920. There is some opposition throughout the State to the granting of a large amount of aid to the University, but in my opinion a policy has been definitely fixed and the people of the State as a rule are in favor of that policy and desire its continuance. The University of Maine in my opinion is the only institution of higher education in the State that can reasonably expect to receive State aid.

The University began as an agricultural college. It now has 1311 students, of whom 257, or 19 3-5 %, are taking agricultural courses. The other 1054 students are in the Colleges of Arts and Sciences, and of Technology, the Law School having been abandoned during the past year. I am of the opinion that the State should make liberal provision for this institution and I desire to explain to you what, I believe, the State's appropriation for the coming fiscal period should be.

A few evenings ago I discussed the financial affairs of the University with its President and certain other gentlemen interested in the institution. The figures given me at this conference showed that the estimated expenditures required to properly maintain the University for the next 12 months amount to \$618,318. These figures include all that the authorities ask for, except certain new equipment for the Library and Laboratory which it was admitted can be dispensed with without interfering with the work of the institution. In this total sum of \$618,318 is included an annual increase of salaries to instructors of \$78,120 over the previous year, or a 47% increase over the actual expenditures under this single item. The salaries of officers are increased annually by \$6,408, or an increase of 64%. The salaries of clerks and stenographers are increased \$2,606, or 29%, while the item providing for the maintenance of buildings is increased \$6,400, or an increase of 34%. The item for Administration Expenses is increased \$7,221, or 28%. The item Maintenance of Property is increased

\$18,997, or 121%. The item of Power, Heat and Light is increased \$17,892, or 29%. As an offset against these annual increases which total \$134,644 there are certain small decreases which total \$21,573, making a net increase over the year 1920 of \$116,071, or 27%, and making a net increase over 1919 of \$168,000, or 45%.

I am willing to approve the items specified and which comprise everything asked for by the University authorities in their estimates, and I have not cut any single item, except that for new Laboratory and Library equipment already referred to. It can safely be assumed that those in charge of the University's affairs have made their estimated requirements sufficiently liberal to provide for all the needs of the institution.

The appropriation for State Aid called for by the resolve which I am returning to you without my approval is \$620,000 for the 30 months period. This \$620,000 appropriation represents a total increase of \$195,000 for a 30 month period, or an annual increase of \$78,000, more than annual appropriation of \$170,000 for each year 1919 and 1920.

The income of the institution as estimated by its President will amount to \$361,515 annually. It can properly be assumed that no items have been included in this estimate of income that cannot be safely counted upon. It is the intent of the University to increase its tuition fees to the regular students by \$30 per year, making a total increase of at least \$36,000. This will produce an income of \$397,515 a year. If the same increase is made in the special students' tuition this item will be \$39,330. Deducting \$397,515 from the estimated expenditures of \$618,318 leaves a balance of \$220,803, and \$220,000 is the annual amount I am willing to approve for State Aid to the University of Maine. In my Financial Message I estimated that \$200,000 a year would be adequate for the institution and I am still of that opinion. Not wishing, however, to hamper the University's work I am willing to approve an annual appropriation of \$220,000, which would total \$550,000 for the fiscal period of 2½ years.

According to page 20 of the University's printed report there is a deficit of \$11,189.92 in 1920. The \$125,000 increase in the State's appropriation for the fiscal period, or the increase of \$50,000 per year which I recommend, will easily offset a deficit equal to that of 1920, by the ample margin of \$38,810.08 a year. In these figures no allowance is made for price reductions and it is safe to assume that a considerable saving will be made in this respect which will give the University an even wider margin of financial safety.

In view of the reduction in prices that has already begun I am convinced that under proper management the University can save at least \$50,000 out of this \$550,000 appropriation, and that it can do this without interfering in any way with the education of its 1311 students. If I believed that a larger appropriation actually was necessary to place the institution on a proper footing, I should approve of the State's making it, but the

financial condition of the State under present conditions does not warrant appropriations that exceed what is adequate and liberal. An annual margin of \$38,810.08 over and above the 1920 requirements of the University, ought to be sufficient for its maintenance in 1921, 1922 and for six months of 1923 and this yearly balance will give the total amount of \$97,025.20 to go and come on for the coming fiscal period of 30 months.

The University has admitted all the boys who have applied, but it has refused admission to 35 girls. There are 165 students in Orono who come from outside our State, and it may prove advisable for the University authorities to admit all applicants who are residents of Maine before admitting those who live beyond our borders. The President of the University informs me that the institution is under neither legal nor moral obligation to take students from out of the State, and our home boys and girls may reasonably expect to be given the first chance. If the authorities should adopt this policy it could not be considered selfish, for Maine people are the ones who pay most of the bills of the institution.

The resolve before us calls for a total appropriation of \$620,000 for the fiscal period. It appears that during the past years certain debts have been incurred and the President of the institution informs me these debts now amount to \$216,000, and they may total somewhat more than that. Some of the Trustees have endorsed the notes of the University and naturally are anxious to be relieved from such a responsibility. The State, however, should look into the situation carefully, for the State must determine, first, if it will assume these debts; and second, if it does assume them whether it will pay them now, or pay them later when the finances of the state and its people shall be in better condition.

The usual method in vogue in universities and colleges where debts have been created, is for the alumni of the University to help reduce these debts. An effort of this sort arouses a spirit of loyalty among the alumni, and the institution is benefited both directly and indirectly thereby. In my message to the Legislature, and in conversation with the President of the institution and the gentleman I conferred with, I suggested that some effort be made to arouse the alumni of the University and to appeal to their loyalty and spirit, but the reply received was that the alumni of the University of Maine would not respond even though the call was sounded.

I believe the alumni of the University of Maine are loyal. I believe they are interested in their institution, and their united and earnest efforts to induce the Legislature to make a generous appropriation proves that they are alive to the situation and know how pressing is the need of funds. I do not believe that the alumni of the University of Maine will fail to respond if a proper appeal is made to them. At least I believe they should be put to the test.

and the gentleman's effort will be stronger than the I believe they should

Throughout the State there is a wide divergence of opinion as to whether or not this debt should be assumed by the State. There is some sentiment at the State Capital in favor of the State's paying this debt. In my opinion a great majority of our citizens will be better satisfied if the state contributes liberally towards maintaining the institution, and they expect the institution itself to use every effort to effect proper economies, and to place its affairs upon a strictly business basis. If the University authorities will do this they will then be in a position to come to the next Legislature with a frank statement of their affairs, and doubtless will then be able to show a decided improvement in their financial condition. If some small reduction of its debt can be made by the University itself through its own efforts, considerable credit will be due to it and to its alumni.

It should not be necessary for the friends of the University to plead its cause so earnestly at every Legislative session. The people of Maine desire to do what is right and proper for this institution and they expect its Trustees and friends to co-operate.

In order that the two questions of maintenance and the payment of the debt might be presented to you as separate and distinct questions, I suggested to those in charge of these bills that two resolves be prepared, one covering each of the items referred to. However, as this was not done, I am obliged to disapprove this resolve, although I am glad and willing to approve of an appropriation of \$550,000 for maintenance.

If you gentlemen of the Legislature sustain this veto you can then introduce a resolve so that the needs of the University will be properly taken care of. The people of Maine expect you to act frankly and openly in the matter. The people want to know how much you appropriate for maintenance and how much for the payment of debts. I hope and believe that the Trustees during the next fiscal period will discard the non-essentials, will improve the system of accounting and will do all in their power to spend the public money judiciously. I desire to co-operate in making this institution a credit to the State and one worthy to bear the name of "Maine." During such time as I shall occupy the office of Chief Executive I shall have at heart the best interests of those boys and girls who are laying the foundations of their character at this University.

In disapproving a measure passed by both houses, the Executive, if he cannot agree with the action of the Legislature, is but doing what is required of him by the Constitution of our State. A veto message expresses an honest difference of opinion. It is sometimes felt by legislators that the Executive's suggestion as to bills and resolves is an unwarranted interference with legislative prerogatives. The Executive is in duty bound to give his views to the Legislature and to disapprove what he considers unwise. The Legislature on the other hand is also in duty bound to advocate those measures that seem to be for the best interests of the State. If there is a disagreement it must be frank and honest.

If a veto is sustained it shows that the Legislature yields to the recommendations of the Executive, and that there is not sufficient merit in the bill to obtain a two-thirds vote in its favor. If a veto is over-ridden it indicates that in the opinion of the Legislature there is sufficient merit in the bill in question to justify its becoming law notwithstanding the veto of the Governor. In such cases there should never be any personal or partisan feelings, nor should it ever be allowed to appear that the Legislature and Executive are working at cross purposes.

I desire this Legislature to understand: that I am of the opinion

- 1—That liberal aid be granted to the University of Maine for its maintenance;
- 2—That \$550,000 is ample for its maintenance;
- 3—That at the present time it is unwise for the State to assume its debts;
- 4—That the University authorities should practice reasonable economy;
- 5—That an appropriation of \$50,000 a year more than the University has ever had before is ample for its needs;
- 6—That falling prices will greatly relieve its financial pressure;
- 7—That the Alumni should be called upon to help pay the University's debts and that they will help if asked to do so;
- 8—That preference be given Maine students who shall seek higher education at the University of Maine;
- 9—That the tax payers of Maine will approve your efforts to place the University's affairs on a business basis;
- 10—And that the University will continue to do good work for the boys and girls of our State of Maine.

Respectfully,

(Signed) PERCIVAL P. BAXTER,
Governor of Maine.