

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-first Legislature

OF THE

STATE OF MAINE

1923

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1923

PROCLAMATIONS

PROCLAMATIONS

STATE OF MAINE PROCLAMATION BY THE GOVERNOR Lafayette-Marne Day

The fate of Europe and of the world hung in the balance at the Battle of the Marne. The bayonets of Germany were about to pierce the heart of our sister Republic of France. Providence intervened, and France was saved. Perhaps it was more than a coincidence that this great battle was fought and won on the anniversary of the birth of Lafayette.

The memory of Lafayette and the record of his unselfish service to the cause of American independence will forever bind together the great republics of the United States and France. The American soldiers of 1917-1918 responded to the call of France just as the soldiers of France more than a century ago, under Lafayette, rallied to our cause.

It is fitting that September sixth should always be remembered as the day on which both of these great republics pledge anew their faith in the cause of Liberty, Equality and Fraternity, the world over.

Now, therefore, I, Percival P. Baxter, Governor of the State of Maine, do hereby designate

Tuesday, September 6th, 1921

Lafayette-Marne Day in the State of Maine

and I urge the citizens of Maine to observe this day by appropriate exercises recalling the life of Lafayette and the stirring events of the Great World War. It is only by instilling the lessons of history into the minds of our people that we can profit by these lessons and use them for the guidance of this nation in the years to come.

Given at the Office of the Governor at Augusta, and sealed with the Great Seal of the State of Maine, this first day of September, in the year of our Lord one thousand nine hundred and twenty-one, and of the Government of the State of Maine the one hundred and first.

[Seal]

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

ATTEST:

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

STATE OF MAINE
PROCLAMATION BY THE GOVERNOR
Constitution Day

In the year 1215 the Barons of England wrung Magna Carta from an unwilling King. About six hundred years later the successors of these Barons, who bravely faced the ire of King John, met upon a free soil and laid the foundations of a representative and independent State. This was the beginning of constitutional government, and the document the patriots of 1789 framed stands pre-eminent in the annals of political history. Under the provisions of the Constitution of the United States of America the best form of Government yet devised by man was established, and that Government has endured for a period of one hundred and thirty-two years.

The Constitution was inspired by unselfishness and the people of Maine should always regard it as a sacred document and should be grateful to those who drafted it. Its provisions should be changed only after the most deliberate and careful consideration.

Now, therefore, I, Percival P. Baxter, Governor of the State of Maine, do hereby designate

Saturday, September 17th, 1921
Constitution Day in the State of Maine

and I urge the citizens of this State to observe the day with appropriate exercises and to pledge anew their faith and loyalty to the Government of our great nation.

[Seal]

Given at the Office of the Governor, at Augusta, and sealed with the Great Seal of Maine, this fourteenth day of September, in the year of our Lord one thousand nine hundred and twenty-one, and of the Government of the State of Maine the one hundred and first.

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

ATTEST:

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

STATE OF MAINE
PROCLAMATION BY THE GOVERNOR
Armistice and Disarmament Day

Armistice Day 1921 has a two-fold significance; it commemorates the end of the greatest war in history, and marks the beginning of the most promising step ever taken toward ultimate world peace.

The day is dawning when preparations for war must cease, for the world can no longer endure the strain of competing armaments. If ambition, distrust, and the selfish interests of men and nations are thrust aside at the Disarmament Conference that opens on November eleventh, that day will forever be heralded as the most momentous day in the world's history. This gathering of statesmen holds in trust unlimited possibilities for the good of the world.

Now, therefore, I, Percival P. Baxter, Governor of the State of Maine, do hereby designate

Friday, November 11th, 1921

Armistice and Disarmament Day in the State of Maine

and I urge the people of our State to recall the sacrifices made by those who died and those who suffered in the World's War, and to pause and give serious thought to the problems it is hoped will be solved at the approaching conference. Let this day be observed throughout the State by solemn and impressive exercises in our schools, churches, courts and homes, and let our citizens join with the American Legion in making this day worthy to be remembered in Maine's history.

[Seal]

Given at the Office of the Governor at Augusta, and sealed with the Great Seal of Maine, this thirteenth day of October, in the year of our Lord one thousand nine hundred and twenty-one, and of the State of Maine the one hundred and first.

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

ATTEST:

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

STATE OF MAINE
PROCLAMATION BY THE GOVERNOR

Whereas, the Eightieth Legislature of the State of Maine, convening upon the first Wednesday of January in the year of our Lord one thousand nine hundred and twenty-one, duly enacted a public law entitled "An Act to Provide for a Full Time State Highway Commission, Amending Section Three and Section Four of Chapter Twenty-five of the Revised Statutes, Relative to State Highways, and also Amending Section Thirty-four of Chapter One Hundred Seventeen of the Revised Statutes Relative to Salary of the State Highway Commission," which law appears in the Public Laws of the State of Maine for the year 1921, as Chapter 213 thereof, and which law provides as follows, namely:

"Be it enacted by the people of the State of Maine, as follows:

"Sec. 1. Section three of chapter twenty-five of the Revised Statutes providing for the appointment of a state highway commission is hereby amended so as to read as follows:

"Sec. 3. That the State Highway Commission shall consist of three members appointed by the governor with the advice and consent of the council, one to serve for two years, one to serve for four years and one to serve for six years; and thereafter, as the terms expire, each appointment shall be for the term of six years. Said commission when appointed and qualified under this act shall succeed to all the rights and powers, and perform all the duties, of the present state highway commission, which is hereby abolished. Vacancies occurring during a term shall be filled by appointment for the unexpired term. One member of the commission shall be designated by the governor as chairman. The commission shall adopt and have a seal, and shall keep a record of its proceedings, which shall be open to public inspection during business hours, and it may appoint a secretary to keep and certify records and papers.

"The members of the commission shall give their full time to the duties of their office. No member or employee thereof shall have any official or professional connection with, or hold any stock or securities in any road-building or bridge-building firm or corporation engaged in work within the State of Maine, nor shall he supply to the State any labor or material for construction, maintenance or repair work upon ways and bridges in which the State is engaged, nor shall he render any professional service for or against any person, firm or corporation engaged in such work, nor shall he be a member of any firm which shall render any such service. No member of said commission shall serve on or under any committee of any political party. Any wilful violation of the provisions of this chapter by any commissioner shall constitute sufficient cause for his removal by the governor with the advice and consent of the council.

"The attorney general shall without additional compensation give the commission such advice and service as its attorney as it may from time to time require.

"The commission shall be furnished with suitable offices at the seat of government, and shall perform all the duties and may exercise all the powers expressly or impliedly given by this chapter and by the act entitled, "An Act Relative to Motor Vehicles and the Law of the Road, and to revise and amend chapter twenty-six of the revised statutes and acts amendatory thereof and additional thereto." The commission shall make an annual report to the governor and council of its doings and expenditures, with such statement relative to the construction and maintenance of public highways and bridges and such recommendations as to the general policy of the State relative thereto as it considers appropriate. The report shall be transmitted to the secretary of state on or before the thirty-first day of December in each year. The commission shall have full power to enforce all contracts made by the present state highway commission, both at law and in equity.'"

"Sec. 2. Section four of chapter twenty-five of the revised statutes is hereby amended so as to read as follows:

"Sec. 4. The commission shall select, with the approval of the governor and council, such engineers, supervisors, assistants and help as may be necessary in the administration and execution of this chapter. All salaries for persons employed by the commission shall be fixed by said commission, and all employees shall serve during the pleasure of the commission. All salaries and expenses contemplated by this section shall be paid from the fund for maintenance and administration.'"

"Sec. 3. Section thirty-four of chapter one hundred and seventeen of the revised statutes is hereby amended so as to read as follows:

"Sec. 34. The annual salary of each member of the state highway commission shall be, for the chairman five thousand dollars; for each other member four thousand five hundred dollars. They shall also receive their actual expenses incurred in the performance of their official duties while absent from the seat of government.'"

"Sec. 4. This act shall take effect January first, nineteen hundred twenty-two."

And Whereas, said public law was duly approved by the Governor of the State of Maine on April 9, 1921.

And Whereas, sections 16 and 17 of Part Third of Article IV of the Constitution of Maine, as amended, provides as follows:

"Sec. 16. No act or joint resolution of the legislature, except such orders or resolutions as pertain solely to facilitating the performance of the business of the legislature, of either branch, or of any committee or officer thereof, or appropriate money therefor or for the payment of

salaries fixed by law, shall take effect until ninety days after the recess of the legislature passing it, unless in case of emergency (which with the facts constituting the emergency shall be expressed in the preamble of the act), the legislature shall, by a vote of two-thirds of all the members elected to each house, otherwise direct. An emergency bill shall include only such measures as are immediately necessary for the preservation of the public peace, health, or safety; and shall not include (1) an infringement of the right of home rule for municipalities, (2) a franchise or license to a corporation or an individual to extend longer than one year, or (3) provision for the sale or purchase or renting for more than five years of real estate."

"Sec. 17. Upon written petition of not less than ten thousand electors, addressed to the governor and filed in the office of the secretary of state within ninety days after the recess of the legislature, requesting that one or more acts, bills, resolves or resolutions, or part or parts thereof passed by the legislature, but not then in effect by reason of the provisions of the proceeding section, be referred to the people, such acts, bills, resolves, or resolutions or part or parts thereof as are specified in such petition shall not take effect until thirty days after the governor shall have announced by public proclamation that the same have been ratified by a majority of the electors voting thereon at a general or special election. As soon as it appears, that the effect of any act, bill, resolve, or resolution or part or parts thereof has been suspended by petition in manner aforesaid, the governor by public proclamation shall give notice thereof and of the time when such measure is to be voted on by the people, which shall be at the next general election not less than sixty days after such proclamation, or in case of no general election within six months thereafter the governor may, and if so requested in said written petition therefor, shall order such measure submitted to the people at a special election not less than four nor more than six months after his proclamation thereof."

And Whereas, it appears that written petitions of not less than ten thousand electors of this state, addressed to the governor were filed in the office of the Secretary of State within ninety days after the recess of the said Eightieth Legislature, requesting that said public act providing for a Full Time State Highway Commission be referred to the people, and it further appearing that the effect of said public act was suspended by said Petitions, under the Constitutional provisions above quoted.

Now, therefore, I, Percival P. Baxter, Governor of the State of Maine, in accordance with said provisions of the Constitution of Maine hereby declare that the act providing for a full time State Highway Commission above referred to has been suspended and I hereby designate the second Monday in September, being the 11th day of said month, in the year of our Lord one thousand nine hundred and twenty-two as the time on which

the above mentioned public act shall be voted on by the people of said State in accordance with the Constitutional provisions above mentioned.

[Seal]

In Witness Whereof, I have caused the seal of the State to be hereunto affixed at Augusta, Maine, this twenty-ninth day of October in the year of our Lord one thousand nine hundred and twenty-one and in the year of the Independence of the United States, the one hundred and forty-sixth.

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

By the Governor.

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

STATE OF MAINE
PROCLAMATION BY THE GOVERNOR
Absent Voting Act

Whereas, the Eightieth Legislature of the State of Maine, by a resolve concurred in by at least two-thirds of both branches and approved on the sixth day of April, nineteen hundred and twenty-one, proposed to the electors of said State the following amendment to the Constitution of the State of Maine, to wit:

"That section five, article four, part first, of the constitution of Maine as amended by the twenty-third amendment, is hereby further amended by striking out the word "present" in the fifth and thirty-fourth lines thereof, so that said section as amended shall read as follows:

'Sec. 5. The meetings within this state for the choice of representatives shall be warned in due course of law by the selectmen of the several towns seven days at least before the election and the selectmen thereof shall preside impartially at such meetings, receive the votes of all the qualified electors, sort, count and declare them in open town meeting, and in the presence of the town clerk, who shall form a list of the persons voted for with the number of votes for each person against his name, shall make a fair record thereof in the presence of the selectmen and in open town meeting. And the towns and plantations organized by law, belonging to any class herein provided shall hold their meetings at the same time in the respective towns and plantations; and the town and plan-

tation meetings in such towns and plantations shall be notified, held and regulated, the votes received, sorted, counted and declared in the same manner. And the assessors and clerks of plantations shall have all the powers, and be subject to all the duties, which selectmen and town clerks have, and are subject to by this constitution. And fair copies of the lists of votes shall be attested by the selectmen and town clerks of towns, and the assessors of plantations, and sealed up in open town and plantation meetings; and the town and plantation clerks respectively shall cause the same to be delivered into the secretary's office thirty days at least before the first Wednesday of January biennially. And the governor and council shall examine the returned copies of such lists, and also all lists of votes of citizens in the military service, returned to the secretary's office, as provided in article second, section four, of this constitution; and twenty days before the said first Wednesday of January, biennially, shall issue a summons to such persons as shall appear to be elected by a plurality of all the votes returned, to attend and take their seats. But all such lists shall be laid before the house of representatives on the first Wednesday of January biennially, and they shall finally determine who are elected. The electors resident in any city may, at any meeting duly notified for the choice of representatives, vote for such representatives in their respective ward meetings, and the wardens in said wards shall preside impartially at such meetings, receive the votes of all qualified electors, sort, count and declare them in open ward meetings, and in the presence of the ward clerk, who shall form a list of the persons voted for, with the number of votes for each person against his name, shall make a fair record thereof in the presence of the warden, and in open ward meetings; and a fair copy of this list shall be attested by the warden and ward clerk, sealed up in open ward meeting, and delivered to the city clerk within twenty-four hours after the close of the polls. And the electors resident in any city may at any meetings duly notified and holden for the choice of any other civil officers for whom they have been required heretofore to vote in town meeting, vote for such officers in their respective wards, and the same proceedings shall be had by the warden and ward clerk in each ward, as in the case of votes for representatives. And the aldermen of any city shall be in session within twenty-four hours after the close of the polls in such meetings, and in the presence of the city clerk shall open, examine and compare the copies from the lists of votes given in the several wards, of which the city clerk shall make a record, and return thereof shall be made into the secretary of state's office in the same manner as selectmen of towns are required to do.'"

And Whereas, it appears by the return of votes given in by the qualified electors of the various cities, towns and plantations of the State of Maine voting upon the same in their respective municipalities upon the twelfth

day of September, nineteen hundred twenty-one, as directed in the aforementioned resolve said returns being canvassed by the Governor and Council upon the fourth day of October, nineteen hundred and twenty-one, that a majority of said votes were in favor of this amendment, namely 14,410 for and 11,670 opposed.

Now, therefore, I, Percival P. Baxter, Governor of the State of Maine acting in accordance with the provisions of this said resolve, do proclaim the Constitution of the State of Maine amended as proposed.

[Seal]

In Witness Whereof, I have caused the Seal of the State to be hereunto affixed at Augusta, this twenty-ninth day of October in the year of our Lord one thousand nine hundred and twenty-one and in the year of the Independence of the United States of America the one hundred and forty-sixth.

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

By the Governor.

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

PROCLAMATION

By Percival P. Baxter, Governor of Maine

Whereas, President Harding acting under a resolution of the United States Congress has proclaimed Armistice Day, November 11th, 1921, as a national holiday, I believe that the governors of all the states should follow the example of the President and urge their citizens to give special observance to this day.

The State Legislature has the sole power to establish legal holidays in Maine and I, as Governor, have already issued a Proclamation designating November 11th, next, as Armistice and Disarmament Day in Maine. It is fitting that on this day, which is destined to prove a memorable one in the world's history, all State public buildings and all public schools be closed, and, I, hereby order that this be done. I, also, request that all business be suspended in Maine on Friday, November 11th, next, for our citizens may well pause from their usual occupations to honor the Unknown Dead, to render respectful tribute to the men who loyally served

their country in the World War and to give heed to the great problems to be considered in the Disarmament Conference in Washington.

Given under my hand and seal in the Executive Office in Augusta, this seventh day of November, nineteen hundred and twenty-one.

[Seal]

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

ATTEST:

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

STATE OF MAINE
PROCLAMATION BY THE GOVERNOR

Thanksgiving Day, 1921

The men and women of Maine have reason to be thankful for the inheritance of character and self-control handed down to them from their forefathers, for than this there is no finer inheritance. Those early pioneers, coming from across the seas to this unknown land, erected a free government in the wilderness of its woods and on the bleak shores of its coast, and they builded better than they knew. From the earliest times this State has stood for high ideals, and its manhood and womanhood is not surpassed by that of any of its sister states.

Now, therefore, I, Percival P. Baxter, Governor of the State of Maine, do hereby designate

Thursday, November 24th, 1921

Thanksgiving Day in the State of Maine

and, as the family is the unit of the State, I call upon the people of Maine to observe this day and to strengthen their home ties by gathering together wherever possible in family groups. I urge our citizens to give thanks to the Almighty, both in their homes and in their churches, for the many blessings He has bestowed upon this State, and to pray to Him that our

people may remain steadfast in the right and may be worthy of a continuance of the divine blessing.

[Seal]

Given at the Office of the Governor at Augusta, and sealed with the Great Seal of Maine, this eighth day of November, in the year of our Lord one thousand nine hundred and twenty-one, and of the Government of the State of Maine the one hundred and first.

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

By the Governor.

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

STATE OF MAINE
PROCLAMATION BY THE GOVERNOR
American Education Week

The future of this State is in the keeping to the Boys and Girls of today, the men and women of tomorrow. All citizens should agree that the education of our youth is of paramount importance. Each generation seeks to give to the one following an adequate mental and moral equipment with which to face life's problems. A nation-wide effort is being made to arouse the American people to the importance of providing the rising generation with the fundamentals of a liberal education, and the American Legion and National Education Association are giving this movement their support.

In Maine we have a school system that is a credit to our State and our faithful and earnest teachers are devoting their lives to the cause of childhood. Oftentimes local authorities, hampered by lack of resources and somewhat indifferent to the children's welfare, fail to realize that if education is neglected a heavy toll of ignorance will be laid upon progress.

In order that all our citizens may join in an effort to give our boys and girls that which was denied to many of the men and women of today, a good education,

I, Percival P. Baxter, Governor of the State of Maine, do hereby designate

The Week of December 4th to 10th, 1921

American Education Week in the State of Maine

and I urge the parents in the homes, the clergymen of all denominations and our public officials to make a careful survey of our educational con-

ditions and to remedy defects wherever found, in order that the hands of the State and local school authorities may be strengthened and that our teachers may know that their work is appreciated, and that they have the support of an increasing public sentiment.

If all our citizens could see the schools of Maine as I have seen them, and could look into the appealing faces of thousands of our children they would realize how much trust and confidence these young people place in the wisdom and unselfishness of their elders. Halfway measures to give these children a fair start in life should not be tolerated by the people of Maine.

[Seal]

Given at the Office of the Governor at Augusta, and sealed with the Great Seal of Maine, this thirtieth day of November, in the year of our Lord one thousand nine hundred and twenty-one, and of the State of Maine the one hundred and first.

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

By the Governor.

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

STATE OF MAINE
PROCLAMATION BY THE GOVERNOR

January 1st, 1922

New Year's Resolutions for the State of Maine

As the individual is accustomed to pause upon the threshold of a New Year to review the past and survey the prospect before him, so may we, the people of Maine, on New Year's Day, 1922, look back upon the year that has closed and resolve upon a course of action for the year that has begun.

Let us as a people, whatever our origin or creed, and regardless of our station in life, enter upon this New Year with the determination:

To recognize honest differences of opinion, and to make serious effort to get other people's point of view.

To give other people credit for good intentions.

To think and speak well of others.

To ask no privileges for ourselves we are not willing to accord to others.

To remember that true personal liberty goes hand in hand with self-control.

To appreciate the great privilege it is to be a citizen of Maine, a State that has no peer among its sister States.

To make Maine a law-abiding State that will serve as an example to our Country; and

To add the "Golden Rule" to the State's motto "Dirigo."

[Seal]

Given at the Office of the Governor at Augusta, and sealed with the Great Seal of Maine, this sixteenth day of December, in the year of our Lord one thousand nine hundred and twenty-one, and of the State of Maine the one hundred and first.

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

By the Governor.

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

STATE OF MAINE PROCLAMATION FOR PRIMARY ELECTION

To the Mayors and Aldermen of the several cities, selectmen of the several towns and assessors of the several plantations in the Third Congressional District of Maine, comprising the counties of Kennebec, Somerset, Waldo, Hancock, and Washington,

GREETING:

Whereas, a vacancy now exists in the representation of this State in the Congress of the United States from the Third Congressional District, comprising the counties of Kennebec, Somerset, Waldo, Hancock and Washington, occasioned by the resignation of the Honorable John A. Peters, a member of Congress from said Third District of Maine, and

Whereas, the laws of Maine, in accordance with the provisions of the Constitution of the United States, provide that whenever a vacancy occurs in the representation of the State in the Congress of the United States, the Governor shall issue his proclamation for an election to fill the same, and

Whereas, the Governor has, by his writ of election issued this day, designated the third Monday of March next, being the twentieth day of said month, as the day on which an election to fill the aforesaid vacancy shall take place, and

Whereas, the laws of the State of Maine provide that all nominations of candidates for the office of representative in the Congress of the United States shall be made at and by primary elections, and that when special elections are to be held for any office as required or permitted by law,

primary elections for the nomination of candidates to be voted for thereat shall be ordered by the Governor by proclamation, and he shall therein fix the time within which nomination papers shall be filed.

Therefore, you are hereby directed and required, in the name of the State of Maine, to notify and warn all legally qualified voters to attend at the regular voting places in the several cities, towns and plantations in the State, on the second Monday of February, 1922, being the thirteenth day of said month, for the purpose of voting for persons to be nominated by their respective parties as candidates for the office of representative in the Congress of the United States at the election to be held on the twentieth day of March next, as aforesaid, and Monday the twenty-third day of January, 1922, is hereby fixed as the time within which nomination papers shall be filed with the Secretary of State by such candidates as desire their names to appear upon the primary ballot, and fourteen days prior to the day fixed for said election is hereby fixed as the time for transmitting to town clerks, lists of candidates proposed for nomination.

And you, the said mayors, aldermen, selectmen and assessors in conducting said primary election, and in making your records and returns of the same, are hereby directed to fully comply with all the provisions of the law relating to the nomination of candidates at primary elections and known as the primary election law.

[Seal]

Given at the Executive Chamber, at Augusta, this fifth day of January, in the year of our Lord on thousand nine hundred and twenty-two, and of the Independence of the United States of America the one hundred and forty-sixth.

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

By the Governor.

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

STATE OF MAINE A WRIT OF ELECTION

To the Mayors and Aldermen of the several cities, selectmen of the several towns and assessors of the several plantations in the Third Congressional District,

GREETING:

Whereas, a vacancy now exists in the representation of this State in the Congress of the United States, by the resignation of Honorable John A. Peters, member from the Third District, and

Whereas, the Constitution of the United States, and the law of this State provide that whenever vacancies shall occur in the representation in Congress, the Governor shall cause precepts to issue to the mayors and aldermen of the several cities, selectmen of the several towns and assessors of the several plantations within the district in which the vacancy is, directing and requiring them to cause the inhabitants of their respective cities, towns and plantations, qualified therefor, to assemble and give their votes for a representative in Congress to fill such vacancy, you are hereby, in the name of the State of Maine, required, in the manner in which the law directs the calling of meetings for elections, to notify and warn the inhabitants of your cities, towns and plantations aforesaid, duly qualified to vote for representative in the legislature of this State, to assemble on the third Monday of March, A. D. 1922, being the 20th day of said month, to give their votes in said meeting for a representative to the Congress of the United States from said Third District.

And you, the said mayors, aldermen, selectmen and assessors, in conducting said election and in making your records and returns of the same are hereby directed to fully comply with all the provisions of the law of the State of Maine, relating to the election of said State and county officers, and known as the Australian Ballot Law.

[Seal]

Given at the Executive Chamber, at Augusta, this fifth day of January, in the year of our Lord one thousand nine hundred and twenty-two, and of the Independence of the United States of America the one hundred and forty-sixth.

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

By the Governor.

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

STATE OF MAINE
PROCLAMATION BY THE GOVERNOR
Bird Day

Nature has blessed Maine with a great variety of bird life. It is well for our people, both adults and children, to appreciate the value of our feathered neighbors and to recognize their important relationship to the common welfare.

It is now understood that birds are essential to the protection of crops, that they add materially to the wealth of the State by destroying obnoxious insects, and are of great importance to our agricultural interests.

The study of birds and of their habits affords pleasure and recreation to those who indulge in it, and is a subject deserving of more general attention.

Our birds should be protected and preserved and this can be accomplished by instilling a love of them in the minds of the children of the State.

Now, therefore, in order that our people and especially our children may co-operate in the work of saving the birds, I, Percival P. Baxter, Governor of the State of Maine, do hereby designate and appoint

Friday, April 14th, 1923

Bird Day in the State of Maine

and I urge the people of Maine, and particularly the teachers in our public schools, to observe the day with appropriate exercises.

[Seal]

Given at the Office of the Governor, at Augusta, and sealed with the Great Seal of the State of Maine this twenty-second day of March, in the year of our Lord one thousand nine hundred and twenty-two, and of the State of Maine the one hundred and third.

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

ATTEST:

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

STATE OF MAINE

PROCLAMATION BY THE GOVERNOR

Arbor Day

Where nature has lavished her bounties upon a state or nation man is apt to regard them as of little value. So it has been with the trees of Maine. Our State has great forest resources but it is only recently that our people have begun to appreciate the blessings that nature bestowed upon us by covering our hills and valleys with a wonderful growth of trees.

This year commemorates the fiftieth anniversary of the founding of Arbor Day by J. Sterling Morton, at that time secretary of agriculture in the then treeless State of Nebraska and later United States Commissioner of Agriculture.

Now, therefore, I, Percival P. Baxter, Governor of the State of Maine, do hereby designate

Friday, May 5th, 1922

Arbor Day in the State of Maine

and I call upon the citizens of the State to observe the day with appropriate exercises. I urge the municipal officers of our cities and towns, as well as citizens in general to plant shade and ornamental trees to beautify our communities, afford pleasure to our people, and furnish abodes for birds, the friends of man.

I especially call upon the superintendents and teachers in our schools to tell the children about the trees of Maine, and to explain what they mean to man and beast. Let the children of every school in our State plant a tree in some favored spot. It is to the children to whom the State must look to carry on the work of Arbor Day. Once an interest in trees is aroused in the youthful mind the trees of Maine will be appreciated and protected and will find champions in the years to come.

Given at the Office of the Governor, at Augusta, and sealed with the Great Seal of the State of Maine this fourteenth day of April, in the year of our Lord one thousand nine hundred and twenty-two, and of the State of Maine the one hundred and third.

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

By the Governor.

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

STATE OF MAINE
PROCLAMATION
By Percival P. Baxter, Governor of Maine

On the Sheppard-Towner Maternity and Child Welfare Bill

The United States Government offers to pay \$5,000 to the State of Maine provided the State accepts the provisions of the Sheppard-Towner Bill, recently passed by Congress, and adopts a plan for spending the money in maternity and child welfare work that meets with the approval of the Federal authorities. Although the final decision as to whether or not the State accepts this Bill rests with the State Legislature, it is provided.

that if the Legislature is not in session the Governor temporarily may accept the Bill on behalf of the State, until the next Legislature convenes. It thus becomes my duty to determine what shall be done in Maine during the period between July 1, 1922 and January 3, 1923, when the Legislature that meets on the latter date will render final decision.

Public Hearing

A public hearing on the Sheppard-Towner Bill was held in Augusta on June 23rd last, at which time a large number of citizens were present and expressed their views, some favoring and others opposing the Bill. While it was the unanimous opinion of the Governor and Council and of all present at the hearing that maternity and child welfare work is of great importance, and that more of it should be done within the State, there was a difference of opinion as to how and by whom it should be carried on. All, however, the Governor and Council as well as those for and those against the Bill, were in agreement as to the benefits to be derived from this work.

What Maine Is Now Doing

The mortality of infants and child-bearing mothers in Maine is higher than it should be, and determined efforts should be made to reduce it. It however should be understood that maternity and child welfare work is now being done by the State under the direction of the Health Department, and at the hearing Dr. Kendall, the Commissioner of Health, told of the work that is being carried on in the State. Dr. Kendall explained that his Department is making a careful study of local health conditions that affect children, especially in reference to milk, water and food supplies, and sanitary conditions in the public schools; that pre-natal work is done under the guidance of the Department of Health by doctors and public health nurses; that frequent inspections of maternity homes are made, and it is planned to have midwives regularly licensed; that helpful literature is sent to expectant mothers, as well as to every home from which the record of a birth is received; that a special effort is made to keep accurate vital statistics, a work of great importance; that better nursing in maternity cases is encouraged, with marked improvement resulting therefrom; that baby-saving campaigns are inaugurated in different communities; and that in order to protect mothers and children careful reports are made as to all communicable diseases.

All this work is being done under the supervision of the State Department of Health.

Public Health Nurses

The work of the Public Health, Red Cross, District, Municipal and Industrial nurses under the direction of the State Supervisor of Nurses,

Miss Edith L. Soule, is being carried on more extensively than ever before, and plans are under way to co-ordinate this work and make it even more effective than it is at present. It was estimated at the hearing that Miss Soule's work had been interrupted during the past year, but such was not the case. Miss Soule's salary of \$2400 per year was paid jointly by the Red Cross and Maine Public Health Association, from January 1, 1921 to July 1, 1921; while from July 1, 1921 to January 1, 1922, Miss Soule's salary at the rate of \$1200 per year was paid by the Maine Public Health Association. During the entire year of 1921, Miss Soule's expenses were paid by the State, and beginning January 1, 1922, the State assumed payment in full of Miss Soule's salary at \$2400 per year and her expenses. In other words, Miss Soule has been continuously at work during the present State Administration, and the Governor and Council have made her work a permanent Division of the Health Department.

Dr. Kendall stated that in Maine in 1920 there were 1798 deaths of children under one year of age, as compared with 1576 in 1921. He believes that this reduction of 222 deaths is due largely to the increased activity of the nurses under Miss Soule's supervision. In 1920 there were 750 still-births in Maine, as compared with 730 in 1921, a reduction that he also attributes to the nursing division.

It was brought out at the hearing on June 23rd that the maternity and child welfare work that would be done in Maine under the Sheppard-Towner Bill would correspond to that now being carried on by the State Health Department on its own responsibility.

The State's Appropriations

The State of Maine is doing health, maternity, child welfare and mother's aid work to an extent that is not understood by citizens in general, and the figures in connection with this are interesting. The last Legislature appropriated \$832,750 to be expended for these branches of the State's activities, and although this amount is larger than was ever before appropriated it has proved insufficient to meet the demands. The Governor and Council have arranged to provide enough money to supplement the legislative appropriation, taking it from the State Contingent Fund under the Emergency Clause, so that there will be no interruption in this work. The total amount to be spent will probably exceed one million dollars. This money is used for the board and care of dependent and neglected children, cleaning up the milk supplies of the cities and towns in order to prevent milk from tubercular cows being sold within the State, State aid to needy mothers with families of children, and the general health work already outlined herein which is now being done by the Health Department.

"Federal Aid"

When the United States Government offers a State a certain amount of money on condition that the State accepts the provisions of the Federal Bill under which the money is offered, it is termed "Federal Aid." In accepting Federal Aid a State must comply with all the conditions imposed by Congress upon that State, and in doing this a State often is obliged to surrender to Congress a certain amount of control over its own internal affairs. "Federal Aid" already has been accepted by Maine for use in several of its Departments, such as that of roads, schools, forests, National Guard, and agriculture. Where power has been expressly delegated by the State to the Federal Government there can be no criticism of a State's receiving Federal Aid. The Sheppard-Towner Bill now proposes that the Federal Government be given certain authority and supervision over the care of mothers and children within the State.

The "Federal Aid" now received by our State was accepted before I became Governor, and consequently the present status as to these departments cannot be changed. In my opinion, however, the practice of granting Federal Aid to States limits the sovereign rights of the States of the Union, and should be extended only in cases that unmistakably come within the provisions of the United States Constitution.

At the hearing on June 23rd the advocates of the Sheppard-Towner Bill admitted that the United States Supreme Court might declare the Bill unconstitutional, thus making the \$5,000 "gift" to the State an unlawful use of the public funds by Congress. Notwithstanding this, these advocates urged the State to accept the money "because other States have done so." The weakness of this argument is apparent, and the State of Maine will take no money unless it has a clear title to it.

I believe the time has come for the States of the Union to hold to principle and to carefully scrutinize all offers of "Federal Aid" before accepting them. Having no doubt as to what my duty is in this matter, I decline to accept the Sheppard-Towner Bill, and this State for the time being will stand with New York, Massachusetts and Rhode Island, the three States that have rejected it. The State of Maine will not sell its birthright, and principle not expediency, has been the determining factor with me in the solution of this problem. The financial aspect of Federal Aid is interesting. The proffered \$5,000 has been referred to as a "free gift" to the State of Maine, while in reality the Federal Government is taxing the State to raise this money, and now in order to help our mothers and children offers to pay back to the State the trivial sum of less than two-thirds of one cent for each inhabitant. At the present time over \$18,000,000 is annually taken in taxes by the Federal Government from the people of Maine and less than \$1,250,000 is returned to the State in the form of Federal Aid. This \$18,000,00 of Maine money is paid into the

Federal Treasury at Washington, a large portion being absorbed in heavy administration expenses at the Federal Capitol, and a small fraction being returned to the State.

Federal Encroachment

During the World War the power of the Federal Government over the States of the Union was extended beyond precedent. The time now has arrived, however, when our States should be restored to their former status and should guard against further encroachment. The founders of this government saw the menace of Federal control, and from Washington's time to the present, our greatest statesmen have warned against it.

The people of Maine are willing and able to care for their own mothers and children, and I have faith to believe that Maine men and women will do this rather than accept so-called gratuities from a Federal bureau. Already we are over-burdened with Federal interference and control, and our citizens and industries are hampered by Federal inspectors and other officials from Washington.

The final acceptance or rejection of the Sheppard-Towner Bill must be determined by the members of the incoming Legislature who directly represent the people of this State. It would be unfair to these representatives if the Governor in advance should commit the State to the principle involved in the Bill, for in that way the door to independent action by the Legislature virtually would be closed.

A six months delay is immaterial, for the \$5,000 is to be held in the Federal Treasury until June 30, 1923, and will not be lost to the State should the next Legislature accept it. A similar amount of maternity and child welfare work that would result from the use of this money between the present time and the opening of the Legislature will be undertaken as hereinafter provided.

The Sheppard-Towner Bill is to be attacked in the courts by the Commonwealth of Massachusetts, and eminent lawyers are of the opinion that the Federal Government has no power over the States in maternity and child welfare matters. There also is grave doubt as to whether or not the Governor of a State has the power to accept the Bill in question, even though Congress attempts to confer that power upon him. The Governor of a State does not derive his authority from the Federal Government, and a Federal Bill that seeks to confer new powers upon him is of questionable standing.

There can be no criticism of the attitude of those who would have the Governor accept the Sheppard-Towner Bill, for their purpose is humanitarian and unselfish. It is true, however, that reform by unconstitutional methods can not be enduring, and as Chief Justice Taft, in his recent opinion upon the Federal Child Labor Law, said, "The good sought in unconstitutional legislation is an insidious feature, because it leads citizens

and legislators of good purpose to promote it without thought of the serious breach which it will make in the arc of our covenant, or the harm which will come from breaking recognized standards."

The earnest, public-spirited women of the clubs and other organizations in the State who have endorsed the Sheppard-Towner Bill sincerely desire to promote maternity and child welfare work. Had they understood the far-reaching consequences of the Bill and the principle of Federal Control that underlies it, many of them probably would not have given it their endorsement.

The existing provisions of the Sheppard-Towner Bill are reasonably moderate, but it properly may be assumed that attempts will be made to broaden its scope so as to further restrict the State's control over its own affairs. It is apparent that the present Bill is but an entering wedge for more radical legislation and Maine's delegation in Congress, our Senators and Representatives, should be urged to resist all further encroachments upon the States by the Federal Government. Maine will loyally support the provisions of the Federal Constitution, but the time has arrived when the people of this State will jealously guard the rights inherent in them as a sovereign people, and will accept the responsibilities the possession of such rights imposes.

Governor and Council Provide \$5,000

The seven members of the Executive Council unanimously have advised me not to accept the Bill in question. These Councilors are men of wide experience in public matters and I value their opinions highly. They, as well as myself, have at heart the welfare of the people of Maine, and in conjunction with those who favor the Bill, we all desire to advance maternity and child welfare work.

The Councilors and myself believe that the figures given us on the mortality of mothers and infants in Maine show that an emergency exists that authorizes us to draw from the State Contingent Fund a sum equal to that offered the State by the Federal Government. This \$5,000 will be used in extending and improving the maternity and child welfare work now being done under the supervision of the State Department of Health. The Councilors and myself already have passed the Council order appropriating this sum. Dr. Kendall, our Health Commissioner, now has this \$5,000 to spend during the next six months through the regular channels of his Department.

The action of the Governor and Council has maintained the independent position of the State, the rights of the next Legislature have not been interfered with, while at the same time a distinct advantage has been gained for our maternity and child welfare work. The State's appropriation of \$5,000 is to be spent during the next six months period, whereas

the \$5,000 offered by the Federal Government was to have been used for a full year's work. The Governor and Council thus have shown their interest in the work referred to.

If the time ever comes when Maine refuses to care for its mothers and children or lags behind other states in humanitarian work, as some Southern States have done in neglecting to enact proper Child Labor Laws, then it may become necessary for the Federal Government to intervene, or at least to offer advice and assistance. We are not confronted with this condition at the present time, and should not encourage the centralization of power in Washington.

In years gone by the State of Maine has not hesitated to stand for great principles, and it is well for the forty-four States that have accepted the Sheppard-Towner Bill to know that the Governor of Maine neither asks for, nor accepts, Federal Aid for its mothers and children.

Given at the Office of the Governor, at Augusta,
and sealed with the Great Seal of Maine, this
Seventeenth Day of July, in the Year of our
Lord, One Thousand Nine Hundred and Twenty-two, and of the State of Maine, the One
Hundred and Third.

(Signed) PERCIVAL P. BAXTER,

Governor of Maine.

By the Governor.

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

STATE OF MAINE
PROCLAMATION BY THE GOVERNOR

No More War Day

Sunday, July 30th, is to be observed as No More War Day in many of the civilized countries of the world. The lessons of the recent war are too soon forgotten, time draws a veil over its sufferings and peace-loving citizens, intent upon their own pursuits, are prone to overlook the fact that selfishness still reigns in many high places.

Prussianism has not yet received its death blow. Crushed in one nation it still seeks to hold sway in others. Citizens in every land should guard against insidious propaganda and false appeals to patriotism, for history records that preparation has not averted, but often has hastened war.

America should continue to guide in the Peace Councils of the world.

Impressive reduction in naval armament has been effected under the leadership of President Harding and Secretary Hughes, and it is hoped that the great nations of the world soon will agree to a similar reduction in their military forces. Such a movement must be world-wide for no nation, however altruistic, should sacrifice its power of self-defense and expose itself to attack.

President Harding expresses it forcefully in saying: "Our hundred millions want less of armament and none of war." When the sleeping giant of public sentiment is once awakened and the people of every land unite in demanding that war shall cease, the work already begun will be brought to a successful conclusion and war will be no more.

Now, therefore, I, Percival P. Baxter, Governor of the State of Maine, do hereby proclaim.

Sunday, July 30, 1922

No More War Day in the State of Maine

and I appeal to the clergymen of the State to observe the day with appropriate services, and urge citizens in general to support President Harding in his efforts to promote permanent world peace.

Given at the Office of the Governor, at Augusta, and sealed with the Great Seal of Maine, this twenty-eighth day of July, in the year of our Lord one thousand nine hundred and twenty-two, and of the State of Maine the one hundred and third.

[Seal]

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

By the Governor.

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

**STATE OF MAINE
PROCLAMATION BY THE GOVERNOR**

**Suspending Open Season for Hunting
and**

Prohibiting the Carrying of Fire Arms in the Woods of Maine

The present forest fire situation in Maine is critical. As a result of the existing dry weather, fires in the woods once started spread with great rapidity. A sudden and alarming increase in the number of fires has

occurred since the opening of the hunting season. The worst fire in the history of the State occurred in the month of October and several hundred thousand acres were burned over at that time. If present conditions continue, disastrous conflagrations may result.

Now, therefore, I, Percival P. Baxter, Governor of the State of Maine, in accordance with the authority vested in me by Sections 38 to 41, Chapter VIII, of the Revised Statutes, do hereby proclaim a suspension of the Open Season for hunting, said suspension to continue until revoked by me. All provisions of law covering and relating to the Closed Season shall continue in force during said period and persons violating the provisions of this proclamation will be subject to the full penalty of the law.

In addition to the foregoing, whoever shoots during this period any wild animal or bird for the hunting of which there is no Closed Season, or whoever enters upon the wild lands of the State carrying, or having in possession, fire arms, will be punishable by a fine of one hundred dollars and costs.

This proclamation does not prohibit the shooting of wild water-fowl on the tidal waters of the State.

I call upon all citizens of the State to comply with the provisions of this proclamation and hereby instruct all Game and Fire Wardens and all other State officials to enforce said provisions.

Given at the Office of the Governor, at Augusta,
and sealed with the Great Seal of the State of
Maine this fourth day of October, in the year
of our Lord one thousand nine hundred and
twenty-two, and of the Government of the State
of Maine the one hundred and third.

(Signed) PERCIVAL P. BAXTER,

Governor of Maine.

[Seal]

ATTEST:

(Signed) EDGAR C. SMITH,

Deputy Secretary of State.

STATE OF MAINE

PROCLAMATION BY THE GOVERNOR

Reinstating the Open Season for Hunting and Permitting the Carrying of Firearms in the Woods of Maine

Heavy rains have extinguished most of the forest fires that have been raging for several weeks throughout the State, and I now consider it

safe to allow hunting and to permit the carrying of firearms in the woods of Maine.

The proclamation which I issued on October 4th is hereby rescinded.

In order that there may be no recurrence of forest fires I call upon all persons who go into the Maine woods to exercise every precaution in building and extinguishing fires and in the use of smoking materials. Forest fires almost without exception are the result of carelessness. Those who have the great privilege of enjoying hunting in the woods of Maine must be made to realize their responsibilities. If forest fires again become dangerous the open season on hunting will be suspended a second time.

I call upon the citizens of Maine as well as upon citizens of other states who come to Maine to hunt, to keep in mind the fact that the timberlands of Maine are the State's greatest asset, and that our laws allowing persons to go through the wild lands of the State are unusually liberal.

I should regret the passage of any law restricting the use of our woods, but such laws may become necessary if persons who now have free access to our forest resources fail to exercise care and restraint. Carelessness is inexcusable and people must be made to realize that whenever a fire occurs, there is great financial loss to timberland owners and cruel destruction of wild life.

[Seal]

Given at the Office of the Governor, at Augusta, and sealed with the Great Seal of the State of Maine, this ninth day of October, in the year of our Lord one thousand nine hundred and twenty-two, and of the Government of the State of Maine the one hundred and third.

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

By the Governor.

(Signed) Edgar C. Smith,
Deputy Secretary of State.

STATE OF MAINE
PROCLAMATION BY THE GOVERNOR

Armistice Day, November 11, 1922

Four years have passed since that memorable November 11th on the Western Front. Four years ago the greatest sigh of relief that ever came from human hearts rose Heavenward. The peoples of the world were

sick of war; they longed for peace. It came. Since then changes have been slow. Disappointment, but not despair, is abroad in the world because the lessons of the war have been too little heeded.

The young citizen soldiers who took up arms in their country's defense can do much to make or mar the future. It is for them to insist that the war's lessons be not forgotten. Their loyal and unselfish service in times of peace well may equal, if not exceed, that rendered during war.

Our form of government is the finest yet devised by man, but it cannot endure without the unselfish support of the great body of our citizens. The service man has a vital part to play in the coming decades of our country's history, and those who believe in him expect to see that part honorably played.

As a tribute to those who served in the World War,

Now, therefore, I, Percival P. Baxter, Governor of the State of Maine, do hereby proclaim

Saturday, November 11, 1922

Armistice Day in the State of Maine

and I call upon all citizens to give proper observance to the day, though in doing so there be some sacrifice of personal convenience or business interests. I call upon the service men and women to take the lead in the day's exercises and to pledge anew that in the years to come they always will uphold the duly constituted authorities and will observe and insist upon respect for and obedience to law.

Given at the Office of the Governor, at Augusta, and sealed with the Great Seal of the State of Maine this twenty-sixth day of October, in the year of our Lord one thousand nine hundred and twenty-two, and of the State of Maine the one hundred and third.

[Seal]

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

By the Governor.

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

STATE OF MAINE
PROCLAMATION BY THE GOVERNOR
Thanksgiving Day, November 30, 1922

The people of the United States are favored beyond those of any other nation. At peace with the world and with prosperity rapidly returning

we have reason to be grateful for the unusual blessings that have come to us not on account of any virtue of our own, but by reason of the character of the earnest, God-fearing men and women of former generations.

Long established custom has set apart a day each year for the renewal of family ties, for giving thanks to the Almighty and for asking Him that our people may be worthy to receive His favors.

Now, therefore, I, Percival P. Baxter, Governor of the State of Maine, do hereby designate

Thursday, November 30th, 1922

Thanksgiving Day in the State of Maine

I ask all citizens of this State, regardless of race or religion, to properly observe the day in their homes and churches. I remind them that the present generation is inclined to be complacent. It accepts the fruits of the labors of others without realizing that there is a debt of gratitude owed former generations that can be repaid only by transmitting to those who follow the heritage of liberty that has come down to us, the greatest and most enduring heritage in history.

[Seal]

Given at the Office of the Governor, at Augusta, and sealed with the Great Seal of the State of Maine, this sixteenth day of November, in the year of our Lord one thousand nine hundred and twenty-two, and of the State of Maine the one hundred and third.

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

By the Governor.

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

STATE OF MAINE

PROCLAMATION FOR PRIMARY ELECTION

To the selectmen of the town of Brunswick in the county of Cumberland in the State of Maine,

GREETING:

Whereas, by the death of Frank Edward Woodruff, late of the town of Brunswick in the County of Cumberland, who was duly elected a Representative to the Legislature to represent said town of Brunswick in the Eighty-first Legislature of the State of Maine, which convenes on the first Wednesday of January, the same being the third day of said month in the year of our Lord one thousand nine hundred and twenty-

three, a vacancy has been created as contemplated by chapter one hundred and seventeen of the Public Laws of nineteen hundred and seventeen, and

Whereas, the Constitution and laws of Maine provide that when the seat of a member of the House of Representatives shall be vacated by death, resignation or otherwise, the vacancy may be filled by a new election, and

Whereas, the Governor has by his Writ of Election issued this day designated Thursday, December 28th, 1922, as the day on which an election to fill the aforesaid vacancy shall take place, and

Whereas, the laws of this State provide that when special elections are to be held for any office as required or permitted by law, Primary Elections for the nomination of candidates to be voted for thereat shall be held at such time as shall be ordered by the Governor by proclamation and that he shall therein fix the time within which nomination papers shall be filed.

Now, therefore, I do hereby designate Thursday, December 14th, 1922, as the date upon which such Primary Election shall be held and Friday, December 1st, 1922, as the date upon or before which nomination papers shall be filed with the Secretary of State by candidates for said office and you are hereby directed and required in the name of the State of Maine to notify and warn all legally qualified voters to attend at the regular voting places in said town of Brunswick on the second Thursday of December, the same being the 14th day of said month for the purpose of voting for persons to be nominated by their respective political parties as candidates for the office of Representative to the Legislature from said town, to be voted for at the special election to be held on the fourth Thursday of December, the same being the twenty-eighth day of said month in the year of our Lord one thousand nine hundred and twenty-two.

And you, the said Selectmen in conducting the said Primary Election and in making your records and returns of the same, are hereby directed to comply fully with all the provisions of the law relating to the nomination of candidates at direct primaries.

[Seal]

In Witness Whereof, I have caused the Seal of the State to be hereunto affixed, at Augusta, this twenty-second day of November, in the year of our Lord one thousand nine hundred and twenty-two, and of the Independence of the United States of America, the one hundred and forty-seventh.

(Signed) PERCIVAL P. BAXTER,

By the Governor.

Governor of Maine.

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

STATE OF MAINE
A WRIT OF ELECTION

To the selectmen of the town of Brunswick in the county of Cumberland
in said State, GREETING:

Whereas, by the death of Frank Edward Woodruff, late of the town of Brunswick, in the county of Cumberland, who was duly elected a Representative to the Legislature, to represent said town of Brunswick in the Eighty-first Legislature of the State of Maine, which convenes on the first Wednesday of January, the same being the third day of said month, in the year of our Lord one thousand nine hundred and twenty-three, a vacancy has been created as contemplated by chapter one hundred and seventeen of the Public Laws of 1917, and

Whereas, the Constitution and the laws of Maine provide that when the seat of a member of the House of Representatives shall be vacated by death, resignation or otherwise, the vacancy may be filled by a new election,

Now, therefore, you are hereby directed and required, in the name of the State of Maine, to notify and warn all legally qualified voters to attend at the regular voting places in said town of Brunswick in said county of Cumberland on the fourth Thursday of December in the year of our Lord one thousand nine hundred and twenty-two, being the twenty-eighth day of said month, for the purpose of giving in their votes for a Representative to the Legislature from the town of Brunswick to represent said town in the Eighty-first Legislature.

And you, the said selectmen of said town in making your records and returns of the same are hereby directed to comply fully with the provisions of law relating to the election of State and county officers.

Given at the Executive Chamber, in Augusta,
this twenty-second day of November, in the
year of our Lord one thousand nine hundred
and twenty-two and of the Independence of the
United States the one hundred and forty-
seventh.

[Seal]

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

By the Governor.

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

STATE OF MAINE
PROCLAMATION BY THE GOVERNOR

Education Week, December 3rd to 9th

The American Legion and the National Education Association in order to stimulate educators and students throughout the country have arranged for nation-wide observance of National Education week.

Education is the foundation of true progress. I urge that special emphasis be laid upon Humane Education which teaches kindness to both human beings and to dumb animals. The training of the young people of Maine in the fundamental principles of justice and compassion toward all forms of life will have a lasting effect upon their character, and they will become better and more useful citizens.

Humane education first seeks the welfare of the child rather than that of animals, because experience has taught that children trained to be just and compassionate toward defenceless animal life thereby become just and compassionate toward human kind. In this lies the vital need of what we call humane education.

Now, therefore, I, Percival P. Baxter, Governor of the State of Maine, do hereby designate

The Week of December 3rd to 9th

National Education Week in the State of Maine

and I ask public officials, ministers of the Gospel, teachers in the Public Schools and the leaders of our Granges and other social and welfare organizations in the State, to lay special emphasis upon the ideals for which this week stands, and to urge our people to overcome the materialism of our age that is stifling the finer things of the spirit.

Given at the Office of the Governor, at Augusta,
and sealed with the Great Seal of the State of
Maine this twenty-third day of November in the
year of our Lord one thousand nine hundred and
twenty-two and of the State of Maine the one
hundred and third.

[Seal]

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

By the Governor.

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

STATE OF MAINE
A WRIT OF ELECTION

To the selectmen of the several towns and assessors of the several plantations in the county of Franklin, GREETING:

Whereas, by the death of Charles R. Hall, late of the town of Wilton in the county of Franklin who was duly elected a Senator to represent the county of Franklin in the Eighty-first Legislature of the State of Maine, which convenes on the first Wednesday of January, the same being the third day of said month, in the year of our Lord one thousand nine hundred and twenty-three, a vacancy has been created as contemplated by chapter one hundred and seventeen of the Public Laws of 1917, and

Whereas, the Constitution and the laws of Maine provide that when the seat of a State Senator shall become vacant by death, resignation, removal from the State or like cause, the vacancy shall be filled by an immediate election.

Now, therefore, you are hereby directed and required, in the name of the State of Maine, to warn all legally qualified voters to attend at the regular voting places in the various towns and plantations in said county of Franklin on the third Monday in January in the year of our Lord one thousand nine hundred and twenty-three, being the fifteenth day of said month for the purpose of giving in their votes for a Senator for the county of Franklin to represent said county in the Eighty-first Legislature.

And you, the said selectmen of said towns and assessors of said plantations in making your records and returns of the same are hereby directed to comply fully with the provisions of law relating to the election of State and county officers.

[Seal]

Given at the Executive Chamber, in Augusta, this twenty-seventh day of December, in the year of our Lord one thousand nine hundred and twenty-two and of the Independence of the United States the one hundred and forty-seventh.

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

By the Governor.

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

STATE OF MAINE
PROCLAMATION BY THE GOVERNOR
Bird Day 1923.

For more than four months the State of Maine has been buried under a mantle of ice and snow. The North Wind has frozen our lakes and streams and even the salt water bays and rivers along the seacoast have been stiffened by its blast. The Winter has been severe both for man and beast.

What of the birds? Those that have remained with us have suffered and died in great numbers, but the survivors join with their human friends in hailing the advent of Spring.

The first mild days will bring back to us the migratory birds, whose annual visit has been delayed, and the State once again will be happier and more cheerful on account of their return.

Never was there a Spring when our feathered friends were more welcome. Throughout the remainder of the year let us care for them, protect, enjoy and study them with renewed interest.

Life is sweeter because of the birds. Like human beings they suffer and die, often are hungry and cold, but unlike them their spirits seem never to droop. Frail little creatures though they be, they ever are cheerful, hopeful and brave. In these respects they set a bright example to their human companions.

Now, therefore, I, Percival P. Baxter, Governor of the State of Maine do hereby proclaim

Friday, April 13, 1923

Third Annual Bird Day in the State of Maine

and I urge all our citizens, young and old, to give it proper observance.

Given at the Office of the Governor, at Augusta, and sealed with the Great Seal of the State of Maine this third day of March, in the year of our Lord one thousand nine hundred and twenty-three, and of the State of Maine the one hundred fourth.

[Seal]

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

By the Governor.

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

STATE OF MAINE
PROCLAMATION BY THE GOVERNOR

March 22, 1923

To the People of Maine:

In 1868 the Governor of Maine, acting under authority granted him by the Legislature, deeded to a private corporation millions of acres of timberland that belonged to the people.

In 1923 the 81st Legislature has just granted to another private corporation water storage and power privileges worth millions of dollars.

These privileges are all that remain of the people's once great natural inheritance.

The end is not yet, for in 1923 the people possess power they did not have in 1868.

As Governor of Maine I immediately shall invoke a referendum upon the Kennebec Reservoir Company's charter, so that the people themselves may protect their rights. Their final decision will be given on the second Monday of September, 1924.

I call upon all loyal citizens to support this referendum and to sign the petitions that soon will go into every corner of the State.

Corporate interests and their lobbyists already are rejoicing over their triumph, and although these lobbyists have dominated the corridors of the State Capitol they have not yet stifled the voice of the people.

The men and women of Maine are yet to be heard from. Our only inheritance hangs in the balance.

[Seal]

Given at the office of the Governor at Augusta and sealed with the Great Seal of Maine, this twenty-second day of March, in the year of our Lord one thousand nine hundred and twenty-three, and of the State of Maine the one hundred and fourth.

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

Attest:

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

STATE OF MAINE
PROCLAMATION BY THE GOVERNOR
The Kennebec Reservoir Company and the Dead River
Reservoir Company

The referendum is vindicated. The eighty-first legislature by an overwhelming vote enacted the Kennebec Reservoir charter. I vetoed it, and on March 22nd it was carried over my veto, in the Senate by 22 to 7, in the House 121 to 25. In less than twenty-four hours I issued a proclamation calling for a state-wide referendum, and the people responded generously. Within three days thereafter 2000 referendum petitions of 50 names each were placed in circulation. This prompt action crystallized the sentiment of the State against the Kennebec charter and as a result the same legislature that passed the charter repealed it by a vote of 26 to 2 in the Senate and by a unanimous vote in the House.

As the development of our water resources is desired by everybody, I thought an arrangement might be made that would protect the State's rights as well as encourage private development, and accordingly called a conference of the Kennebec interests. A new charter was prepared and agreed to. Under its terms one million dollars was to be paid the State as rental for the privileges granted. The new charter incorporated the Dead River Reservoir Company, and the State's rights instead of being DEEDED away forever were to be LEASED to private interests for a proper consideration. These private interests accepted the new terms and pledged themselves to favor its passage, but for reasons of their own later withdrew from the agreement. The Kennebec charter then was repealed, as above stated.

The victory is won and a great principle has been established. The credit for what has occurred belongs to those loyal men and women who circulated referendum petitions and thus hastened the repeal of the charter. These volunteers already have returned to me more than the required 10,000 signatures and their response never has been equalled.

The public interests have been protected and the attempt to secure valuable water rights without paying for them has been defeated. Public sentiment has been aroused and in my opinion no legislature hereafter will GIVE away what belongs to the people. A very definite and considerable value, not less than one million dollars, was established upon the Dead River Charter, which covered but a portion of the State's water storage and water power privileges.

In the future if private interests are to develop the State's water resources they must pay a fair price for them. This principle, now established by public sentiment, is as binding as though written into our statutes. Our people want full utilization of the State's natural resources

and private interest will receive every proper encouragement consistent with the protection of the people's rights. In common with most of our citizens I believe in and desire private development, but where the State owns water resources these should be LEASED, not DEEDED away, and some proper return should be made to the State for their use.

When the Kennebec interests are willing to enter into an agreement to LEASE the State's water rights and pay for them on reasonable terms, I shall be glad to call a special session of the legislature so that there may be no delay in water storage and water power development.

It is desirable to have all outstanding referendum petitions in hand for reference in the future if occasion requires, and I request that all such petitions, even though incomplete, be returned to me.

The victory that has been won is a victory "OF THE PEOPLE, BY THE PEOPLE AND FOR THE PEOPLE."

[Seal].

Given at the office of the Governor at Augusta, and sealed with the Great Seal of the State of Maine this eleventh day of April, in the year of our Lord one thousand nine hundred and twenty-three, and of the State of Maine the one hundred and fourth.

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

Attest:

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

PROCLAMATION

By Percival P. Baxter, Governor of Maine

On the Pocket Veto of the Maine Water Power Commission

I did not approve the Amendment to the Maine Water Power Commission passed by the last (81st) Legislature because in my opinion the Amendment was not in the public interest. The reasons for my action are as follows:

In 1917 I introduced the original Water Power Commission Bill and after a hard fight succeeded in having it passed in 1919. I had great hopes for this Commission and it would not have been established except for my efforts. Under the 1919 law the ten members of the Commission are all appointed by the Governor, some being "recommended" by different groups, such as the Grange, State Chamber of Commerce, etc., but the

Governor retains the power of appointing those "recommended," and if they are not satisfactory to him he can call for new recommendations.

The Commission has done considerable work in stream measurements and in collecting statistics. I should have been glad to have had it continued, although I stated in my Inaugural Address that the work could be handled satisfactorily by the Public Utilities Commission at considerable saving to the State, and without interfering with the work of either Commission.

Much to my surprise an amendment to the original bill was presented for my signature on the last day and a few hours before the close of the legislative session. This took away the Governor's appointing power and, with one exception, placed it in the hands of the President of the Senate and Speaker of the House. Each of these gentlemen was to appoint two members, the President's two to hold office for three years and the Speaker's two for two years. The Governor was to appoint one member for one year, and was not even left the right to name the Chairman.

There evidently was some motive behind this Amendment that was not disclosed to me, and I considered it an invasion of the rights of the Executive, who under the Constitution makes all appointments from the Supreme Court downward. I do not understand why this change was proposed, unless it was for the purpose of placing the Water Power Commission in control of those who favored the Kennebec Reservoir Company Bill. In view of the subsequent action of the Legislature in repealing the Kennebec Bill, I feel that I am justified in having declined to turn the Commission over to those in favor of it.

As I was elected by the people of the State to protect their interests it is proper for me to presume that they have confidence in me. Although I do not wish to unduly press my views on the water power question, I do believe that, having convictions on it, I should hold to them. It would not be right for me to allow the appointment of a Commission that in my opinion would be hostile to the people's interests and that would promulgate views that would not protect the public rights. I always recognize the right of others to have their own views, and was willing to have a Commission with three members appointed by the Governor and two by the gentlemen above referred to. The Legislature refused such a compromise.

In "pocket vetoing" the bill I have saved the State thousands of dollars, and that portion of the work of the Commission that is of real value will be continued, probably through the Public Utilities Commission. Chairman Charles E. Gurney of the latter Commission was a staunch supporter of the original 1919 Bill and can be depended upon to be fair. He and his associates on the Public Utilities Commission will see that the State's interests are protected in every way. It should not be overlooked that

all appointments are subject to the approval of the Councilors, and that body serves as a check upon the Governor.

I believe that a certain group in the Legislature favorable to the Kennebec Charter was attempting to force my hand, so that during the next two years the interests that favor the Reservoir Charter would have a Water Power Commission in sympathy with their views, a Commission that could exert a strong influence in moulding public opinion in favor of some such plan as the Legislature passed and later repealed.

I am not opposed to the private development of State-owned water resources, but if this is permitted I do believe that the title to these resources forever should be retained by the State, that a rental should be paid the State for them, and that hereafter LEASES and not DEEDS should be made.

Whatever valuable work was being done by the Water Power Commission will be continued under the supervision of those in sympathy with what I believe to be for the best interests of all the people of Maine.

[Seal]

Given at the Office of the Governor at Augusta, and sealed with the Great Seal of Maine, this thirteenth day of April, in the Year of our Lord One Thousand Nine Hundred and Twenty-three, and of the State of Maine the One Hundred and Fourth.

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

By the Governor.

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

STATE OF MAINE PROCLAMATION BY THE GOVERNOR

Arbor Day and Forest Protection Week

We people of Maine have reason to be proud of the wonderful varieties of trees, approximately seventy-five in number, that abound in our State. Each variety serves an esthetic or a useful purpose, while some serve both.

Whether it be the shade trees that line our highways, the fruit trees on our farms, the wood lots of the country districts, or the great forests of the North and East, all contribute to our comfort, welfare and prosperity.

Like all living things a tree needs care, for it is subject to the ravages

of disease, insects and fire. It grows old and dies or is cut down by the hand of man.

The present generation of Maine people is under an obligation to replace the trees that it uses, or those who follow us will live in a barren State, shorn of its most beautiful adornment.

In order to impress upon our citizens the value of the trees of Maine I hereby proclaim

MAY 4th, 1923

as

ARBOR DAY

and the

WEEK OF MAY 3rd to 9th, 1923

as

FOREST PROTECTION WEEK

in the State of Maine.

I suggest to Chambers of Commerce and other public bodies and to those in charge of our Public Schools that Arbor Day and Forest Protection Week be given proper observance.

[Seal]

Given at the Office of the Governor and sealed with the Great Seal of the State of Maine this eighteenth day of April, in the year of our Lord One Thousand Nine Hundred and Twenty-three, and of the State of Maine the One Hundred and Fourth.

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

Attest:

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

STATE OF MAINE

PROCLAMATION BY THE GOVERNOR

The Inside History of the Kennebec-Dead River Storage Charters

When the Legislature convened in January, 1923, it was apparent that a determined effort was to be made by certain private corporations to obtain complete control of the Kennebec River and that an organization had been perfected for this purpose. During the first week of the session the

water-power lobby appeared upon the scene in Augusta, and the Kennebec Storage charter soon was launched upon the Legislature. This bill provided that the State should deed to a private corporation certain water resources owned by the State in the Dead River region, one of the few places where the State actually holds title to valuable water privileges.

This "Kennebec" charter did not escape my attention but I felt that it was a legislative problem in the first instance, and accordingly refrained from commenting on it other than to say that I believed it was unwise for the State to part with its water resources. The 81st Legislature, however, was very sensitive about its so-called "prerogatives," and I was not consulted in connection with the bill, although I had some brief but guarded conversation regarding it with certain lobbyists who called upon me.

Charter Passed Over Veto

During the 81st Legislature the corporate interests were unusually powerful, more so than I ever have known them to be. They swept aside the opposition of the few members of the Senate and House who opposed the bill. Senator R. O. Brewster of Cumberland and Representative F. D. Cummings of Portland led the opposition and made a vigorous attack upon the bill, exposing its many weak points. The arguments of the lobbyists however were persuasive. The Legislature both Senate and House rushed the charter through by triumphant majorities.

The Charter came to me in due course. I vetoed it in a message delivered in person to a joint convention of the Senate and House, after which it was immediately carried over my veto by overwhelming votes in both branches. It was amusing to see the lobbyists race to the telephone booths to spread the news of their victory over the Governor. Their rejoicing was premature for within a few hours I issued a formal proclamation telling the people of Maine that their valuable water resources had been deeded to a private corporation and calling upon them to rally to the support of a referendum. The response was splendid and from that moment the people took the matter into their own hands. Such prompt action was unexpected by, and caused a good deal of concern to, the water power interests. They soon saw how the situation was developing and that they could not stem the tide of popular disapproval. In a desperate attempt to save their own charter they adopted the unusual procedure of themselves starting a second referendum. The corporations never have been known to consult the people before; when asking for special privileges usually they have obtained them for the asking. Finding themselves in a corner, they now sought to escape by having a referendum at a special election in September, 1923, which they expected they could control with a few thousand votes.

Prompt Decision Desired by All

I desired to have this issue settled promptly, but did not want to hasten the decision when by doing so the people of Maine, before they realized what the corporations were doing, might lose their water resources forever. For example 27,285 votes were cast at the special referendum election in 1921 while there were 118,542 votes cast on the referendum at the general election of 1920. A majority of 27,285 votes is much easier to obtain than a majority of 118,542 votes. From this it is apparent that the corporate interests believed that they could save their charter by controlling a few thousand votes at a special election in 1923. The cost of doing this meant nothing to them but they were afraid of a vote in 1924, when over 200,000 voters would go to the polls and vote on the referendum I had started. I wanted the people as a whole to take time to think this matter over so they could vote intelligently upon it. I feared the corporate propaganda and wanted a large vote which no interests could handle. An added reason for postponing the referendum until 1924 was that the people of the State thereby would be saved the heavy expense of a special election, not less than \$30,000.

It should not be overlooked that had the Legislature wished to consult the people upon this important matter, it might have put a referendum clause on the original bill. This would have settled the matter without a referendum by either the Governor or the corporations. The legislators however did not care to consult the people, its decision to pass the Kennebec bill was arrived at early in the session and its first thought of the people was after my referendum was well underway.

The result was that both referendum petitions were placed in circulation. During all this activity I was considering the matter carefully. After consulting with my brother, Councilor R. H. Baxter, I thought some compromise might be effected wherein the State's interests would be protected and private development encouraged.

The Inside History

The history of these negotiations makes interesting reading for Maine people. The first of my referendum petitions were distributed March 26th. On Friday, March 30th, I invited Mr. William B. Skelton of Lewiston to come to Augusta, he being the registered lobbyist, or "legislative agent," of the principal individuals who comprised the Kennebec group of water power owners interested in the proposed charter. Mr. Skelton, Councilor Baxter, and myself talked over the matter, but apparently to no purpose. Without making plans for another conference we parted. Not being discouraged, on Sunday, April 1st, I telephoned Hon. E. W. Wheeler of Brunswick, a man of wide experience in public affairs, entirely impartial and not interested in water powers, and Mr. Skelton. At my invitation

they both came to Augusta and discussed the situation with Councilor Baxter and myself.

I told Mr. Skelton that I would favor granting his companies a charter if they would accept a conservatively worded constitutional amendment allowing the State to develop water storage, and also would pay a fair price on a *lease* for the Dead River water rights. Mr. Skelton agreed to report this offer to his principals, both those within and without the State. Monday, April 2nd and Tuesday, April 3rd passed without my hearing from Mr. Skelton. I thought the matter had been abandoned, but meanwhile I took Senator Brewster into my confidence and told him all that had occurred.

New Charter Agreed Upon

The attempt to effect a compromise appeared to have failed. On Tuesday evening Mr. Walter S. Wyman, Treasurer and General Manager of the Central Maine Power Company, himself one of the concessionaires in the original bill, met Senator Brewster and asked him to find out my views as to what would be a fair rental, and before seven o'clock Wednesday morning, April 4th, the telephone at the Blaine House rang and Mr. Skelton talked from Lewiston with my brother and said he was coming to Augusta with full authority to negotiate. On the afternoon of that day Mr. Skelton, Councilor Baxter, Senator Brewster, and myself went over the details and Mr. Skelton definitely stated that his corporations would not oppose a constitutional amendment and would pay a fair price for a lease of the water rights. He stated also that he had communicated with all of his companies and was their accredited representative at our conference. After this the only question at issue was the amount of money to be paid the State as rental. Everything else had been agreed upon.

Later in the day Mr. Skelton came to the Governor's Office and stated that he had discussed all the details with his corporations in Maine and those in Boston, that they all understood and had agreed to them but as an afterthought wanted the constitutional amendment eliminated from the agreement. Senator Brewster and myself conferred about this and concluded that as the amendment was not really an issue at that time we would waive it. As a result the price of \$25,000 per year was established as rental for the privileges leased. The bargain was made and the matter closed.

"Water Powers"

Senator Brewster and Mr. Skelton retired to Mr. Wyman's office to draft the bill as agreed upon. About 11.30 that evening, they returned to the Blaine House accompanied by Mr. Wyman and bringing with them a typewritten copy of the new charter, according to agreement. Councilor Baxter and Secretary Chadbourne were present. In talking with Messrs.

Skelton and Wyman, I called their attention to the fact that the first charter did not grant the nominal right to develop water power, although it specifically granted the company everything the State owned, including the main dam location together with the right to build and maintain such other dams as the Company might want to build between the location of its principal dam and the junction of the Kennebec and Dead Rivers, twenty-two miles distant. In other words, I showed them that the first charter was all inclusive and gave the corporations all the water rights of this vast territory, a region larger than Androscoggin County.

I realized that the companies had not asked for the specific right to "develop" water power, but understood their plan which was merely a blind or camouflage. Once the storage dam was built, of course no other dam could be placed on the same location and the Kennebec Company was the only party that could ever develop water power in that location or area. They had seen to it that nothing was left to the State! The second step was to ask the next Legislature for the nominal right to develop or sell the water power at the dam where it would be running to waste, and such a request then could not reasonably be withheld. I told Messrs. Wyman and Skelton that if they built a dam there was no reason why they should not develop such power as was available, for to fail to do so would be an economic waste, and certainly no one else could develop water power at their dam location. Mr. Wyman replied that the "water power" would be of no consequence, and if there was some "seasonal" power it would be for only four or five months a year, and he would not know what to do with it if he had it. He stated it was not worth bothering about and brushed the whole power matter aside. Nothing more was said about it, nor did it enter into our calculations. The price of \$25,000 was agreed upon before water power was mentioned: that price was not discussed or altered afterwards, and no suggestion of dividing the rental, one part for storage and another for power, was made. That figure was based solely upon storage and not upon the water power privileges, which were only incidental and were treated in a very indifferent manner by both Messrs. Wyman and Skelton. The attempt now being made by certain newspapers that support the corporations to confuse this issue, has as one of its purposes the saving of the feelings of those Legislators who voted with the corporations and then retreated under fire by repealing their own bill. The right to use the water that otherwise would run to waste was not a factor in our agreement for the Dead River charter.

Over Confidence of Corporations

Mr. Wyman agreed to secure the passage by the Legislature the following (Thursday) morning, of the new bill and was so sure of the corpora-

tions' ability to carry it through that he proposed to have the bill "engrossed" that very night. It then was after midnight. The last step before the final passage of a bill is its "engrossing," and Mr. Wyman wanted the charter in shape to have it passed promptly at the morning session. Senator Brewster and myself both suggested that to have a bill "engrossed" before it even had been "introduced," might be construed as interfering with Legislative prerogative. We cautioned against undue haste and inquired if the Legislators had been consulted. The reply was in the negative, but Messrs. Skelton and Wyman both were confident of their influence with the Legislature, and stated that the bill would be passed. That was their work, not ours! Mr. Wyman immediately went to the printer's office and ordered the bill engrossed, with the result that the first proofs innocently enough had the word "Wyman" printed at the top of the page, showing that the printer had taken his orders from Mr. Wyman personally. This printed name is conclusive proof that the bill was approved in every detail by both Messrs. Wyman and Skelton, and that it is the bill that Senator Brewster and myself consistently favored, and which we sought to have passed in the closing hours of the Session. Not a word or line ever has been changed by any of the parties who conferred regarding it.

I agreed to deliver a message to the Legislature explaining the new (Dead River) charter, prepared it Thursday morning, and after reading it to Senator Brewster, delivered it about noon before the Senate and House. Within an hour the water power lobby re-appeared at the Capitol in full force and the atmosphere was charged with excitement.

Legislature's Dilemma

The Legislators did not take kindly to the Dead River Charter for they felt it placed them in an uncomfortable position. On the assurance of the corporations that the Kennebec Charter was a good bill and did not affect adversely the public interest, they had accepted the first bill and passed it over the Governor's veto. Now their faith in the corporations was shaken, for they found that Messrs. Skelton and Wyman privately had agreed upon a second bill in which the State was to receive a million dollars rental, under a lease of privileges that under the first bill were to be deeded away forever. Consternation prevailed among those Legislators who had backed the Kennebec bill, and passed it so triumphantly over the Governor's veto. They did not know what to do. The scene in the Augusta House that evening never will be forgotten, and feelings ran high. Some Legislators in their distress came to me and explained their predicament. They asked for advice, saying they could not face their constituents at home if the new charter passed. They were desperate and realized that explanations would be demanded of them.

I replied that there was a principle which should guide us all and that was first to determine what was best for the State of Maine, then hold to it, and let all other considerations of expedience and face-saving be disregarded. I explained that the new bill was a LEASE, not a DEED, that it gave the State a million dollars rental during the 40 year period, which rental could be increased if a renewal of the lease were granted, that the timber on the land leased was retained by the State and that the bill provided that all the dead wood should be removed so that a beautiful lake and not a great forest graveyard would be created in the Dead River country. The Kennebec charter contains none of these provisions. Had there been a few more cooler heads in and about the Legislature, the Dead River charter would now be a law of the State. As a matter of fact, however, Messrs. Wyman and Skelton were so upset by the turn of events that the new charter never was formally "introduced" in either branch.

Repudiation

Up to this point in the negotiations, I have every reason to believe that Messrs. Wyman and Skelton were acting in good faith and were desirous of effecting a compromise that would be fair to all parties. Whether they exceeded the authority conferred upon them by their associates is of course a matter entirely within their own knowledge. At two o'clock on Friday afternoon, April 6th, I received a formal letter from Mr. Wyman, in which he admitted that he had "assented to" the Dead River charter but stated he had withdrawn from the proposed arrangement, and did not want it passed. His excuse was that in my message I expressed an opinion that the Dead River charter established a "new policy for the State," which was that water resources owned by the people hereafter would be *leased*, not *deeded* away to private interests, and that the people must receive an adequate rental therefor. He also objected to my statement that the Dead River charter placed a value upon the State's water resources which must hereafter be reckoned with.

Mr. Wyman's "excuses" were transparent. I since have learned that his out-of-state associates pressed him hard and refused to abide by the agreement that he and Mr. Skelton made with me as Governor of the State. My "message" expressed my own opinion: it did not bind the Legislature, present or future, and Mr. Wyman's withdrawal was a deliberate breach of faith on the part of himself, his associates, and the corporate interests they represented.

The situation became complicated. It was apparent that the Legislators were determined to kill both bills and the lobby now recognized that this was inevitable. To the Legislators that seemed the only way out of their dilemma. It was interesting to see how eager some members who had openly advocated the Kennebec bill now were to kill it. Several were

anxious to have the honor of giving it its death blow, but the privilege of introducing its repeal very fittingly fell to Senator H. G. Allen of York County, one of the few staunch and consistent opponents of the bill from the beginning. Although Senator Brewster and myself had done our best for the State, the Legislature was not quite broad-minded enough to accept the best trade ever offered a Maine Senate and House. Thus ended both storage charters.

The Dead River charter was fair to all parties and would have encouraged the development of industry. From the time it left our hands on Wednesday evening and was ordered printed by Mr. Wyman, until now, neither Senator Brewster nor myself have "crossed a T or dotted an I" in it. Moreover, we did all we could to secure its passage.

The Lobby Dominates Situation

For 24 hours after my message was delivered, Mr. Wyman and his associates labored feverishly with the Legislature to induce it to adopt the Dead River Charter. This proves that they favored it, and their excuse for repudiating their definite agreement with Senator Brewster and myself, was an eleventh hour evasion that did not occur to them until they realized that the men who actually were in control, and who live out of the State, had withdrawn their support and ordered a retreat. It was a complete and humiliating backdown.

The disappointed corporate interests having lost the control of the Kennebec River that once was in their grasp, now are trying to explain what happened. They are constantly talking about the so-called "water power rights" of the second charter. This is an afterthought, devised to sooth those Legislators who still smart under the treatment the corporations gave them. It is an excuse to let them down gently, and is dust to confuse the people. The Lobbyists and newspapers affiliated with them seek to make it appear that the rental was based upon these rights, whereas, as has been stated, Mr. Wyman himself said the power rights were of no consequence, and the matter never was discussed beyond that point.

There is an interesting sidelight in connection with the appearance of the hearing before the Legislative committee of George C. Danforth, Chief Engineer of the Maine Water Power Commission. On being questioned by the representative of the corporations, Mr. Danforth stated that in his opinion the Kennebec Reservoir Bill did not conflict with the public interest, and he believed it should be passed. The duty of a State official is to protect the interests of all the people, and I regretted that the representative of a Commission, for the creation of which I was responsible, should have completely failed to grasp the full meaning of the Kennebec charter. The Water Power Commission was established to protect the People's rights, and Mr. Danforth might have been of real assistance to

all parties in this crisis. Since the adjournment of the Legislature, if newspaper reports are correct, he has traveled about the State addressing gatherings and informing those present that a serious mistake had been made by the repeal of the Kennebec Charter.

Planning for Future Drive

Certain newspapers affiliated with the Central Maine Power Co. and other corporate interests now rally to their support, and the State is flooded with propaganda, alleging that the first bill would have been of great benefit to our industries. In other words, during the Legislative session, the Lobby backed the Kennebec bill and carried it through. Now some of the leading newspapers are backing it and have entered upon a deliberate policy of creating public sentiment so that the water power companies may obtain the same or a similar bill at the next Legislative session. This is all a part of the general scheme of certain private interests to secure control of all the water resources of the State. In my opinion however the more publicity the newspapers give this issue the more our citizens will understand what the water power people really are attempting to do.

It is doubtful if a Maine Legislature ever again will pass a bill like the Kennebec Storage Charter, but should this be done, the people of Maine will invoke the referendum and prevent such a charter becoming the law of Maine.

Public sentiment has crystalized. LEASES not DEEDS will be granted in the future. The people of Maine are prepared to insist that a fair rental be paid by all corporations that hereafter ask for the right to develop State-owned natural resources.

Given at the Office of the Governor at Augusta, and sealed with the Great Seal of Maine, this third day of May, in the year of our Lord one thousand nine hundred and twenty-three, and of the State of Maine the one hundred and fourth.

[Seal]

(Signed) PERCIVAL P. BAXTER,

Governor of Maine.

By the Governor.

(Signed) FRANK W. BALL,

Secretary of State.

STATE OF MAINE
PROCLAMATION BY THE GOVERNOR

Special Election, October 15, 1923

WHEREAS, Section 18, Part Third, of Article Four of the Constitution of the State of Maine, as amended, provides as follows:

"Sec. 18. The electors may propose to the legislature for its consideration any bill, resolve or resolution, including bills to amend or repeal emergency legislation but not an amendment of the state constitution, by written petition addressed to the legislature or to either branch thereof and filed in the office of the secretary of state or presented to either branch of the legislature at least thirty days before the close of its session. Any measure thus proposed by not less than twelve thousand electors, unless enacted without change by the legislature at the session at which it is presented, shall be submitted to the electors together with any amended form, substitute, or recommendation of the legislature, and in such manner that the people can choose between the competing measures or reject both. When there are competing bills and neither receives a majority of the votes given for or against both, the one receiving the most votes shall at the next general election to be held not less than sixty days after the first vote thereon be submitted by itself if it receives more than one-third of the votes given for and against both. If the measure initiated is enacted by the legislature without change, it shall not go to a referendum vote unless in pursuance of a demand made in accordance with the preceding section. The legislature may order a special election on any measure that is subject to a vote of the people. The Governor may, and if so requested in the written petitions addressed to the legislature, shall, by proclamation, order any measure proposed to the legislature by at least twelve thousand electors as herein provided, and not enacted by the legislature without change, referred to the people at a special election to be held not less than four or more than six months after such proclamation, otherwise said measure shall be voted upon at the next general election held not less than sixty days after the recess of the legislature, to which such measure was proposed."

AND WHEREAS, petitions signed by not less than twelve thousand electors were filed with the Senate of the Eighty-first Legislature on March 2, 1923, being at least thirty days before the close of its session, proposing to the Legislature for its consideration a bill entitled, "An Act to Amend Sections One and Three of Chapter Three Hundred Fifty of the Public Laws of Nineteen Hundred and Fifteen, Relative to the Hours of Employment of Women and Minors," the last paragraph of said petitions reading as follows:

"The Governor is hereby requested to issue his proclamation, referring

the within act to the people, at a special election to be held not less than four nor more than six months after such proclamation."

And Whereas, the bill proposed in said petitions was not enacted without change by the legislature at the session at which it was presented,

Now, Therefore, I, Percival P. Baxter, Governor of the State of Maine, in accordance with the provisions of the Constitution, do issue this proclamation, and hereby order that the measure, proposed as above shall be referred to the people at a special election to be held on the third Monday of October, being the fifteenth day of said month, in the year of our Lord One Thousand Nine Hundred and Twenty-three.

[Seal]

In Witness Whereof, I have caused the seal of the State to be hereunto affixed, at Augusta, this eighteenth day of May, in the year of our Lord One Thousand Nine Hundred and Twenty-three, and of the Independence of the United States of America the One Hundred and Forty-seventh.

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

By the Governor.

Attest:

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

STATE OF MAINE PROCLAMATION BY THE GOVERNOR

Maine Water Powers, 1923-1924

I have given to the public the inside history of the short-lived Kennebec Reservoir Charter, and of the attempt to substitute for it the Dead River Charter. The people of Maine have become aroused by the widespread discussion of these two measures and the question now arises, what of the future? Although certain newspapers have undertaken to shape public opinion in the interest of the corporations, I fear little or nothing from such sources because I have faith that the water power issue will be settled right before it is settled finally.

It is well to look to the past, for history often repeats itself. In 1918 when this question was young, sixteen of the largest corporations in Maine, with capital resources in excess of \$150,000,000, openly joined in an alli-

ance to end all water power discussion and attempted to show that the people had no rights in the State's most valuable natural resource.

The sixteen companies referred to were Rumford Falls Power Co. and Oxford Paper Co., H. J. Chisholm, President; Great Northern Paper Co., Garrett Schenck, President; Union Water Power Co., Union Electric Power Co., and Androscoggin Reservoir Co., Wallace H. White, Treasurer; St. Croix Paper Co., Arthur L. Hobson, Treasurer; Central Maine Power Co., Walter S. Wyman, Treasurer; Androscoggin Mills, P. Y. deNormandie, Treasurer; International Paper Co., Philip T. Dodge, President; Androscoggin Electric Co., William T. Cobb, President; Hill Manufacturing Co. and Lewiston Bleachery Co., H. B. Richardson, Treasurer; Pepperell Manufacturing Co., William Amory, Treasurer; Bates Manufacturing Co. and Edwards Manufacturing Co., H. deF. Lockwood, Treasurer.

The leading representatives and spokesmen of the above companies were Hon. William T. Cobb, ex-Governor of Maine, and Hon. William M. Pennell, ex-Sheriff of Cumberland county. A Statewide campaign was inaugurated, expensive publications were issued and widely distributed, and addresses were delivered in many of our towns and cities. This campaign however was costly and fruitless; in fact it caused a healthy reaction against the corporation standpoint and greatly stimulated public interest in water powers. The people of Maine in 1923 understand the water power situation far better than they did in 1918. These sixteen corporations were unable to shape public sentiment throughout the State five years ago, and such being the case the seven corporations at present represented in the Kennebec Charter cannot hope to do so now.

The "concessionaires" or gentlemen interested in the Kennebec Reservoir bill are Philip T. Dodge for the International Paper Co.; H. deF. Lockwood for Edwards Manufacturing Co.; Rudolph Pagenstecher for Shawmut Manufacturing Co.; Waldo E. Pratt for Hollingsworth & Whitney Co.; Garrett Schenck for the Great Northern Paper Co.; W. E. Winchester for Lockwood Manufacturing Co.; and Walter S. Wyman for Central Maine Power Co. In this message I shall speak frankly and openly, not hesitating to give the names of those connected with this subject. The people of Maine are entitled to full information.

"Keep It Out of Politics"

The corporations now plead that water powers should be "kept out of politics," but in my opinion an issue of such magnitude, one that affects the health, prosperity, and welfare of all the people of the State must continue to be a matter of public concern until it is settled on a basis fair to all parties. It cannot be thrust aside, or overlooked; it must be faced. The corporations naturally would prefer to have it forgotten so that what

remains of the State's water resources can be quietly absorbed by private interests. I welcome a full discussion however, hoping it will result in a prompt, final and reasonable settlement that will protect the people's rights and encourage development. I shall endeavor to keep advised of every move that is made, and shall take the public into my confidence.

The Kennebec-Dead River Charters of necessity will be injected into the 1924 political campaign unless settled before that time, as I wish they might be, because too many people and too many interests are affected to allow them to be forgotten. If both political parties will make a frank declaration that they favor development, and until the State itself enters the field will favor leasing the State's water resources to private interests for a reasonable length of time and for a proper consideration, the atmosphere immediately will be cleared and the people and the corporations will know on what ground they stand.

"Greeks Bearing Gifts"

The "interests" that lost their Kennebec charter in the 81st Legislature now propose to "enlighten" the people of Maine. I do not recall that these "interests" ever before have consulted the people or taken them into their confidence. They however possess a distinct advantage in being in control of several large newspapers whose columns always are open to them, editorially and otherwise. Already it is apparent that the newspapers affiliated with these corporations plan to conduct an aggressive campaign to prepare the people for the granting of future concessions. Citizens of Maine naturally will be skeptical of views disseminated through corporate channels, for it is the old story of the "Greeks bearing gifts." I believe our people will understand, and will not be swayed by the arguments of those whose interests are entirely one-sided and selfish.

The "Truth" About Water Power

One of the leading newspapers under date of April 25th carried this headline, "To Tell Truth About Maine Water Power. State Chamber of Commerce to Name Fact Finding Board." It stated that the Executive Council of the State Chamber of Commerce recently held a meeting and "went on record as favoring immediate action in placing before the people of Maine the complete facts and truthful information in regard to the Maine Water Power situation." It is interesting to analyze the background of some of the gentlemen alleged to have been present at this State Chamber meeting.

The President of the State Chamber of Commerce, Mr. James Q. Gulnac of Bangor and Portland, consistently has opposed every move to protect the rights of the people in Maine's water resources. He has traveled extensively over the State, and at times I have been with him. More

than a year ago he planned to hold "Boom Maine" meetings in every county in the State and invited me to attend them. I promptly accepted the invitation, and after visiting five or six counties and expressing my views on the water question, which he invariably opposed, his enthusiasm for further meetings waned, and as a result Maine no longer was "boomed." This gentleman is so imbued with the rights of private corporations that he believes the State in the years gone by acted wisely in selling its vast areas of timberlands at prices that virtually gave them away. As a matter of fact if Maine had retained these lands today there would be no need of a single dollar being raised by direct taxation in this State. Great developments would have resulted and a portion of the profits from them would have gone into the public treasury instead of all of it having gone into private fortunes. Gentlemen of Mr. Gulnac's views would give away our water resources and thus repeat the timberland calamity of sixty years ago. He properly may be called a member of the corporate school, out of sympathy with modern ideas as to the rights of the public in the State's natural resources.

One of the Vice-Presidents of the Central Maine Power Company, Hon. Guy P. Gannett of Augusta, who has a large interest in timberlands and water powers as well as in certain newspapers that bitterly attack every move to protect the rights of the people in the water resources of the State, also was in attendance at the meeting, if his newspaper had a correct account of it. This gentleman cannot be classed as an impartial observer as he has a direct personal interest in water power companies. He also is Republican National Committeeman, a position that gives him a certain following among those who instinctively follow party leadership, and this being so "politics" are brought into the question at the very start. His affiliations are well understood, and being a co-director and co-beneficiary with Mr. Walter S. Wyman, one of the "Kennebec concessionaires," he can hardly be expected to make an impartial contribution to the proposed "Fact Finding" Board.

Dr. Walter E. Elwell of Portland, the President of the Associated Industries, an organization of which Judge Benjamin F. Cleaves is Executive Secretary, is alleged to favor the "Truth Telling" plan. Water powers naturally would appeal to these gentlemen from a somewhat one-sided viewpoint, as the Associated Industries, being an association of corporations and large business interests, depends for its existence upon corporate support.

One of the newspapers referred to Hon. Arthur R. Gould, a citizen of Presque Isle, in connection with this meeting. Mr. Gould is the owner of practically all the water powers and electrical plants in Aroostook county. He has deserved success and has achieved it. It is interesting to recall that the 80th (1921) Legislature gave him water storage rights of great

value, and whatever he may say on the water question of course would be colored by his interest in his several corporations.

I have given the background of some of those who seek to "Tell the Truth" about Maine Water Power. Their findings will make interesting reading but will carry little weight, for these gentlemen cannot be expected to rise above their immediate surroundings and take a stand against their own self-interest. "Fact" findings and "truth" tellings of a committee whose sponsors represent the corporate interests of Maine will not make a deep impression upon impartial and disinterested citizens.

Present Day Lobby

It often has been stated that the lobby maintained by corporations at Augusta twenty or thirty years ago was more powerful than that of today and I once inclined to that view. My recent experiences have shown me to be in error. The water power lobby of 1923 at Augusta was almost invincible. "Legislative agents," or lobbyists, were summoned from every county in the State; they appeared upon the scene overnight and the corridors were crowded with them. They actually were to be found at every turn, inside and outside legislative halls. It is interesting to note that the State's official record shows that 69 "legislative agents" were officially registered at Augusta during the 81st Legislative session, and no account was made of those who acted in an unofficial capacity. Surely with all the good advice that these gentlemen were ever ready to give, the Legislature should not have gone far astray! In view of the fate of the Kennebec charter, legislators hereafter are likely to regard lobbyists with some suspicion!

The lobby situation is both troublesome and dangerous and, in my opinion if allowed to continue, future legislative sessions in the State of Maine will be dominated by a water power lobby that will control legislation with an iron hand. It is not easy to overestimate the power of these men, mostly lawyers, well paid, resourceful and of long experience. When they cannot carry their point by flattery they bring pressure to bear from all sides. They pursue legislators until they wear them out by one means or another. They are not concerned with party lines and use Republicans and Democrats to equal advantage. Theirs is an occupation "for business only" and principles mean nothing to them. They block the road to progress, and when I see that steps already have been taken to procure the election of water power sympathizers, and men the lobby can rely upon or control, as members of the next (82nd) Legislature regardless of their party affiliations, I am apprehensive of the future.

Door Open for Compromise

In my official Dead River Proclamation I left open the door for a compromise and for the encouragement of private development. I stated that

if, and when, private corporations are prepared to pay the State a fair rental for leases of State-owned water resources I will call a special session of the Legislature to consider the proposition. In fact I would like to have storage developments actually started during the summer of 1923, if the State's interest in them is properly protected.

Some newspapers in the State repeatedly are emphasizing the precarious condition of Maine's industries. This is an unfortunate practice and well may be a part of the propaganda of the water power interests who seek to bring to terms, our legislature and our people, by alarming them over an imaginary crisis. Stories are frequently published about industries that threaten to move out of Maine, and some pessimists would have it appear that our State was entering upon an industrial decline. The very same newspapers that publish these depressing statements unwittingly contain statistics of a very different color showing that our industries have grown and prospered far beyond similar industries in other states.

Maine Industries Prosper

A newspaper dispatch from Washington dated April 11th from T. S. Forsyth, and published in a Maine paper, states: "Within the confines of the State of Maine are many industries steadily forging ahead and rapidly taking their places on a par with similar industries in other states. The commercial business of Maine is becoming a big factor in the State. Maine, with its agriculture, its fisheries, its industrial plants, its fur trade, and other activities is mounting up to a higher plane of importance and prosperity.

* * * * It would not be surprising if the total wealth of the State of Maine in everything did reach five billion dollars, and might perhaps easily go beyond that figure, if personally owned bonds are considered."

A Banker's Optimism: Maine's Industries Boom

As a sequel to the above encouraging statement from an outside source, one of the large banking houses of the State, Beyer & Small, on April 16th last published in a daily Maine paper a Market Record of Maine Stocks as compared with New York Listed Stocks, and in commenting upon it says:

"Our chart shows that the twenty listed (N. Y.) stocks started in February, 1922, at an average of about 82 and moved upward and downward according to the market to an average of about 103 on April 1, 1923, a total advance of about twenty-one points. In the same period the average of twelve Maine stocks moved from about 164 to 254—an advance of about ninety points. It is worth noting here that the average never moved downward during the fourteen months." The same writer makes the illuminating comment that:

"It is certainly not to Maine's credit, that about seventy-five per cent of the important Maine corporations are controlled by capital foreign to the State."

The newspaper that published the above, on its own part says:

"Maine industries have far outdistanced those of the Country as a whole in increase of prosperity in the fourteen months ending April 1. This fact is established by a tremendous increase in the value of shares of capital stock in those industries—the average increase in value per share in the Maine industries having been \$90, while for the Country as a whole, the increase was but \$21 a share.

"Another fact to Maine's credit is that in the fourteen months for which comparison is made, the prosperity of the industries has steadily increased. There have been no ups and downs; it has been a continuous trend upward."

The inconsistencies between the depressing articles referred to, and the statements of the Washington correspondent and local banking firm may be explained by the thought that the water power people by having it appear that our industries are on the decline, seek to pave the way for further power concessions; while the bankers, by showing that our industries are prospering and in a healthful condition, seek to encourage citizens to invest in them.

Real Water Power Issues

The immediate issue before the people of Maine is not between public and private ownership. It is: Shall the water resources of the State that now belong to the people be deeded to corporate interests forever, or shall they be leased to said interests on reasonable terms so that the people may share either directly in the rentals accruing therefrom, or indirectly through the benefits that accrue by having storage and its incidental power furnished at cost to our industries, municipalities and public utility companies?

The corporations and some newspapers would have it appear that the water question is one that only experts can understand. They deliberately confuse the issue and do not want it made clear and understandable. As a matter of fact instead of being complicated, it is simple and easily grasped by citizens of average intelligence. My views as to the State's policy are as follows:

(1) Maine's hydro-electric energy should be retained within the State for the benefit of our own people and our own industries.

(2) Whatever water resources now belong to the people of the State should be retained by them both for (a) development by the State itself and (b) development by private interests under leases for which adequate rentals are to be paid. Never again should the people deed away their water resources for all time.

(3) Every charter hereafter granting water rights should include a clause stating that if the State ever acquires the property by legal process, no payment shall be made for the franchise granted. I am responsible for having this clause, as well as one providing for non-transmission, inserted in all storage and power charters since 1917.

The Lakes of Maine

The people of the State of Maine always should keep in mind that they are the actual owners of the lakes of Maine and of the water contained in them. These lakes and this water are public property of inestimable value. Although in the past much of this water has been given to certain private interests under legislative charters, in the future this practice must be discontinued and those who are privileged to use this natural resource for private purposes should pay for it.

The rights of riparian owners on lakes and rivers always must be recognized, and I know of no one who would interfere with them. Private owners are entitled to the natural flow of our rivers but their rights do not extend beyond that point, whereas if the State or private corporations impound water for the benefit of these riparian owners they should pay for such use as they make of it. Storage reservoirs benefit private property and increase its value. They do not in any way interfere with the property rights of private owners, and their development by the State does not involve the dangers usually incident to public ownership.

Retain Our Own Hydro-Electricity

Maine's policy of keeping her water powers (hydro-electricity) within the State already has been justified. Within the year a well-known New York engineer called upon me and stated that if Maine would not allow its hydro-electricity to be transmitted to Massachusetts and the other New England States, Maine's development would be stopped for a generation. He stated that industries would not move into Maine, notwithstanding the advantage of our water powers, and that the development of these powers would take place only in case outside capital were allowed to take the power to other states to use it there. This engineer threatened that if Maine maintained her present non-transmission policy the New England States would obtain all the power they needed from Canada and New York, and that Maine's undeveloped water powers would remain idle for another fifty years. He pictured an industrial decline for Maine, but wanted our State to furnish electrical power to build up Massachusetts, Rhode Island and Connecticut.

What actually has occurred? The State of New York soon may adopt a non-transmission policy similar to that of Maine. Canada already has placed a tax upon the export of some of its water power, and threatens

to stop it altogether. Where will new industries locate? Whether they like it or not they must locate where they can secure cheap power, and some of them will be forced to come to Maine when the power from New York and Canada is completely shut off from them. If we are patient and are not stampeded by pleas of outside capitalists, before long our water powers will be developed both for our own expanding industries as well as for those that will move into our State to obtain here the power that is essential to their prosperity. Water power magnates, since New York and Canada are seriously considering the adoption of a policy similar to Maine's, are beginning to realize that the situation has materially changed.

Storage Rental—A Practical Example

As an example of what can be accomplished by leasing water privileges it is interesting to note that the Province of Quebec recently sold at auction a 60-year lease of a 60,000 H. P. water power privilege. For this lease the Province receives an annual rental of \$80,100 and in addition to this rental obtains a royalty of 50 cents per H. P. per year, or a maximum of \$30,000 per year for all power developed and used in the Province, while \$1.00 royalty per H. P. per year is to be paid for all exported power. This rental plan is based upon the principle of the Dead River charter that the last Legislature refused to pass.

Another striking example of the great value in water power and storage dams is shown by a recent Associated Press dispatch from Keokuk, Iowa. The Keokuk dam cost \$29,000,000, and the dispatch referred to says that by reason of it "six million tons of coal are saved annually" and "the saving in one year would more than pay the entire cost of the dam." It is interesting to note that until a few years ago no steps ever have been taken in Maine to preserve for the benefit of the people such rights as belonged to them in the State's water resources. Private corporations gradually have absorbed most of the available locations and are plotting to obtain the few now remaining to the people.

Corporations Must Carry Their Share of the State's Burdens

Certain newspapers frequently published articles about "developing" the State. They appear willing, even eager, to give away all the State-owned natural resources to certain select individuals and corporations that want to "develop" them, and regardless of the people's rights in these resources these newspapers will not rest until the corporations have acquired them all. In my opinion however the public owns valuable water rights and is entitled to receive a proper income from them. The State must have money with which to carry on its affairs and pay its bills for hospitals, schools, roads and other State activities. Industries as well as individuals must bear their share of these burdens. It is one of the fundamentals of

government that all "development" shall contribute its share toward paying the State's expenses, and development by a corporation does not carry with it any special privilege, or entitle it to any gift of the State's property. If the newspapers' ideas are carried to an extreme, all corporations would be exempt from taxation because they "develop" the State, and the common people would be left to pay all the taxes.

Maine's industries are not entitled to, nor do many of them seek sympathy or special consideration. They were established for profit, which is eminently proper; they are prosperous and deserve fair treatment, which they always have received; but their having "developed" the State's resources does not entitle them to any relief from the burdens that others are forced to carry. Maine's great industrial companies are a credit to the State, but they are no more entitled to special privileges than are the farmers who "develop" their crops, or the merchants who "develop" their business concerns.

Water Storage

In my opinion, the State itself should control and develop storage reservoirs, and for the use and benefit of all the power owners and power users located on the rivers of the State should impound the water that now is running to waste. For the time being it is apparent that owing to the corporate influences that absolutely control the action of the legislature, such a plan, regardless of its merits, cannot be carried out. If however these storage rights can be leased to private corporations on terms favorable both to them and to the State, development will result and that is what is desired by all. Under leases the State retains actual ownership of the water resources, and the question of State storage development can be postponed until the people fully realize and appreciate the importance of the water power question. The future will take care of that problem. If this lease plan is adopted no title to these rights will pass, the rights of posterity will be safeguarded, and this generation will not have sacrificed the heritage of those who are to succeed us, as our predecessors sacrificed our rights in both the forests and water powers. I want the people of Maine to retain their ownership of these water resources, so that the great advances in electrical science that are bound to be made in the coming years will accrue to the benefit of the people themselves, rather than to the heirs and successors of those individuals and corporations that in the past, as well as at present, dominate the political and business destinies of our State.

The People's Will Is Blocked

In accordance with an opinion of our Supreme Judicial Court the Legislature, until the State constitution is amended, cannot lawfully enact laws

providing for water storage by the State. For seven years I consistently have advocated such an amendment, but owing to corporate opposition never have been able to have it submitted to the voters for their decision.

Maine is supposed to be a State where the will of the people governs. We have a constitution adopted by the people in 1820 and since then amended several times. An unusual provision in this document makes it possible for 62 men to thwart the will of the voters. The Senate and House consist of 31 and 151 members respectively, and no amendment to our constitution can be submitted to popular vote and thus become effective unless two-thirds of each branch of the legislature passes a resolution to that effect. Eleven senators and 51 representatives have the absolute power to stop all progress, and this very thing has been done on the water power question. A self-governing people finds itself unable to change its fundamental law because a comparatively few legislators, swayed by hostile and selfish interests, are able to block the way. This is not popular government.

In the days when the resubmission of the prohibitory amendment of the State constitution was a live issue in political circles, the dry forces did not wish to run the risk of allowing the people of the State to vote on the liquor question. About that time the initiative and referendum came into the political arena and those who favored law enforcement were able to prevent the adoption of the initiative in so far as it related to *constitutional* questions. As a result the initiative in Maine applies only to statutory law while another constitutional amendment is required to open the initiative to *constitutional* questions. This explains the difficulties of the present situation, and the people seem to be helpless as long as a small number of legislators stand out against them. For four legislative sessions, the constitutional water storage amendment never has had a remote chance of passing, because the corporations always have said "No." Once submitted to our people I have every reason to believe it would be adopted by an overwhelming vote.

My Seven Years Work

For seven years I have devoted myself to the discussion of the water power issue, and throughout that period the water power "interests" have constantly opposed my views. No delay however has been caused in the normal development of the State's water resources, although it is amusing to hear the cry of special privilege that development has been retarded. I have been interested in the State government for 19 years and in so far as I recall during all these years every water power and water storage charter that has been asked for, with the single exception of the "Kennebec" Charter in 1923, has been freely granted by the legislature. The State has given out its privileges with a liberal hand, and no questions have been

asked. The Kennebec Charter was so flagrant a case that even the 81st Legislature could not stand for its own bill, after the same corporations that had secured its passage offered the State a few weeks later a million dollars for the Dead River charter. It is unjust to accuse any legislature or any public official of having retarded water power development. If any criticism is warranted it should be that too many charters have given away the people's rights without the State's having received compensation therefor.

"Dog in the Manger" Policy

A recent newspaper dispatch from Bangor quoted Hon. Albert R. Day, Mayor of that city, as saying that the State had adopted a "dog in the manger" policy in connection with the water question. In view of the fact that according to my recollection not a single water power or storage charter ever has been refused by a legislature and, with one exception, not one ever has been disapproved by a Governor, Mayor Day's position is entirely untenable. There has been a "dog in the manger" policy, however, but the corporations are the ones that have adopted it. They persistently have refused to allow the State to undertake much needed storage development and, like the dog in the manger, they hold onto storage possibilities which they have not used, but which they hope sometime in the future to use when it suits their convenience and profit. They say to the State "hands off, we will use this when we want to: you shall not have it." On the other hand, the State has given them everything! The corporations want to keep all these great privileges for themselves, and though not wishing to develop them immediately they intend to see to it that nobody else shall have the right to do so. Mayor Day fails to grasp the modern viewpoint for he also is a gentleman of the old school. His dog in the manger reference was not a tactful one for it hit the corporation he sought to defend.

Much propaganda is being broadcasted by the corporations about the dangers of public ownership, and they would have it appear that they are the only wise managers of business enterprises. I agree that there are dangers incident to public ownership, and I unquestionably favor private initiative unless special circumstances warrant public control. Where the State owns water resources of great value the State, and not private owners, should reap the benefit therefrom, either indirectly by having the State furnish water storage and the power incident thereto at actual cost to municipalities, public utilities and private industrial establishments, or directly by arranging that the State receive an income from these resources that would reduce the burdens of taxation of the people. Much of the anti-public ownership propaganda is deliberately designed to frighten our citizens although some of Maine's leading business men, while not hesitating to advocate a State Pier at Portland, State Ferry at

Bath, and other public ventures that cause heavy drafts upon the State Treasury, are fearful lest the State should build a storage dam that actually would prove a profitable investment!

Freshets

It is amusing to read how the spokesmen of special privilege blame the present Governor for the recent freshets. No doubt these gentlemen will amplify this argument hoping thereby to becloud the issue and thus obtain for nothing the water privileges that still belong to our people. It is rare that a spring freshet has received so much newspaper comment.

As already stated, the people of Maine should not forget that for the past seven years I consistently have advocated the construction of storage reservoirs by the State "to control the flood waters of the Spring and make constant the flow of our rivers." I have used this phrase hundreds of times in addresses throughout the State, for it is one of the fundamentals of my water power policy. The attorneys of the corporate interests, while estimating a \$5,000,000 loss by the recent floods, now hold the Governor responsible because dams have not been constructed. If this \$5,000,000 or one-half of it, had been invested in storage dams as I have urged, the Spring floods of 1923 would have caused much less damage. Dams however are not always an unmixed blessing for when they give way, as did the one at Ellsworth, they cause tremendous damage. The people of Maine suffered from the recent floods because the corporations have prevented the State's building proper storage dams. These corporations are not interested in protecting the property of our citizens: their only interest in storage is a business one..

Propaganda Must Be Checked

I was content to have the water question discussed by the people of the State for the next few months without my taking an active part in it, but the well-planned propaganda that already has been started by the corporate interests has aroused me to action. I should be derelict in my duty if I remained quiet and did not inform the people about what has occurred and about the present campaign of the corporations. In this message, as well as in the preceding one, I have spoken frankly for the people of Maine are entitled to detailed information.

The Remedy

The present situation should not be misunderstood. Those corporate interests that heretofore have obtained liberal grants of the State's water resources without paying for them, hereafter should pay a reasonable compensation for the use of these rights, and LEASES from the State, not

DEEDS, should be given them. Expensive and arrogant corporate lobbies should be abolished, and no further attempts should be made by them to control legislation. Newspapers no longer should be owned or subsidized by the water power interests, nor should they continue their present practice of paying regular retaining fees to lawyers in the principal towns and cities of the State. In selling shares of stock of utility and power companies to the public, good faith requires that they be sold at prices consistent with their actual value in the open security market, which has not always been done in Maine. Our own citizens should be given adequate protection in the investment of their savings, and utility companies should not attempt to build up a political organization through the sale of their shares to thousands of small investors. The financial statements of such companies should be carefully scrutinized. All old-time and out-of-date practices should be discarded for Maine's public utility and other corporations cannot afford to continue them, both on account of their cost in dollars and cents and on account of a growing public disapproval of such methods.

The corporations doing business in Maine are essential to our progress. All good citizens are interested to have them prosper. The power companies of Maine are performing valuable services in the territories they serve, and I hope their future is bright and that those interested in them reap a well deserved reward. A change however in the policies of some of these companies, especially in their attitude toward public affairs, soon would place them in an enviable position. They have nothing to fear from the citizens or "politicians" of Maine, as long as they confine their activities to the production and distribution of hydro-electric energy, keep out of politics, and render good service to our citizens.

There are many public service and industrial corporations now doing business within the State that keep entirely aloof from politics, employ no regular lobby and attend strictly to their own affairs. These companies are not included in the criticisms I have made in this message, for when measures are presented affecting them, their representatives appear at legislative hearings at Augusta, present their cases and return home, properly assuming that fair treatment will be accorded them by the representatives of the people.

The investments in Maine corporations are safeguarded by a conservative, well-intentioned public sentiment: there is no fear of confiscation or even of hostile legislation. Our people have confidence in most of our business enterprises and desire to accord them every privilege consistent with the public interest. The animosities and difficulties that have arisen as a rule can be traced to those few corporations that take an active part in politics and are continually seeking to obtain special privileges. If the corporations in Maine that desire to develop state-owned resources will

adopt the methods of the Quebec corporations and offer the State of Maine a fair rental for the privileges they seek, our State Legislature no doubt will meet them half way and do whatever is necessary to encourage development. The door is open for a business man's settlement, and I am prepared to call the Legislature in special session when the Kennebec or other interests are ready to accept charters based on the principles of the Dead River Charter, an excellent measure that went down to defeat in the closing hours of the 81st Legislature.

Without seeking reward, and without thought of political preferment, during this year and next, I shall do whatever I can to bring together those whose interests conflict, for I want the people and the industries of the State of Maine to prosper by the prompt and full development of all our natural resources.

[Seal]

Given at the Office of the Governor at Augusta, and sealed with the Great Seal of Maine, this twenty-second day of May, in the year of our Lord one thousand nine hundred and twenty-three, and of the State of Maine the one hundred and fourth.

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

By the Governor.

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