

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-second Legislature

OF THE

STATE OF MAINE

1925

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1925

MISCELLANEOUS
COMMUNICATIONS

MISCELLANEOUS COMMUNICATIONS

LIST OF PARDONS, ETC., 1923-1924

STATE OF MAINE

Executive Chamber

Augusta, Maine, Jan. 7, 1925.

To the Honorable Senate and House of Representatives:

In compliance with the Constitution of the State, I herewith communicate to the Legislature each case of remission of penalty, commutation or pardon granted during the years 1923 and 1924, stating the name of the convict, the crime of which he was convicted, the sentence and its date, the date of remission, commutation of sentence, and the conditions, if any, upon which the same was granted.

PERCIVAL P. BAXTER,
Governor of Maine.

STATE PRISON

Philomena Trocchio of Portland. Convicted of the crime of conspiracy to wound, maim and injure, at the September term, 1921, of the Superior Court at Portland, and sentenced to imprisonment at hard labor for not less than one and not more than two years in the State Prison at Thomaston. Pardon granted April 11, 1923, upon the condition that she shall not be guilty of violating any of the criminal statutes of the State, and that she shall report in person to the Sheriff of Cumberland County once in two weeks for the remainder of the maximum term of her sentence.

George Cheverie of Prince Edward Island, Canada. Convicted of the crime of breaking and entering, at the December term, 1921, of the Supreme Judicial Court at Houlton, and sentenced to not less than two or more than four years in the State Prison at Thomaston. Pardon granted May 22, 1923, upon the condition that he shall not be guilty of violating any of the criminal statutes of the State.

Henry Lambert of Shirley. Convicted of the crime of murder, at the December, 1901, term of the Supreme Judicial Court at Dover-Foxcroft, and sentenced to imprisonment for life at State Prison at Thomaston. Pardon granted July 24, 1923, upon the condition that he shall not be guilty of violating any of the criminal statutes of the State.

Thomas Mulkern of Portland. Convicted of the crime of rape, at the January term, 1919, of the Superior Court at Portland, and sentenced to not less than ten or more than twenty years in the State Prison at Thomaston. Full and free pardon granted December 21, 1923.

Willis M. Priest of Milo. Convicted of the crime of murder, at the March term, 1917, of the Supreme Judicial Court at Dover-Foxcroft, and sentenced to hard labor at the State Prison at Thomaston during the remainder of his natural life. Pardon granted December 21, 1923, upon the condition that he shall not be guilty of violating any of the criminal statutes of the State, and that he shall report monthly for a period of two years to some person designated by the Governor.

Gertrude E. Baker of Portland. Convicted of the crime of transporting a female child for the purpose of prostitution, at the January term, 1922, of the Superior Court at Portland, and sentenced to a term of not less than six or more than twelve years in the State Prison at Thomaston. Pardon granted February 5, 1924, upon the condition that she shall not be guilty of violating any of the criminal statutes of the State.

George H. Gustin, of Freeport. Convicted of the crime of lascivious cohabitation, at the January term, 1923, of the Superior Court at Portland, and sentenced to not less than one year and six months, and not more than three years at State Prison at Thomaston. Full and free pardon granted June 17, 1924.

George W. Lovell of Ellsworth. Convicted of the crime of assault and battery, at the April term, 1924, of the Supreme Judicial Court at Ellsworth, and sentenced to a term of one year at the State Prison at Thomaston. Full and free pardon granted October 1, 1924.

James W. Purcell of New Bedford, Mass. Convicted of the crime of murder, at the January term, 1921, of the Supreme Judicial Court at Skowhegan, and sentenced to imprisonment for rest of his natural life at the State Prison at Thomaston. Pardon granted October 24, 1924, upon the condition that he shall not be guilty of violating any of the criminal statutes of the State and that he shall report monthly for the period of two years, either in person or by letter, to the State Probation Officer.

Henry Frazier of Presque Isle. Convicted of the crime of robbery, at the April term, 1922, of the Supreme Judicial Court at Houlton, and sentenced to a term of not less than three years nor more than six years at the State Prison at Thomaston. Pardon granted October 24, 1924, upon the condition that he shall not be guilty of violating any of the criminal statutes of the State, and that he report monthly until May 8, 1925, in person or by letter to the State Probation Officer.

John Boland, commorant of Biddeford. Convicted of the crime of burglary, at the September term, 1922, of the Supreme Judicial Court at Alfred, and sentenced to imprisonment in the State Prison at Thomaston,

for the term of not less than two and one-half nor more than five years.

Full and free pardon granted December 2, 1924.

Edgar M. Ward of Randolph. Convicted of the crime of murder, at the October term, 1919, of the Superior court at Auburn, and sentenced to imprisonment for the term of his natural life in State Prison at Thomaston. Reprieve granted from said sentence for a period of five months from said date for the sole purpose of receiving necessary surgical treatment outside the confines of the said State Prison. Reprieve warrant issued December 6, 1924.

Edward F. Cole of Portland. Convicted of the crime of murder, at the February term, 1906, of the Superior Court at Portland, and sentenced to imprisonment for the term of his natural life in State Prison at Thomaston. Full and free pardon granted December 11, 1924.

John F. Holland of Gardiner. Convicted of the crime of manslaughter, at the September term, 1918, of the Superior Court at Augusta, and sentenced to not more than twenty nor less than ten years in the State Prison at Thomaston. Pardon granted January 2, 1925, upon the conditions that he shall not be guilty of violating any of the criminal statutes of the State, and that he shall remain at the Central Maine Sanatorium until in the judgment of the Superintendent he is a proper subject to be discharged.

Walter H. Flye of Westbrook. Convicted of the crime of rape, at the Superior Court, at Portland, May term, 1916, and sentenced to not less than ten years and not more than twenty years in State Prison at Thomaston. Full and free pardon granted January 2, 1925.

Giovanni Noto of Jay. Convicted of the crime of murder, at the Supreme Judicial Court, at Farmington, September term, 1911, and sentenced to imprisonment in the State Prison at Thomaston for the term of his natural life. Full and free pardon granted January 6, 1925.

COUNTY JAILS

George Chandler of Scarboro. Convicted of the crime of manufacturing and unlawful possession of intoxicating liquor, at the September term, 1922, of the Superior Court, at Portland, and sentenced to three months in County Jail at Portland and fine of \$500 and costs, and in default of said fine, six months additional in said jail. Pardon granted March 7, 1923, upon the condition that he shall not be guilty of violating any of the criminal statutes of the State.

Clarence M. Hobbs of Milo. Convicted of the crime of search and seizure, at the March term, 1923, of the Supreme Judicial Court at Dover-Foxcroft, and sentenced to three months in County Jail at Dover-Foxcroft, and fine of \$300 and in default of payment of said fine, six months additional in said jail. Pardon granted June 26, 1923, upon the condi-

tion that he shall not be guilty of violating any of the criminal statutes of the State.

Amade Rioux of Westbrook. Convicted of the crime of illegal possession of intoxicating liquor, at the February term, 1923, of the Municipal Court at Westbrook, and sentenced to two months in County Jail at Portland, and fine of \$300 and in default of payment of said fine, six months additional in said jail. Pardon granted July 24, 1923, upon the condition that he shall not be guilty of violating any of the criminal statutes of the State.

Edith M. Wright of Millinocket. Convicted of the crime of adultery, at the May term, 1923, of the Superior Court, at Portland, and sentenced to imprisonment at hard labor for six months in the Cumberland County Jail. Pardon granted July 24, 1923, upon the condition that she shall not be guilty of violating any of the criminal statutes of the State.

Frank W. Sullivan of Portland. Convicted of the crime of transporting liquors without federal permit, at July term, 1923, of the Brunswick Municipal Court at Brunswick, and sentenced to pay a fine of \$600 and imprisonment for six months in the county jail at Portland. Pardon granted November 15, 1923, upon the condition that he shall not be guilty of violating any of the criminal statutes of the State, and that he shall report weekly in person or by letter to F. R. Dyer, U. S. District Attorney, for six months.

Annie Carlin of Portland. Convicted of the crime of adultery, at the September, 1923, term of the Superior Court at Portland, and sentenced to imprisonment in County Jail at Portland for a term of six months. Pardon granted December 21, 1923, upon the condition that she shall not be guilty of violating any of the criminal statutes of the State, and that she shall immediately leave the jurisdiction of the State.

Fred Smith of Portland. Convicted of the crime of illegal possession of intoxicating liquors, at the September term, 1923, of the South Portland Municipal Court at South Portland, and sentenced to pay a fine of \$300 and imprisonment for three months in the County Jail at Portland. Pardon granted January 16, 1924.

Morris Adams of Canaan. Convicted of the crime of assault, at the September term, 1923, of the Superior Court at Augusta, and sentenced to a term of four months in the County Jail at Augusta. Full and free pardon granted February 26, 1924.

Laffie Pooler of Waterville. Convicted of the crime of operating an automobile while under the influence of intoxicating liquor, at the January term, 1924, of the Superior Court at Augusta, and sentenced to a term of eight months in the County Jail at Augusta. Full and free pardon granted May 21, 1924.

Joseph Bourassa of Lewiston. Convicted of the crime of keeping and maintaining a common nuisance, at the February term, 1924, of the

Superior Court at Auburn, and sentenced to pay a fine of \$500 and costs of prosecution taxed at \$16.80, and imprisonment at labor in the County Jail at Auburn for a term of four months, and in default of payment of fine and costs, six months additional. Pardon granted May 21, 1924.

Lyman F. McCurdy of Augusta. Convicted of the crime of operating a motor vehicle while under the influence of intoxicating liquor, at the January term, 1924, of the Superior Court at Augusta, and sentenced to six months in the county jail at Augusta. Pardon granted June 17, 1924, upon the condition that he shall not be guilty of violating any of the criminal statutes of the state, and to report to Gilbert R. Chadbourne every two weeks for the remainder of his term of sentence.

Luc Albert of Madison. Convicted of the crime of assault and battery, at the January term, 1924, of the Supreme Judicial Court at Skowhegan, and sentenced to eight months in the County Jail at Skowhegan. Full and free pardon granted July 14, 1924.

Roy D. Adams of Houlton. Convicted of the crime of keeping liquor unlawfully, at the November term, 1923, of the Supreme Judicial Court at Houlton, and sentenced to pay a fine of \$400 and costs of \$11.12 and four months in County jail at Houlton, and in default of payment of said fine and costs, six months additional. Also further sentenced to pay a fine of \$300 and costs of \$11.17 and three months in said jail, and in default of payment of said fine and costs, six months additional in said jail. Full and free pardon granted August 18, 1924.

Clyde L. Moody of Portland. Convicted of the crime of driving an automobile while under the influence of intoxicating liquor, at the May term, 1924, of the Superior Court at Portland, and sentenced to imprisonment at hard labor in the County Jail at Portland for a term of six months. Pardon granted August 18, 1924, upon the condition that he shall not be guilty of violating any of the criminal statutes of the State.

Wallace A. Lang of Hodgdon. Convicted of the crime of transporting intoxicating liquor unlawfully, at the April term, 1924, of the Supreme Judicial Court at Houlton, and sentenced to pay a fine of \$300 and costs of \$68.64, and imprisonment in County Jail at Houlton for three months, and in default of said fine and costs, six months additional. Full and free pardon granted September 10, 1924.

Louis Hagibes of Fort Kent. Convicted of the crime of keeping intoxicating liquors in four different cases, at the November term, 1923, of the Supreme Judicial Court at Houlton, and sentenced in each case to a fine of \$100 and costs, and imprisonment in County Jail at Houlton for sixty days. Full and free pardon granted September 10, 1924.

Trevor Howes of Highland Plantation. Convicted of the crime of assault and battery, at the January term, 1924, of the Supreme Judicial Court at Skowhegan, and sentenced to imprisonment in the County Jail at Skow-

- hegan for the term of ten months. Full and free pardon granted November 10, 1924.
- Harold H. Wood of Portland. Convicted of the crime of operating a motor vehicle while under the influence of intoxicating liquor, at the September term, 1924, of the Superior Court at Portland, and sentenced to imprisonment in the County Jail at Portland for the term of four months. Pardon granted November 10, 1924, on the condition that he shall not be guilty of violating any of the criminal statutes of the State, and that he shall report weekly in person or by letter to Eva W. Mason, Probation Officer for Piscataquis County, or George W. Grover, Probation Officer for Cumberland County.
- George A. Nelson of Portland. Convicted of the crime of operating a motor vehicle while under the influence of intoxicating liquor, at the September term, 1924, of the Superior Court at Portland, and sentenced to imprisonment in the County Jail at Portland for the term of six months. Full and free pardon granted December 2, 1924.
- Frank Anderson of Houlton. Convicted of the crime of selling intoxicating liquors, at the November term, 1922, of the Supreme Judicial Court at Houlton, and sentenced to imprisonment in the County Jail at Houlton, for the term of three months, and fine of \$300.00 and costs taxed at \$11.73 and in default of payment of said fine six months additional in said jail. Full and free pardon granted December 2, 1924.
- Jay Hunt of Portland. Convicted of the crime of operating a motor vehicle under the influence of intoxicating liquor, at the September term, 1924, of the Superior Court at Portland, and sentenced to imprisonment in the County Jail at Portland for the term of seven months. Full and free pardon granted January 2, 1925.
- Lauza Morin of Saco. Convicted of the crime of illegal manufacture of intoxicating liquor, at the September term, 1924, of the Supreme Judicial Court at Alfred, and sentenced to imprisonment in the County Jail at Alfred for the term of two months, and fine of \$100.00 and costs taxed at \$42.90, and in default of payment of fine and costs to serve sixty days more. Full and free pardon granted January 2, 1925.

REFORMATORY FOR WOMEN

- Myrtie M. Dore of Harmony. Convicted of the crime of manslaughter, at the September term, 1921, of the Supreme Judicial Court at Skowhegan, and sentenced to a term of not less than five years and not more than ten years, at the State Reformatory for Women at Skowhegan. Pardon granted April 1, 1924, upon the condition that she shall not be guilty of violating any of the criminal statutes of the State, and to report to parole officer of the Reformatory at such times as seems advisable.

Geneva D. Evans of Freeport. Convicted of the crime of lascivious cohabitation, at the January term, 1923, of the Superior Court at Portland, and sentenced to the State Reformatory for Women at Skowhegan. Full and free pardon granted June 17, 1924.

REFORMATORY FOR MEN

David Albert of Dyer Brook. Convicted of the crime of assault with intent to rape, at the November term, 1920, of the Supreme Judicial Court at Houlton, and sentenced to a term of five years and one day in the State Reformatory for Men at South Windham. Pardon granted June 26, 1923, upon the condition that he shall not be guilty of violating any of the criminal statutes of the State, and to be placed in the care of the reformatory officials on the same basis as other paroled inmates.

Sidney Bridges of Wells. Convicted of the crime of assault and abuse of a female child of the age of seven years, at the September term, 1921, of the Supreme Judicial Court at Alfred, and sentenced to a term of five years and one month in the State Reformatory for Men at South Windham. Pardon granted May 21, 1924, upon the condition that he shall not be guilty of violating any of the criminal statutes of the State, and to report monthly to Austin H. McCormick of Brunswick.

FAREWELL MESSAGE

TO THE PEOPLE OF MAINE

By

PERCIVAL P. BAXTER, Governor

January 7, 1925

Fellow Citizens:

Twenty years ago, on the fourth day of January, 1905, I came to the State Capitol as a member of the House from Portland. If the official records did not establish that fact I now should hesitate to admit it. During these years I have three times been elected to the House, twice to the Senate, once its presiding officer, and have been Governor for two terms lacking twenty-five days. Having acquired a considerable knowledge of public affairs it is appropriate that, as the retiring Governor, I deliver a parting message to the people of my Native State.

A Precedent

There is no precedent for this address. Usually a Governor has left office without referring to the past or commenting upon the future. It may be that the knowledge I have gained from twenty years experience will prove helpful to my fellow citizens, and I hope such may be the case. I never have hesitated to establish a good precedent, and hope that hereafter retiring Governors may deem it proper to deliver a parting message to the people who have honored them and whom they have served.

My first oath of office was taken under trying circumstances upon the day of Governor Parkhurst's death. After the ceremony Chief Justice Cornish grasped my hand, wished me a useful and pleasant term of office and said: "When I became Chief Justice of Maine I determined that I would not take myself too seriously, but that I would take my office very seriously." That maxim is one that every legislative and other public official should heed. It has guided and helped me throughout my service.

No Obligations

Coming into the Governor's office through an act of God, unhampered by any campaign or other selfish obligations, I have had an unusual opportunity to serve my State. Throughout these years I have catered to no individual or corporation and no man has been able to confront me with a "political" promise.

Today when certain large, powerful and well organized groups and business institutions exercise great influence over public affairs "unmortgaged" officials are needed more than ever. Too many men in business and political life cater to these special interests. If the rights of the people are to be safeguarded our State needs executives and legislators who are fairminded and free from prejudice and self-interest. Moreover a public man who intends to control the affairs placed in his charge must be able to say "No" when occasion demands. The ability to do so often is the test of his service.

A New Governor

A new Governor upon taking office immediately is confronted by many problems. The "veterans" in the institutions and departments, who know the "ins and outs" of State affairs, soon find of what material he is made. He is overwhelmed with Council Orders for the extension of departments, travel permits, increase of salaries, and granting of special favors. He is at a decided disadvantage until he "finds himself," and it often requires a year or more before he really understands the true relationship of things. Even under these conditions if he is free from entangling alliances and shuns the temptation to build up a political machine he has little difficulty

in overcoming obstacles. Moreover a sense of humor and a liberal supply of patience and good nature are invaluable assets and help him over the rough places.

Leadership Needed

Unselfish, fearless leadership is needed above all else both in Maine and in the country at large. Too many men in public life hold their ears to the ground and fear to do anything that might antagonize some person or group. In legislative assemblies a large proportion of the members follow, while few lead. Many are timid about taking a stand, watch how the vote is going and seek to be on the winning and popular side. Every member should cultivate backbone, speak out openly and express his convictions, basing them upon his own common sense regardless of the views of others who may not agree with him. If this were the common practice it would have a most wholesome effect upon the administration of the State's business. I have great faith in the ultimate sound judgment of the men and women of Maine.

As to parties they count for little in State affairs, and any person would be hard pressed to define the difference between the leading parties as they function at Augusta. Although myself a member of a party, I am not a believer in the out-of-date doctrine of "My party right or wrong." It is well that party lines are so seldom drawn in legislative matters.

The Indifference of Citizens

It is difficult for a Governor at times to obtain the right men for important positions. The indifference toward their government of the so-called "best citizens" is deplorable. They are unwilling to assume their share of the public burdens and too often stay at home or in their clubs and criticize those who honestly are trying to do their best. As an example: I recently had an important appointment to make on a board to investigate the Tax Exemption Laws of the State. Under our laws many millions of dollars of property are exempt from taxation and public officials and citizens have little or no idea as to the total amount. I offered the position in question to nine prominent men before one was found who would accept it. Those who refused claimed they were too busy with their personal affairs, their banks and corporations to devote any time to the public service. They were not willing to make the sacrifice or did not have the courage to handle the knotty problems of taxation. My experience has not given me a very high opinion of the public spirit of certain prominent "business men" of Maine.

A word of excuse, however, should be said for the man who refuses to enter politics. There is little or no encouragement for him to do so. If he is independent and caters to no one, if he stands out against certain

interests and conscientiously tries to accomplish something for his fellow citizens, he is subjected to unfair criticism by his neighbors and is abused both by the newspapers and by the men and women who should support him and appreciate his unselfish public service. It is this and not, as some would have us believe, the direct primary that often keeps good men from office. There are those who always seek to belittle a man and hold him up to ridicule, while some detractors even would resort to blackmail to "break" an opponent. In my own case, to show how unscrupulous and bitter the opposition can become, one of the most prominent citizens of this State recently remarked "I wish to God we could find something on him in his private life and then we would be able to control him."

The Direct Primary

Our direct primary is under fire and a determined attack is being made upon it. Certain groups of political leaders find their power has waned. These men no longer can control nominations, which in Maine usually mean elections, and consequently they now seek to restore the old order of things. In the years gone by a few men with political influence dominated the machines of both parties. Candidates too often were selected for reasons other than their fitness for office, and plans were made years in advance to retain control of public affairs.

I recognize that there are some opponents to the primary whose motives are above reproach and who honestly believe in the convention system. The views of such persons are entitled to respectful consideration and, though differing from them, I accord them sincerity of purpose and recognize their public spirit.

Under the direct primary the people have come into their own. Party manipulators are in the discard, and any citizen now may seek office by appealing to those whom he would serve, rather than as formerly, by coming under obligation to powerful groups. The primary is not perfect, but its faults are far less glaring than those of the old time convention-boss system.

No stream can rise higher than its source and the people are the source of all power. Once they realize this and take an intelligent interest in party affairs our problems are well on toward solution. The primary stimulates this interest and the recent June contest disclosed it. Although there were certain irregularities in connection with it, they were trifling as compared with those of some of our old time conventions.

It is interesting to speculate as to what would have happened in recent years had the primary not been in existence. Most observers would admit that both Governor Carl E. Milliken and Governor-elect Ralph O. Brewster are its product, and that neither would have been nominated under the convention system. As for myself, coming into office through an act

of Providence, I faced a gubernatorial primary as a Governor already in power with my official record to support me. Speaking of others than myself, the high quality of our chief executives certainly has not been lowered by reason of the primary, and the PEOPLE have nominated and elected the officials they wanted. That is the test of popular government.

Shall We Elect by Delegates?

There is no more reason for delegating the power to NOMINATE than there is for delegating the power to ELECT. In Maine nomination and election usually are synonymous. Will anyone dare advocate giving to delegates the power to ELECT a governor. And yet in reality that is what the opponents to the primary seek to do. A few scheming men want to pick and choose governors and other important officials from some back room in the Augusta House.

The primary was won only after a determined fight on the part of those who believed in the right of the people to control their own affairs, and this right is not to be taken from them. The present agitation will come to naught especially as the women of Maine realize that their influence in man-controlled conventions would be negligible. They are too keenly and intelligently interested in the State's welfare to allow themselves to be relegated to an inferior position.

In my opinion it would be as unreasonable to curtail the right of universal suffrage as to revert to the discarded and objectionable conventions of the past. I predict that the people of Maine will hold to what they have won, and will rise in their might and overwhelm those who are endeavoring to obtain control both of nominations and elections. The time has not, and never will come, when the individual Maine citizen will delegate to others his sacred right to nominate his party candidate in the primary or to choose his public servants at elections.

Publicity

One of the deliberate purposes I have sought to accomplish has been to inform the people of Maine about their own affairs, to interest them in their government, and to have them understand their own problems. With this in view I have prepared numerous statements for the newspapers, and hope these have made some impression upon the public mind. I have endeavored to shape public sentiment, not to follow or echo it, and never, regardless of criticism or abuse, have I hesitated to speak frankly and assume full responsibility for my acts.

It would have been easier to have slipped along with the current, speaking only platitudes and catering to those with power and influence. The newspapers no doubt would have applauded whenever the interests of their owners were advanced, and my path could have been soft and pleas-

ant. I however have deliberately chosen the rougher and more turbulent road of independence and controversy, but each contest has brought new strength for the one to follow and in the fight I have given as well as received the blows of argument. It has been my desire to be known as the "Governor of all the people," and their cause is the one I have championed.

Every day of my service has been worth while and I hope history will be kind and record that I accomplished something for my Native State. I depart from the State House in the best of spirits, with kindly wishes toward all, especially for my successor, and saying as did Theodore Roosevelt, "I have had a bully time."

"Log Rolling"

The greatest obstacle to sound legislation is "log rolling," or trading support on legislative measures. Many good laws fall by the wayside, while numerous undesirable ones become law because at times bills are not considered on their merits. I have known legislators who, to secure an appropriation that would strengthen them politically with their home folks, have voted for anything if they could trade for a vote. On the other hand I know of those who, to punish an executive for exercising his veto power, have openly boasted that regardless of merit they would oppose every measure advocated by the Governor.

Senator Borah did not hesitate to speak frankly upon the making of promises to obtain political advantage. He says, "The most slimy creature that disgraces American politics is the man who buys office (or who retains office) by paying for it out of the public treasury and charging his venal obligations to the tax payer." If legislators would be free, unrevenged and open minded, would consider each measure upon its merits, discard those without merit and support such as are strictly for the public welfare, there would be little occasion for criticism. In this way "log rolling" the greatest evil in American politics would be eliminated.

Another pitfall to be avoided is Class Legislation: Legislation in the interest of the few and opposed to that of the many. "Special interests" are influential about legislative halls and their representatives are resourceful and oftentimes cunning. The public at large is forced to rely upon the legislators themselves to protect the interests of the people, who employ no "legislative agents" to plead their causes.

Lobby

I have had twenty years' experience with the lobby of the Maine Legislature. The men who compose it are skilful manipulators who at times have hesitated at almost nothing to carry their points. Their influence upon legislation is unwholesome and I condemn their methods. From

present indications the lobby plans to be much in evidence at Augusta this winter.

It would be well for the State if lobbying as now indulged in could be eliminated. I would not prevent men from coming to Augusta to defend their legitimate interests, or to plead a righteous cause. It however is wrong for groups of well-paid men, inspired solely by selfish interest, to stand guard about the State House and combine in "blocs" to shape or stop legislation regardless of its merits.

Both lobbying and log rolling are vicious practices and have unfortunate consequences. I wish that members of the Legislature could thoroughly understand the forces at work underneath and behind the lobby. The methods of lobbyists are subtle; when they cannot intimidate, they flatter and they never lose sight of the object for which they are employed. One or two large corporations have abandoned lobbying, and experience has shown that in doing so they have rendered a public service. These corporations, when their bills are before legislative committees send their representatives to Augusta, who when the hearings close promptly leave town and return home. Such men do their work openly and above board; they are cordially received and, I believe, more often carry their points than do those who resort to old-time back-room methods.

As has been truly said "the voice of the people is but feebly heard in legislative halls," due largely to the dominating influence exercised by some of the ablest men in the State who regularly spend their alternate winters at Augusta as "Legislative Agents" for special interests.

Children

Throughout my administration I have given special attention to the welfare of the children of our State. It has been a great privilege to come in contact with the young people of every section of Maine. The letters that I have received from some of my boy and girl friends are the most precious of all my official documents. A tiny Aroostook girl five years of age in thanking me for a little note wrote: "I thank you for writing me. I promise you I always shall be a good little girl and love the State of Maine." A South Portland boy eight years of age sent this message: "Excuse my writing, I am only eight years old. I want to be a good boy." Then there was Billy Miller, a bright ten-year-old barefoot Augusta youth who in an extemporaneous speech welcoming me to the boys' Y. M. C. A. Camp at Winthrop spoke as follows: "It is a great privilege to have the Governor here today and I welcome him for the boys. It may be that sometime one of us boys will be Governor of Maine." Then thrusting his hands in his pockets he gazed thoughtfully at the ceiling, and amid great applause concluded with, "I am thinking of running for Governor myself."

The journeys that I have made on my numerous school trips have left the pleasantest of memories and if I have made some contribution toward helping the young people of my State I am well repaid for all my work. The boys and girls of Maine are entitled to the best we can give them. They are our finest and most valuable product. To know them is to love them.

Humane Education

As Governor I have not hesitated to plead for the animals of our State who are unable to speak for themselves. I have called attention to the duties we owe all of these creatures and have emphasized the need of our being kind and merciful toward them. I have felt it proper to criticize certain so-called "sports" that involve cruelty, for I "detest the sport which owes its pleasure to another's pain." Most of the cruelty to, and neglect of animals in our State, and there is much of it, comes from ignorance and indifference. Once our people are aroused they will see to it that all our animals, both domestic and wild, are given kindly treatment while they live, and that when it becomes necessary to destroy them it be done swiftly and mercifully.

Progress in human and humane education has been slow, and both children and animals too long have been neglected. For example, it took over one hundred years of constant agitation in England, the most humane country in the world, to correct the abuses incident to the employment of chimney sweeps. Small boys, and even girls, within the century, were virtually sold into slavery to carry on that killing occupation, and it is surprising to recall that the first society for the prevention of cruelty to children was established only about fifty years ago.

Bear baiting, live pigeon shooting, dog and cock fighting and similar exhibitions until comparatively recently were recognized as "gentlemanly sports." Today they have passed into well merited disgrace. Pulling contests at fairs, cruel slaughtering of food animals, cruel trapping and cruel motion pictures still remain. As to the last, I am glad to say that the State of Maine leads the country in having passed the first law prohibiting the exhibition of such pictures. Although not always enforced, this law has a restraining influence on picture exhibitors.

Our people are kindly at heart and respond when appealed to. The incident of the Hancock County boy who walked 48 miles in the winter to bring home his lost dog is inspiring and shows that some young people appreciate the loyalty and affection of their dumb brothers. Once gentleness and kindness are instilled into the heart of a child, you have laid the foundation for true Christian manhood. It is especially important to train our children to be considerate of every creature however humble. Kindness is universal; it knows no distinction of man or beast.

State Prison

We have built a new State Prison, since the fire in September, 1923, and now have as complete and modern a penal institution as there is in the country. It is well constructed, sanitary and a decent place for human beings to live and work in. What is of even more importance than its material surroundings, its moral atmosphere is wholesome and helpful. Instead of a dump into which ugly, disheartened and dissatisfied men are thrown, this institution is a place where men will be taught self-control.

The Prison Commissioners, with the approval of the Governor and Council, have adopted a plan of paying the prisoners at Thomaston. A man who is forced to work without wages is little better than a slave. He has no incentive to do his best. Considering the matter from the lowest point of view, that of dollars and cents, the new system will "pay" the State, for the men will work harder and more cheerfully, and the Prison output of harness, wagons and brooms will be greatly increased. Apart from all other considerations it is only honorable for the State to pay the men something for their labor.

Few Deliberate Criminals in Maine

Most of the men at Thomaston blundered into crime, due perhaps to early lack of training and to unfortunate environment. Few of them deliberately took up a criminal career. I believe that almost every prisoner is at least 90 per cent good, and that there are few if any who enjoy or seek a life of crime. The purpose of our penal institutions is to help, rather than to punish and if the people of Maine could see and study these men as I have done, they would want to help and encourage them in every proper way. In appearance the prison population averages well up to any group of 200 or 300 men that you are likely to meet with in our State.

These men are capable of reform and well worth helping. It is not for those outside prison walls to "cast the first stone." How many men are there out of every hundred in the community thirty years of age or older, who sometime have not committed an offense that if discovered and prosecuted would have subjected them to punishment under our criminal laws? Without fear of successful contradiction I say, not ten. The men in Thomaston are paying for their sins while offenders outside prison walls are not. Our citizens should be humble in spirit and charitable in their feelings and should give their unfortunate brothers every consideration that kindness, mercy and forgiveness demands.

Four Cases for Clemency

Not long ago four life termers, in Prison for homicide, asked pardon.

Former prosecuting officers and attorneys came before the Council in opposition, stating that no mercy ever should be shown these offenders, and that they all should remain in Prison until the end of their days. Regardless of a man's offense I believe repentance is possible. If a prisoner for twenty-five years or more has obeyed all the Prison rules been kind and helpful, lived a decent life, and by word and deed shown he has repented of his errors, the sovereign State does well to reward him with liberty. Our Heavenly Father has told us that a sinner may repent and be received into His Kingdom, and this being so man, when occasion demands, should follow His example and cultivate a forgiving spirit.

Had I the power to do so I would not have hesitated to pardon these four men, and thus give them the chance to show that the State of Maine, through its many years of Prison training, had remade them into law abiding citizens.

The pardoning power of the State is vested in the Governor, but he cannot act without the approval of his councilors. This restriction, on the whole, has proven salutary and the present system in my opinion cannot be improved upon. At times local prejudices against a petitioner may have had undue weight in pardon decisions but there is no tribunal in our State better qualified to pass upon these matters than the Council. Councilors are practical men who weigh the evidence presented and who are not hampered by the stilted rules and precedents that often confuse legal proceedings. The only suggestion I offer is that in some of the most important cases councilors would do well to interview those who seek clemency. I have found this personal contact helpful.

The Jails of Maine Loafing Places

The jails of the State of Maine in some respects are not what they should be. Although reasonably clean, most of them are loafing places where prisoners both morally and physically go from bad to worse. Such institutions are no credit to us; they are breeding places of sloth and crime. In years gone by prisoners were employed in jail workshops at some useful occupation, but most of these shops have been abandoned. Recently I visited Skowhegan Jail where a few prisoners saw a little hard-wood to be sold for fire places. In Bangor, when I called, but twelve of the ninety prisoners were working; seventy-eight were loafing round the corridors of the cell room at the Country's expense. This discloses a shocking waste of human labor and needs prompt correction.

Every man and woman in our jails and other penal institutions, regardless of hostile outside influences, should be obliged to do a full day's work, first for the physical and moral benefit the prisoner derives therefrom, and second, because the community's burdens thereby are lightened. In order to establish proper workshops some of the smaller jails should be closed

and prisoners grouped into larger units, but however it be done there should be an end to idleness. It is unfortunate that no matter how desirable it would be to close some of our smaller jails strong political influences will oppose such action for the reason that certain jail employees would be thrown out of employment, some storekeepers would lose trade, and the influence of local politicians would be weakened. Probably for some time yet, men and boys will be forced to deteriorate in Maine jails because otherwise somebody might lose a few dollars worth of business or a little political prestige.

Children in Jails

In my visits to our jails I have been shocked to see mere boys mingling with old, hardened offenders. It does not require imagination to picture the evils incident to this system. Children of impressionable years, even though they have erred, are entitled to adequate protection from such influences.

Another feature of our penal law that has impressed me unfavorably is the imposition in certain liquor offenses of fines in addition to jail sentences. A man often is sentenced for a period of several months and also is fined a large sum of money, in default of payment of which he must serve another period in jail. Where the offender has money and can pay the fine, the county benefits thereby and no injustice is done, but too often the poor man who has neither money nor friends is forced to serve a double term while his wife and children suffer. An offender with means thus is given an unfair advantage. The hardships and inequalities of this law have been forcibly brought to my attention in a large number of cases where Executive clemency has been asked. I would make the well-to-do offender pay liberally both in money and time, but I would not impose upon the poor man what, on account of his poverty, amounts to a double penalty.

State Contingent Fund

Almost everybody in Maine has heard of the "State Contingent Fund." Some of the letters that I receive about it are amusing. Certain people seem to think that the contingent fund falls like manna from Heaven, and that the Governor and Council rake it in each morning. As a matter of fact the contingent fund represents the hard-won savings of our citizens paid to the State in the form of taxes. Every dollar of it has been earned by somebody.

In former messages I have explained that this fund chiefly is made up of unexpended balances of appropriations and of income received in excess of estimates. In substance, the law authorizes the expenditure of this money by the Governor and Council to meet overdrafts of State institutions

and departments, to pay for projects for which no appropriations were made by the Legislature or where appropriations were insufficient, and to meet "emergencies," the latter being entirely within Executive discretion.

During the past four years the Councilors and myself have handled this fund strictly in accordance with law. Every payment from it has been closely scrutinized. We have refrained from stretching beyond reason our "emergency" powers, and have provided only for things that we believed necessary.

The Smith Money

Ever since I became Governor I have saved every dollar possible and have felt obliged to withhold from departments and institutions certain things that I wanted them to have. When in September of this year the State received the sum of \$719,000 as inheritance taxes from the Smith estate of Rockland, the councilors and myself carefully surveyed the several institutions and departments with a view of finding out what equipment and improvements they needed and which to that time we felt the State could not afford. Some of the principal matters attended to are as follows:

A storehouse in which is to be placed all the inflammable material now scattered throughout the State House is being constructed at a cost of \$43,800. The danger of fire is imminent and I am of the opinion that sooner or later our State Capitol would have been destroyed by fire if we had left matters as they were. A wing to cost \$45,300 is being added to this new building to accommodate the State Highway and State Health Departments. This structure will provide for all the needs of the State for twenty-five years to come and takes the place of a new wing to the Capitol that might have cost a million dollars. At the Women's Reformatory at Skowhegan we authorized the repair of the barn, the laying out of the grounds, the repair of the farm sheds, the construction of a sun porch for babies at the maternity building, and a vegetable underground cellar in which to store the season's crop raised by the girls. These items totalled \$4,250. At the Hebron Sanatorium a school for the tubercular children was sorely needed and \$7,500 was set aside for it. The old school was a tinder box unfit for human beings to live and work in. Two radio sets, one for the Hebron and one for the Presque Isle Sanatorium have been purchased. One already had been installed at Fairfield and is accomplishing wonders for the patients. At the Men's Reformatory at South Windham, we authorized the installation of a brick yard to cost \$6,000 for the Trustees assured us that the prisoners would make their own bricks for the new buildings. We also purchased certain property for \$5,500 that was entirely surrounded by the Reformatory and was likely to fall into undesirable hands. About \$1,000 will be spent in the

construction of a Memorial to the World Flyers at Mere Point, Brunswick; \$1,200 for a fireproof vault in the State House in which to place the priceless records and manuscripts of the State Library, and \$2,074.85 for a barn at the Hebron Sanatorium which was built by the Trustees without authority from the Governor and Council. We have allowed about \$4,000 for completing the State Park in front of the State Capitol, the appropriation by the Legislature having been insufficient, and approximately \$7,000 for repairing the old forts recently purchased from the Federal Government and publishing a book of their history. Our two Insane Hospitals and Feeble Minded School were in need of certain electrical appliances and other equipment and about \$30,000 was allowed them to meet the emergency. Had some of these projects waited upon Legislative action certain of the State's wards and dependents would have suffered, for funds would not have been available before July, 1925. Between one quarter and one third of the Smith money has been used and these items give an idea as to some of the uses to which a portion of it was applied.

An Unwise Law

I have been asked to give my views upon the Contingent Fund. During my administration, due to the State Prison fire, I have found it convenient to have this fund but think its dangers overshadow its merits. In my opinion it would be well either to limit the fund to \$100,000 or \$200,000 or what is better to repeal the law altogether and thus do away with what is a constant source of annoyance and temptation. The borrowing power of the Governor and Council very properly might be increased to \$500,000, or \$800,000 to correspond with the provisions of our constitution, and if that proved insufficient in case of a great emergency, the Legislature could be promptly convened in extra session. Overdrafts could be provided for as formerly by "deficiency bills." This method would serve as a check upon unwarranted expenditure by departments and institutions and would tend to keep the tax payers informed as to how the State's affairs were being conducted. In other words the present contingent fund is an unsound method of finance, it opens the door to concealment and abuse, to manipulation and to the building up of a political machine. Because of its existence a Governor is overwhelmed and annoyed with requests for funds from this seemingly inexhaustible source, and departments and institutions are tempted to rely upon it to meet unauthorized overdrafts. It would be in the public interest and for the peace of Governors to abolish this Fund and thus eliminate it from State politics and State business. During my administration I should have had a less disturbed existence and could have carried on the State's work satisfactorily, including the rebuilding of our Prison had there been no such Fund. I believe it was a grave mistake ever to have created it.

Blaine House

As I am the first Governor who has lived in the Executive Mansion throughout his term, I want the people of the State to understand what it costs them to maintain the Blaine House. The Governor receives a salary of \$5,000 and in addition thereto he now is provided with a beautiful home completely furnished and equipped in every detail. When he moves to Augusta he needs only to bring with him his family, his hand bag and trunk; nothing more is required.

The Blaine House lacks nothing. Its furniture, furnishings and equipment are sufficient not only for a Governor's personal family, but also for all his official entertaining. The house is heated, lighted, cared for, cleaned and kept in repair at the State's expense and the State pays the salary of the housekeeper. This frees the Governor from the usual household cares. In fact the only expense borne by a Governor is his grocery bill and the wages of such domestic help as is needed. His motor car is washed and housed in the Blaine Garage and, while personally I have not required a chauffeur as I drive my own car, the young man who cares for the State House trucks always has been available for special official trips.

\$15,000 a Year and the Mansion

There is no State in New England, not excepting the wealthy State of Massachusetts, and there are few States in the country, that treat their Governor as liberally as Maine. This being so it is no longer necessary for a Governor to be a man of independent means because with his salary of \$5,000 and with a house furnished him as I have described, he can live both comfortably and appropriately. The Governor also has a \$10,000 a year "Governor and Council Contingent Fund" which, if he desires, may be used in paying for entertainment of official guests, for traveling expenses and for such other items as he thinks it proper to charge to the State.

Special Resolve of 1921

It will be recalled that in 1921 before I became Governor the Legislature passed a special resolve giving the then Governor in addition to his \$5,000 salary and his special contingent fund of \$10,000, an extra stipend of \$13,750 for the Legislative year and \$12,500 for the "off" year. These items gave the Executive \$28,750 and \$27,500 a year respectively, a sum that was beyond all reason. The 1921 Resolve money was not to be used for maintaining the Blaine property for the resolve recited "the funds herein appropriated are in addition to any sums expended by the Superintendent of Public Buildings and Grounds for the care and preservation of the property to be occupied by the Governor as his official residence, and

payments hereunder shall be made on order of the Governor." The Blaine House was to be maintained for the Executive apart from these several items.

I took office on January 31st, four days after the said special resolve was signed and shortly announced that it must be repealed. The Legislature accepted my suggestion. The circumstances involved in the passage of this measure need not be reviewed but I have reason to believe the Legislature did not understand its purport or possibilities. Had this resolve remained in force a grave injustice would have been done the tax payers of the State and a precedent established that would have encouraged extravagance and been difficult to upset.

The expenses incident to the Blaine House and grounds have been paid from the regular appropriation for maintaining the State Capitol. The Superintendent of Public Buildings, without hampering the other work of his department, by prudent management has been able to care for this property without asking for an increase in his funds. In order that all may know what the Executive Mansion has cost the tax payers, I have had the State Auditor prepare an account for the past two-year period which shows the expenses of the entire Blaine property to have been \$5,898.49 for 1923, and \$5,318.85 for 1924.

The people of Maine very properly are proud of, and feel a sense of proprietorship in the Governor's residence. I have encouraged this sentiment in every way and have been glad to have the house open for visitors, great numbers of whom come each year. It is the people's property and, as Governor I always have considered myself but its temporary occupant. This gift from the Blaine family has proven to be most acceptable and the names of the donors ever will be held in grateful remembrance. As matters stand today no one can say that the State of Maine is not liberal toward its Chief Executive.

Education: A Four Year Review

The educational activities of the State during the past four years have been carried on with vigor. Especial attention has been paid to the development and improvement of our rural schools and today in Maine every community, no matter how small or far distant is provided with reasonably good school facilities. In order to show the improvement during this period I quote statistics prepared for me by our Commissioner of Education.

"During the four year period, 1921-1924 more than 60 towns have built new high school buildings or have repaired and standardized their old buildings. In 1921 the total value of all school property was \$13,620,000 while in 1924 it rose to more than \$20,000,000. This indicates that the program for adequate and proper housing is rapidly being completed. In 1921 the total school support was \$6,400,000; in 1924 \$10,300,000.

"Since 1921 the country towns have been financially aided in improving their schools through the distribution of school funds on an educational basis, a method approved by the best educational authorities. Within the four years mentioned over 500 buildings have been constructed or reconstructed, most of them being in country districts and in addition thereto many towns, with the aid of the State, have improved their conveyance facilities for school children. More than 100 modern safe and comfortable transports are now in use.

"Salaries of elementary teachers in 1921 averaged \$568.70 in 1924, \$811.71 while those of high school teachers averaged \$1067.07 and \$1404.07 in those years respectively. The number of students in normal schools increased from 600 to 1100 and graduates from 209 to 400 during the period in question. High school students housed in new standard buildings in 1921 numbered 5840, in 1924 12,588; while secondary school enrollment grew from 24,650 to 30,028 in those four years.

"Where it is necessary for the children to carry their dinners, warm noon luncheons are now provided in more than 1000 schools, and supervised play and noon hour exercises are conducted in almost all of the schools of the State.

"Our facilities for the training of teachers in normal schools have been greatly increased and improved. New buildings now are under way at Presque Isle, Farmington and Gorham, while additions have been completed at Machias and the Fort Kent training school. A complete health program has been installed with more than 100 school physicians, 50 school nurses and 50 directors of physical education actively at work with the cooperation of the State. A State-wide census of physically handicapped children has been completed by the State Department of Education cooperating with the Maine Public Health Association, the Rotary and Kiwanis Clubs, and Chambers of Commerce.

"Evening schools have been fostered and one-third as many scholars are accommodated in them as there are pupils in our day high schools. Agricultural instruction is carried on in twenty high schools and according to the Federal Board for Vocational Education, based on the cost of instruction, Maine High Schools lead those of all other States in the net returns from the agricultural products raised by these pupils.

"In proportion to its population Maine leads all states in the number of young people, up to the age of 18, who graduate from four year high schools, and our young people are making an enviable record in their college achievements. Through education we are undertaking to develop the several lines of interest that bring progress to the State, and safeguard the welfare of our people."

Needed Changes

Our State is teaching its children to work, to be useful, to produce and to lead. One suggestion that I would make is that in certain of our schools, especially in City high schools, more discipline, more self-restraint and a closer attention to studies are needed. Social activities oftentimes are allowed to encroach upon the work of the class room, and the movie, athletics and fraternity work at times interfere with the serious business of acquiring an education. Superintendents and principals should strengthen the rules of their schools, and parents cooperating with them should be made to understand that too many motor cars and parties give children false ideas which seriously handicap them in after life. Self control and a proper respect and consideration for the rights of others should be the corner stones of our educational system.

There is so much of interest in the world and so much to learn about that we should crowd the youthful mind during the few years of school age. The present school year of 38 weeks is too short and should be lengthened to 42, while there should be fewer interruptions in the routine of school work. Holidays and half holidays already are too frequent. On the whole however the young people of today are cleaner and more wholesome than those of any previous generation. Most of them display a serious purpose in life, and it is a privilege to know and work for them. I have faith in the coming manhood and womanhood of Maine.

Public Money for Public Purposes Only

I am an advocate of the passage of a comprehensive Constitutional Amendment providing that public money be used only for purposes that strictly are public. Such a provision should not be pared down to meet the objections of its opponents or weakened so that its vital force will be lost. After thirty years of agitation the people of Maine will accept this principle if it is presented to them fairly and honestly. Once they understand its true significance they will demand its passage and local considerations will not be allowed to stand in the way. The State Treasury forever should be divorced from all private institutions, educational, charitable or otherwise, however worthy. The last House of Representatives made a partial beginning by passing an Amendment which lacked but four votes in the Senate. Had this not failed at that time, by now it would have been ratified by the people and many hard feelings and much unnecessary strife would have been avoided. As I view it this issue should be placed on higher grounds than that of sectarianism; it is an issue that should be faced squarely on the broad principle that the money taken from the people by taxation should be used only for purposes that are strictly public and for institutions that are solely under the management of public officials.

Private and Sectarian Schools

In expressing my views I speak from conviction and without trace of personal feeling or racial or religious antagonism. Brought up in a New England family with New England traditions I have the utmost faith in our public school system and feel it my duty to foster and defend it. All the while I recognize the unselfish, earnest work of the priests and sisters who are engaged in sectarian parochial school activities. These self sacrificing men and women are untiring in their efforts to bring up the children placed in their care in what they conscientiously believe to be the only right way. They set a wonderful example of self denial, obedience and self restraint not only to their pupils but to the community at large. They are rendering faithful service to their church and believe that the church should control education, and that the State should recognize their sectarian schools by apportioning to them a proper share of the public money.

These priests and sisters also in their sectarian charity work and in their hospitals and asylums practice every economy, and with limited funds achieve extraordinary results. I do not doubt that with the means at their command they accomplish more than do many of those who manage institutions that are non-sectarian. They certainly deserve credit for their work, and some of their methods of handling children well may be copied by others.

Apart from the excellent work of the sectarian institutions referred to here is a clash of principle centuries old. To me there is but one solution. Every child should attend the public school and there learn the basic principles of Americanism. Religious training should not be neglected but should be fostered in the church and home, and not in the school room. If this conflict is not settled now each year that passes will witness the growth of parochial and sectarian schools and make it more difficult for those who follow us to correct what I believe to be a menace to our American institutions. We now have an opportunity to place the education of our children upon a sound and enduring basis.

Private and Sectarian Charities and Hospitals

The school issue is but one phase of this question. I also believe that the State should withdraw all its stipends to private charitable institutions so that they will become self-sustaining and independent of State aid. When this principle prevails the many worthy charities that now lean upon the State will become self-respecting and more useful to the community. The public spirit of the Trustees of private schools, hospitals and charitable institutions will be put to the test. It will be interesting to see whether they will be able to rise above their immediate needs and accept this principle as wise and sound, or will oppose it in order to retain

the comparatively small dole of State aid they now are receiving. Special arguments will be advanced telling of the wonderful work these private institutions are doing, all of which is admitted, but there is no sound reason why the public spirited persons who manage private charities should not themselves take full responsibility for them. The tax payer has a right to complain if any of his money is used for such purposes. If the time ever comes when the State requires more public hospitals than it now has, it will not be backward in providing them, nor is it at present unwilling to pay for whatever service is rendered to State wards and State dependents.

Local Communities Should Bear Their Own Burdens

The tendency today is constantly to place additional burdens upon the State and to lessen the responsibilities of local communities. This is unfortunate for communities are led to believe that by unloading their obligations they escape them. Such is far from being the case however for as the State's load becomes heavier the tax payers of the towns and cities are called upon to carry it. In the final analysis they are the ones who pay the bills. It costs the State more to carry on certain activities than it would cost towns to do the same work. The watchfulness of local self interest that prevails among neighbors is lacking when the State assumes control. Home folks know more of the surroundings of needy persons, of the poor and the sick, and can handle these cases more sympathetically, more easily and more economically than State officials who come in from outside knowing little or nothing of local conditions. Municipalities without hospitals always can arrange to have their sick cared for elsewhere by paying for them.

A Sound Policy

I would divorce the State from aiding all local and private hospitals, schools, charities and similar institutions. Moreover the care of insane patients should be paid for by the communities from whence they are taken for there are many abuses of the present law. Our State hospitals too often are used as dumping grounds to relieve municipalities of undesirables.

This change in the State's policy as to sectarian and private institutions and schools might be made gradual extending over a period of years so that such institutions would have time to arrange their finances without undue hardship. If it were arranged to reduce State appropriations and entirely stop them within a five or ten year period the public spirit of our communities would be stimulated, economies effected and abuses corrected.

Unless the proposed changes are made the State's burdens will become larger with each passing year, private institutions will clamor for more

and more aid, for once their names are placed upon the State books they are there to stay and their demands are ever more insistent. This problem should be faced squarely, and politics and religion should have no place in its settlement. I regret that sectarian strife has been engendered in our State, it is unworthy of us. The Catholic, Protestant and Jew all are good citizens and should live harmoniously together. The bitterness that has been rampant among us for the past two years would have been avoided had sectarianism been kept in the background and had the discussions been confined to the issue of "public money for public purposes only."

Mount Katahdin

For four consecutive sessions I have endeavored to interest the Legislature and the people of Maine in Mt. Katahdin, and have attempted to secure an appropriation for the purchase of some of the waste land in its vicinity to be used as a State Forest Reserve or Park. Due to the opposition of the large timberland companies, especially the Great Northern Paper Company, no progress has been made other than to create considerable public sentiment in favor of the project. The timberland owners have repeatedly defeated the law under which the State would be empowered to condemn land after paying a fair price for it.

The Mt. Katahdin Forest Reserve or Park would be the State's greatest natural attraction. It would draw to us many people from beyond our borders, and would serve as a place of resort for thousands of our own citizens. It could be developed at moderate expense, year by year, all the while contributing to the health and recreation of those who use it.

The establishment of a game preserve in that territory is a step forward, a feeble beginning. If, however, the orders recently promulgated by the above mentioned Company restricting the use of their lands to registered persons accompanied by licensed guides are held valid, Mt. Katahdin before long will be closed to hunters, fishermen and campers. The order referred to is the entering wedge of "regulation," that later will develop into "prohibition." The time never must come when the forest areas of Maine are made great private hunting preserves to be enjoyed only by the friends and sycophants of powerful interests. Such things savor of feudal times when the lords and barons of England claimed the sole right to the fish and game on their great estates. Before our woods are closed to us the people will be heard from.

A Beginning.

To prove my interest in this project, if the 82nd Legislature will enact a law under which some duly constituted public body or agency is given power to condemn "wild" and forest land for public park and forest re-

serve purposes, and will appropriate \$10,000 annually for the coming two year period, for that purpose, I myself will pay to the State Treasurer my salary for the years 1923 and 1924 being the total sum of \$10,000 as a personal contribution toward meeting the land damages for the first park and reserve areas thus condemned and acquired by the State.

The other conditions of my offer are: First, that condemnation proceedings be completed and good title to the land vested in the State through such proceedings within eighteen months after the adjournment of the 82nd Legislature, the said land to be forever dedicated to public park and forest reserve purposes; second, that the entire State appropriation for the two year period, together with my gift, be expended in acquiring an area of land that will include within its boundaries not less than the entire Northwest One Quarter ($\frac{1}{4}$) of Township 3, Range 9, Piscataquis County in which are located Monument Peak, South Peak, The Chimney, Knife Edge, Pomola Peak, Middle, Saddle and North Table Lands so-called, North Peak, and North and South and Little North Basins, all on Mt. Katahdin, and Dry Pond, Basin Ponds, and Chimney Pond together with such additional land contiguous to said Northwest Quarter of Township 3, Range 9 as can be acquired for the sum of \$30,000 available for the purpose; third, that the public body to be created be given full power to develop the acquired land for public park and forest reserve purposes, and to extend the boundaries thereof, whenever funds are made available therefor either by succeeding legislatures or through the gift of individuals or corporations. I have had a map prepared to show what I want the State to acquire as the nucleus or beginnings of the "State of Maine Mt. Katahdin Park and Forest Reserve."

It is interesting to remember that the Great Northern Paper Company in 1921 through its lobby intimated that it might donate to the State its undivided interest in some of the land in question. It was a gesture only, and nothing more ever was heard from it. Whatever it wanted as concessions in other directions evidently was not forthcoming. It is well in the future to bear this latter thought in mind.

Water Powers

I am deeply interested in the water power question. Whether or not the State gives away all its water privileges means nothing to me personally but I am concerned with the future of Maine and want the rights of our people protected.

There has been widespread discussion of this subject in the newspapers and elsewhere, and a vast amount of misinformation, inspired by selfish interest, has been spread abroad. With few exceptions the press stands with the water power owners and has failed to give proper presentation of the people's side. From out of all this mass of discussion and argument,

however, there has grown up a healthy public sentiment in favor of the State's retaining ownership of all its natural resources, which sentiment, though at times inexpressive, is strong and well defined. As one writer has said, "The time comes when through the very discussion that has been aroused the truth emerges."

There are two fundamental principles as to Maine water powers: First, the retention in Maine of the hydro electric energy generated within the State; and Second, the retention by the State of its ownership of its few remaining water resources. The development of our water powers should be and always has been encouraged and notwithstanding newspaper comment to the contrary, the only check ever placed upon development in Maine was in 1923, when the Kennebec Reservoir charter was defeated. Up to that time the corporations had been given everything they asked for. When the bill referred to came before me I believed it was better to stop that particular development than for the State to deed away its most valuable water resource. A public calamity was prevented by my veto of the bill referred to. If Maine holds fast to the two principles above mentioned succeeding generations will be grateful to those responsible for it.

The Interests Not Consistent

The water power corporations are carrying on extensive propaganda in their own interest. They gradually have obtained a strong influence over business and politics throughout the State and have become exceedingly powerful. Constant attacks are made against every form of public ownership, and the advantages that accrue from private ownership are emphasized upon every occasion. It is interesting to note the opposition to public ownership on the part of certain groups who are not averse to unloading on the State unprofitable ventures such as piers and ferries, while those that promise rich returns are closely held for private profit.

Without entering upon a discussion of the broad questions of public ownership, I believe that the State itself should develop water storage in our great reservoir basins, all of which belong to the people, and sell in large blocks to distributing companies such hydro-electric energy as may be generated on public power sites. This can be done safely, profitably and without bringing politics into competition with business. If however public sentiment has not advanced to my point of view the State should retain ownership of all its water resources, permitting them to be developed under leases that thoroughly safeguard the public interest.

A Probability?

I am apprehensive that some day certain power companies along our New Hampshire border arbitrarily may take matters into their own hands,

hurriedly construct transmission lines across the State boundary, turn on the electric current and then appeal to the United State Supreme Court for protection under the Interstate Commerce Law. What the result would be if this happened I am not prepared to say. It would depend upon the attitude of the Governor, the Attorney General and the Legislature of that period. I fear however that the time yet will come when, through skilful manipulation of public sentiment the Legislatures of future years will yield to pressure and once and for all deed away the pitifully small inheritance in the State's natural resources that still belongs to the people and also will allow Maine's hydro-electric energy to be taken from us and shipped to other States.

"Public Control"

"Public control" is a convenient phrase for corporation managers to indulge in. It covers a multitude of sins and means little. Corporations want no "control" whatever. The President of the Standard Oil Company recently said: "Put not your trust in legislators." No doubt he would prefer to have all trust placed in the kindly care of his own company. I recall the long contest that was necessary before fenders and windows were ordered placed on the front of trolley cars; it required years to pass those laws.

It is the same today. Few large companies seem willing to recognize the rights of the public in public utilities. Some rates for electricity in Maine are higher than they should be, and it is almost impossible to obtain reduction in the face of corporate opposition. A single consumer virtually is helpless in these matters and it is difficult to organize a strong group to fight such cases on account of conflicting personal, political and financial interests. Expensive litigation is necessary and well paid corporation lawyers always stand guard.

The Public Utilities Commission resembles a court and must decide upon the evidence presented to it by both sides. Although it does its best to protect the consumer, it cannot well both sit upon a case and at the same time plead one side of it, however worthy. There should be some effective method whereby the small consumer is afforded better protection than at present against excessive rates; some method whereby the State or municipality, itself, as the moving party, should step in and see that its citizens are adequately served and that rates are reasonable. For example, the telephone companies are about to ask for increases in their rates and as yet no one has appeared to champion the cause of the individual subscriber. He probably realizes that his position is difficult, if not hopeless, for he is no match for the corporation in rate hearings and similar contests.

Super Power

We hear a great deal about the Super Power Plan and most of the Maine power companies favor it. I have the greatest respect for Secretary Herbert Hoover, who is an earnest advocate of super power and takes a nation-wide attitude toward it. As I view it, however, super power will benefit every State but ours. Certainly Maine does not need, nor would she ever receive any power from the states to the South and West. Hydro-electricity would go out from while nothing would come into Maine. It is not surprising that the great power interests are looking eastward with covetous eyes.

Of the eleven Northeastern States extending from Maine to Maryland, New York has 1,400,000 developed water h. p. while Maine stands second with 478,600. To show the possibilities of the future, based on flowage 50 per cent of the time, New York comes first with 4,960,000 h. p. and Maine second with 1,074,000 h. p. These figures disclose not only what it means to the Northeastern States of this country to obtain our power, but what it would mean to Maine to have this great resource forever taken from us through inter-State transmission lines. Here again our people need constantly to be on guard.

Enforcement

The enforcement of the prohibitory law has been one of the chief concerns of my administration. I unhesitatingly say that Maine never was cleaner than now, that public sentiment for law enforcement and law obedience is stronger than ever, and that each of the past four years has witnessed a steady improvement in cleaning up evil conditions in certain sections of our State. This work has not been altogether easy or pleasant. I have not hesitated to make changes in judicial appointments. A determined but unsuccessful effort to remove the Sheriff of Hancock County was undertaken and I still hold to the belief that his retention in office was a miscarriage of justice. One unfaithful County Attorney is now serving a sentence at Thomaston, while a sheriff is in prison at Atlanta, as the result of State and Federal prosecutions. The United States authorities have been helpful and have rendered cordial cooperation, and the present United States Marshal for this District recently said "I believe that the Volstead Law is being enforced more strictly in Maine than in any other State in the Union."

There are places in Maine that I could have cleaned up more effectively had I possessed the power under the law to do so, but where a sheriff is not actively aggressive, is easy going and not vitally interested in his work, strict enforcement is difficult. There however are but one or two such places, and on the whole our sheriffs are all they should be, have

done excellent work and have rendered faithful public service. It is a pleasure to have served with them.

The importation and sale of liquor is gradually being driven into the hands of a lower type of criminal than formerly. The "higher up" bootleggers one by one are being picked off by Federal and State prosecutors, and today most of the liquor is handled by foreigners. The United States authorities agree with me that in the course of a few years violations of the liquor law will be as infrequent as the breaking of the laws against stealing and other crimes of violence.

People Demand Enforcement

There is not as much loose talk around street corners and clubs as a few years ago. People gradually are realizing that the violator of one law is equally as dangerous a citizen as the violator of other laws. When this doctrine is driven home there will be a general and wholesome respect for law.

The people of our State stand squarely behind absolute, honest and impartial enforcement. It is recognized by right thinking persons that the buyer is morally as guilty as the seller, and I wish the law made him equally so. The rich violators are the worst offenders, and I hold in contempt the complacent well-to-do man or woman who patronizes rum sellers and takes pride in doing so. Today there is no such thing as an "innocent purchaser" of liquor, for any man who buys it in fact, if not in law, is guilty of a liquor conspiracy.

The failure in the Hancock Sheriff case caused an unfortunate reaction toward lawlessness in our far eastern counties. The recent conviction for liquor offences of 44 citizens of Washington County, many of them formerly of good standing, discloses an unwholesome condition. Had the Hancock Sheriff been removed it well may be that bootleggers and rum runners in that part of Maine would have taken heed and abandoned their nefarious business.

I hope the incoming legislature will be a model to those that succeed it, and that some of the old time practices indulged in by the few, to the discredit of the many, will be relegated to oblivion. Liquor should be entirely eliminated from legislative deliberations and from the Augusta House. Some of the scenes that have taken place in that hotel in years gone by have disgraced our State and never should be repeated.

University of Maine

The State of Maine supports one higher institution of learning, the University at Orono, which though held by the Courts to be a private institution, is located on State-owned land and maintained largely by the tax payers. It is rendering a great service to the young men and women

of Maine in affording them an opportunity to secure a liberal education at modest expense. These young people should be encouraged and helped in every proper way, and as Governor I take pride in our University.

As a matter of principle I believe that colleges and universities should be under private, rather than public management and I hope the day soon will come when the University of Maine will have endowment funds of sufficient size so that it can be divorced from State aid and control. Until it acquires such funds the State, within reason, must care for it.

It is not wholesome to educate young men and women in a political atmosphere. It is unfortunate for the Alumni of a State University, in order to obtain large appropriations, to resort to lobbying and indulge in methods common to political campaigns. Candidates for the highest office in the gift of the people should not be permitted to insert political advertisements in the Alumni weekly, bidding for support and promising liberal appropriations in return for votes. These things have been done in Orono during the past few years, and I believe thoughtful self-respecting Alumni regret them, and will not countenance their repetition.

A Program Needed

In my opinion those in charge of the University should lay out a program for the next five or ten year period and submit it to the people of the State for discussion. This should be done frankly and without reserve. As this institution is, for all practical purposes, a State University, our people should know the plans of its managers. The taxpayers who pay the bills are entitled to full information and they themselves are the ones to determine whether the activities of the University should be restricted to its present three colleges, Arts and Sciences, Technology and Agriculture or enlarged to include colleges of Law, Medicine and Pedagogy. Anything that savors of concealment or shows an unwillingness to trust the people is unworthy of university management. The authorities at Orono have been requested by public officials to disclose their plans, but as yet have neglected to do so.

The President's Responsibility

The welfare of the 1200 or more students at Orono is of State-wide concern. A man at the head of such an institution is under a grave responsibility. To keep in touch with a university family of such proportions and to attend to the countless details of his administration is enough to occupy the attention of any one man. In my opinion it is unfortunate for a college chief executive to attempt to carry on outside activities.

At the present time the University's President is engaged in extensive experiments largely at the State's expense, with several thousand rats and mice, and with larger animals and birds. He intends to broaden his re-

search work by establishing a plant on the coast of Maine to propagate rabbits and other small animals for laboratory work. If the newspapers are accurate, he also is engaged in other biological and scientific activities and is reported to have accepted a position with one of the large fox farm operations so well advertised throughout Maine. I cannot refrain from saying that the 1200 boys and girls at Orono are of vastly more importance to Maine than all the experimental research herein referred to. These young people are entitled to and need the undivided care and thought of the University staff from the man at its head to the youngest instructor on its faculty.

The Executive Council

Although in a few cases the Councilors and myself have held different views our relations have been unusually cordial and have been based upon mutual confidence and respect. The Council is a long-established institution coming to us from Colonial days. It is not an affirmative body, has no power to pass anything contrary to the Governor's wishes and its function is to advise and exercise a restraining and helpful influence.

It is of great assistance to an Executive to have a body of well informed men to whom he can appeal for advice and I am glad to have been associated with the members of my two Councils.

We all have enjoyed the companionship of one another and the friendships made between us will be lifelong. In years to come it will afford me satisfaction to keep in close touch with my former associates who have so diligently and faithfully worked with me. It would be difficult to find in Maine a more conscientious and able group of advisers and I publicly thank them for their kindly and sympathetic cooperation.

Maine

Maine people have reason to be proud of the State's standing among her sister states. She is second to none. One of the finest compliments ever paid us came from a writer of national repute who said: "There is in Maine a stable condition of comfort, self-reliance and non-parasitic occupation common in the New England of a previous generation which makes for sturdiness, individualism and conservatism. More than most parts of the modern world, Maine has kept its native quality, moral and physical. Whatever may be left of that famous old New England, sometimes Puritan and always Protestant, will be found today more purely and abundantly in Maine than elsewhere." The same author is authority for the statement that "the government of Maine is the simplest government and therefore the best government." As a matter of fact I doubt if any State in the Union has a government as direct, as simple and as little overburdened with useless appendages as ours. There is not much that can be done to

improve our form of State or local government. With honest, courageous, clean and prudent executives Maine will prosper and will continue to lead in all that is best morally, spiritually and materially.

Political Service

Both men and women today have unusual opportunities to enter politics and render service to the State. The danger however for a young man lies in his desire to hold office, rather than to render service. Holding office has spoiled many good men who in order to continue in power have been willing to sacrifice principle and honor and few men know when and how to retire gracefully. My father's words of wisdom ever will be remembered by me. He often remarked "Every man who stays in politics long enough, is sure to die a disappointed man."

Some men enter politics expecting to accomplish things worth while, only to find their efforts blocked and useless. The moment a man displays his independence, he is likely to be confronted by opposition and checked by powerful influences that seek to "break him." Health, courage, determination, ability and principle are all needed if true success is to be attained. Temptations are set before such a man and plausible argument offered him to abandon his upright course. If he holds out against these influences the road, instead of being strewn with roses, will be beset with thorns. No man should enter upon that road unless he is able to bear his disappointments cheerfully, and gracefully. Even though he may not reach the high position to which he once aspired and may fail to accomplish what he would have done, he always should retain his self respect. If he does this his influence for good will be felt in the community.

I have spoken of men entering politics with high purpose. Many also begin by taking a progressive position but as the years pass by become conservative and forget that the world moves forward. It rightly has been said, "Many a man has fought in the ranks of progress in youth only to desert them in his older years and enlist in the conservative army. The torch bearer of the spirit who fain would light the fire of human welfare dwindles insensibly into the smooth apologist of mammon." Every public man should bear this in mind and fight within himself to overcome this natural tendency toward reaction. He never should lose the ideals that stirred and prompted him in his youth.

Retiring from Office

Retiring from office is not altogether agreeable. Feelings of regret at leaving pleasant tasks and congenial surroundings mingle with relief from care and the lightening of burdens. After today I cease to be in charge of the State's affairs and others who are competent to handle the people's business will take the helm. As Governor I oftentimes have found myself

hampered by a lack of power, by the indifference of the people, and by the want of an awakened and wholesome public sentiment. These obstacles, however, I have endeavored to overcome, and have done my best to have my State go forward and not backward.

If I have earned the respect and confidence of my fellow citizens I am sufficiently rewarded for all my work. I love the State of Maine and all its people, and this affection has increased with each year of my service. The hard things that have been said long since have been forgotten and forgiven, and there is no one in Maine toward whom I hold the slightest ill feeling. I am grateful for all that has been done for me by my fellow citizens; grateful that my four years have not been marred by public scandal or calamity or by civil discord or personal ill health. There is much to be thankful for; much I yet would do for my State.

David Starr Jordan says: "Today is your day and mine; the only day we have; the day in which we play our part. What our part may signify in the great whole we may not understand but we are here to play it and now is the time."

PERCIVAL P. BAXTER,
Governor of Maine.

State Capitol
Augusta

STATE FINANCES AND THE CONTINGENT FUND

STATE OF MAINE
Office of the Governor
Augusta

February 18, 1925.

Mr. President, Senators and Representatives:

At the opening of this session, in accordance with custom and the constitution, the affairs of the State were discussed in some detail with the confident expectation that this discussion would suffice. Circumstances, however, beyond the control of the present Executive, have since come to light that seem to require some immediate action on your part. It is the unanimous opinion of the Constitutional advisors that you have furnished me that this situation should be laid before you without delay.

The Executive Department has no authority to disburse public funds except under provision of law. Bills have been presented to us, or are

in immediate prospect during the current fiscal year, amounting to approximately \$250,000, for which no funds have been provided. The Attorney-General has ruled that the Governor and Council may not legally pay these bills without legislative authorization. There has been no appropriation by the Legislature to cover these charges which have been contracted in recent months by official representatives of the State.

It has been customary in recent years to take care of obligations of this character from the State Contingent Fund, but this fund has now been exhausted and further drafts against it are both futile and illegal at this time.

The provisions of Section 87, Chapter 2, of the Revised Statutes, as amended by Chapter 96 of the Public Laws of 1921, relating to this fund provide that:

"Warrants may be drawn on, charged to and paid out of said fund" * * * for certain purposes * * * "and so much of said fund as may be necessary for said purposes is hereby appropriated to pay such bills and expenses."

It is clear and the Attorney-General has so ruled, that the Legislature never contemplated disbursement by the Governor and Council from a non-existent fund. If such authorization were given there would be absolutely no limit to the expenditures that a Governor and Council might make.

Expenditure of legislative appropriations may be curtailed and the Contingent Fund thus increased and actual income may exceed the estimates and the fund further grow and thus very large financial powers come to the Executive Department under a liberal construction of what constitutes an "emergency" at any given time. To depart from these limits, however, and hold that a Governor and Council may anticipate lapses or excess revenues for the Contingent Fund at some future time, and then draw against those hopes or expectations, however well founded they may be, would embark our State on a financial system that must end in disaster for all concerned.

The State Contingent Fund had its inception a little over eight years ago. In the first four years of its existence it was steadily built up until on June 30th, 1921, it amounted to \$1,551,447.61. Since that time, during the past four years, it has steadily declined until it vanished during the first weeks of the present administration as a result of obligations previously incurred.

There are today existing over-drafts or bills immediately payable of \$146,550.71. To off-set these there is an apparent balance in the Contingent Fund of \$130,095.01, or an existing deficiency of \$16,455.70 to pay the outstanding bills against the State. In addition it is estimated by the State Auditor's office, on the basis of expenditures during the past seven

months and existing balances remaining in the appropriations to carry on the State's activities to the end of the current fiscal year, that \$247,470.25 will be required outside appropriations authorized at this time.

It may well be and it is earnestly to be hoped that on June 30th there will be lapses in appropriations or excesses in current revenues beyond the estimates sufficient to provide for this deficiency of over \$250,000 in our current needs.

The point which immediately concerns us is the protection of the credit and the continuance of the activities of the State by some proper and legal provision for settlement of these obligations as they shall arise.

In the past few years such a problem has not given especial concern because of the very substantial balances at all times existing in the State Contingent Fund, but with the disappearance of this fund the problem becomes immediate and its adjustment cannot be delayed.

Outstanding bills are as follows:

History of Old Forts of Maine. (Authorized during the past year as an emergency need not provided for by the Legislature, but for which no funds were made available for settlement at the time the obligation was incurred)	\$3,574.14
Expenses of military reservations, similarly authorized but not provided for	1,973.27
Fireproof vault in the State House	945.53
Brick yard at State Reformatory for Men	5,413.07
Plans for administration building for Reformatory for Men. (The trustees of the State Reformatory for Men secured plans for this building after conference with the previous Executive. A dispute apparently exists as to whether or not this liability was authorized by the Executive Department. It is believed that this matter should be determined by a proper committee of the Legislature without prejudice to the position of either the claimant or the State.)	2,587.44
Store houses in the rear of the State House	20,592.00
(Funds were set up from the Contingent Fund in the amount of \$90,728.00 to provide for these buildings, but contracts were then authorized for their construction in an amount exceeding this allocation by \$20,592.00.)	

\$35,085.45

In addition there are existing overdrafts of 90,102.75
 And other bills payable for which no appropriations

are available of 21,362.51

Making a total\$146,550.71

Aside from the obligations for which there was no legislative authorization the most immediate problems are in connection with the Maine State Prison and the State Board of Charities and Corrections.

The Department of Education has obligations of approximately \$20,000 in connection with certain new construction carried out in the last six months, for which no funds are now available to make payment, but these will not increase. It is believed there will be lapses in this department at the end of the current year sufficient to take care of these unauthorized expenditures, but this is obviously evading the legislative provisions for various purposes, and there is no authority for transfer of these funds at this time.

The Maine State Prison on February 1st was over-drawn on its maintenance account by the sum of \$59,218.13 and it is estimated that at least \$25,000 will be needed to carry the prison on for the next five months.

The State Board of Charities and Corrections have been given for the board and care of neglected children the sum of \$150,000 by the Legislature for the current year. A portion of these expenditures is recoverable from the several municipalities in the State. The Legislature has adopted the practice of making a lump sum appropriation for this purpose and crediting the collection from the municipalities to the general revenues, as appears both in the last budget and the present budget report and in the statutory provisions relating to this matter.

There are certain reasons why such a practice may be desirable and it seems essential that the legislative mandate on this question should be observed. It is impossible through the medium of the Contingent Fund to add the amounts collected from the municipalities to the sums which shall be disbursed for the care of children, and still have these collections available for general revenues. We cannot spend this money twice.

As the situation exists today this course has been adopted since the expenditures for the current year for this board have been on a basis that would require the allocation to this department of the collections from the municipalities while at the same time these collections are still carried as prospective revenues available for general purposes.

In order to care for existing obligations and to carry on the State's activities to which it is already committed for the current year it seems necessary for immediate provision to be made by emergency resolves in appropriate amounts. The Executive Department will be at your service with all information at their disposal regarding these immediate needs.

Meanwhile the question of the State Contingent Fund is one that is

properly giving our citizens serious concern. During the past ten years the balances in this fund at the end of each fiscal year were as follows:

December 31, 1916	\$ 106,614.68
December 31, 1917	304,140.50
December 31, 1918	325,496.73
December 31, 1919	647,166.79
December 31, 1920	786,150.24
June 30, 1921	1,551,447.61
June 30, 1922	787,307.39
June 30, 1923	819,123.46
June 30, 1924	181,029.31

During the six months' period since June 30, 1924, charges to the Contingent Fund have amounted to \$436,119.68 in clear violation of the legislative provisions regarding disbursements of this fund. This is the first time there have ever been overdrafts against the Contingent Fund during its entire history. It seems necessary to make this situation entirely clear, as otherwise it might be assumed that the present administration could follow the same practice and authorize expenditures from a non-existent fund in the hope that lapses of June 30th might cover the deficit. It is a sufficient answer that such disbursements are absolutely illegal under existing law.

On December 31, 1924, there were lapses of \$395,741.36 which covered the existing deficit of over \$200,000 in the Contingent Fund and left a balance of \$140,650.99 at the opening of the present calendar year, but this small surplus was immediately dissipated by liabilities previously incurred.

During the first four years of the Contingent Fund to December 31, 1920, disbursements from this fund amounted to \$2,468,634.74 with credits of \$3,254,784.98, leaving a balance of \$786,150.24.

During the next four years to December 31, 1924, there were disbursements from this fund of \$3,615,236.59 with credits of \$2,969,737.34, thus reducing the earlier balance by \$645,499.25.

If from the annual expenditures of the State we deduct the continuing appropriations with which the current Legislature is not concerned and the proper and necessary provision for existing departments and the "house-keeping" charges of the State, it will appear that the Contingent Fund expenditures have exceeded the legislative appropriations during recent years. This must give any citizen familiar with Anglo-Saxon history cause for serious concern.

Citizens may well ask if expenditures for this purpose were necessary what is the State to do now that the Contingent Fund has disappeared?

Certain charges against the State Contingent Fund are provided for in existing law. In my judgment proper provision for these charges should be made in other ways and the State Contingent Fund should be strictly

limited and its appropriate uses more explicitly defined. We shall then do our best to live within the mandates you lay down. Otherwise the Legislature may as well disband.

RALPH O. BREWSTER.

NEW BRUNSWICK WATER POWER DEVELOPMENT

STATE OF MAINE

Office of the Governor

Augusta

April 1, 1925.

Mr. President; Members of the Eighty-second Legislature:

Our neighboring province of New Brunswick, with which we have long enjoyed most cordial relations, is now moving rapidly toward the consummation of a project which vitally affects the interests of the State of Maine. Preliminary steps have been taken; exhaustive surveys have been made by the Provincial government of thousands of square miles of territory within the State of Maine; and an application is now pending calculated to lay a firm foundation for carrying out the plan.

Grand Falls on the St. John River three miles beyond our boundary is a water-power of the first magnitude, and its development by the Provincial government is now planned. According to the report of the Provincial engineers, seventy-three per cent of the storage essential to the economical development of this water-power is located within the State of Maine. Over four thousand five hundred square miles of territory in Maine is affected by this project, with a drainage area furnishing over fifty billion cubic feet of water capable of storage and appropriate release. Several additional billion cubic feet of water would also be stored jointly by the boundaries of the Province and the State of Maine.

With the storage available upon the Canadian side of the line Grand Falls would develop less than sixty thousand electrical horsepower for commercial use. With the storage available in the State of Maine, and no alteration in the generating machinery or additional investment of any kind other than the development of storage facilities, Grand Falls would develop over one hundred and twenty thousand electrical horsepower for commercial use. Thus the Maine reservoirs would double the effectiveness of this power and halve its productive cost, assuming the storage costs on each side of the

line to be approximately the same, although it is probable that the advantage in this respect is in favor of Maine.

The Provincial government is proposing to develop this power, inspired by the example of Ontario, because it believes that very great industrial expansion and commercial development will come as the result of available power of this character.

The International Commission on the uses of the St. John river ten years ago, examined this territory exhaustively and *all the commissioners representing both countries* agreed in the following statement:

"The utilization of this immense power that nature has placed at their disposal would unquestionably greatly stimulate the prosperity of the people of both countries. The storage accorded in both countries is a necessary factor, for the use of which harmonious action by both Governments is requisite. With great natural advantages, unusual railroad facilities, and with an abundance of forest products available, there would seem to be every reason for believing that, with proper development of this power, aided by such conservation of water as the evidence shows to be feasible, this section would witness a remarkable increase in wealth and population.

"Appropriate legislation would safeguard the interests of the people of both countries and insure to each a proper measure of enjoyment."

"In the opinion of the commissioners both Governments will be amply repaid for the expense of the work. Its results demonstrate that the immense conservation possibilities, for water purposes as well as log-driving, both in the United States and in Canada, which is practicable and feasible, need but development to add to both countries extensive industries, to multiply the wealth and largely increase the population on both sides of the international boundary."

Nothing has been done to carry out the recommendations of this commission and *cooperative action or even legislative sanction* by the State of Maine does not now seem to be necessary for our neighbors to reap for themselves the full benefits of the development of this great water shed.

The existing laws of the State of Maine apparently leave us absolutely unprotected, if the Provincial government shall decide to carry this project to completion before a change in our laws is made. The course is astonishingly simple, and the initial step has already been taken, and it is further clearly evident that all of the steps in the sequence are already known to the authorities that are concerned.

Application for the development of Grand Falls is now pending with the International Joint Commission. The initial dam at Grand Falls will flow back water for thirty-two miles, twenty-nine of which are along the international boundary, raising the level of the river sixteen feet above low water, and flowing out approximately four hundred acres of land in the State of Maine, besides possibly over-flowing certain lines of the Bangor & Aroostook Railway. This is of course important and we are taking steps to protect our rights, but this is of negligible importance compared with what lies just beyond.

Assuming that the International Joint Commission, in which Canada at this time has a majority of the representatives, shall grant this initial application with such protection as it may deem proper to the rights of property and persons within the State of Maine, no further grants of any character will be necessary from either the International Joint Commission, the United States of America, or the State of Maine, for the Provincial government to develop fully, under existing law, the storage resources within the State of Maine, which will serve this Grand Falls project.

It will only be necessary for some private individual to acquire a power site upon the St. John river or any of its tributaries within the State of Maine in its lower reaches. Under the Mill Act so-called of the State of Maine, as now interpreted, every rivulet and every lake and stream feeding that dam site is then amenable to appropriation and development without regard to the rights of any other property owners within that drainage area. This means that over four thousand five hundred square miles of Maine territory would be servient to the development of our neighbors across the line without necessary recognition by them in any way of the contribution which we thus make.

It would be a serious dereliction of duty not to lay this situation fully before you at this time. Interests may very shortly become vested which would make it impossible for all time to relieve ourselves from the situation that would exist.

It is not necessary for us to take any "dog in the manger" attitude to recognize that the State of Maine is entitled to share in the benefits of this development in proportion to the contributions which its resources make. We are the joint owners with the Province of New Brunswick of a rich heritage in this great water-shed. It should be easily possible to adjust our interests with due regard to the rights of all concerned.

The State of Maine, however, cannot now be unmindful of the sacrifices and struggles and long series of negotiations that gave this great section to our State. We shall be recreant to the memory of those men of a century ago if we shall permit its chief resource thus negligently to pass from our hands.

Within the past few years representatives of the Provincial government have asserted rights that the dam at Chamberlain Lake far within the

boundaries of Maine shall not be maintained, and in the official report of the provincial engineers to the Chairman of the Governmental Commission investigating this project, appears this significant sentence bearing upon their plans.

"The Van Buren records (relating to stream flow on the St. John) may show a still more favorable margin of safety at such time as the Chamberlain Lake area is restored to the Allagash basin."

The New Brunswick Power Commission chart of this area includes Chamberlain Lake in the St. John water-shed. At this time the burden would seem to be upon those who would now change the course of this stream although it is not clear that the provisions of the Mill Act may not give rights even to this extent. Certainly all the remainder of this great water-shed lies open today to foreign appropriation and use.

There is now pending before you a proposal designed to limit the operation of the Mill Act to a reasonable distance above the site. So far as the other great river systems of Maine are concerned, aside from the St. Croix, it is peculiarly a matter for legislative determination as to the predominant public interest in developments of this sort. It is recognized by our Supreme Court that the original legislative enactment did not contemplate storage developments seventy-five or one hundred miles up-stream, but judicial interpretation and application of this Act have carried it to the limit of the upper reaches of the stream. It seems possible that other interests are now developing, which are at least of equal importance and might properly require legislative consideration and action, for the acquisition of property in derogation of other owners. It is easy to say that all rights of property within our State have been acquired subject to this possible acquisition by other owners further down the water-shed, but it is significant that practically all the great developments in the State of Maine have been carried out under a grant of rights from the Legislature. Protection of the predominant public interest has been the only thing ever sought by anyone interested in the affairs of the State of Maine.

Determination of policy upon this question within the State of Maine is peculiarly a matter for the legislative department of our government. To that branch it would seem corporations seeking development might wisely and properly be asked to resort.

Protection of the interests of the entire State, however, in the development of the great water-shed of the St. John, is a matter with which we are all alike concerned as citizens of Maine and to which it cannot be doubted you will address yourself with an eye single to the very important concerns that are at stake.

In my judgment this legislature should before adjournment take action adequately to protect the valleys of the Allagash and the St. John and

tributary waters from exploitation for the sole benefit of interests foreign to our country and our State. Good neighbors will not be offended when we, alike with them, seek to secure the utmost advantage from the development of the natural resources that lie within our bounds. *This seems to mean that the Mill Act must be modified at least in its application to these streams and possibly this will require for the entire State as well to prevent an unconstitutional discrimination.* Such action would simply require resort to the Maine Legislature for future storage developments which is the customary procedure and is not a course to be greatly feared by any honest seekers for the advancement of the welfare of our State.

The Supreme Judicial Court of Maine in its latest opinion has indicated legislative action as the appropriate method to deal with restrictions or extensions of the right to construct storage dams.

This recommendation for your action is based upon the opinion of the Attorney General, the constitutional officer selected by you to advise the Executive and Legislative departments in matters of law. By him we will be warranted in being guided when lawyers disagree.

Whether we may go further in these regions and limit or regulate in any way the development of storage basins not requiring the exercise of the power of eminent domain is a question for most serious consideration before you shall return to your several homes. The natural flow of the stream is the right of riparian owners and it would seem might properly be asserted by the sovereignty as well.

The suggestion that the present movement is only transitory and that a change in the government in the Province of New Brunswick may end for the present the development of this project along our northern bounds is not an answer to the difficulty with which we are faced. It is our plain duty now to provide proper protection whenever such a contingency shall hereafter arise. In the future of electrical development Grand Falls will assuredly come into its own, and then it will be of supreme importance that all the power and authority of the State of Maine is organized to deal advantageously with the situation that shall arise.

In consideration of this question we are ever mindful of our Federal form of government and purpose no encroachment upon the proper concerns of the United States. We may confidently rely upon a most jealous regard for our interests by the constituted authorities dealing with this problem for the union of which we are but a part.

It is, therefore, of the more importance that we shall not ourselves seem neglectful of the interests that we are here to serve. The United States of America cannot guard our birthright if we shall permit it to be exploited through loop-holes or omissions in our existing laws.

A memorial to the Secretary of State of the United States by this Legislature declaring our conception of our rights and the very important and

far-reaching interests that are at stake would seem an appropriate and helpful act on your part at this time.

Placing of another citizen of the United States and, if long standing custom is followed, a citizen of the State of Maine upon the International Joint Commission without delay would seem a proper subject for immediate and urgent representation by us to the President of the United States.

Hydro-Electric Power in Passamaquoddy Bay

A somewhat different situation is presented in the proposed development along the international boundary in Passamaquoddy Bay, where a charter is asked of this Legislature for the development of hydro-electric power generated by the tides. The apportionment of this power as between the State of Maine and the Province of New Brunswick seems of the very greatest importance involving as it does, according to its promoters, several hundred thousand electrical horsepower from the dams that will be built. This apportionment, in my judgment, should be determined by the Legislature rather than by any other body within our state. The opinion has been very commonly expressed that this project was a phantom of the imagination and apparently its passage is facilitated by considerations of this sort. None of those responsible for the great electrical developments within our state have considered this project as practicable at the present stage of development of hydro-electric power.

Many citizens of our State, however, earnestly and honestly believe in this project as feasible at this time. It would seem to be better to consider the situation from their viewpoint in determining the action of the State.

Franchises have been very freely granted in Maine for the development of hydro-electric projects, but these—almost without exception—have been granted to men having very large investments within the State of Maine and amply able to carry out their undertakings.

The one proposing this development frankly states that the securing of responsible financial backing must wait upon our grant. It seems to me that there is a clear distinction between a grant to interests prepared for development within a reasonable time and to others who must seek bankers for the projects that they propose.

The customary procedure is for responsible interests to consider a project and then ask a limited grant of rights from the State with a serious intention of going forward as rapidly as the obstacles are cleared from the way. Any other procedure seems to place the cart before the horse. With a valuable piece of property we would not think of giving a ten-year option upon its disposition upon terms and subject to profits which our grantee might stipulate in arranging any sale.

Business prudence would require that responsible backing should be secured as a condition precedent to a grant of rights by the State of Maine.

This is the orderly method of procedure and no obstacles will be placed in the way.

Any such proposal should involve careful negotiations between the Provincial and Dominion governments and the Federal and State governments involved in the United States as to the allocation of rights and obligations under the project that is advanced. *Such decent consideration will not hinder, but rather advance the end of development which we all alike have in view.* Reference of such a question to the Public Utilities Commission for investigation and report or to such a commission as you might constitute for this purpose, would move as rapidly and wisely in this direction as seems possible with the information that is now at hand. *It will result not in delay but in expediting the final consummation of this project, if it is now within the realm of feasibility, as many citizens honestly believe.* The pending proposal locks this project up in the hands of a single promoter for a period of ten years, with no regulation of stock or bond issues by the Public Utilities Commission as is customary in every project of this sort.

Shore properties owned by the State of Maine furnish three-fifths of the inclosure essential to this development and yet this Legislature in the act that it is proposed for you to pass would grant to an *International Joint Commission with which Maine is in no way directly concerned the sole power* to allocate the resultant electricity between New Brunswick and the State of Maine. *Such a surrender of our property and our sovereignty is not in accordance with Yankee thrift.*

If the International Joint Commission possesses this regulatory power we shall necessarily comply with their decree but their right should not be based upon our voluntary grant. Such a supine surrender of our powers was not the mandate that sent us here.

However, one consideration alone in this project, for this overwhelmingly Republican Legislature, would seem to suffice. The proposed charter grants a practically unlimited right of export of Maine's share of the hydro-electric power that is to result.

The Republican platform upon which we were elected states in no uncertain terms:

"We recognize that the established policy of this state is to retain Maine's hydro-electric energy within the state for the use of our people and our industries."

There is no equivocation in that declaration. The policy and its implications are entirely clear. We are dealing with the greatest power development ever proposed within our State and are to inaugurate a policy of exportation in the haste of these closing days in clear violation of that considered party pledge. *Such is not the example of honesty of Lincoln and Coolidge whose leadership we are proud to claim.* With what confi-

dence could the people ever again endow us with power if *within three months of taking office* we had thus proved recreant to our trust.

It is urged that tidal power is not hydro-electric power, but Webster's International Dictionary does not bear out this view. Whether a change in our policy in this regard may be wise, the future alone can determine. The temperate discussion of such a possibility will be welcomed by every citizen of our State. For fifteen years, however, it has been a settled policy that hydro-electric power generated within our bounds should not be permitted to be sent out. It will not be well for us to inaugurate a change in this policy on such insufficient consideration as this has received and on behalf of what many contend is merely a phantom grant.

It is often suggested that Maine is stagnating in power development as a result of this policy which we have pursued. Much is said of the great *undeveloped* water-powers existing within the State of Maine. We are never told by these critics that according to the last report of the Maine Water Power Commission, Maine stood fourth in the United States in the amount of hydro-electric power developed within our bounds; exceeded only by Washington, which at that time was in third place by a scant margin, and by California and New York which alone have a substantial lead.

The picture of Maine as a power station for the industrial development of other states has never impressed itself upon the mind of Maine. If hydro-electric power is such a trivial factor in industrial development, why is anyone so much concerned in its transmission for hundreds of miles beyond our bounds? Our hydro-electric power possibilities, transcending those of practically all our sister states, seem to the industrialists among our neighbors to be exactly in the position of the "sour grapes." These powers are, they tell us, of no use to ourselves, but of very great importance to them, even with the admitted handicaps involved in transmitting this power to industrial centers hundreds of miles away.

It is regrettable that consideration of these questions could not come earlier in the session when the pressure was materially less. The Provincial report upon the Grand Falls development, however, was only made in February, and it has taken some time to secure full information and digest the possibilities that were involved. This accounts for the delay in presentation to you of one of the most serious questions with which a Maine Legislature has been faced in recent years. *It is not to be doubted that you will approach it with an eye single to the interests of our State, mindful of our great heritage and of the traditions of three centuries of sturdy pioneers upon which it is based.*

RALPH O. BREWSTER.

FINAL COMMUNICATION

STATE OF MAINE

Office of the Governor

Augusta

April 11, 1925.

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

I herewith transmit a list of 325 acts and 123 resolves passed by the present session of the Legislature.

I have no further communication to make.

Respectfully,

RALPH O. BREWSTER.