

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Legislative Record

OF THE

Seventy-Fifth Legislature

OF THE

STATE OF MAINE

1911

HOUSE.

Thursday, Jan. 5, 1911.

Prayer by Rev. Mr. Kearney of Augusta.

Journal of yesterday read and approved.

Papers from the Senate disposed of in concurrence.

Mr. Mace of Plantation 33, Hancock county, introduced a notice that Otis Littlefield would contest the election of Frank L. Hodgkins of Lamoine, and on his motion it was referred to the committee on elections when such committee was appointed.

The same gentleman introduced a notice that Howard C. Jordan would contest the election of John A. Peters of Ellsworth, and on his motion the same reference was made.

The Speaker joined to the Senate committee to wait upon the Hon. Frederick W. Plaisted and inform him that he had been duly elected Governor of the State of Maine for the current political years of 1911 and 1912, Messrs. Strickland of Bangor, Scates of Westbrook, Files of Gardiner, Trafton of Fort Fairfield, Allen of Jonesboro, Packard of Rockport, and Farnham of Bath.

Mr. Strickland subsequently reported that the committee had discharged the duty assigned it, and that Governor-elect Plaisted was pleased to say that he accepted the office to which he had been elected, and would attend at such place and time as it might please the Legislature to designate for the purpose of taking the oaths required by the constitution to enable him to enter upon the discharge of his official duties.

A communication was received from the Senate through Senator Mayo of Hancock, proposing a joint convention of the two branches of the Legislature forthwith in the hall of the House of Representatives for the purpose of administering to the Hon. Frederick W. Plaisted, Governor-elect, the oaths required by the constitution to enable him to enter upon the discharge of his official duties.

On motion of Williamson of Augusta, the clerk was charged with and conveyed a message to the Senate signify-

ing the concurrence of the House in the proposition for a convention.

Thereupon the Senate came in and a convention was formed.

In Convention.

On motion of Senator Mullen, Messrs. Mullen of Penobscot, Staples of Knox, Deering of Portland, Percy of Bath, Peters of Ellsworth, Strickland of Bangor, and Andrews of Norway, were appointed a committee to wait upon the Hon. Frederick W. Plaisted, Governor-elect, and inform him that the two branches of the Legislature were in convention assembled in Representatives' hall, ready to administer to him the oaths required by the constitution to qualify him to enter upon the discharge of his official duties, and receive from him such communication as he might be pleased to make.

Senator Mullen subsequently reported that the committee had discharged the duty assigned it and that the Governor-elect was pleased to say that he was ready to take the necessary oaths of office, and would forthwith attend upon the convention.

Thereupon the Governor-elect came in attended by the Council and heads of departments, and took and subscribed the oaths necessary to qualify him to enter upon the discharge of his official duties.

The Governor then communicated with the convention by address-

Members of the Legislature of Maine:

It has long been the custom for the chief executive of the State, immediately after taking the oath of office, to address the Legislature concerning governmental affairs. This custom finds its warrant in that clause of our constitution which says that the Governor "shall, from time to time, give the Legislature information of the condition of the State, and recommend to their consideration such measures as he may judge expedient."

This provision of our organic law would seem to clearly impose upon the Governor a duty which cannot be entirely fulfilled by simply delivering to the Legislature an inaugural address. It furnishes a valid reason for the delivery of such an address but it goes

farther than that; it invests the Governor with the right and burdens him with the responsibility of taking a somewhat active part in your future deliberations. It makes him at least an advisory member of your body and authorizes him to initiate legislation so far as legislation can be initiated by advice and suggestion.

The line of demarcation between the legislative and executive branches of our State government is clearly drawn. Neither you nor I will seek to overstep it. This explicit mandate of the constitution, however, defines a common ground upon which we may properly meet and I shall not be unmindful of the obligation which it places upon me nor feel that I have discharged it when we part today. I shall from time to time furnish you information concerning the condition of the State and shall suggest to you, whenever it appears necessary to do so, such legislation as I deem wise and expedient. With that course of conduct in mind it is possible to omit, in this address, many matters of detail and to speak to you in more general terms than might be thought advisable were this to be our last conference.

The present administration, of which you are an important part, has been intrusted with the responsibility of administering the affairs of the State of Maine for the next two years. The party in control of the State government is responsible for all legislation and for every expenditure of the public money. The majority cannot shift the responsibility upon the minority. The people will hold the dominant party strictly accountable for every act of this Legislature. We can discharge our obligations only by bringing to the public service a full measure of earnest zeal and honest effort. That we must do to justify the trust which the people of Maine have reposed in us. If we keep faith with the people we may confidently expect their approval. If we are unmindful of our obligations we shall merit their condemnation. Every promise made in the platform adopted by the Democratic party and upon which it waged its campaign must be kept, squarely and fairly, without evasion or equivocation.

Those promises to the people should be regarded by you, members of the majority, as just as sacred as your individual word of honor. I have full confidence in your ability and honest purpose to carry out every pledge made to the people of Maine.

Strict Economy Necessary.

One of those promises, and not the least in importance, was that we would administer the affairs of this State with strict economy. We are not only bound in honor to keep that promise but we are forced by stern necessity. The financial condition of the State is such as to seriously embarrass the administration at its inception and to compel the most rigid economy.

The large increase in the estimated expenditures by departments and institutions demonstrates that the most extreme measures of economy must be practised. These estimates so far exceed the possible revenues of the State during the next two fiscal years and the large deficit in the form of unpaid warrants and temporary loan present a situation never before encountered in the history of the State by an incoming administration.

During the last two years the net debt of the State has increased \$1,151,501.79, or more than doubled. The deficit for the year 1909, as will appear by the official report of the State Auditor, was \$970,727.98, and for the year 1910, \$180,773.81.

The cash balance in the State treasury on January 1, 1909, was \$568,000. A deficit of that amount might have been incurred without seriously embarrassing us, but when an amount more than the entire bonded debt of the State is added to it the public income for the coming two years is so heavily mortgaged as to prevent our entertaining any idea of liberality in expenditure. We are permitted to carry temporary loans aggregating only \$300,000. The constitution absolutely forbids the creation of "any debt or debts, liability or liabilities, on behalf of the State, which shall singly, or in aggregate, with previous debts and liabilities hereafter incurred at any one time, exceed \$300,000, except to suppress insurrection, to repel invasion, or for purposes of war," and this clause is prefaced with the further prohibition that the "credit of the State shall not be directly or indirectly loaned in any case."

We have then the right to borrow \$300,000. That is the limit of the borrowing capacity of the State. Beyond that limit it cannot legally go; has no moral right to go. Notwithstanding this we find that nearly a year ago loans were negotiated to the full limit prescribed, which loans remain unpaid, maturing January 20, 1911, and that in addition thereto an indebtedness of over \$400,000 has been permitted to accumulate which must be taken care of out of the current revenues for 1911, unless, indeed, the custom of carrying illegal debts is to become a part of the settled policy of the

State, an alternative to which I shall not assent. It is time some customs were changed and this is one of them.

No amount of persuasion should influence your judgment as to the necessity for sweeping reductions in expenditures, and yet no public serving branch of the government need suffer for want of means to properly conduct its affairs.

Departments and institutions should be supplied with only those appropriations which are absolutely necessary for conducting their affairs upon a reasonable and an economic basis.

All gratuitous appropriations and enlarged expenditures must be set aside pending the enactment of those necessarily incident to the administration of the State government. There must be discrimination between measures which are deserving and those less deserving. It is plain that our favor cannot be distributed without stint and that the demands of the people for less burdens of taxation cannot longer be ignored. The situation which we are facing is so unusual that we must adopt unusual remedies to obtain reasonable results.

You are now facing a deficit created by the last administration of \$1,151,501. One method of meeting this deficit would be by levying a special tax of two mills upon all the property of the State as an emergency measure, and which by its terms would produce such revenue within a specified period and in time to liquidate our pressing obligations. The Legislature is not responsible for the serious condition now confronting us, but you are charged with the duty of meeting it if we are to maintain the credit of the State.

I urge you to bear in mind the fact that whatever direct tax may be assessed according to the practice heretofore prevailing can not be available for the current year's expenses, as only a small portion can reach the treasury before January 1, 1912.

The bonded debt of the State at this time amounts to \$698,000; of this amount \$22,000 falls due during the year 1911, while \$28,000 falls due during the year 1912. These are charges which the last administration was not required to meet. Appropriation must be made to retire these amounts at maturity. The interest on our bonded debt for the year 1911 will require an appropriation of approximately \$25,000, while for the year 1912 it will require approximately \$24,000.

Appropriations should be made immediately to cover the amounts to be returned to the cities and towns on account of the School and Mill Funds, the Railroad and Telegraph Tax and the Dog Licenses to be refunded so as to enable the Treasurer to make his settlements with the cities and towns on collection of taxes. This will involve \$1,501,435.56 for the Common School and Mill Funds, \$132,078.37 for the Railroad and Telegraph Tax, and \$30,880.96 for Dog Licenses to be refunded, making a total of \$1,664,394.89 which will offset against the amount due upon State Taxes of \$1,771,649.68.

The total revenues of the State of

Maine for the year 1911 based upon all known sources and upon present tax rates will be about \$4,071,000.

The total probable State expenditures for the same period, including also a reasonable provision for State beneficiaries and the return to the cities and towns of about \$7000,000 increased School and Mill Fund authorized by the last Legislature, will approximate \$4,000,000, exclusive of the payments necessary to liquidate the unpaid warrants and the temporary loan. These figures do not include any amounts now being paid direct to our institutions from outside sources, and which may hereafter be paid into the State treasury and applied towards the expenditures of those institutions.

Under no circumstances must these revenues be exceeded. All appropriations must be made having these revenues in mind. If appropriations called for exceed these revenues I shall feel it my duty to return such appropriations without my approval. By keeping within these limits it will be possible to make a reduction in the direct State tax.

Care in Expenditures.

The first principle of good public finance is that no expenditure for any purpose, no matter how worthy, excepting in case of some great exigency, shall be permitted unless such expenditure lies within the limits of the public revenue. That principle must be observed by this Legislature and because it was disregarded by the last one you will be obliged to refuse many asked for appropriations which you would otherwise gladly grant.

It has been said in defense of the condition which we find existing that the difficulty is not that the last administration was extravagant but that the Legislature simply neglected to provide adequate revenue to meet the needs of the government. A little thought will satisfy you that this is not a true statement of the case. The only means by which a Legislature can provide revenue is by levying taxes. The last Legislature could pass no tax laws which could have become effective in 1909. It could increase the taxes levied in 1910 and it did increase them. By various enactments it increased the taxes on practically every kind of property in the State. It provided for a direct State tax of five mills. Had it undertaken to have raised sufficient revenue to have cared for the deficit with which we are now confronted, the direct State tax would have been still further increased to seven mills, a thing which no Legislature would dare to do.

Taxes are already too high. We must spend less of the people's money. The direct State tax must not be increased. It can not be reduced for 1911, but it should be materially reduced for 1912. I trust that the exercise of your wise prudence and good judgment may so readjust matters that the State tax for 1912 shall not exceed three mills. Some changes in law as well as the exercise of rigid economy will be required to accomplish that end but I believe that it can be done and that it ought to be done.

Adopt Business Methods.

No material increase in our public revenue can be expected as a result of changes in our tax laws. Taxes may be raised in some directions, in the interest of equality, but in others they may properly be lowered, so that the net result will be to leave things about as we find them so far as the income of the State is concerned. The situation must be met just as we would meet a like condition in our private affairs by a reduction in expenditures. No unnecessary appropriation of money, however small, should be passed. The affairs of each State institution, the work of each State department, should be carefully scrutinized with a view to the discovery of opportunities to save public money; unnecessary offices should be abolished; departments consolidated, wherever good judgment warrants it; business methods should be applied to every part of the State's work; every State official should render to the State full value for the compensation received by him; employment by the State should cease to be regarded as desirable by the lazy or the inefficient; the cash in the State treasury should no longer be looked upon as a charity fund and the list of State employes should not be permitted to become a pension roll of worn-out politicians. The government of Maine was established and exists for the purpose of benefiting all of our people. It is not simply an arrangement by which a portion of the people may gain an easy livelihood at the expense of the remainder.

Vicious Finance Condemned.

In connection with the condition of the State treasury and closely related to it, I call your attention to the importance of ascertaining the financial standing of our State institutions. The custom of financing these institutions on trustees' and treasurers' notes, thus adding, indirectly, an unknown amount to the liabilities of the State, is a vicious feature of the system under which our State government has been conducted and is another custom which should be changed.

Before an appropriation is made by the Legislature for the use of a State institution you should consider it your duty to ascertain the exact state of its finances. Their requirements should be fully canvassed so as to first establish the amount of aid to be granted by the State and to thereafter remove the necessity for any such borrowing in violation of the constitutional law. Means must be found to prevent the contracting of excessive or illegal debts by State officials on behalf of the State.

The income of all institutions and departments should be paid directly to the State treasurer and all expenses, after proper audit, should be paid from the State treasury.

Appropriations made by the Legislature should be certain in amount. The present provisions of law with regard to the appropriation of money for the use of the State highway department and by the National Guard are not satisfactory.

In the one case the law imposes a tax of three-fourths of a mill on all the property of the State, in the other one-tenth of a mill. In place of these provisions I believe there should be appropriated a fixed amount, sufficient for the needs of these departments. Then the people will know what we are spending their money for and how much we are spending. I suggest that a reasonable license fee be collected from owners of automobiles coming into our State and that the money thus obtained be expended in the maintenance of the highways which the State has already built.

At present the fines and licenses collected by the fish and game department are appropriated to the use of that department, making its income uncertain and variable. These fines and licenses should be covered into the State treasury and such amount of money appropriated as you deem necessary to pay the expenses of this important department.

There are similar matters which will come to your attention. In considering them I trust that you will adopt the general principle that the financial dealings of the State should be so conducted as to be easily understood by the average citizen and that the Legislature should retain that full control or appropriations which the constitution confers upon you and not part with it by passing general laws which bind future legislatures.

Progressive Legislation Proposed.

Besides promising the people of Maine an economical government, conducted on business principles, we promised to enact certain progressive legislation for which there appears to be a popular demand. We are bound to enact a direct primary law. Guided by the experience of other states, I believe it would be wise in enacting such a law to apply the principle of direct popular nominations to those offices only in which the people feel the deepest interest and the candidates for which are likely to be well known to the mass of voters. Nominations for Governor and Representatives to Congress may well be made by direct primary. In my opinion it would be unwise to go farther than that until the new system had been fairly tested.

We shall, without doubt, join other states in asking for an amendment to the national constitution permitting the election of United States Senators by direct vote of the people. Pending the adoption of such an amendment, I suggest the enactment of a law, relating to the choice of Senators, similar to the one now in use in Oregon.

A corrupt practice act should be enacted. This law should be drawn with great care and honestly enforced. It may not be possible by legislation to prevent bribery at elections. There is one way that is certain and that is by educating the voter to appreciate the value of the ballot and by creating a sound public sentiment which will make the man who buys his way into office an object of public contempt. But something can be accomplished by legislation. The proof of the purchase of a single vote in favor of a member of the British House of Com-

mons vitiates the election and vacates the seat of the member. A like provision in our laws might effect an agreeable change in the method of carrying elections in this State.

The people have been promised that we will approve the proposed amendment to the national constitution authorizing the levying of an income tax. That promise should be kept. Our government was supposed to have that right and, indeed, exercised it, up to a very few years ago. In approving the proposed amendment we are not conferring any new right on the nation, nor are we taking away any right now reserved to the State. The State still possesses the right to tax incomes if it desires to do so and so far as the nation is concerned we are simply affirming the existence of a power which it was supposed to have until very recently.

Prohibition and Resubmission.

The Democratic party also promised to submit to popular vote the question of constitutional prohibition. It is difficult to approach the consideration of this important question without encountering prejudice and blind fanaticism. It is your duty to consider it fairly, having in view present conditions and the welfare of the State.

The issue presented to the citizens of this State and which has been given a prominent place in political campaigns for the past 20 years, has not been between the supporters of prohibition and other methods for the regulation of the sale of liquors, nor between the friends of temperance and those who believe that an indulgence in the use of intoxicating liquors is one of the natural rights of man, which should not be abridged by legislation, but simply whether the constitutional amendment prohibiting the manufacture and sale of intoxicating liquors should be submitted to popular vote by a resolution of the Legislature.

I believe that a majority of the voters of our State have registered a desire that this be done and in view of the importance which it has had in the public mind for many years and the further fact that a resolution has been so often before the Legislature, action now which will place this question before the people of Maine that their will may be determined, cannot be considered as hasty or ill advised.

Everywhere in this country the tendency of legislation is toward frequent and free registration of the people's will, so that the enactment of laws may be made by them or those enacted by the Legislature may be rejected.

That a great social question which is receiving the best thought of statesmen, moralists and philosophers should be nuch in the depths of a State constitution and the people denied the right, after repeated demands, to consider or discuss it, is not in accordance with the awakened spirit of popular government.

Recent legislation has made it possible to ascertain the will of the people of this State at a special election, when no party

contests for control of government and no claims of rival candidates can detract from the consideration of this important question and I cannot believe that the Legislature will longer refuse the just demand for the exercise of the right.

The People and the Law.

All laws depend for their efficiency upon public sentiment and the measure by which any law can be fairly tested is the support it receives from the people. In a government such as ours, where the people are the source of all power, and consequently of all law, no legislation which is not in accord with the views of the majority can produce beneficent results. It will become inoperative in a greater or less degree as public sentiment may vary in its support.

If laws, however wholesome in the abstract, are enacted which do not have behind them the propelling force of public sentiment they cease to be wholesome when applied to existing conditions. A law not enforced is worse than no law, because it tends to bring all laws in disrespect and thus break down the public morals.

If a small part of the energy which has been expended in our State in an attempt to lessen the evils of intemperance by law had been directed to the creation of a strong public sentiment against intemperance a greater advance would have been made. Instead of relying upon the good judgment and intelligence of our fellow citizens, and their desire to make the most of life and its opportunities we have pursued the false course of relying upon law.

The people of Maine are and always have been a temperate people. I believe we have shared in the general uplift of the human race consequent upon the greater mastery of man over himself and the greater demand in all walks of life for men of clear brains as well as honest hearts; just as I also believe that today is better than was yesterday and that tomorrow will be better than today. More could have been accomplished by an honest effort to get our fellow man to regulate himself by forces from within than by trying to regulate him by forces from without.

Sturgis Law Repudiated.

This attempt at regulation by law reached its culmination in this State in the enactment six years ago of a statute which created a special commission to be appointed by the Governor and charged with the duty of enforcing the prohibitory liquor law in those sections of the State where in its opinion it was not being enforced by the local authorities.

This statute, wrong in principle, opposed to local self-government, supplanting officers elected by the people by those appointed by the commission, aroused at the start the opposition of our citizens which increased rather than diminished with lapse of time. This so called "Sturgis law," declared unconstitutional, in

part, by the Supreme Court, has not only failed to promote the cause of temperance but has created a feeling of strong resentment in every county where the commission has operated, disturbing the orderly and friendly relations which ought to exist between the State and county governments, so that today the authority of the State to enforce payment of the expense incurred in the execution of this statute is questioned and litigation which promises to be long protracted may be carried to the Supreme Court of the United States.

The people of Maine have unmistakably set the seal of condemnation upon this law and by the most potent means at their command, the ballot, have emphatically repudiated it. I trust that you will not be unmindful of their wishes but as their chosen representatives register their will.

Leaving aside the question of whether the present law affords the best regulation of the liquor traffic—a question over which there is an honest difference of opinion—there can be no question that it is the duty of every official to enforce the prohibitory law so long as it remains upon the statute books. For years we have been passing laws to please certain classes, and failing to enforce them to please others.

The time has arrived when plain words should be spoken. For more than half a century we have had upon our statute books and for a quarter of a century in the constitution of our State prohibition of the manufacture and sale of intoxicating liquors; and, looking back over these years, no fair-minded man can refrain from feelings of disgust. Not only has the purpose failed of accomplishment, but hypocrisy, corruption and disrespect for law have been begotten.

The Cry for "More Law."

To satisfy the demands of those who, with little knowledge of the conditions they sought to improve and seeing but one method of dealing with them, cried out for "more law," statutes after statutes have been enacted with the consent of legislative leaders who never intended they should be enforced. Is it any wonder that laws so enacted should be openly violated when not supported by public sentiment?

The time is ripe for a full, free and honest discussion and consideration of this question, which affects our standard of citizenship and the well-being of all classes. We are dealing with a problem as old as the human race and confined to no country. We must be actuated solely by an honest desire to promote the welfare of the State and set our stamp of disapproval upon all alliances between those who would violate any law and those charged with its execution. In doing this we shall take no backward step in the cause of temperance, but rather advance true temperance.

Every unprejudiced person must admit that in the cities and larger towns of our State many good citizens, whose regu-

larity of life and honorable conduct place their motives above suspicion, disapprove of our present method of dealing with this great social and economic question and desire the substitution of laws that can be honestly enforced in city as well as in country.

If the constitution be freed from the prohibitory amendment which unwisely wrote into our organic law matters of police regulation, the Legislature will be in a position to legislate for conditions as they press for consideration and we may confidently look forward to the enactment of laws which will be for the best interests of the citizenship of Maine.

The people have the power under the present provisions of our constitution to interpose their veto by means of the referendum to any act of the Legislature concerning this or any other subject which they deem unwise.

True Conservation.

Many matters of business interest affecting the material prosperity of our people will receive your careful consideration. I hope that your action in these matters will be such as to commend itself to all thoughtful, sober-minded citizens. The State of Maine has before it a rich and splendid future. Wonderfully endowed by nature, ours is a State of undeveloped resources. I believe that the near future is full of promise for Maine and that during the next 10 years we shall show a greater increase in wealth and population than has ever taken place during a like period in our history.

Legislation alone cannot create prosperity, but legislation can do much to encourage thrift and enterprise, equalize opportunities, safeguard investments and protect legitimate business. Maine ought to be and eventually will be a great manufacturing State. Our water powers must be developed and our transportation facilities increased. Maine needs more miles of railroads, steam and electric. Every facility should be afforded for their building. Development of our water powers should be encouraged. The advance of science has made it possible to utilize many water powers hitherto inaccessible by transmitting them over electric lines, to points favorable to manufacturing. These powers are attracting the attention of industrial and financial interests. Undeveloped they are worthless; developed they will support a population many times as large as that now within our borders.

Much has been said with regard to the conservation of these powers. They should be conserved, but true conservation lies in using them, not in letting them lie idle. Our water powers can only be made valuable by being developed by private enterprise and capital. The State will never, as a State, develop a single water power, build a single storage dam or erect a single power station. We welcome those who come in good faith to invest capital in making these powers an aid to industry. The speculator who asks privileges of the State simply that he may dispose of them at an

enhanced value to those who actually desire to conduct business enterprises should receive no consideration at our hands, but the legitimate business man should be encouraged by liberal treatment. In granting charters, however, to companies desiring to develop water powers, you should insist on certain restrictions. The power should not be carried out of the State. Maine should be a great manufacturing State, not merely a power station.

Rights of existing companies must be considered in granting charters to companies engaged in new development. Vested rights should not stand in the way of progress, but progress can be accomplished without injury to present investments. A State which does not protect the property of its citizens falls of one of its important purposes.

Many of the contests between new companies desiring to do business and old companies occupying in whole or in part the field which attracts the newcomer might be settled outside of the Legislature if we had in Maine a public utilities commission, and I suggest that you consider the advisability of establishing one. The present railroad commission could be abolished and its powers conferred upon the new board in addition to such other powers as would be granted it.

Valuable Business Assets.

While new resources are being developed and new avenues of business activity opened up we should not forget the value of the older and more fully developed resources of our State nor neglect to increase their value. Our timberlands are of immense and growing value, not only to the owners but to the general public. Our State system of fire protection should be perfected and extended. Fire has destroyed more timber in Maine than has ever been removed by the ax and the saw, and while it is not possible to entirely prevent forest fire it is possible to reduce the fire risk to a minimum.

Our coast fisheries are of enormous value. They constitute a business asset which, properly conserved, need not be diminished in a thousand years. They have attracted entirely too little attention in the past. Statutes designed to protect them have been loosely drawn and still more carelessly enforced.

The State agricultural department will justify its existence if it can succeed in interesting our farmers in conserving their lands and in developing this great and important industry to the limit of its possibilities. There can be waste in agriculture as well as in forestry, and while agriculture is the corner stone of the present prosperity of our State, when compared with what it might be, it is in its infancy.

Maine ought not to depend upon the beef trust for a pound of meat. We ought to raise enough for our own consumption. We should be independent of the whole world so far as any product of the soil which our climate permits us to grow is concerned and every encouragement possible to make us so should be extended to the farmer.

Legislation of especial interest to those who labor in our mills and factories should be undertaken by you. Our laws relating to child labor need revision and after being revised should be enforced. The present employer's liability law needs radical amendment. The law concerning the attachment of wages by trustee process should be changed. In the hands of unscrupulous attorneys this law, as it now stands, is a source of hardship to the poor and is of little real use to creditors.

Encourage Industrial Education.

Industrial education should be encouraged. It is of as great, if not of greater, importance that the State should train artisans and mechanics as that it should educate boys and girls for the professions.

The children of the plain people of our State must early learn the way of getting an honest living. They cannot attend college, they are fortunate if they get beyond the common school. The State can do much for them by providing means by which they may not only learn something of books but also learn to work at some branch of labor which requires skill and which will enable them to command higher wages. A common school education combined with knowledge of a good trade is a better capital for beginning life than a high school diploma alone. The trade schools of Germany have placed that country in the front rank among industrial nations. The State of Maine may well profit by her example.

General Howard at Gettysburg.

A resolve will be presented to this Legislature authorizing the appointment of a commission, to serve without pay, which shall select a site on the field of Gettysburg for an equestrian statue of General Oliver O. Howard, to ascertain the probable cost of such a statue and to report to the Legislature. General Howard was a native of the State of Maine. He entered the military service of the United States in the war for the Union as colonel of the Third Regiment of Maine Volunteers and passed through the various grades of promotion to the rank of Major General and to the command of an army in the field. His distinguished services throughout the war, notably in the battle of Gettysburg, make it due to his memory that his patriotism and conspicuous leadership be suitably commemorated.

The fame of those who sleep needs not the aid of spoken words or monumental stones; their title to hallowed remembrance is secure, but the living must vindicate their character by paying just tribute to the memory of our country's defenders.

Equalize Taxation.

Our present system of taxation presents many unnecessary inequalities and works much injustice. To equalize, so far as may be, the tax burden, is a serious work to which you should dedicate your best effort. The work of tax reform should

go on in this State until every vestige of special privilege disappears from our tax laws.

Conclusion.

The matters, then, which will claim the attention of the Legislature are, in the main, business matters. They pertain almost wholly to the practical side of government. But all public questions have a moral side. Right and wrong, truth and falsehood, civic sin and righteousness, the eternal verities, enter into every problem of government. Upon their proper solution depends the immediate general good of the State. They are live questions which concern the people of Maine today and those who in the fullness of time shall come after us. They are to be solved only by the application to existing conditions of that keen common sense which is the natural heritage of every citizen of Maine. Energy and the right spirit will overcome every obstacle that may be encountered. Every citizen is entitled to his rights; he can justly receive no more. When a decision is to be rendered let the question be: "What is right?" and the answer, "The greatest good to the greatest number."

We of this generation surely have reason to give most heartfelt thanks to the Giver of every good and perfect gift. We are the inheritors of all the deeds and prayers and sacrifices of the centuries. As the generations passed away they left behind them the achievements they had won,—splendid gifts to posterity. Let us now stand firm for the right as God gives us to see the right and thus transmit to posterity a government administered in the interests of all and therefore resting in the love of all.

(Prolonged applause.)

The Governor and suite then retired.

The purpose for which the convention was called having been accomplished, it was dissolved and the Senate retired.

In the House.

A communication was received from the Senate proposing a joint convention of the two branches of the Legislature forthwith in Representatives' hall for the purpose of electing a secretary of State, State treasurer, attorney general, State assessor, commissioner of agriculture, and seven Executive Councillors.

The House voted to concur in the proposition, and the clerk was charged with and conveyed a message to the Senate to that effect.

Thereupon the Senate came in and a convention was formed.

In Convention.

On motion of Mr. Scates of Westbrook a recess was taken until three o'clock.

After Recess.

On motion of Senator Donigan, Messrs. Donigan of Somerset, Stearns of Oxford, Goodwin of Biddeford, Skehan of Augusta and Kelley of Boothbay, were appointed a committee to receive, sort and count votes for secretary of State.

Having attended to the duty assigned it, Senator Donigan from the committee reported as follows:

Whole number of votes, 142; Cyrus W. Davis had 94, A. I. Brown had 48.

The report was accepted and Hon. Cyrus W. Davis was declared duly elected secretary of State for the current political years of 1911 and 1912.

On motion of Senator Staples, Messrs. Staples of Knox, Gowell of York, Couture of Lewiston, Wilkins of Jay and Gross of Orland, were appointed a committee to receive, sort and count votes for State treasurer.

Having attended to the duty assigned it, Senator Staples from the committee reported as follows:

Whole number of votes, 141; James F. Singleton had 94, Pascal P. Gilmore had 47.

The report was accepted and Hon. James F. Singleton was declared duly elected State treasurer for the current political years of 1911 and 1912.

On motion of Mr. Williamson of Augusta, the election of attorney general was postponed until Tuesday, Jan. 17.

On motion of Senator Dodge, Messrs. Dodge of Kennebec, Theriault of Aroostook, Austin of Phillips, Libby of Oakland, and Allen of Columbia Falls, were appointed a committee to receive, sort and count votes for commissioner of agriculture.

Having attended to the duty assigned it, Senator Dodge from the committee reported as follows:

Whole number of votes 137; John P. Buckley had 89, A. W. Gilman had 49.

The report was accepted and Hon. John P. Buckley was declared duly elected commissioner of agriculture for the current political years of 1911 and 1912.

On motion of Senator Farrington, Messrs. Farrington of Kennebec, Smith of York, Otis of Rockland, Phillips of

Shirley, and Porter of Pembroke, were appointed a committee to receive, sort and count votes for seven Executive Councillors.

Having attended to the duty assigned it, Senator Farrington from the committee reported as follows:

Whole number of votes 133.
Necessary for a choice 67.

Alfred S. Kimball, Edward B. Winslow, Chas. L. Turgeon, Weston Lewis, G. C. Kilgore, Willis Y. Patch, and Frank A. Peabody, each had 90; James S. Wright, James Cunningham, Fred W. Bunker, Fred G. Kinsman, Charles C. Morrison, Harry F. Ross, and Charles F. Daggett, each had 43.

The report was accepted and Alfred S. Kimball, Edward B. Winslow, Chas. L. Turgeon, Weston Lewis, G. C. Kilgore, Willis Y. Patch, and Frank A. Peabody, were declared elected Executive Councillors for the current political years of 1911 and 1912.

On motion of Senator Fulton of Sagadahoc, the secretary of the convention was directed to inform Hon. Cyrus W. Davis of his election as secretary of State, Hon. James F. Singleton of his election as State treasurer, Hon. John P. Buckley of his election as commissioner of agriculture, and the Hons. Alfred S. Kimball, Edward B. Winslow, Chas. L. Turgeon, Weston Lewis, G. C. Kilgore, and Willis Y. Patch, of their election as Executive Councillors.

The secretary subsequently reported that he had discharged the duty assigned him.

On motion of Senator Hill of Penobscot the rules were suspended and

that gentleman was directed to inform the councillors-elect that the two branches of the Legislature were assembled in Representatives' hall ready to administer to them the oaths required by the constitution to qualify them to enter upon the discharge of their official duties.

Senator Hill subsequently reported that he had performed the duty assigned him, and that the councillors were pleased to say that they would attend upon the convention for the purpose indicated.

Thereupon the councillors-elect came in and took and subscribed the oaths necessary to qualify them to enter upon the discharge of their official duties.

On motion of Senator Boynton of Lincoln, the secretary of the convention was charged with and conveyed a message to the Governor informing him of the election of the various State officers.

The purposes for which the convention was formed having been accomplished, it was dissolved and the Senate retired.

In House.

Mr. Scates of Westbrook introduced the following order and moved its passage:

Ordered, The Senate concurring, that all committees cause all notices of legislative hearings of a public nature to be printed in such papers as the committees may designate.

The order received a passage.

On motion of Mr. Trafton of Fort Fairfield,

Adjourned till Tuesday, Jan. 10, at 2 o'clock in the afternoon.