

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

Seventy-Seventh Legislature

OF THE

STATE OF MAINE

1915

HOUSE

Thursday, Jan. 7, 1915.

The House met according to adjournment and was called to order by the Speaker.

Prayer was offered by Rev. Fr. Nelligan of Augusta.

Journal of previous session read and approved.

A communication was received from the Governor transmitting a list of reprieves, pardons, etc., granted during the year 1913 and 1914, and on motion by Mr. Higgins for Brewer the same was ordered placed on file.

A communication was received from the secretary of State transmitting a report of the votes cast at the special election Sept. 8, 1913, in reference to two amendments to the Constitution proposed by Chapters 264 and 354 respectively of the resolves passed at the regular session of the Legislature of 1913.

On motion by Mr. Smith of Hampden, the communication was received and placed on file.

Reports of Committee

Report of the joint special committee on salaries and fees of the 76th Legislature.

On motion by Mr. Ricker of Castine, the report was tabled pending its reference to a committee.

The Speaker announced the appointments of Edward Austin as document clerk and Roger D. Sleeper and Raymond C. Frank as pages of the House during the present session.

On motion by Mr. Pierce of Houlton, the House took a recess until 10 o'clock.

After Recess

The Speaker announced the appointment of monitors as follows:

For the 1st division, Mr. Wilkins of Jay; for the 2nd division, Mr. Jameson of Friendship; for the 3rd division, Mr. Wilson of Levant; for the 4th division, Mr. Ward of Augusta.

From the Senate: Report of joint select committee on return of votes for Governor for the political years 1915 and 1916 reporting that such committee had attended to the duty assigned it, and asking leave to report that the whole number of votes cast

for Governor was 141,580; William T. Haines has 58,825; Oakley C. Curtis has 62,052; Percy F. Morse has 1880; Halbert P. Gardner has 18,226; Frederick A. Shepherd has 597.

On motion by Mr. McNally of Ashland, the report was accepted in concurrence with the Senate.

From the Senate: Ordered, The House concurring, that a committee of three on the part of the Senate with such as the House may join, be appointed to wait upon the Honorable Oakley C. Curtis and inform him that he has been duly elected Governor of the State of Maine for the current political years 1915 and 1916.

This order came from the Senate with the following committee named in that branch: Senators Boynton of Lincoln, Cole of York and Colby of Somerset.

On motion by Mr. McIntire of Watertford, the order was accepted in concurrence with the Senate.

The Speaker thereupon appointed on the part of the House as members of such committee, Messrs. Greenleaf of Portland, Clifford of Lewiston, Edwards of Bethel, Higgins of Brewer, Bonney of Bowdoinham, St. Clair of Calais, and Lawrence of Fairfield.

A communication was received from the Senate through its secretary proposing a joint convention of both branches of the Legislature forthwith in the hall of this House for the purpose of administering to the Hon. Oakley C. Curtis, Governor-Elect, the oaths required by the constitution to qualify him to enter upon the discharge of his official duties.

Mr. McCarty of Lewiston, moved that the House concur in the proposition for a joint convention of the two branches of the Legislature, and that the Clerk of the House be charged with the duty of conveying to the Senate the concurrence of the House in the proposition for a joint convention.

The motion was agreed to, and the Clerk of the House was charged with the duty of informing the Senate that the House concurred in the proposi-

tion for a joint convention forthwith in the hall of the House.

Subsequently the Clerk reported that he had performed the duty assigned him.

From the Senate: Ordered, That a message be sent to the House of Representatives proposing a joint convention of both branches of the Legislature forthwith in the hall of the House to administer to Hon. Oakley C. Curtis, Governor-Elect, the oaths required by the constitution to qualify him to enter upon the discharge of his official duties.

On motion by Mr. Chadbourne of Baldwin the order received a passage in concurrence.

Mr. Greenleaf of Portland, from the committee appointed to notify the Governor-Elect of his election, reported that the committee had discharged the duty assigned it, and that the Governor-Elect was pleased to say that he accepted the office to which he had been elected, and that he would meet the joint convention at such time as it might indicate to take and subscribe the oaths necessary to qualify him to enter upon the discharge of his official duties.

The report was accepted.

At this point the Senate came in and a joint convention was formed.

IN CONVENTION

(The President of the Senate in the chair.)

Chairman HERSEY: The chair declares a joint convention of both branches of the Legislature in this hall for the purpose of administering to the Governor-Elect the oaths necessary to qualify him to enter upon the discharge of his official duties.

Senator Murphy of Cumberland moved that a committee be appointed to wait upon the Hon. Oakley C. Curtis, Governor-Elect, and inform him that the two branches of the Legislature are in convention assembled in the hall of the House of Representatives ready to administer to him the oaths required by the constitution to

qualify him to enter upon the discharge of his official duties, and to receive from him such communication as he may be pleased to make.

The motion was agreed to.

Chairman Hersey thereupon appointed as such committee the following members of the joint convention: Senator Murphy of Cumberland, Senator Allen of Kennebec, Senator Butler of Knox, Senator Colby of Somerset, Senator Dunton of Penobscot, Senator Durgin of Piscataquis and Senator Fulton of Aroostook.

Subsequently Senator Murphy from the committee reported that the committee had performed the duties with which it was charged.

The report was accepted.

The Governor-Elect and suite then entered the hall of the House of Representatives and the Governor-Elect took and subscribed the oaths required by the constitution to qualify him to enter upon the discharge of his official duties.

The Governor then communicated with the joint convention by address as follows:

Gentlemen of the Legislature:—Upon taking and subscribing the oaths required by the Constitution to qualify him to enter upon the discharge of his official duties, the Governor's first serious consideration is how to conform to the mandate of the Constitution which reads thus: "He shall from time to time, give the Legislature information of the condition of the State, and recommend to their consideration such necessary measures as he may judge expedient."

Custom has decreed that this be done immediately upon taking the office, through the medium of an inaugural address. The precedent is of venerable age, and has, perhaps, its sentimental value, but does not necessarily prove its wisdom. A full and comprehensive report would constitute a large contract.

Probably no Governor has approached this period without sensing the serious aspect as well as the humorous. It is indeed a grave responsibility which one assumes in attempting to portray the actual conditions

of the State in a manner sufficiently clear and logical to afford the Legislature a basis upon which to formulate ideas of necessary legislation, even after long experience and close relations with such affairs.

Our form of governmental procedure periodically brings forth new executives with more or less experience, but it is patent that even the greatest proficiency, on such comparatively short notice, may not enable one to formulate into speech anything more than a cursory view or superficial survey of but a few of the most prominent features of the actual conditions which may occur to him.

The aspect, also has changed appearances when viewed by the greater light of actual experience in office, by reason of easier access to more elaborate and authentic information through avenues otherwise not easily approachable.

The humor of the situation, therefore, is discernable in the new light which may appear when one is confronted with the real solid and actual limits by which he is circumscribed, having, as it does, a tendency to curb excessive ambition and to disturb visionary imagination.

The organization of the State is of some considerable proportions, and is more or less unwieldy to afford perfect and precise administration; consequently, any administration is always open to adverse criticism by those seeking to tear down and annihilate for ulterior motives.

A sound, healthy condition is attained when the public take a good, wholesome view of administration activities, giving credit when it is due and condemning upon good and sufficient grounds.

It is, of course, understood and expected that political adventures will attack points which form no real basis for calamitous opposition, in the hope of creating a sentiment against any administration, and, no doubt, partisan newspapers will add and extend their support; but it is evident that the great majority of the people are familiar with these old-time and antiquated methods of creating prejudice and are not so susceptible to such influence as formerly.

RECOMMENDING NEW MEASURES

In recommending new measures, they must, of necessity, be in the nature of experiment, or, at least, it is seldom that one has the ability to encompass in recommendation the entire solution of a given problem. A condition may be apparent, and numerous theories advanced, but remedial legislation is difficult.

Experimentation is essential to material progress, for without it we cannot know the extent of ingenuity; but in legislation by new laws it is often dangerous, because they may be of but temporary relief and lack qualities of an enduring character suitable for all time under ever-changing conditions. For instances, the new primary law is more or less experimental, and, even at this early date, much dissatisfaction with it is expressed.

These remarks simply indicate that we should be as free in repealing useless and obsolete laws now in the statutes as in filling them with new ones of more or less doubtful value. Too often laws are enacted which have originated from a narrow viewpoint contemplated by a vision of some specific incident or occasion which may have brought relief in some remote cases but caused great hardships in other directions, not having been considered, as they should have been in a broad-gauged survey of general welfare.

There are laws now in the statutes which were passed through the Legislature for private reasons to remedy isolated cases of little or no public importance, which have caused statewide confusion and great expense.

There are other cases where laws have been enacted through the influence of party politicians, affecting adversely the interests of municipalities, and have become mandatory without the consent of the citizens or even the municipal officers. Care should be taken that such mandatory laws shall not become effective until accepted by the municipal officers at least, thus supporting the principles of home rule when practicable.

PRIVATE AND SPECIAL BILLS.

Private and special bills should, therefore, be scrutinized carefully and general laws affecting the whole State

should not be easily enacted. The old idea, often expressed in these halls, that every legislator is entitled to at least one bill, is as unreasonable as it is unsafe.

These are suggestions only, as the Governor has no authority to instruct the Legislature. The fact that its members are duly elected and have given their oaths is evidence of the people's confidence in their ability, honesty and integrity, and should guarantee safe and sane legislation. In all questions of needful and proper legislation for the welfare of the State, it will be my aim to most heartily cooperate with you.

It does not appear necessary to take ourselves too seriously in diagnosing the needs of legislation in all its phases. Discretion should be used in all cases, but a sense of humor may not be amiss occasionally in aiding us to arrive at sane conclusions on many serious matters. Our minds will undoubtedly be more clear, and better progress will be made, if we can cultivate a good, wholesome mixture. Otherwise, the tendency will be toward intemperance or prejudiced and this should be avoided as not being conducive to sound legislation.

It may be the irony of fate that public officials have not the wisdom of Solomon, although at times it seems almost expected. Unfortunately, or otherwise, we are but ordinarily human, and can but exercise the talents with which we are endowed and assume the consequences of their operation for good or evil according to the mandates of the people.

It may sometimes occur to us in the exercise of our official duties that it will be well to avoid the consideration of one subject to accomplish a more fair and just consideration of another; for the consideration of one may be detrimental to the interests of another by reason of confliction, or, in other words, the consideration of both might cause the failure of each, and thus check the progress which might have been made by the consideration of each at different times. For instance, the consideration of the prohibition question might be hampered by the contemplation of the temperance question at the same time, and thus injury be caused to both.

COMBATING SOCIAL EVILS.

We cannot expect to rectify all the social evils of the State at one sitting, but should endeavor to select the more salient and important subjects, and as many of them as we can conveniently handle systematically and conservatively without their conflicting with each other; thus leaving something for future administrations to unravel, for they will continue to be inaugurated long after we have completed our deliberations.

It does not seem possible that evil will obtain faster than legislation can care for it. If it does the argument is fair that sentiment is getting mixed with facts, or theories confused with conditions, and the solution must be distant.

It is evident that it is preferable to accomplish something rather than nothing, even at the risk of sacrificing advancements in other directions, although of equal need and significance.

It is useless to indulge in the hope of pleasing everyone, because there are in the statutes laws which by some are considered an attainment, while many consider them otherwise, and the exponents of such laws have an advantage for the reason that the laws are in the statutes, but even this does not necessarily prove that they will be useful for all times.

MANY LAWS A HINDRANCE

It seems apparent that many of the laws in the statutes are a hindrance and practically useless, and could well be revised or repealed, but even these are often supported, while many just laws are none too well upheld.

There are in the State of Maine, according to the 1910 census, 742,371 people composed of various factions with a confusion of ideas, many agreeing on the same subjects and entirely at variance on others. Many of like opinion wish to advance their ideas regardless of the sacrifice of all others, so that they may gain their aims. Others having perhaps the same idea in principle, have also several other ideas, and, if progress is made in any of them, they are content and willing to abide their time until opportunity affords them a truce for the furtherance of them. It is perfectly proper for all

citizens to bring their ideas into prominence before this High Court, but they must wait with patience for the opportunity to have them considered in new laws or in the repeal of old ones.

You have your right of legislation in which it is not my intention to interfere; the duties devolving upon me also may need no interference from you; but, as far as is possible, it is at least hoped that we shall all work harmoniously for the common good.

Every individual member of the Legislature will be judged by his fruits, and those who intend to accomplish too much for their own locality at the expense of others, are cautioned that sometime their ambition may lead them into broader fields of operation and their preferment will be based upon their records for broad-gauged consideration of all matters coming before them on the principles appertaining to the interests of "Human Welfare."

FINANCIAL MATTERS

Having examined somewhat into the financial records of several of the past administrations for purposes of comparison, it seems necessary to use some of the figures; but further than this no material benefit can accrue in exhibiting them to notice. Therefore, so far as the past is concerned in this respect, as a basis of censure or criticism, you have a message of peace. No material aggrandizement or special substance is derived from delving into the past for the purpose of criticism. The records of the experience of others, however, are of value by way of measurement, and, as such, they should be referred to for guidance in judging of proper advancement commensurate with available resources; and that is our mission.

Resources must first be considered from present and prospective viewpoints. Advancements or retrenchments may then be easily considered from the viewpoint of present resources, which in the present condition should be of a character to afford opportunity for clear thinking and wise action.

The prospects of the future are such as seem to warrant the belief that they may be anticipated to such an extent as to secure the substantial improve-

ments necessary to facilitate the movement of our products, which would be easily recompensed by bringing us nearer the markets. Also, any other improvements of facilities which will afford increased revenue and population, should be carefully considered.

It should not be forgotten, however, that the word "progress" is one to conjure with and is often used to promote phantom schemes of questionable purport and of little substantial value.

In comparing the financial records, especial note should be made of any excess or decrease in appropriations for one year and another. Investigation will ascertain whether an increase or decrease is of an extraordinary nature, as of specific emergency; otherwise, new appropriations for the various departments may inadvertently be too small or excessive in total. Too often the total appropriations for departmental purposes are influenced by the amount of the preceding year with slight regard for details, and sometimes they reach high figures unnecessarily. It is noticeable that departmental heads are often willing to expend the total amount of their appropriation, which is perhaps natural but no doubt in some cases expenditures could be made to better advantage elsewhere.

EXPENDITURES.

The last State auditor's report is for the year 1913, and it is noticed that many departments made expenditures largely in excess of those for the previous years of 1911 and 1912. For instance:

The Augusta State Hospital expended in:

1911	\$162,070.00
1912	199,334.23
1913	220,464.45

The Bangor State Hospital:

1911... ..	\$112,070.00
1912... ..	144,107.75
1913	169,059.41

Charitable and benevolent institutions:

1911	\$ 81,408.75
1912	126,200.89
1913	127,059.41

Commissioner of Agriculture:

1911	\$ 63,350.86
1912	102,493.74
1913	141,216.61

Inland fisheries and game:

1911.....	\$ 72,279.25
1912	76,132.12
1913	106,445.15

Land agent and forestry commissioner:

1911	\$ 78,931.66
1912	67,716.12
1913	97,738.52

Maine State Library:

1911	\$ 19,378.82
1912	22,547.30
1913.....	28,732.19

Sea and shore fisheries:

1911.....	\$ 15,641.95
1912	20,706.09
1913.....	29,761.94

Executive department:

1911.....	\$ 17,532.62
1912.....	188,711.37
1913.....	238,826.69

Legislative department:

1911.....	\$119,246.19
1912.....	22,636.45
1913.....	148,017.71

Legislative printing:

1911.....	\$ 19,256.03
1912.....	2,250.00
1913.....	34,365.30

These are a few of the expenditures of different departments. The increases are no doubt proper.

It seems necessary to repeat that this is not for criticism, but purely for comparative purposes and to call your attention to the increases and decreases; and it is for you to determine what amounts will be necessary to be appropriated for the years 1915 and 1916, and whether it will be necessary to appropriate so large amounts in some cases, or more in others.

If any of the extraordinary increases were made for the reason of more efficiency, you are to judge whether the efficiency has been attained, and,

also, whether it is of a value to the tax-payers proportionate to the increase, and, again, whether we can consistently continue appropriations of such proportions.

These are weighty matters to consider, as they affect materially the living expenses of the citizens at large; and it is they who pay the taxes on supply bills, house rents, traveling expenses, etc., regardless of the seeming source of the State's revenue.

CLASSIFICATION IN DETAIL.

An attempt to analyze or compare receipts and expenditures from the different auditor's reports will clearly show the need of more detailed classification. The reports of the past, with one exception, are but small-sized volumes, giving little detail and in but few cases showing any recapitulation of assets and liabilities. Many of our cities, counties and towns have more comprehensive reports and of considerably larger volume.

The State prints various reports of the several departments, some of which are of large proportions; but in my mind there is nothing more important than a comprehensive, detailed auditor's report, and this report has been one of the smallest.

It is recommended that an act be passed making it mandatory that the auditor shall give a detailed report each year, and that a plan or system be provided whereby it shall be uniform, having all receipts and expenditures of all departments classified in detail, and also alphabetically arranged under the same corresponding items so that they can be easily compared year by year and at a glance it can be determined whether any department or any regular charges thereof are being increased or not.

Many illustrations of irregularities could be cited, but it is not necessary.

The question of illegitimate expenditures is not referred to, but, even if it is, the people are entitled to know how, when, and by whom the expenditure is authorized, whether it be right or wrong.

The necessity of keeping accurate

accounting of all receipts and expenditures in detail cannot be too firmly emphasized, as also the publishing of it in proper reports at given periods.

Also, a comparison table, going back at least three years, of the different corresponding receipts, as also the expenditures, would be of great convenience in making estimates and appropriations for the following years.

In this connection it may be well to suggest that arrangements be made whereby the year's business be confined to that year by causing the taxes due the State to be paid by December 1st, instead of January 1st, and the School Fund to be distributed earlier; thus affording an opportunity to give a clear statement each year. This would allow the treasurer and the auditor to make a statement at the end of the year which could be easily checked, and would also avoid the confusion of figures by getting one year mixed with the next. If this is allowed to continue, almost any explanation can be made from year to year without fear of successful contradiction, and still not give the actual standing of the finances. To illustrate this, reference can be made to the method of distributing the School Fund taxes, which refund is not adjusted until the next year, giving opportunity for many arguments of deficiencies and surplus which do not exist.

The amount of cash on hand January 1st has no especial significance, unless, together with other quick assets, it is in excess of the current liabilities aside from the regular debt. For some reason much notice has been taken of this feature of the finances, and it has caused more or less trouble. The real question is whether it and the accounts due will be sufficient to pay the bills due or contracted against it. There might be a deficiency on January 1st, whether the balance be large or small.

There appears to be a confusion of ideas as to money on hand and appropriations unpaid of.

CONTINUING ACCOUNTS.

The continuing accounts, so called,

are simply balances of appropriations for specific purposes not completed within the year or not needed in one year and allowed to continue on the next. This would account for some of the money on hand.

These differ from other appropriations by reason of the fact that, if there is any balance left over on them, it goes into the treasury as unexpended balances and can be appropriated by the council to reduce the debt, or possibly for some other purpose.

Of course, it is possible, by economy, to save something on the appropriations, and, if so, the money may be on hand January 1st, unless otherwise expended.

The whole principle of our financial proposition is that we raise money each year by taxes and income, and we may appropriate an equal amount and expend a like amount, providing it is all collected, in which case there would be nothing to start on the next year except the money for the bills which have not been paid.

A large cash balance on hand January 1st may be an evidence of poor business policy of a state, for it may mean that it has not paid its obligations promptly; and, on the other hand, if there is no money on hand, and there are bills unpaid, it is evidence that the taxes have not been collected promptly or that an administration has exceeded the appropriations illegally, or possibly a failure of income, and a deficiency has been incurred which must be cared for by other administrations.

When it happens that there is no money left over in any year, by reason of all bills having been paid, or by reason of slow collections, a temporary loan is made necessary; otherwise, there would be no money to pay current bills at the beginning of the year when the expense is heavy and the income light.

There are some peculiar features in the accounting of the State's financial system which do not appear sufficiently plain, although there may be sufficient law, if it is followed, to enforce a complete exhibit of the accounts.

Appropriations are made, and the revenue to meet them is based upon an estimated income and a fixed tax rate upon the valuation for the two years of an administration. The revenue from

the tax assessment is a known quantity, while the other income is unknown and can only be estimated; it may be larger or smaller than the estimate. If an appropriation is made, and the exact revenue could be depended upon to agree with it, and the same amount was expended, the result would, of course, be an exact balance of the three; but, unfortunately, this is impossible.

Conservative figuring will undoubtedly make the estimate of income lower than the amount really expected, and, if this works out true, the consequence will be a surplus or excess income in the treasury after the revenue is collected and the expenditures made according to appropriations. Also, if the total amount of the appropriation is not expended the difference would also increase the surplus.

SURPLUS IS IMPORTANT

This surplus is an important feature which should be determined each year, and specific mention made of it. Seldom has this been the case. It appears to be a floating commodity of unknown quantity so far as the public can easily ascertain from the reports. There is a strange uncertainty connected with it which should be cured as far as possible, and, to my mind, it should be fastened to something in the reports so that it cannot be lost to sight.

Therefore, it is recommended that an account be created which may be called a deficiency, or an equalization account, or some other name would do as well.

If you will refer to the appropriation bills of 1913 and 1914, a difference in the wording will be noticed, which appears to be an attempt to obviate some of the difficulties of deficiencies which, of late, have caused more or less comment.

It is evident that all bills for a given year cannot be collected and audited previous to January 1st of the next year, and, if the accounts are closed on December 31st, the unpaid bills for that year cause a deficiency for the following administration to appropriate and pay for, although there may have been sufficient balance of the appropriation to pay for those bills outstanding.

If these unexpected balances had been transferred into an equalization

fund, the outstanding bills could be paid from it after the books were closed.

EQUALIZATION FUND.

Therefore, there is the reason for an equalization fund, to take effect, say, on January 1st, 1916, to which all actual surplus of money and income assets may be credited after all appropriation accounts are closed, except the so-called continuing accounts.

This would form a basis to start the account, and any unpaid bills coming in after the December warrant is signed would be charged to the account, and so on until the end of the year, when the accounts will again be closed on December 31st and any surplus be credited to it, or deficiency charged to it, as the case may be.

The account might come under the control of the Governor and Council, or even a committee to act with the consent of the Governor and Council; and should, at any time, an unnecessary surplus be accumulated, it could be transferred to the income account and make the taxes correspondingly less when the rate is again made.

This would avoid all controversy regarding amount of deficiencies for any year, as it would all be on record in this account.

The account could be used to correct errors; to appropriate for necessary expenditures not anticipated by the Legislature, etc., and, of course, to make payments on the State debt when necessary. It might also serve as a more systematic method of curing the objectionable features of appropriations made from unexpended balances, and also might avoid fluctuating statements of the net debt, which is at times referred to unjustly.

It would also avoid any temptation to expend money because of a large cash balance, as it would show just how far the balance was encumbered.

It would avoid any misinterpretation of the financial work of any administration.

Perhaps you will consider this, or perhaps not. It is but a recommendation. Arguments can be used for and against it. Of course, the present method has its merits. The danger, of course, would be in the possibility of the accum-

ulation of a large surplus in the fund, but this can be controlled by legislation.

A surplus may have been in the treasury many times, but how many know what it was, or when, and, if so, what disposal was made of it. An equalization fund should show whence it comes and where it goes.

I have stated there are some peculiar features in the methods of accounting and it is useless to make such a statement unless some of the points, at least, are analyzed and explained.

If you will refer to Page 45 of the Auditor's Report, a comparison table is noticed of the School Fund, Mill Tax and Railroad Tax due the cities and towns, against the State Tax due the State for the years 1913 and 1915. You will readily notice that the wording is ambiguous to a certain extent, as it seems to indicate that these total amounts must be paid with the taxes outstanding on January 1st and that there will be a surplus of deficiency, as the case may be.

There are two comparisons; one of the amount due the cities and towns against the taxes due the State, and another comparison of the 1913 against the year 1915.

The value of either comparison seems immaterial, because the first does not mean that the amount due the towns and cities must be paid by whatever tax may happen to be due January 1st, but the real fact is that it must be paid out of the tax and receipts set aside for that purpose, whether it is received by the State in one year or another.

The report shows that the State tax for 1912 was \$1,809,081.65, and that \$216,647.68 was collected in that year, leaving a balance due of State tax of \$1,592,433.97, which is \$132,172.15 more than the common school and mill fund taxes due the cities and towns.

The railroad tax of \$180,610.15 has already been received, and should be a part of the cash balance on hand to be sent to the cities and towns on January 1st.

But, by adding the school fund and the railroad tax together, the report makes a total of \$1,640,871.97, and shows a balance of the State taxes outstanding January 1st as \$1,592,433.97, arriving at the conclusion that the difference of \$48,438.00 is a "deficit met by cash payments in 1913."

The question naturally arises—Where did the State get the money with which it met the so called deficit? Why, of course, out of the assets left over from 1912, because it had received the railroad tax of \$180,610.15 as well as \$216,647.68 collected in taxes due that year.

If the difference of \$48,438.00 is to be construed as a real deficit in the way of criticism, it would have been better for the 1912 administration to have collected no State taxes and allowed the railroad tax to lapse, and they could

have shown a surplus of \$348,819.83, which might sound better but be very poor business policy. If the railroad tax did lapse, it should be added to the State tax, and would show a surplus.

The report might be construed as a reflection on the 1912 administration for collecting the taxes too promptly, but, of course, none is intended.

This might all be eliminated if the school funds and railroad tax were distributed on the last working day of the year instead of the following January 1st.

The second comparison appears to be of no particular value because, as has been shown, the amount to be paid to the towns and cities is not to be taken from the outstanding taxes, but from the amounts actually appropriated for the purpose whether it is received in one year or another.

The cash on hand in the treasury is one item; the assets complete is another.

The report shows that the 1915 administration will have a cash difference in its favor amounting approximately to \$257,083.00, which is arrived at by adding the so called deficit of January 1st, 1913, of \$48,438.00 and the so called "surplus amount of State tax available to pay other bills for 1915" of \$208,650.00.

It is to be hoped this Legislature will not get the idea that this is a real surplus, because by adding the railroad tax to the State tax, it could be made so much more, or, otherwise, less, to suit convenience.

If the reference to a deficit on January 1st, 1913, should be construed as a criticism of the 1912 administration by reason of the collection of taxes too promptly, it might, by the same token, operate against the 1914 administration for neglecting to collect taxes as promptly.

In 1912 the State tax collected for that year was \$216,575 on an assessment of \$1,809,081.65, or nearly 12%, and in 1914 there was collected \$268,575 on an assessment of \$2,153,840.37, a little over 12%, but in 1912 the balance unpaid was \$1,592,433.97, whereas in 1914 the balance unpaid was \$1,890,265.37, or \$297,831.40 difference.

The increase in the amount to be paid the cities and towns in 1915 is \$40,743.40 and subtracting this increase from the increase in taxes unpaid, the result is the so called surplus of \$257,083.

Had the taxes in 1914 been collected down to \$1,592,433.97, as in 1912 on this basis of figuring we would have started the year with a similar deficit, only it would be \$89,181.40 instead of \$48,438, as was the case on January 1, 1913. Or, if the 1912 administration had manipulated the collection of the State and railroad taxes so that there would have been due on January 1, 1913, \$1,890,265.37, the same as on January 1, 1915 there would have been a surplus of \$249,393.40 instead of the so called deficit of \$48,438.

You will notice by this that under the

present system of accounts almost any exhibit can be made to suit conditions or convenience. According to this method of figuring, the less taxes collected within a given year on that year's tax assessment, the better the showing at the beginning of the next year.

This simply argues that figures may be turned into many confusing positions, and that these, while interesting, give no authentic information of the real condition of the State's financial condition.

The cash on hand in the treasury means nothing but the ability to pay bills which are due, as long as it lasts, and then, if there are still unpaid bills, there should also be uncollected assets to meet them, or there is a deficiency.

REVENUE ASSETS.

The actual revenue assets, whether they be cash or tax bills, are the key to any benefit which this administration may receive.

If there is sufficient to pay the bills and more, there will be a surplus which will be very agreeable and convenient, if not enough, the boot will be on the other leg.

All other figures not referring to the direct financial condition make fine fiddling, but—will the people always dance? Unfortunately the present methods of accounting afford the opportunity.

On page 46 of the auditor's report it will be noticed that the total appropriation of 1913 and 1914, less the temporary loan item was \$9,585,799—and the total estimated appropriations of 1915 and 1916 are \$10,561,590.62, or a difference of \$975,791.51, with no deficiency appropriation, which in 1913 was \$119,014.58, so that, really, on the same basis, it makes a difference of \$1,094,806.09, which is the amount of increased appropriations requested over the previous administration.

This Legislature should not become alarmed, as the figures for the increase represent mostly hopes. The actual expenditures will be what we make them. The amount of deficiency appropriation will depend upon circumstances.

Also, on the same page, it is estimated the receipts of 1915 and 1916 will be \$10,829,790, providing the tax rate is the same as in 1913 and 1914, that the valuation increases \$25,000,000 and that all receipts increase \$800,000 to \$900,000, as estimated on page 44; and, also

providing the special receipts, amounting in 1913 and 1914 to \$1,560,890.66, have not been considered in this total.

The total receipts of 1913 and 1914, including the special receipts (which must be used for special purposes) were \$11,362,076.97.

A carefully prepared table of the estimated comparative receipts, properly itemized, for the years 1915 and 1916 as against the actual receipts of 1913 and 1914 will be necessary, if not already forthcoming.

The report estimates the tax rate only; it does not fix it. You will, of course assume that responsibility at the proper time.

Again notice, on page 44, the actual receipts of 1913 and 1914 (with December estimated) for the payment of appropriation bills, after deducting the special receipts of \$1,560,890.66, were \$9,801,186.31, whereas the appropriations for the same period were \$9,585,799.11 as shown on page 46, after deducting the temporary loan.

This shows a difference of \$215,387.20, which might be a surplus together with the unexpended balances of appropriations if there was an equalization account, but now it will be applied as a decrease in the net debt.

If this should be considered as a credit for 1915 and the taxes reduced accordingly, it would operate to increase the net debt at the end of the year, which would be undesirable from one point of view, but perfectly proper as a business proposition from another.

The question comes to me: If there was no State debt and a surplus like this occurred, how would it be applied? It could not decrease the State debt if there was no debt; and some day there may be none, outside of the highway bonds (which must be paid with other income) or some trust funds.

These remarks are no criticism of any person or persons, but simply an attempt to point out some of the peculiarities of the system which may or may not be improved.

The net debt may be increased properly by reason of the use of any surplus (over the regular indebtedness) as a credit; otherwise, the State would accumulate a surplus which could not be used legally until some of the regular indebtedness can be paid. A sur-

vey of the regular indebtedness shows that none of it can be paid before 1917, excepting, possibly, some of the fund for land reserved for public uses.

BONDED DEBT

The bonded debt of the State is as follows.

One unnegotiable bond issued to the State College of Agriculture and the Mechanic Arts, (now University of Maine) constituting a perpetual fund derived from the United States Government, \$118,300.00.

One unnegotiable bond to secure a legacy left to the State College of Agriculture and the Mechanic Arts (now University of Maine) by the late Abner Coburn, due in 1917, \$100,000.00.

One unnegotiable bond to secure a legacy left to the Maine Insane Asylum (now Augusta State Hospital) by the late Abner Coburn, due in 1917, \$50,000.00.

State of Maine Coupons never presented for payment, \$700.00.

State Highway Loan as provided by Chapter 130 of the Public Laws of 1913, \$792,500.00.

Of State Highway Bonds, \$39,500 will become due in 1915 and \$38,500 in 1916. All of the war bonds were paid in 1912.

The permanent School Fund is now \$482,269.93, which is a bookkeeping debt on which the State is obligated for the interest only, unless other provisions are made.

The fund for lands reserved for public uses is \$396,740.63 plus the additions of 1914. This is a debt which will gradually be paid.

A most important feature to be considered is, of course, that of good roads. This prospect appears to be launched with more or less success, but undoubtedly there is chance for improvement.

The mode of procedure in building roads will be criticized probably forever. However, the problem should be construed on broad lines so that the convenience of one faction shall not supplant the necessities of another, and all aspects should be protected fairly and justly.

All phases should be given mature thought; first, of course, the present and prospective resources to provide the means; then the necessary construction commensurate with the resources and requirements, and then the maintenance.

The necessary construction is as important as the resources, for the reason that we have varied interests to serve both for the present and the future,

and we have no means, nor the expectation of any, which warrant or afford costly errors.

The automobile proposition, which is in its infancy the cause of much adverse criticism, is past the experimental stage, and also largely past the pleasure stage, or, at least, it has become and is still growing to be of such a character that it must be considered from a commercial viewpoint, although even the pleasure aspect has its economic value as a revenue producer.

This, of necessity, must appeal to one faction at least as being a sane and natural avenue for legitimate expenditure.

Time was, and but recently, when the automobile was condemned unmercifully in the rural districts, but now, through a process of evolution, it has become a necessity in all sections of the State and country.

Some may feel that, as practically all value comes from the ground, facilities for moving the crops should be the first consideration and possibly this is true, but they also should remember that the minerals from the mines which are manufactured into implements of value are also necessary to facilitate the production of the crops and to get proper results with which to compete in the markets.

Thus the economical production of crops is largely dependent upon the necessary implements, and the manufacture of agricultural implements is a part of the great industrial proposition of manufacture of all varieties of mechanical contrivances, whether for pleasure or strictly business purposes.

INTERESTS SHOULD UNITE.

This simply argues, of course, that all interests should unite and dispassionately devote their attention to methods and accommodations which will promote the welfare of all and become a detriment to none so far as it is possible to comprehend the requirements.

It has been and is a source of regret to me that the urban and rural populations cannot be more harmonious in endeavoring to secure advantages that will serve the interests of the whole State, rather than the incessant dissension which only causes uncomfortable, unwarranted and unprofitable debate which must, of necessity, militate against sound progress and healthy prosperity.

In many cases this can be obviated largely by non-interference with conditions foreign to one locality and of vital interest to another or by allowing the spirit of "home rule" to exercise its purpose, whenever practicable, through administrations peculiarly suited to any given town or municipality.

But it almost seems at times as though the spirit of "home rule" is attempted to be promoted in the State roads proposition. However, in considering good roads as a State-wide proposition by trunk highways, in a purely sensible and profit-

able manner, we must use our best endeavors to promote construction commensurate with resources which will best serve the interests of the State, taking into consideration at least four factors—population, valuation, distance and facility.

Population must be considered because the more people, the larger and heavier the traffic, and, consequently, the more severe the test on the durability of the road, which calls for a better class of construction in one locality than another. It is a waste to build roads unsuited to the conditions which they will undergo. What would be good for one locality may be an entire failure in another.

Valuation must be considered because the payment is made proportionately, and it is an old principle that one is entitled, to a degree at least, to what he pays for.

Distance must be considered because certain localities are perhaps entitled to a better road than its population or valuation can afford by reason of its relation to other sections, which brings the matter to a question of facility because all would benefit directly or indirectly, and that, of course, is the great ideal of a community of interests or participation. Too often these points are contemplated separately where good government would consider them collectively and emphatically a State-wide proposition by necessity.

Trunk highways are not intended as a special favor to any specific locality, nor should the personal convenience of the abutters be considered to an extreme extent. They are constructed only for general public convenience, to facilitate traffic of all descriptions, and to reduce cost. The State cannot afford to build them for any other reason.

The maintenance is, of course, the most serious proposition. This will strain the resources to the utmost, and far more than expected.

It does not appear good business to issue long time bonds to build roads which will endure for only five or 10 years, and this to some extent at least, is the situation which confronts us at the present time. To be sure, even the best constructed roads will not last long under the heavy traffic of some sections. However, this must be considered in the total welfare, and proper maintenance will add to its lasting qualities to a great extent.

In localities of lighter traffic and long distances, no doubt roads of different character and more easily maintained will be of lasting value.

With the 25,000 miles of roads in the State, it is questionable whether it can construct anything more than well drained, gravel roads, and even these only on the principal highways.

It will be well to consider where the State is to get its millions to construct, as well as to maintain, for it will re-

quire many millions to build even ordinary highways, and a large amount to keep them in serviceable condition.

PARTY PLATFORMS.

It is perhaps proper to refer to some of the features of the platforms of the different parties prominent in the State campaign recently held, and they will speak for themselves.

All platforms seem to have favored the 54-hour bill, so called, limiting the hours of labor for women and children in mills and factories, and, also, the workmen's compensation act, which will enable laborers injured in the employ of others to receive just and reasonable compensation for injuries so received and to insist that compensation be adjusted and paid speedily.

The dominant party is pledged to legislation for the development of our water powers for the use of Maine, under such regulations as will be fair and reasonable toward private capital, while fully protecting all public interests; and, to this end, it favors careful and systematic protection of our vast timber areas.

It also favors a reformatory for women, in the belief that our prison and county jails are wholly inadequate and have no proper accommodations for women offenders, and provide no means for the kind of care and training which they should have.

It also favors such legislation as will expedite the administration of justice in our courts.

It denounces the sidetracking of any bills through improper channels, believing it best and proper to face all matters fairly without fear or favor.

It denounces the Public Utility Law as a measure designed to foster monopoly, rather than to protect the public interests, but, as it has received the sanction of the people by popular vote, it yields to their mandates.

It declares in favor of calling a constitutional convention, the members of which shall be elected without party designation, to undertake a revision of the constitution, the work of said revision to be submitted to popular vote at an election at which each amendment of the revised constitution may be voted upon separately and accepted or rejected by the people. This is also in the platform of the Progressive party.

It condemns any party which does not use every endeavor to fulfill the promises in its platform without equivocation.

It affirms its belief in the doctrine of home rule, and deprecates the tendency of the State Government to encroach upon affairs which should be left solely to municipalities, and particularly favors an amendment to the constitution which shall permit towns and cities to rule in taxation, or, at least, to be given opportunity for experimental tests in this line.

It reiterates its belief in temperance,

in law and order, and in the enforcement of the law.

It believes in prohibition wherever prohibition is practicable.

It believes that State-wide prohibition in Maine has proved impracticable, and demands the submission of the prohibitory amendment to the people, and advocates its repeal, in order that the city or town may be substituted for the State as a basis of laws designed to control or abolish the liquor traffic.

RECOUNTING BALLOTS.

Some dissatisfaction is noted in the methods used in recounting ballots. Wardens are provided whereby the returns are made under oath, but after that, if a recount is desired, access is given to the ballots in such manner that all legal evidence is destroyed in many cases by over-handling of the ballots.

Stickers are often lost from the ballots through the recounting process, and oftentimes this may cause the defeat of a candidate who was legally elected.

Some remedy is recommended whereby the ballots shall not be disturbed unless under the supervision of a non-partisan board duly authorized to take evidence in writing to be produced under oath before the proper authority when needed, and also whereby a strict inventory of the contents of the ballot box shall be produced as a part of the evidence, together with notations of any peculiar circumstances attending the recount not conforming to a strict and impartial investigation.

If loose stickers are found in the box, it is evident that they were originally attached to ballots and should, therefore, be considered in the evidence.

Some such arrangement as this would obviate much doubt and dissatisfaction in recounts, and would more accurately determine the proper situation.

This should not, however, impair the rights of these bodies having the right of being the sole judges of their membership, and should only serve as better evidence to aid in their decision.

PUBLICITY OF PLANS OF PHILANTHROPY.

Legislation is suggested to compel publicity of promotions for charitable, memorial, and other philanthropic purposes, by public subscription, when advanced or initiated by a third party, more especially by temporary organizations on a commission or percentage basis, or by paid solicitors.

Propositions of a public nature, soliciting subscriptions, are continually before the people, some of greater importance than others, and many times urgent under popular enthusiasm, but all appealing to the philanthropic and humane sentiments of the public. Seldom do the donors have the means of knowing the details of the arrangement in which they

are participating or the disposition of their donations.

Various methods suggest themselves to bring about a system whereby solicitors shall be certified by the proper authorities after investigation, as also a treasurer or financial agent who shall file, under oath, a detailed statement of all receipts and expenditures.

The figures should be of statistical value in computing costs of such promotions, and might operate for greater efficiency by reason of the possibility of reducing expense and thereby saving a larger proportion for the beneficiary.

No legislation would, of course, contemplate any prohibition of such undertakings or in any way interfere with free giving, nor should it interfere with charitable and religious organizations of established reputations in raising the necessary funds for their support where no third party is employed as a paid promoter.

This may attract your attention, and, if it appeals to you as needing legislation, you will no doubt enact remedial laws.

In a casual review of the published list of corporations for general franchise tax, it occurs to me that possibly the system is not complete.

The names appear to be acquired from information furnished the assessors by the secretary of State, but apparently they are not checked up as carefully as would seem to be necessary, because a survey of the report seems to show an absence of many names of corporations which are doing business under the State corporation laws.

A complete checking up of these items is recommended.

INDUSTRIAL SITUATION.

By reason of the great war among the world powers of the old country, there are some clouds hovering over the financial affairs of the country.

This, no doubt, has had and will have a tendency to retard many industrial improvements in the State, which would otherwise have been made ere this.

This state of affairs is no doubt temporary and but awaits the readjustment of the financial system, after which the stability of the resources will assert itself and conservative prosperity will continue as in the past.

In the meantime we have every reason to be thankful that this great country is at peace with the world and is affected only by the temporary stringency in the money market.

It will require patience and conservative economy to await the passing of these clouds, but no doubt they will soon disappear and a brighter day will dawn, with which will come blessed assurances of peace and prosperity throughout the world for years to come.

Contrary to the many pre-election

statements, in the nature of prophecies of impending industrial depression by reason of tariff changes and adverse legislation and notwithstanding the more or less dejecting effects of the European War, the mills and factories are still continuing in the even tenor of their ways and our products in the main appear to be commanding lucrative prices.

Contemplating the great community of interests between the countries of the globe in the interchanging of products through the immense arteries of commerce and considering the tremendous capital involved, it is indeed significant how little this country is affected. It simply emphasizes the fact that its natural wealth and resources is most remarkably stable and secure. It re-establishes the old axiom that all that is needed as a people is faith in the country and its institutions, to stir the innate energy of a people who have known no barrier or limit in its path of progress.

To hesitate is but a trait or attribute of humanity, but to the true American it is only a period of thoughtful meditation in his transition from one state of action to another that will best serve himself, his State, and his country.

TAXATION IMPORTANT.

Probably the most important subject for this Legislature to consider is taxation.

The Constitution of Maine, Article 9, Section 8, as amended by amendment adopted in September, 1913, is as follows:

"All taxes upon real and personal estate, assessed by authority of this State, shall be apportioned and assessed equally according to the just valuation thereof; but the Legislature shall have power to levy a tax upon intangible personal property at such rate as it deems wise and equitable without regard to the rate applied to other classes of property."

The vote on this amendment was 18,000 for, and 8157 against.

The tremendous scope and range of this amendment has no doubt attracted your attention. Also, unquestionably, you have sought for the motive which inspired its promotion. Of course, there was a motive, just or unjust, and that is for you to determine.

Ostensibly the idea seems to be to locate in volume a peculiar class of property heretofore taxed to a limited extent, which the old law failed to divulge by reason of the singularity of the estate; but it is possible, of course, that there may be a hidden or underlying motive which may have a striking relation to laws in the statutes which might cause a different effect than appears probable on the surface.

Do the words of the amendment fully cover the original intention of it, or has it promoted any confusion of ideas?

The taxation problem is vexatious at its best, but space or time permit me no opportunity to make the extended re-

marks the importance of the subject would seem to necessitate, especially on an amendment of such broad gauge.

Superficially, at least, the amendment contemplates the elimination of a portion of the troubles of the past in certain directions, but to attain the desired results, even from this view-point, rare tact and facultative ability must be exercised. If anything further than this is designed, your sense of justice may be called upon as well as your ability.

Continuing the same point of view, if a proper conclusion and remedial language is embodied in bills which may be enacted by this Legislature, it should inure to the benefit of the State in revenue and consummate what may be termed a humane equalization of taxation in this avenue.

Undoubtedly, you have noticed that, apparently, the question of valuation is not raised in the amendment, but your mind probably does not resist the impression that forms of legislation might be enacted which would make the valuation, in its application, the determining factor of the proposition by reason of its relation to other laws in the statutes.

Ostensibly, therefore, the question of a wise and equitable rate is the only consideration on what already is, or is proposed to be termed a specific class of property; but it would seem that, after satisfying yourself as to the motive and the relation of it to any other laws, the next question will be to determine on what property you will name a rate or, in other words, what is 'intangible personal' property as being separate and distinct from other property in classification.

The definition of the word intangible seems to be "that cannot or may not be touched." Presumably the word, as here used, is applied to the property not easily accessible for taxation purposes, as, for instance, paper securities which are, not entirely of public record and consequently, may be hidden from view, perhaps to an extreme extent.

No doubt you will attempt to define the word "intangible" in its application to taxation within the meaning implied by the amendment, by proper classification and detailed lists which will preclude any misinterpretation of the word.

Should not this be accomplished, confusion would seem inevitable. Without doubt it occurs to you that all property which may be hidden would not necessarily come under the term of intangible personal property; therefore, the need of detailed classification.

The classification would, of course, seem necessary in ascertaining the exact difference intended by the amendment in the use of the words, "intangible personal property," and "other classes of property."

The old constitutional classification provided for but two kinds of property,

real and personal; the amendment seems to provide for a third class, "intangible personal property." The status of the real is unchanged; a division of the personal is apparent; but it does not change the old principle that, whatever tax is assessed on the intangible, it must be apportioned and assessed equally according to its class.

Therefore, we now come again to the question, "What is intangible personal property as distinguished from tangible personal and real?" Is it stocks and bonds? If so, what kind, local or foreign, or both, or bonds and stock which may be only the paper evidence of invested capital in property already assessed for taxation, perhaps in some cases at its full value and possibly more in others, and at the local rates of the municipality wherever it may be found? Is it mortgages? If so, what nature of mortgages, foreign or local, and is it for money loaned or merchandise delivered?

This, no doubt brings to your minds the repeal of the tax law on such securities, deemed by some as double taxation.

Are these two instances examples under the new law of double taxation or an additional tax? And would any advantage be gained over taxing the actual property represented by the paper evidence, especially if no increase in revenue is intended?

If it is an additional tax, would not its operation be an indirect method of raising the tax on the real and allowing the tangible personal remaining (after the intangible is separated) to be free of any increase.

Are stocks, bonds and mortgages anything more than the paper evidence of participation of ownership in actual property already assessed for taxation?

Is a mortgage on a house anything more than a convenient method of paying the rent until ownership is acquired?

If the house was acquired by payment of rent without a mortgage, would the property pay any more tax?

Is a credit intangible personal property, and is there any distinction between money loaned and merchandise sold? If merchandise, it is not already taxed?

Are public utility franchises or the good will of businesses in this class.

Is it money, and, if so, is it idle money or money at interest?

If a man gives a mortgage on his house, although having the money invested elsewhere in bonds, shall he pay tax on the mortgage and a tax on the bonds, as well as a tax on the house, and is he taxed double or triple?

Undoubtedly your minds will recall other property which may or may not come within the meaning of the amendment.

No doubt the experiences of other states will aid you in considering this problem. Unquestionably, in considering the operation in other states, you will investigate our general laws to ascertain whether they will interfere in securing the same proportionate results with equal satisfaction to the people of the State.

The amendment gives the Legislature the power to levy a tax upon such property at any rate it may deem wise and equitable, regardless of the fact that heretofore the same property was supposed to be taxed at the same rate as all property.

No doubt it has been taxed in some cases and not in others, being substantially at the option of the local assessors, although not legally so.

The difficulty is apparent by reason of the lack of opportunity to secure the evidence of such property. Consequently, it may be that the tax assessed in the past has been unequal, causing hardship in many cases by reason, for instance of the accessibility to probated accounts, particularly of widows and orphans who perhaps have been taxed full value, whereas many much larger estates have been able to go free through the astuteness of more experienced administrators or trustees.

Also, to illustrate, many widows declare their intangible property, if it be such, to the local assessors, in their innocence of the unwritten law of tax dodging and their honesty of purpose in paying what they believe to be their just and proportionate tax. Should the local assessors be severe by reason of political exigency, sometimes termed financial, to raise revenue by increased valuation at the expense of a justifiable tax rate, the widow may be obliged to pay what would appear to be at least a disproportionate tax, if not an unjust one.

Many specific cases could be cited to illustrate this more fully, but to generalize, a widow might receive \$50,000 in bonds by bequest; say this comprised her whole property; by her honesty, or through the avenue of the Probate Court, the fact may become known to the assessors; they may be four per cent. bonds, which is often the case, rather than five per cent. or six per cent., for reasons of greater security; the income on the bonds would be \$2000, and, if the tax rate of the city or town was \$25, she would be obliged to pay \$1250 tax on these bonds, which would leave her but \$750 with which to live; whereas under the new law, if the rate was made, say, at five mills, she would pay only \$250, and have \$1,750 left.

There are cases where tax rates are as high as \$40. In such cases it would consume the entire income, if they paid, and if the tax was above \$40 the more bonds they had, the poorer they would be.

In cases of emergency by reason of

conflagration or other cause (and such a contingency might arise in this State in some locality) many unprotected persons might suffer, whereas many others more able to pay might be taxed nothing.

This briefly illustrates the scope and probable intention of the amendment. Experience has shown that such property cannot be found under old conditions, except in a few cases where the hardship is imposed, and the great bulk of it is paying no tax.

The revenue which would be derived from this proposition has no direct relation to any increased expenditures of the State by necessity, other than the ordinary cost of administration, as it does not necessarily mean an increased revenue, but an equalization of taxation and an increase on this portion of property should diminish, to a certain extent, taxation on other property.

Unfortunately it is noticed that in some states the increased revenue has not lessened other taxation, but has increased expenditures to fit the increased revenue.

You, of course, recognize the danger which will appear unless the rate is made equitable and just so that, to speak plainly, people will be more honest in paying taxes, if it does not cost too much, or more than his neighbor is paying.

It is doubtless expected that a tax of, say from three to five mills on a thousand will bring to light a large valuation of this so called intangible personal property on which the holders will be willing to pay their tax; whereas, now, many will not, while others are not able to pay the current local taxation of a city or town.

Another view might be on a percentage of income, as paper securities are particularly susceptible to changes and fluctuation in value.

Also, the temperament of some people may be to invest in low rate bonds in preference to a higher rate for the purpose of security, whereas others may take a chance on higher rate securities with the hope of larger income in the principal is eventually paid.

This is a matter to be threshed out, and these remarks are but suggestions which may be considered in arriving at a safe and sane conclusion.

Having referred to the application of the valuation, it seems necessary to continue.

What will you do with it? Shall it be considered in the regular valuation the same as heretofore, or will you deem it more wise and equitable to keep it separate and distinct from the real and tangible personal? And can you do this, if you so desire?

You will, without doubt, recall that the debt limit of towns and cities under 40,000 inhabitants is five per cent on its valuation of intangible personal prop-

erty should double the present valuation the borrowing capacity would also double.

This property, being of a fluctuating volume, would militate against a steady tax rate by reason of changing valuation, which might cause more or less confusion, as a fluctuating tax rate is an element of danger unless wide publicity is given to the reason for the change.

How will it affect the situation regarding fixed and specific tax assessments for special purposes? Possibly you have already decided in your own minds that the only safe way is to assess a direct tax on such property on a distinct valuation for state revenue only.

This is what is referred to in investigating the general laws of our State to ascertain whether this law will operate with the same results here as in other states.

Should the Legislature decide to allow the valuation to be added to the present will it not be difficult to convince the people that it is wise to exposit such property, and, also, is it not doubtful if the valuation is really there?

If \$100,000.00 is invested in a piece of real estate, and \$100,000.00 in bonds are issued against it, should it be considered as \$200,000.00 in valuation for other taxation purposes?

This naturally brings up the question of exemptions. In some states, at least, the paper evidence of real or personal property is exempt when the actual property is in the state and is paying its property tax.

All exemptions will probably be listed.

No doubt you will consider the exemption of corporations which pay their taxes in other ways, such as those, for instance, which pay on gross earnings, and similar cases.

Many other possible exemptions will, of course, be given attention, such as national state and municipal property, securities exempt from taxation by the United States, religious organizations, educational institutions, and many others of peculiar character.

The question of penalty on assessors to maintain secrecy, and also the penalty of failure to disclose, will undoubtedly attract your attention.

The ways and means of collecting the revenue will, of course, receive serious thought, as also the expense of it.

The element of protection will call for some notice. If a low rate is named, can assurance be given that it will remain low? What is a wise and equitable rate?

Before the amendment was passed, the law seemed to say that the local rates, whatever they may have been, were wise and equitable. The passage of the amendment indicates that the local rates

may not be so and that a change is desired.

Local tax rates vary all the way from \$25.00 to \$30,000 a thousand down to, say, \$10.00. Is there any limit on what may be termed a just and equitable rate? Is it not a fact that the local rate was once considered just and now is intimidated by this amendment to be unjust? And what will prevent future Legislatures from naming a rate equally as high as heretofore, whether it is just and equitable or not? Have they a precedent to make it as high as they see fit?

Supposing No Rate Named

This brings to our minds another question. What will be the consequence if no rate is named at all? Does the amendment mean that, in giving the Legislature the power to name a rate upon intangible property, it has established another class of property, without stating what constitutes the property? It almost seems so, as it reads, and that it may make a rate as it deems wise and equitable without regard to the rate on other classes of property.

What is meant by "other classes of property" if it does not mean that the intangible personal property is in a class by itself and that the real is one, the tangible personal another and the intangible personal still another?

Have the words of the amendment "other classes of property" eliminated from the words "real" and "personal" of the original law the "intangible" portion of the personal property? And, if so, is the intangible property taxable unless the Legislature names a rate?

Again, if this is so, what will happen to the tax assessment of 1914, when, no doubt, many people paid the full local rate on the intangible, whatever it may have been, and was it legally taxable?

This amendment became effective and was in force in 1914. The Legislature had not named a rate, but apparently the local assessors did, which was the local rate. Had they the authority, and where did they get it? The Legislature apparently has the sole power to make the rate. Does the law as amended mean that local assessors shall continue the local rate until the Legislature names a rate?

Another question is: What will occur if it does name a rate? If so, will it be necessary to pass it as an emergency measure to protect the tax assessment of 1915.

It is to be regretted that this amendment does not contemplate some method of means to attract new industries to the State by some legislative authority which would be used when deemed expedient for development of the resources and increase of the population.

ject, which must necessarily be brief, but will no doubt arouse your minds to the importance of this matter. as well as its wide range, what do we gather from them?

Probably you will endeavor to seek the motive, define the words, contemplate conflicting laws, classify the property, apply the valuation, estimate the volume, weigh the value, consider the equality, state the exemptions, name the rate, make the penalties, and comprehend the important fact that it touches the fundamental principles so closely allied to the financial system of the State.

Then if all this is embodied in the law, it will go to the assessors or tax commissioners, as the case may be, who must operate the law and expose the property wherever it can be found.

No doubt you will study all these phases and more. It should be remembered that these remarks are but suggestions, not argument for or against, and serve only as a reminder of things you already know.

Undoubtedly there will be many arguments pro and con, but in the heat of them it is sometimes difficult to assemble acquired knowledge into speech or get the same concretely and comprehensively fixed into legislative language, as you will be required to do. It will require time, ability and untiring energy to encompass it all in a bill, but without doubt you will reach a satisfactory conclusion.

Much more could be said, and ought to be said, before the bill, if one is presented, is finally completed.

My only excuse in taking as much space as this is the contemplation of the grave consequences of an imperfect bill.

There are many other topics which should be touched upon, such as conservation of resources, State institutions, cattle commission, agriculture, manufactures, summer business, sea and shore fisheries, fish and game, water storage and fire protection, wild lands and forestry, primary election laws, corrupt practices, tuberculosis, military affairs, woman suffrage, workingmen's compensation, labor disputes, public health, education, public utilities, railroads, care of insane, pensions, civil service, banking, public hospitals, home rule, insurance, election expenses, supervision of State and city accounts, seaport facilities, farms, law and order, industrial trade schools, school and mill tax, prisons, corporation laws, uniformity of municipal accounts, women's reformatory, prohibition and temperance and many others but space forbids.

The Seventy-fourth Legislature passed 701 acts and 345 resolves; the Seventy-fifth 500 acts and 236 resolves; the Seventy-sixth 462 acts and 369 resolves; it is to be hoped that the Seventy-seventh will do no worse.

Concluding these remarks on this sub-

Vox Populi!

Legislators:

Listen to the voice of the people. To me they seem to say:

We have a great and glorious State, rich in resources and of wonderful scenic splendor, in which we believe and place our hope.

We depend upon you to represent us intelligently, honestly and fearlessly.

We are anxious, eager and determined to be first in all matters where your earnest thoughts and facultative ability can avail and promote.

We wish the stranger within our gates for health, pleasure, or business, in all seasons, to see our farms productive, our mills and factories busy, our towns and cities teeming with life, energy and activity, and the waters of our seaports ploughed by the ships of commerce.

The markets stand waiting for our products and also the merchandise attracted by our seaport facilities.

Time was when our clipper ships sailed the oceans of the globe; we were close to the markets of the earth, and the world knew that Maine is here. We find no fault with the past; it speaks for itself; but the future is before us, and we want our place maintained among the prosperous states of the Union.

We have our railroads, and they must expand into our undeveloped territory.

We have our water powers, and they must be developed and harnessed for use.

We have our farms, which must be made to yield to the uttermost.

We have idle land to spare, which must be cultivated.

We have natural facilities and the location, which must be employed.

We expect you to keep alive to the activities which will promote our shipping, our fisheries, our farms, our forests, our factories, our railroads and all our industries.

We have never taken our hands from the plow and looked back.

We have worked hard and long, and we are known everywhere as a clear and clean thinking people.

We want the conveniences and comforts our conditions will afford.

We want the industrial brotherhood to be in easy circumstances, free and contented, not only now, but when the tide of old age is fastly ebbing.

We want happiness, charity and good fellowship to prevail.

We want all to participate justly and fairly in the marvelous prosperity of this glorious country.

We want you to look well to the comforts and welfare of the unfortunate, and to safeguard their interests by all reasonable means.

We insist that liberty and personal rights take their natural course.

We demand equal rights of opportunity, free from interference and oppression

We maintain our right to fair and just representation.

Legislators, are not these words true, and do they not find echo in your hearts?

So, let us work for these things so important in this age of unrest and constant fluctuation and change. Then the lights on the sea and shore of the old Pine Tree State will continue as ever to be the guide to other states, and that we have been faithful to our trust and our laws will be looked on as wise and manly.

Legislators: A short time here, and we will go our way to do our work for the State in other directions, some to the cities, some to the farms, and some to the sea; and now, as the people say, so do we feel, and we promise that the strong lead of Maine and New England, the birthplace of our sons who have gone forth to make strong the West, shall stand clear and staunch like our rocks and cliffs, strong and stern and true, with our every purpose to stand for earnest endeavor, material progress and substantial development. We are one brotherhood working for the permanent welfare of the nation and State.

I wish you all strength, health and faith in this opening of the Seventh-seventh Legislature.

(Long and continued applause.)

The Governor and suite then retired.

The purposes for which the convention was assembled having been accomplished, the convention was dissolved.

In The House

(The Speaker in the chair))

The SPEAKER: Gentlemen of the House, it is a matter of great regret to me that I am unable to announce at this time, as I had hoped to, the membership of the joint standing committees. It has been absolutely impossible to prepare those committees and to have them ready for presentation at this time. However, I hope to have these committee announcements ready within a short time, possibly, by tomorrow, but at all events they will be announced at the earliest possible moment. I will, however, take the opportunity at this time to announce the membership of the House committees.

These committees will be stated as follows:

Committee on Ways and Means: Messrs. Perkins of Augusta, Hodgkins of

Harpwell, Tuttle of Caribou, Lewis of North Haven, Goodwin of Mexico, Westcott of Bluehill, and Russell of Alfred.

Committee on Leave of Absence: Messrs. Goldthwait of Biddeford, Allen of Machias, Bradbury of Hollis, Chadbourne of Baldwin, Newell of Turner, Wyman of Kingfield and McNalley of Ashland.

Committee on Rules and Business of the House: Messrs. Connellan of Portland, Perkins of Augusta, and Connors of Bangor.

Committee on Bills in the Third Reading: Messrs. Currier of Camden, Maxwell of Boothbay Harbor, Mitchell of Newfield, Noyes of Falmouth, Dutton of Bingham, Brawn of Bradley and Brann of Winthrop.

Committee on Engrossed Bills: Messrs. Colcord of Portland, Connors of Bangor, Thibodeau of Van Buren, Watts of South Thomaston, Neilon of Biddeford, Hart of Holden and Bragdon of Westbrook.

Committee on Elections: Messrs. Pierce of Houlton, McCarty of Lewiston, Connors of Bangor, Campbell of Island Falls, Edwards of Bethel, Hanson of Sanford and Besse of Clinton.

Committee on County Estimates: Messrs. McCarty of Lewiston, Dilling of Easton, Coffin of Freeport, Brown of New Sharon, Morrison of Eden, Carson of Mt. Vernon, McCorrison of Appleton, Mulligan of Nobleboro, Turner of Hartford, Bussey of Dixmont, Wise of Guilford, Holt of Skowhegan, Millett of Belfast, McCurdy of Lubec and Goldthwait of Biddeford.

On motion by Mr. Mulligan of Nobleboro, it was

Ordered: That 2400 copies of the Governor's message be printed for the use of this House.

From the Senate: Ordered, The House concurring, that a joint select committee of three on the part of the Senate with such as the House may join be appointed to consider the Governor's message and report a reference of the several subjects to appropriate committees.

This order came from the Senate with a committee of three named in that branch.

The order received a passage in concurrence.

The Speaker thereupon appointed as such committee on the part of the House

Messrs. Connors of Bangor, Bourque of Waterville, Jameson of Friendship, Benn of Hodgdon, Hanson of Saco, Washburn of Perry and Libby of Merrill.

Mr. McCarty of Lewiston presented the petition of Peter Harmon for a seat in this House as representative of the class towns of Montville, Knox, Burnham, Thorndike, Unity, Freedom and Troy, and on further motion by the same gentleman the petition was referred to the committee on elections.

On motion by Mr. Wescott, the House voted to take a recess until 1.45 o'clock this afternoon.

Afternoon Session

The following communication was received from the Secretary of State:

Augusta, January 5, 1915.

To the Speaker of the House of Representatives:

I have the honor to herewith transmit the return of votes given by the several cities, towns and plantations of this State on the 14th day of September last for representatives.

Your obedient servant,

J. E. ALEXANDER,
Secretary of State.

On motion by Mr. Averill of Prentiss, the communication was received and placed on file.

Mr. McCARTY of Lewiston: Mr. Speaker, with the consent of the gentleman from Castine (Mr. Ricker) I move that the petition of Fortunat Michaud of Van Buren, tabled yesterday, be now taken from the table and referred to the committee on elections.

The motion was agreed to.

Mr. HIGGINS of Brewer: It has been suggested out of courtesy to our Speaker that only members of the House shall occupy the regular seats of members. I trust that due notice will be taken of the suggestion, and thus accord to our Speaker the courtesy which his position warrants.

At this point the Senate came in and a joint convention was formed.

In Convention

(President Hersey in the chair.)

Chairman HERSEY: Gentlemen of the convention, the hour has arrived to which this convention was adjourned. If

there is no objection the chairman of the convention will order a roll-call to see who are present.

A call of the roll showed that the following were present:

Albert, Sen. Allen of Kennebec, Allen of Machias, Sen. Ames of Washington, Ames of Stockton Springs, Averill, Ballard, Sen. Bartlett, Beal, Benn, Bernier, Besse, Blake of New Gloucester, Blake of Oakland, Conney, Bourque, Sen. Boynton, Bradbury, Bragdon, Brann, Brawn, Brown of Auburn, Brown of New Sharon, Sen. Burleigh, Bussey, Sen. Butler, Campbell, Carson, Chadbourne, Chamberlain, Chaplin, Sen. Chatto, Sen. Clark, Clement, Clifford, Cobb, Coffin, Sen. Colby, Colcord, Sen. Cole, Sen. Conant, Connellan, Conners, Corlis, Currier, Daigle, Danforth, Davis, Descoteaux, Dilling, Douglass, Drapeau, Drummond, Sen. Dunton, Durgain, Sen. Durgin, Dutton, Edwards, Ellis, Sen. Emery, Erskine, Evans, Fay, Sen. Flaherty, Ford, Fossett, Sen. Fulton, Gallagher, Sen. Garcelon, Gerrish, Gilmour, Goldthwait, Gooding, Goodwin, Gould, Grant, Greaton, Greeley, Greenlaw, Greenleaf, Hanson of Saco, Hanson of Sanford, Harraden, Harper, Hart, Haskell, Sen. Hastings, Sen. Herrick, Sen. Hersey, Higgins, Hill, Hobbs, Hodgkins, Holt of Gouldsboro, Holt of Skowhegan, Jameson, Sen. Jillson, Jordan, Lawrence, Leader, Sen. Leary, Lewis, Libby, Littlefield, Lombard, Lord, Mansir, Maxwell, McCarty, McCarrison, McCurdy, McIntire, McKinley, McNally, Meader, Millett, Mitchell, Morrison Morse, Sen. Moulton, Mulligan, Mullin, Sen. Murphy, Neilon, Newell, Nicholas, Noyes, O'Connell, Peabbles, Sen. Peacock, Perham, Perkins, Peterson, Picher, Pierce of Farmington, Pierce of Houlton, Plummer, Pollard, Sen. Price, Ranney, Ricker, Roberts, Robinson, Russell of Alfred, Russell of Lewiston, Ryder, St. Clair of Calais, St. Clair of Rockland, Sanborn, Sen. Scammon, Small, Smith, Snow, Sen. Swift, Tabbutt, Tate, Thibodeau of Fort Kent, Thibodeau of Van Buren, Thombs, Sen. Thurston, Tobey, Towle, Trafton, Turner, Tuttle, Varney, Sen. Walker, Ward, Wasgatt, Washburn, Waterhouse, Watts, Webb, Welch, Sen. Weld, Wescott, Wheeler,

Wilkins, Wilson, Wise, Woodman, Wyman.

Present, 182.

Absent, 0.

Chairman HERSEY: The chair understands that all the members of both branches are present in the joint convention, and the chair wishes to say that those having charge of the floor of the House will see that none but members of the joint convention and the officers are present upon the floor of the House.

Senator BOYNTON of Lincoln: Mr. Chairman, I move that during the balloting for Secretary of State the ballot box be placed upon the table in front of the speaker's desk, and that the roll of the joint convention be called and as each member's name is called he step forward and deposit his ballot in the box.

The motion was agreed to.

Chairman HERSEY: Gentlemen, we are balloting for Secretary of State from an adjournment of this joint convention. A committee has previously been appointed, and a new ballot will be declared by the chair. The committee will attend to the distribution of ballots, that committee consisting of Senator Hastings of Androscoggin, Mr. Higgins of Brewer, Senator Weld of Penobscot, Mr. Sanborn of South Portland, Mr. Colcord of Portland, Mr. Ellis of Gardiner and Mr. Gould of Leeds. The chair announces the same pair which is announced yesterday, between the President of the Senate and the Speaker of the House. The secretary of the convention will call the roll.

A roll call was had.

Fifth ballot: Having attended to the duty assigned it, Senator Hastings, from the committee reported as follows:

Whole number of votes cast,	180
Necessary for choice,	90
John E. Bunker had	90
Joseph E. Alexander had	85
Roland E. Clark had	5

The report was accepted.

Chairman HERSEY: The chair declares that there is no election. The

convention will proceed to another ballot.

Sixth ballot: Having attended to the duty assigned it, Senator Hastings from the committee reported as follows:

Whole number of votes cast,	180
Necessary for a choice,	91
John E. Bunker had,	30
Joseph E. Alexander had,	85
Roland E. Clark had,	5

The report was accepted.

Chairman HERSEY: The chair declares that there is no election. The convention will proceed to another ballot.

Seventh ballot: Having attended to the duty assigned it, Senator Hastings from the committee reported as follows:

Whole number of votes cast,	180
Necessary for a choice,	91
John E. Bunker had,	39
Joseph E. Alexander had,	85
Roland E. Clark had,	5

The report was accepted.

Chairman HERSEY: The chair declares that there is no election. The convention will proceed to another ballot.

Eighth ballot: Having attended to the duty assigned it, Senator Hastings from the committee reported as follows:

Whole number of votes cast,	180
Necessary for a choice,	91
John E. Bunker had,	90
Joseph E. Alexander had,	85
Roland E. Clark had,	5

The report was accepted.

Chairman HERSEY: The chair declares that there is no election. The convention will proceed to another ballot.

Mr. Pierce of Houlton moved that the House do now adjourn until tomorrow morning at 10 o'clock.

Mr. St. Clair of Calais moved to amend the motion by substituting "9 o'clock" instead of "10 o'clock."

The question being on the adoption of the amendment,

A viva voce vote being taken, The amendment was lost.

The question being on the motion to adjourn until 10 o'clock tomorrow morning,

Senator Moulton of Cumberland called for the yeas and nays.

Chairman HERSEY: The Chair will state that the yeas and nays cannot be ordered in a joint convention.

Senator Moulton then called for a division of the House.

A division was ordered.

The chairman of the convention appointed the monitors of the House as the monitors of the convention.

Chairman HERSEY: All those who are in favor of adjourning until tomorrow morning at 10 o'clock will rise and stand in their places until counted.

A division being had, 93 voted in favor and 71 against.

So the motion was carried and the convention adjourned until tomorrow morning at 10 o'clock.

The Senate then retired to the Senate chamber.

In The House

(The Speaker in the chair).

From the Senate: Ordered, The House concurring, that a joint committee consisting of two members on the part of the Senate and as many as the House may join, be appointed with full authority to make a contract with the New England Telegraph & Telephone Co. for telephone service for the members of the 77th Legislature in matters connected with their official duties.

The order received a passage in concurrence.

The Speaker appointed on the part of the House as members of such committee Messrs. Gallagher of Bangor, Haskell of Portland and Waterhouse of Kennebunk.

On motion by Mr. Douglass of Webster,

Adjourned until tomorrow morning at half past nine o'clock.