

# MAINE STATE LEGISLATURE

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# Legislative Record

OF THE

# Eightieth Legislature

OF THE

# State of Maine

1921

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## HOUSE

Wednesday, Feb. 9, 1921.

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

Prayer by the Rev. Mr. Atkins of Gardiner.

Journal of previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Bill An Act to amend Section 37 of Chapter 33 of the Revised Statutes, as amended by Chapter 219 of the Public Laws of 1917 and by Chapter 131 of the Public Laws of 1919, relating to the protection of moose."

Came from the Senate referred to the committee on Inland Fisheries and Game.

In the House on motion by Mr. Hinckley of South Portland tabled pending reference in concurrence and 500 copies ordered printed.

From the Senate: Bill "An Act to amend Section 116 of Chapter 4 of the Revised Statutes, relating to dogs found hunting or chasing moose, caribou or deer, or found running at large in the woods during close season on deer."

Game from the Senate referred to the committee on Inland Fisheries and Game.

In the House on motion by Mr. Hinckley of South Portland, tabled pending reference in concurrence and 500 copies ordered printed.

From the Senate: Bill "An Act to amend Section 45 of Chapter 33 of the Revised Statutes regarding trapping of beaver."

Came from the Senate referred to committee on Inland Fisheries and Game.

In the House on motion by Mr. Downs of Rome tabled pending reference in concurrence and 500 copies ordered printed.

The following bills, resolves and

petitions were received and, upon recommendation of the committee on reference of bills, were referred to the following committees:

### Agriculture

By Mr. Croxford of Newport: Petition of H. J. Adams and 282 others that the law on standardization of milk be passed.

By Mr. Chase of Unity: Petition of Charles H. Arnold and 137 others in favor of same.

### Appropriations and Financial Affairs

By Mr. Perkins of Orono: Resolve in favor of Maine Agricultural Experiment Station.

By Mr. Maxwell of East Livermore: Resolve to appropriate money to aid in rebuilding dormitory of Leavitt Institute in the town of Turner.

By Mr. Snipe of Bath: Resolve in favor of Bath City Hospital.

By Mr. Pennell of Rumford: Resolve providing for medical and surgical treatment and care of indigent persons by Rumford Hospital Association at Rumford.

By Mr. Trefethen of Wilton: Resolve in favor of Wilton Academy.

By Mr. Snipe of Bath: Resolve in favor of the Bath Military and Naval Orphan Asylum.

On motion by Mr. Holley of No. Anson, the vote was reconsidered whereby the resolves relating to Leavitt Institute in the town of Turner and Wilton Academy were referred to the committee on appropriations and financial affairs, and on further motion by the same gentleman, the resolves were tabled pending reference.

### Claims

By Mr. Reed of Harmony: Resolve to reimburse the town of St. Albans for the over-paid tax to the State of Maine.

By Mr. Peabody of Richmond: Resolve in favor of Bert Allard of Richmond for damages caused by highway work.

By Mr. Crabtree of Island Falls: Resolve in favor of town of Island Falls for money paid to Levi H. May.

By Mr. Perkins of Orono: Resolve providing for payment for the care of Pearl Clark during the year 1919.

**Cumberland Delegation**

By Mr. Cram of Portland: Bill "An Act to amend laws providing for the appointment of probation officers and assistant probation officers for the county of Cumberland."

**Education**

By Mr. Varney of Windham: Bill "An act to amend Section 57 of Chapter 16 of the Revised Statutes as amended, relating to payment of salaries of superintendents of schools."

By Mr. Cordwell of Westbrook: Bill "An act to amend Section 56 and paragraph two of Section 57 of Chapter 16 of the Revised Statutes, as amended, relating to the election and term of office of superintendents of schools."

By Mr. Porter of Pittsfield: Bill "An act to amend Section 2 of Chapter 501 of the Private and Special Laws of 1898, relating to the charter of Maine Central Institute."

By Mr. Reed of Harmony: Resolve in favor of Hartland Academy.

By Mr. Porter of Pittsfield: Resolve in favor of Maine Central Institute in Pittsfield.

**Inland Fisheries and Game**

By Mr. Maxwell of East Livermore: Bill "An act to protect the water supply of the town of East Livermore."

By Mr. Bragdon of Franklin: Bill "An act to amend Section 38 of Chapter 37 of the Public Laws of 1919, relating to a closed season on deer in certain counties."

**Judiciary**

By Mr. Forbes of Paris: Remonstrance of Woodstock Chamber of Commerce against "An act to amend Chapter 116 of the Private and Special Laws of 1915, relating to court-house in town of Rumford."

By Mr. Peaslee of Thomaston: Remonstrance of Ermina A. Hawes and 78 others of Thomaston against any change in the Sunday law.

By Mr. Maher of Augusta: Bill "An act to amend Chapter 51 of the Revised Statutes, as amended by Chapter 144 of the Public Laws of 1917, relating to the formation of corporations having stock without par value.

(Tabled by Mr. Cram of Portland,

pending reference, and 500 copies ordered printed.)

By the same gentleman: Bill "An act to amend Section 41 of Chapter 51 of the Revised Statutes, so as to provide for the amendment of corporate purposes."

(Tabled by Mr. Cram of Portland, pending reference, and 500 copies ordered printed).

By the same gentleman: Bill "An act to re-enact Section 24 of Chapter 69 of the Revised Statutes, relating to when no succession tax shall be assessed on the stock, bonds, and evidences of debt of Maine Corporations."

(Tabled by Mr. Cram of Portland, pending reference, and 500 copies ordered printed).

By Mr. Gardiner of Gardiner: Bill "An act amendatory of and additional to Chapter XVI of the Private and Special Laws of Maine, 1820, and for the incorporation of the trustees of the Medical School of Maine.

(Tabled by Mr. Gardiner of Gardiner, pending reference).

By Mr. Roberts of Lyman: Bill "An act to incorporate the Kennebunk, Kennebunkport and Wells Water District."

(Tabled by Mr. Roberts of Lyman, pending reference and 500 copies ordered printed).

By Mr. Gardiner of Gardiner: Resolve in favor of the Medical School of Maine established by Chapter XVI of the Private and Special Laws of Maine, 1820, as amended.

(Tabled by Mr. Gardiner of Gardiner, pending reference).

By Mr. Bartlett of Waterville: Bill "An act to amend the Revised Statutes, Chapter 11, Section 28, relating to the collection of taxes by suit. (500 copies ordered printed).

**Legal Affairs**

By Mr. Phillips of Bar Harbor: Bill "An act authorizing the town of Bar Harbor to lay out and maintain bridle paths within its limits."

By Mr. Bartlett of Waterville: Bill "An act to amend the Charter of the Kennebec Water District." (Bill No. 1).

By Mr. Fagan of Portland: Bill "An

act authorizing the town of Cape Elizabeth to adopt a corporate seal."

By Mr. Cram of Portland: Bill "An act to amend the Charter of Home for Aged Men."

By Mr. Bartlett of Waterville: Bill "An act to amend the charter of the Kennebec Water District." (Bill No. 2). (500 copies ordered printed).

#### Pensions

By Mr. Tilden of Hallowell: Resolve providing a State pension for Mary M. Wentworth of Hallowell.

#### Public Health

By Mr. Snipe of Bath: Bill "An act to prohibit advertisements of cures or medicines relating to venereal diseases and certain sexual disorders."

#### Public Utilities

By Mr. Bennett of Yarmouth: Bill "An act to extend the provisions of Chapter 155 of the Private and Special Laws of 1917, as extended and amended by Chapter 9 of the Public and Special Laws of 1919, entitled 'an act to authorize the town of Yarmouth to supply gas and electricity.'"

#### Port and Delegation

By Mr. Fagan of Portland: Bill An Act fixing the term of office of the treasurer and collector of the city of Portland.

(Tabled by Mr. Dodge of Portland, pending reference, and 1000 copies ordered printed).

By the same gentleman: Bill An Act amending Chapter 242 of the Private and Special Laws of 1897, relating to the retirement of police officers of the city of Portland.

(Tabled by Mr. Dodge of Portland, pending reference, and 1000 copies ordered printed).

#### Salaries and Fees

By Mr. Hussey of Blaine: Bill An Act to increase the salary of the Clerk of Courts of Aroostook county.

(Tabled by Mr. Bragdon of Perham, pending reference, and 500 copies ordered printed).

By Mr. Wilson of Presque Isle: Bill An Act to increase the salary of the judge and recorder of the Presque Isle municipal court.

(Tabled by Mr. Bragdon of Perham, pending reference, and 500 copies ordered printed).

By Mr. Heal of Weston: Bill An Act to increase the salary of sheriff of Aroostook county.

(Tabled by Mr. Bragdon of Perham, pending reference, and 500 copies ordered printed).

By Mr. Owen of Milo: Bill An Act to amend Section 15 of Chapter 117 of the Revised Statutes, relative to the salary of the secretary of State.

By Mr. Buzzell of Belfast: Bill An Act to amend Chapter 117, Section 40, of the Revised Statutes, relating to the salaries of the clerk of court.

By Mr. Bartlett of Waterville: Bill An Act to amend Section 8 of Chapter 325 of the Private and Special Laws of 1897, as amended by Chapter 150 of the Private and Special Laws of 1915, and as further amended by Chapter 198 of the Private and Special Laws of 1917, increasing the salary of the recorder of the municipal court of Waterville.

By Mr. Forbes of Paris: Bill An Act to amend Section 45 of Chapter 117 of the Revised Statutes, relating to clerk hire in county offices, as amended by Chapter 214 of the Public Laws of 1919, by adjusting the clerk hire for the office of register of deeds at South Paris.

By Mr. Phillips of Bar Harbor: Bill An Act to amend Chapter 117, Section 38 of the Revised Statutes relating to salaries of judges of probate.

By Mr. Buzzell of Belfast: Bill An Act to amend Chapter 117, Section 42, of the Revised Statutes, relating to salaries of county commissioners.

By Mr. Hussey of Blaine: Bill An Act to increase the salary of the register of deeds, Southern Registry, Aroostook county.

#### State School for Boys, State School for Girls and State Reformatories

By Mr. Larrabee of Lewiston: Resolve in favor of the Reformatory for Women.

#### Towns

By Mr. Forbes of Paris: Remonstrance of George R. Morton of South Paris and 21 others against division of the town of Paris.

By Mr. Kerswell of St. George: Remonstrance of Eunice Elwell of South Thomaston and 74 others against bill "An Act to divide the town of South Thomaston."

**Ways and Bridges**

By Mr. Burns of Eagle Lake: Petition of Frank Martin, Jr., of Winterville and eight others in favor of road in Winterville Plantation.

By Mr. Egan of Portland: Bill An Act to amend Chapter 356 of the Private and Special Laws of 1883, relating to the construction of a bridge over tide waters between Orr's Island and Bailey's Island.

By Mr. Cherry of Eastport: Resolve in favor of the city of Eastport for the repair and maintenance of the Eastport bridge.

By Mr. Gibson of Blocham: Resolve to aid the town of New Portland in repairing and constructing a road in the town.

By Mr. Twombly of Howland: Resolve in favor of bridge between Bluefield and Howland.

By Mr. Buzzell of Belfast: Resolve in favor of the city of Belfast, Waldo county, for the purpose of repairing a roadway.

By Mr. Wood of Bluehill: Resolve in favor of the town of Surry.

By Mr. Chase of Unity: Resolve in favor of the town of Unity for road.

By Mr. Leighton of Dennyville: Resolve to aid the towns of Dennyville and Edmunds in building a concrete bridge across Denny's river on State road.

By Mr. Peaslee of Thomaston: Resolve to grant aid to the town of Union in repairing a road.

By Mr. Weatherbee of Carroll: Resolve in favor of assisting the town of Carroll to repair the "North Road" so-called, in said town.

**Message from the Senate**

A communication was received from the Senate, through its Secretary proposing a joint convention of both branches of the Legislature to be held forthwith in the hall of this House for the purpose of extending to the Governor an invitation to attend the convention and present such communication as he may be pleased to make.

Mr. Buzzell of Belfast 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 proposition for a joint convention forthwith in the hall of the House.

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

**Orders**

On motion by Mr. Moody of York, it was

Ordered, that the Attorney General of the State of Maine shall advise the House of Representatives in writing if Article four, Section two of the Constitution of the State of Maine providing that the House of Representatives shall consist of one hundred and fifty one members has been amended, and that he shall also advise this House as to the number of representatives now allowed under the Constitution of the State of Maine.

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

**IN CONVENTION**

The President pro tem in the Chair.

On motion by Mr. Gillin of Penobscot, it was

Ordered, that a committee be appointed to wait upon the Honorable Percival P. Baxter, Governor, and inform him that the two branches of the Legislature are in convention assembled in the hall of the House of Representatives, and extend to him an invitation to attend the convention and present such communications as he may be pleased to make.

The Chairman thereupon appointed as members of that committee Senators Gillin of Penobscot, Baxter of Sagadahoc, Allen of York, Garcelon of Androscoggin, Eaton of Oxford and Representatives Patterson of Industry, Rounds of Portland, Cole of Eliot, Hinckley of South Portland and Eastman of Fryeburg.

Subsequently Mr. Gillin for the committee reported that the committee had performed the duties with which it was charged, and that the Governor would attend immediately with his Council.

The report was accepted.

The Governor and suite then entered the hall of the House of Representatives, and the Governor communicated to the joint convention by address as follows:

Mr. Chairman, Senators and Representatives of the 80th Legislature of the State of Maine:

How suddenly are Time's changes wrought. It seems but yesterday that there stood before us in this Hall of Representatives a man in the prime of life, filled with courage and ambition. For him the victory was won. His laudable ambition satisfied, he looked into the future his heart filled with a desire to serve his native State. Schooled in affairs of government he had the will and character to earn for himself a place among the best of Maine's long list of chief executives.

On that memorable day it became my pleasant duty to administer to Governor Parkhurst the oath of office. As I looked into his frank and friendly eyes I knew he would be true to that oath when he spoke these words: "I will faithfully and impartially perform the duties incumbent upon me as Governor." Those of us who sat upon this platform always will remember the smile of love and approval which his brave wife gave him as, anxious for him to do his best, she sat with her little daughter in these seats before us, and kept her encouraging eyes fixed upon him. Those of you who looked into his face will long remember the reassuring smile returned by him to her. What faithful wife ever had more reason to look into a future bright with hope and promise? The heart of Maine in these days of loneliness and grief goes out in sympathy to her and to her children.

It is fitting that here I should pay tribute to those who so untiringly and efficiently planned and executed the arrangements for the funeral

ceremonies through which we have just passed. To these men is owed a debt of gratitude, and I unhesitatingly assume the responsibility of expressing it. From the moment that the tragic news was first announced to a bereaved State until the last sad moment of parting at the tomb, the Committee of the Governor's Council and this Legislature attended with infinite care to each detail. The tribute of love and respect to Maine's dead Governor was all that human hearts could wish and human hands could fashion. The memory of those sad days long will remain with us, and the grief through which we all have passed will throughout the session tend to soften the harsh clash of argument and debate.

Providence does not make known to us its laws, but all are forced to bow to its decrees. Time drives us on; our Governor has gone. The daily tasks that press on those he left behind must still be done. The burdens others bore, now bear down on those who sought them not. I stand before you as he stood. His work is done, mine but begun. The State moves onward, and I, as its Chief Executive, made such by events no man foresaw, here pledge to its service whatever of good and whatever of ability there is within me. If health and strength are mine, with your help and in your confidence we, unselfishly and not seeking favor or applause, will perform the tasks before us.

I leave the Legislative branch of our State of Maine and enter upon the Executive with feelings of regret. My work as presiding officer of the Senate was most congenial, an atmosphere of friendliness and co-operation pervaded that Chamber, and I, looking forward with pleasant anticipation to the next few weeks of work, saw at their close an end to legislative responsibilities. That is the past and now the future beckons.

#### Finances

The financial condition of a government is its cornerstone, while character is its foundation. During the stress of war when the operation of the usual system of checks and balances might cause fatal delays, all

governments to some extent let down the bars and, regardless of cost, bent all their energies to war. The State of Maine, under the broad and wise guidance of our then Governor, gave freely of its men, its women, and its wealth. Governor Milliken's record in those trying years assures him of an enduring position in the hearts and in the history of our State.

It is our duty now to enter upon a period of reasonable retrenchment and true economy. The rate of State taxation has climbed steadily from 2½ mills in 1906 when the State's expenditures were \$2,516,035.60 to 7¼ mills in 1920 when they were \$13,344,936.25. This may properly be accounted for in many cases by a wholesome and necessary increase in the many activities of the State.

Beyond a certain point of taxation we cannot safely go. The time has come when the State, like the individual, should strike a trial balance and determine whether or not it lives within its income. The tax rate of a heavily burdened people should constantly be before you, and an earnest effort should be made to effect a reduction. Upon you members of the Legislature who control the purse strings rest these responsibilities. The expenditure of the money raised and appropriated by you devolves largely upon the heads of departments and their assistants, and from them you may properly demand that for each dollar spent there shall be an adequate return. Their responsibility equals yours and the people of our State will scan with critical eyes the disbursement of the next two years.

#### Contingent Fund

Coming so abruptly from the Legislative to the Executive Branch of State Government I have not forgotten the legislative point of view. The Contingent Fund for two legislative sessions has been under discussion and has been confused by rumors and uncertainties. Its origin, its purposes, and its amount have all been somewhat misunderstood. I desire that the facts be made known both to the members here and to the people of the State at large.

The State Auditor informs me that on January 1, 1921, this fund amounted to \$786,150.24 against which there are now chargeable certain items estimated to amount to \$140,000. This leaves a net Contingent Fund of \$646,000.00, which is less than 3% of the total cash payments for the years 1919 and 1920. This fund was established by law in 1915. The Contingent Fund consists; First, of lapses from appropriations not used; and Second, of the amount by which the actual income exceeds the current expenses for the year. The fund created from these two sources, is then withdrawn by the Governor and Council; First, for emergency work that arises after the close of the legislative session; Second, for the completion of work that has been started and for the completion of which the appropriations made were not sufficient; Third, for work authorized by the Legislature but for which no definite appropriations were made.

It is readily seen that where a Legislature must estimate the State's income and expenditures for a period of twenty-four or thirty months in advance, exactness in those estimates cannot be obtained. The Governor and Council occupy the position of a board of directors that have frequent meetings, while the Legislature corresponds in a measure to a stockholders' meeting, held not as often as once a year, but once in two. If the stockholders have confidence in their directors there are advantages in having a Contingent Fund.

Formerly there was a tendency on the part of heads of departments to expend whatever appropriations were made for them, with the result that appropriations often were exhausted, and unpaid balances were carried to the next administration. Today the department head realizes that if the funds of his department become exhausted he may then apply to the Governor and Council and state the reasons why he needs relief. There also was a tendency in former times for heads of departments to make sure of having an appropriation large enough for all contingencies. A properly administered contingent



fund checks the demands for excessive departmental appropriations.

It should be recognized that the past four years, with rising costs of labor, material and supplies, have been difficult ones, but in these respects the outlook for the future is somewhat more encouraging. During the years 1919 and 1920 \$1,517,927.82 was spent by the Governor and Council from the State contingent fund and \$369,859.11 was spent by them from "monies in the Treasury not otherwise appropriated," the total being \$1,878,786.93. This was made possible because the actual income received by the State during those years was greater than the estimated income, and the appropriations for those years were based on the lower figures of estimated income. Had this not been so, the special sessions that were held would have been called upon to provide additional income to meet the State's expenditures. The books of the State Auditor are at all times open to you. There is no mystery about them and each and every transaction for the years that have passed is subject to your inspection. The future of this fund lies in your hands.

#### Budget

The work of the Budget Committee has proven of value to the Legislature. The Budget states that the recommended appropriations can be provided for by a 1-mill tax for war purposes, 3-mill tax for schools, 1½-mill tax for roads, and ¼-mill tax for general purposes, a total of 6 mills. It should be understood that in these budget figures no provision has been made for certain important measures now before you. Should you approve these measures you will need to revise the figures of the budget either by increasing the 6-mill tax rate, or by making some reduction in the appropriations suggested in the budget. It is for you to study these figures, to test their accuracy, and to arrive at a wise solution of the difficult problem. I urge prompt action in order that the legislative session may not be unduly prolonged.

#### Highways

Maine's road problem can be appreciated when it is realized that Maine covers an area as large as that of the other five New England states, with a population of 768,014, where they have 6,632,895; and that Maine has a total of 25,529 miles of road, while the other five New England states have but 63,181. From this it is seen that Maine has about 10% of New England's population and about 29% of its roads. The question of good roads must therefore always remain an important and a difficult one. The fact that such a widespread interest exists in the highway question is encouraging, for discussion is educational and ultimately a solution of the problem will be found.

At present there is an undercurrent of opinion that a disproportionate amount of the money available is being spent on roads of costly construction, that plant and overhead charges are at times larger than they should be, and that the interest of the smaller communities is sometimes unnecessarily made secondary to the development of large projects. Reference is made to these criticisms in order that through the proper committee you may determine if they are well founded, and if so may endeavor to suggest the needed remedies. It should always be borne in mind that criticism is not, although it ultimately may lead to, construction, and that this difficult situation should be handled without prejudice or partisanship, and with the sole desire to remedy that which needs correction. It is of course necessary for you first to secure the facts upon which to base your judgment and conclusion.

#### The Blaine House

It has become the fixed policy of the State, as established by act and resolve, to maintain the Blaine House as the Executive home, and a few days ago you generously provided for its maintenance for the ensuing 20 months by passing a resolve appropriating \$32,500. You did this in a spirit of loyalty to the memory of the son of Maine in whose name the house was so generously given in trust to the State. In this \$32,500 resolve it is stated that "The funds herein appropriated are

in addition to any sums expended by the superintendent of public buildings and grounds for the care and preservation of the property to be occupied by the Governor as his official residence," and the Budget Committee in its report now before you, under the title of Supt. of Public Buildings, also have provided for an additional appropriation to cover certain expenses connected with the Blaine House. In providing for this \$32,500 appropriation you, ignorant of what destiny had in store, were generously planning for the future, but rapidly changing conditions have made it advisable to revise this item.

I suggest that the \$22,500 Resolve be repealed, and that the contemplated appropriation in the Budget be referred to a committee for careful consideration in order that whatever is finally appropriated by the State for the maintenance of this house shall be understood by all. Should you accept these suggestions you will, in my opinion, place this question upon a proper basis.

You already have decided that the Blaine House should be kept open to the people of our State so that those who, from historical and sentimental reasons desire to visit it, may freely do so. The Blaine House was accepted by the State as a sacred trust. It was given in trust to our late Governor to be held by him during his term of office. It would, in my opinion, be a generous and an appropriate act for you, after repealing the \$32,500 Resolve, to pass a resolve in its stead providing that the sum of not less than \$5000 per year for the years of 1921 and 1922 be placed in the hands of the devoted wife of our late Executive, to be used by her for the benefit of herself and her children.

#### Water Powers

As a legislator I advocated the retention of Maine's water powers for the benefit of Maine people; opposed Federal interference with and control of these water powers; urged the appointment of a commission to secure the facts about them so that these might be placed before the people; and was instrumental in attaching a restrictive amendment to such water

power charters as came before the last two Legislatures. I also advocated the development and control by the State of storage reservoirs and basins, which constitute the basis of successful hydro-electric development and of the undeveloped water powers incident thereto.

The policy of non-transmission of hydro-electric energy beyond the State is supported by an overwhelming public sentiment, and, in so far as the State of Maine is able to do so, this policy has been safeguarded by law and by amendment. The Maine Waterpower Commission, in my opinion, in its recent report, has justified its creation and its continuance, as the only available channel through which the facts may be properly and impartially put before the people. Should the Federal Government attempt to assume control over Maine's water powers under the Federal Waterpower Act, or should any water power corporation in violation of the laws of this State, and in disregard of the will of the people, undertake to transmit the water powers of Maine beyond the confines of the State, the Attorney General will be directed to defend the rights and sovereignty of the State and to proceed against the offending corporation.

In 1919, in order to clear the way for constructive action by the present Legislature, I framed, and the Legislature submitted to our Supreme Judicial Court, certain water power questions. The Court, in its answers to these questions, gave its opinion that the development by the State of storage reservoirs and basins and of the undeveloped water powers incident thereto would be at variance with the existing provisions of our State constitution. The State constitution was adopted in the first instance by the people of the State, and consequently is subject to amendment by them. In view of the Court's opinion, before actual development can be undertaken by the State, it is necessary for the Constitution to be amended. I believe in the passage of such an amendment and urge its serious consideration upon you. During the period that such an amendment is before the

people for deliberation and discussion, the Waterpower Commission should continue its work of investigation.

Maine should not fall back into its former state of indifference to this vital question. Maine must advance. Private development should be encouraged and property rights must be respected. It need never be feared that the State of Maine will take property or rights from lawful owners without returning to them lawful compensation therefor. The construction of storage reservoirs and basins and the development of the undeveloped waterpowers incident thereto by the State, should, in my opinion, be begun under proper safeguards after present restrictions are removed. Maine needs the benefit of its waterpowers and the need becomes more pressing as years go by. My deep interest in this issue continues, but it must of necessity be in an executive, rather than in a legislative capacity.

#### Mt. Katahdin Park

The forests of Maine constitute, with our waterpowers, the great natural resources of the State. The waterpowers in their nature are perpetual, while the forests may be and have been, wantonly destroyed by wasteful management and by fire. A century of statehood has passed, during which period the millions of forest acres once publicly owned have passed to private hands. In the heart of the wilderness of these woods stands Mt. Katahdin, the greatest monument of nature that exists east of the Mississippi River. This mountain raises its head aloft unafraid of the passing storm and is typical of the rugged character of the people of Maine. The purchase of this mountain will constitute a fitting memorial to the past century and an inspiration to the new.

Unlike most projects that call for the expenditure of a considerable sum of money, this park will prove to be an asset to the State from which will be derived both direct and indirect income. The establishment of some great institutions by the State creates for all time a burden on the public treasury but this park will prove a safe investment in lands and timber,

an investment which will increase in value with the passing years.

I bring this project to your attention as one which our late Governor endorsed without reservation. In his inaugural he says:

"By sound principles of public policy, reinforced by party pledge, we are committed to the establishment of a State Park and forest reserve, to the conservation of our forests, to a program of reforestation of cut-over and burned land, and to the development of waterpower resources within the State."

The establishment of this park will lay the foundation of a policy whereby the present generation will deliver a great inheritance to the generations to come.

#### Wild Land Values

In 1905 an appropriation of \$2500 was made for the purpose of cruising the wild lands of the State in order to ascertain their value for the purpose of taxation, and since then an increased appropriation has been made by succeeding Legislatures. This work has been conscientiously done under the supervision of the Board of State Assessors. 263 townships out of a total of about 441 already have been surveyed. I doubt if the State ever has made as wise an expenditure of the public money as this has proven to be. Since 1905 the total amount of \$90,000 has been spent upon this work and the State already has received from it in taxation, not including interest, the sum of \$575,765.42. This shows a net tax income to the State of \$485,765.42. It is readily seen that an appropriation larger than that suggested in the budget will bring immediate returns without causing injustice to the owners of the land, as such land should be valued on a basis proportionate with the value of other lands within the State.

#### National Guard

The Federal Government controls the size of our National Guard, while the State assumes the responsibility for its standards of efficiency. Our citizen-soldier always has proved his loyalty and courage. The officers of the Guard are men of character and ability devoted to their work, while

the men, well trained and equipped, are eager to perform whatever duties may be required of them. I believe the Guard should remain a voluntary organization. Our young men should be encouraged to enter it and in doing so should receive the approval and support of the civilian population. In times of peace we need no draft or compulsory military training in Maine. My connection with the National draft organization, as chairman of a local exemption board, showed me the spirit of Maine's men of military age. Their response to duty was splendid. Maine kept her quotas of men so well filled that when the great war closed Maine did not owe a single soldier to the National Government, while sister states owed thousands. As long as fighting men are needed Maine may safely be relied upon to furnish her share of them. May the day soon come when the nations of the world will cease their useless competition in armament. May those be heard who cry for relief from the crushing burdens of war and its preparation, and may their cry be heeded in the capitals of the world.

#### Transportation

The transportation problem is before you. Maine's railroads seek relief, and tax concessions are asked of you. Tax reduction for one, means an added burden for others. The industrial, economic and agricultural life of the State to a large extent is dependent upon adequate transportation facilities. Throughout the country there is need of railroad rehabilitation. The method of railroad taxation now in vogue in our State, whereby a tax is levied on gross receipts, is considered by many students of economy to be unsound. You have scant time to devote to the solution of this pressing problem. It is the duty of each member to attend the hearings on these bills. It is each member's duty to ask questions even though they be not carefully framed or scientifically worded. Each earnestly should attempt to learn the facts.

To the railroads I would say, bring

all the facts at your command, offer them frankly and openly, encourage those who seek information, avoid complicated and confused figures of intricate bookkeeping, and take the Eightieth Legislature into your confidence in every detail. Let each party to the discussion, those seeking and those imparting information, recognize the other's point of view and proceed calmly to the work in hand, for all must admit that modern conditions are complex, and that the burden of taxation must be equally distributed lest an injustice done to one group, or favor granted to another, destroy the balance of good government.

The people of Maine, notwithstanding the now discredited methods of railroad lobbies and railroad domination of the years gone by, realize, as do the railroads themselves, that times have changed and that the people need the railroads just as much as the railroads need the people; and they also realize that the prosperity of the one is interwoven with that of the other, and that mutual confidence is the only satisfactory basis for the future.

My work is no longer legislative, it is executive, and it is my ambition that you be known as a Legislature that passed just laws, and that I be known as a wise executive. The days of reconstruction and retrenchment are trying days. Emergencies may arise. After you have left we shall carry on. Maine occupies a situation favored beyond that of most of her sister states. Conditions here remain normal long after other states have felt the stress of changed and unsettled conditions. Today we face the coming months with hope and confidence. May true prosperity soon return, and may it be the rule in Maine that all who work receive a fair reward, for which they give an adequate return.

The affairs of this State shall ever be to you and to our other citizens an open book, and about them there shall be no mystery or concealment. Should you be unable to find such in-

formation as you seek, the Chief Executive with the department heads gladly will render you assistance. A self-governing State like ours is one wherein each does his part, and wherein also each is entitled to full knowledge of the State's affairs.

(The Governor's address was received with prolonged applause, members of the convention rising).

The Governor and suite then retired.

The purpose for which the Convention was assembled having been accomplished the Convention was dissolved, and the Senate retired to the Senate Chamber.

### IN THE HOUSE

The Speaker in the Chair.

The SPEAKER: The House is proceeding under orders.

On motion by Mr. Rounds of Portland, it was

Ordered, that the State Auditor report to the House in one week, the amount of salaries for every head of a State Department and employee paid by the State in the State of Maine for the year 1919, January 6, and the year 1921, January 6, showing the increase or decrease in any salary and giving the names of all employees on the payroll for each period, and that 1000 copies be printed for the use of the House, bonus of heads of departments omitted.

Mr. Maher of Augusta presented the following order:

To facilitate procedure, and to prevent confusion, be it ordered that upon the first reading of all legislative papers the name of the sponsor for same be announced.

The order received passage.

Mr. Cole of Eliot presented the following order:

Whereas, the expenditures of the State have increased several fold during the twenty years, and

Whereas, the State is now assuming many of the burdens formerly

borne by municipalities and individuals, and

Whereas, the policy of the State to extend its benevolences has been long established, and

Whereas, the present tax levies of State, County and municipality combined are becoming grievous and burdensome to our citizens, and

Whereas, it may be possible to obtain some relief upon proper investigation,

Now therefore, be it ordered, the Senate concurring, that a special committee of three on the part of the House, with as many as the Senate may join, be appointed to investigate all existing legislative enactments relating to the expenditure of money by the various departments of the State, and collate such expenditures over a period of years, and report, to the Governor and Council not later than April first, nineteen hundred and twenty-two, with such recommendations as may seem proper, and that the Governor be requested to communicate to the Eighty-first Legislature, as soon as convenient after the assembling of said Eighty-first Legislature, such recommendations as he may deem proper regarding the financial affairs of the State.

Said committee shall have authority to employ all necessary clerical assistance and shall publish their report and recommendations. All expenses pertaining to said investigation shall be paid by the Governor and Council out of the Contingent fund of the State.

Mr. BREWSTER of Portland: Mr. Speaker, would an amendment be in order at this time?

The SPEAKER: It would.

Mr. BREWSTER: Then I would offer House amendment A to order for appointment of committee for investigation of legislative enactments relating to expenditure of money by departments of State by striking out the word "three" and inserting in place thereof the word "seven" in the second line of the first paragraph of said order. I believe that this committee should represent the varying views of

the House upon these matters, and that it would come more nearly to commanding confidence to enlarge the committee and so be of correspondingly greater value.

The SPEAKER: The gentleman from Portland, Mr. Brewster, presents an amendment that instead of a special committee of three on the part of the House for the purposes comprehended in the order of the gentleman from Eliot (Mr. Cole), a special committee of seven be appointed; and is this motion seconded?

Mr. McILHERON of Lewiston: Mr. Speaker, would it be in order to have the order and the amendment to the order laid on the table?

The SPEAKER: A motion to table is in order at any time.

Mr. McILHERON: I move that it be laid on the table.

The SPEAKER: The motion for an amendment not having been seconded, the Chair does not recognize it.

Thereupon the motion to amend was seconded by Mr. Hinckley of South Portland, and Mr. McIlheron of Lewiston moved that the papers now lie upon the table.

The SPEAKER: Was there any motion made in relation to printing, Mr. McIlheron?

Mr. McILHERON: I would like to inquire, Mr. Speaker, if the State runs a printing establishment?

The SPEAKER: The gentleman from Lewiston (Mr. McIlheron) has as much information thereon as the Chair.

Mr. McILHERON: My reason for asking that, Mr. Speaker, was that there was a motion made the other day to print where there was a change of a few words and you gave us the information that it would cost forty dollars. I have noticed that there has been a lot of printing done, some of it in my opinion needless —

The SPEAKER: Has the gentleman from Lewiston (Mr. McIlheron) any motion to make? If so, it will be in order.

Mr. McILHERON: I move that the order be tabled indefinitely.

The SPEAKER: Do I understand the gentleman from Lewiston (Mr. McIlheron) to move that this order be indefinitely postponed?

Mr. McILHERON: Yes, Mr. Speaker.

The SPEAKER: Is that motion seconded? (A pause). The motion not having been seconded, the question is on the reception of the amendment of the gentleman from Portland (Mr. Brewster). All those in favor of this committee being comprised of seven on the part of the House will indicate it by saying aye; contrary minded, no.

A viva voce vote being taken, the amendment was accepted.

Mr. MAHER of Augusta: Mr. Speaker, I move that the whole subject matter be laid upon the table, and that 500 copies of the order and amendment be printed.

The SPEAKER: Is it the pleasure of the House that the order presented—  
The Chair recognizes Mr. Cole.

Mr. COLE of Eliot: Mr. Speaker, in presenting this order my ideas perhaps may be explained in a very few words. During the past one hundred years of the life of this State, we have been passing various enactments relating to the expenditure of money. Every Legislature that has come together has been increasing the cost of the operation of the State Government. So far as I know the Legislative enactments regarding the expenditure of money have never been collected together but they are scattered through the Statutes. Many of them are conflicting—many departments are overlapping. There are a great many overhead charges of different departments that might well be taken care of by one department or the other. We have increased our tax rate from 2 1-2 mills in 1905 to 7 1-2 mills the past year. We have increased our tax levy from two and one-half million dollars to thirteen and one-half million dollars. It would seem a proper time for this Legislature to take some step to investigate the condition of State affairs and to see if there cannot be some method devised by which duplication may be stopped. In offering this order for a small select committee, it would seem the proper thing for such committee to employ some man who is acquainted with statistics and who has had some experience in connection with that line of work, to go over the departments of the State for a period of perhaps twenty-five or thirty years back—and that is the period when our increase of expenditures has taken

place,—so that the next Legislature may see how the State has grown, if it has grown, and whether the State should continue its present policy or change its policy. We have been told time and time again that the State is taking care of a lot of things that the towns and cities took care of years ago,— our insane and our State paupers; but, gentlemen, your local tax bills have kept pace with the State tax bill and your county taxes have kept pace with the State and local taxes, and there has been a widespread increase, so that at the present time, with the tax that we pay indirectly to the United States of two hundred and fifty dollars for every family of five, or fifty dollars a head, for every man, woman and child in this country, added to our State, county and local taxes, to a man who earns a thousand dollars almost fifty per cent. of it is taken, directly or indirectly. It is the simplest thing in the world for somebody with a hobby to create a new commission. It may sound good; it may be a charity; it may be something that seems necessary; but every single one of these commissions, gentlemen, cost a lot of money, and increases the burden on the State, so far as the financial expenditures are concerned many thousand dollars. It has been my pleasure to be a member of this Legislature for a considerable period of years, to have served in both branches, and to have seen the creation of many of the State Commissions, including the Public Utilities and the State Highway Commission, and the Board of Charities and Corrections. I have heard estimates made of what it would cost to run these commissions, and the cost has been duplicated many times in every one of them. Now it seems to me that a small, select committee, taking plenty of time to go over this matter, employing one or twenty clerks, one engineer or five engineers, whatever it is necessary to have, is the best method to get at this matter. It seems time to take steps to investigate these conditions and there should be some coordination among the heads of departments. It is said that it costs the United States Government one dollar overhead for every dollar of pro-

tection, so that every dollar of protection costs the people two dollars, and it is coming pretty near that in the State of Maine. I do not believe, gentlemen, that any of you doing business in your own private concerns would allow that thing to go on without once in a while going over it and looking it up. The people whom you represent in this Legislature, the sovereign State of Maine, should have some directory power over its acts once in a while. We have gone one hundred years without, so far as I am able to ascertain, any taking of stock of our method of doing business. This is in the line of economy, which I hope will be put into effect by the appointment of this committee, and the taking of plenty of time to investigate every single department, including how many stenographers and how many clerks are employed in such department, and the salary of each and every one of them, with a comparison of other states. If you will look at some of the reports which have been presented to you, that it has cost to give away a little money four or five times the amount that was given. You will find many of your semi-charitable institutions to which money is given by this State—it may be a good thing to give it, I have no criticism of it, I have always voted for these things,—you will find on looking at your annual reports that it takes fifty per cent. of all the money received for overhead charges, and that the institution only gets one-half of that amount. It is the people's money that you are giving away, and it seems wise to go into it thoroughly, taking plenty of time, and that is what this order means. (Applause).

Mr. MAHER of Augusta: Mr. Speaker, not in any regard differing from the motive and spirit of the gentleman who introduced the order, or from what the representative from Eliot (Mr. Cole) has said, I believe that the motives animating the order are undoubtedly extremely praiseworthy and will meet with the approval of the House. We all desire economical and efficient procedure to the end of conserving and wisely expending the people's money. The question I had simply in mind was whether or not for the better and

more full information of the members of the House of just what the order was for, it would not perhaps be better to have the matter printed; and it occurred to me in that regard, and the idea was reinforced by the remarks of the gentleman from Eliot (Mr. Cole) that the fault for all this re-duplication and overlapping is of course primarily upon the Legislature—not this Legislature—but legislative bodies—and it is a necessary result of the methods of men hastily considering improvised means of reaching praiseworthy ends. A man has an excellent idea and there is an attractive or semi-attractive proposition put up as to the best method of compassing that end, and, carried away by the motive, we move on to the end by means which afterwards perhaps do not accomplish just what we had in mind; and an illustration of that very thing is the gentleman's order. It seems to me that that of itself carries a re-duplication, because, as I recall, the gentleman from Auburn (Mr. Winter) has introduced an order which has had passage and which covers the same matter, and to which committee thereby created there might be very properly referred the matter compassed by the gentleman from Eliot's (Mr. Cole) order. Now I may be mistaken in that regard, but it does seem to me that we would not be wasting much of the State's money, nor much of the State's time, if, before we create any further commission or committees, we allow this matter to lie upon the table until it may be printed and we may all see just what it is. However, it is a matter of no particular concern to me.

The SPEAKER: The question is upon the motion of the gentleman from Augusta (Mr. Maher) that the order and the accompanying amendment be laid upon the table and printed.

Mr. COLE of Elliot: Mr. Speaker, I have no objection to the order lying on the table and a free discussion of it. That is the very object of the order, but I cannot see where the State should pay forty or fifty dollars to print that order when everybody understands what it is. Now it may be that it is of such state-wide importance that every-

body outside will come here at a hearing of it, and while that may be a duplication of the order of the gentleman from Auburn (Mr. Winter), there is a general feeling here that no committee during a legislative session, with all the duties attendant upon a member of this House, and of the Senate especially, where every member is a member of several important committees, would have time to go into these things thoroughly enough and leave time enough for the Legislature to intelligently consider the matter. The intent of this order was to take plenty of time to investigate and go into every detail, and then give the people of the State until the meeting of the next Legislature opportunity to digest it. I have no objection to its lying on the table or its wide discussion.

The SPEAKER: Is it the pleasure of the House to give the motion of the gentleman from Augusta (Mr. Maher) passage?

Mr. McILHERON of Lewiston: Mr. Speaker, I am fully in accord with the gentleman who introduced the order. Why I moved to lay the matter on the table was because something passed here relative to the investigation of agriculture. There was a committee appointed and it necessitates the expenditure of money. I would suggest if they want to get the real conditions regarding agriculture that instead of going over the State to find them out, the better way would be to go down here to some of these meetings and inquire of some of these representatives here who are engaged in that business. In that way they would get something more beneficial without the expenditure of any money, and I think it would bring about better results than to appoint committees to go over the State and make these investigations. Of course we should investigate and find out all we can that will lead us to economy and efficiency. I doubt the wisdom of printing that matter. It is a waste of money, in my opinion. It is spending the people's money. Now I would be one member of this Legislature to give my salary towards printing, if every member of the Legislature will do the same. In that way we would soon see how much printing would be done. I think it is necessary to print some



things, but for a matter of this kind, that every member of this House is familiar with, I think it a useless waste of the State's money to print it.

Mr. MAHER of Augusta: Mr. Speaker, I will simplify matters very much in regard to expense by withdrawing my motion relative to printing, and move that it lie on the table until tomorrow.

Mr. BUZZELL: Mr. Speaker, it is barely possible that all of us cannot grasp the particular view of large subjects so quickly as others. As I heard the order read, it seemed to me that there was some meat in it. Likewise, it seemed to me that it ought to be printed; that 151 members, and our friends, might look at it and compare it with other orders that have gone before. I believe that both the order and the amendment should receive our candid consideration and that they ought to be printed instead of indefinitely postponing them at a moment's notice. From what the gentleman from Eliot (Mr. Cole) has said, it seems to me that he has given the matter consideration and has brought it to our attention in his wisdom, and I feel that I want to investigate it, and I feel that it should have my consideration while perhaps alone. Therefore, I hope the matter will be printed, and will so move.

The SPEAKER: The Chair not having announced any withdrawal of the motion to print, will now suggest that the business of the House is on the motion of the gentleman from Augusta, Mr. Maher, that the order and suggested amendment lie on the table, and that

500 copies of each be printed in one document.

Thereupon the motion received passage.

#### Reports of Committees

Mr. Granville, from the Recess Committee appointed by the 79th Legislature to study the subject matter contained in Bill "An act for the preservation, perpetuation and increase of the forests in the State of Maine," with power to report to this Legislature by bill or otherwise, asks leave to report a bill under the title of "An act for the preservation, perpetuation and increase of the forests in the State of Maine."

On motion by Mr. Buzzell of Belfast, the report was accepted and the bill was referred to the committee on State Lands and Forest Preservation.

On motion by Mr. Granville of Parsonsfield, 1000 copies of the report of the recess committee and bill submitted therewith, were ordered printed.

#### Orders of the Day

On motion by Mr. Hinckley of South Portland, the rules were suspended and that gentleman introduced the following order out of order:

Ordered, the Senate concurring, that 3000 copies of the Governor's message be printed.

The order received passage.

On motion by Mr. Smith of Skowhegan,

Adjourned until tomorrow morning at 10 o'clock.