

MAINE STATE LEGISLATURE

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



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

ACTS AND RESOLVES

OF THE

FIFTY-NINTH LEGISLATURE

OF THE

STATE OF MAINE.

1880.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 18, 1840, and March 16, 1842.

AUGUSTA:
SPRAGUE & SON, PRINTERS TO THE STATE.
1880.

GOVERNOR DAVIS' ADDRESS.

FEBRUARY 5, 1880.

Gentlemen of the Senate and House of Representatives :

As we commence the active duties of the session under most extraordinary circumstances, it is well to pause for a moment to recognize that beneficent Father whose watchful providence ever controls the destinies of nations; and while we see His hand in all the startling events of States and peoples, to remember, also, that not a sparrow falleth to the ground without His notice.

In the duties now before you it is not in my power at this time to give you the information I could desire, not having received the Treasurer's report for 1879, until last evening, or, with few exceptions, any of the reports from the departments or institutions of the State. I therefore refer you to them for your careful consideration when they shall be laid before you.

THE NATIONAL CONDITION.

For the reason that the financial affairs of the nation entered largely into the discussion of the last two political campaigns, it is proper to refer to them, and consider some of the leading facts that characterize the present condition of the whole country. The variety and extent of speculations immediately following the close of the war were without parallel in our history. Taking three millions of men from their accustomed vocations of producing property to respond to the demands of war with its necessary destruction of property, left the country much poorer than it otherwise would have been. During the struggle the government purchased the people's products at the highest prices. The close of the war stopped those purchases, and left the people dissatisfied with the old modes of business and the low prices of former days, and drove them to speculations where they

sought to obtain and keep up the prices and profits of war times.

This course was largely induced by a cheap and fluctuating paper currency. All classes ran recklessly in debt. The crash of 1873 commanded a halt. Great depression of business immediately followed in nearly all the States. Bankruptcy prevailed to an alarming extent. There was great lack of confidence among business men. All sought to ascertain the causes of the wide-spread depression. Many who had been led by too sanguine hopes in the days of cheap currency to contract debts which they were unable to pay, blamed the government; and as a relief for their misfortunes demanded a further issue of the same kind of currency, the wrong use of which had brought those misfortunes upon them.

Men have honestly taken different views, have honestly predicted different results. It has not been, however, so much a question of who was honest as of who was right. Events have developed what was right and best for the people. The great question of the resumption of specie payments has been settled. One year ago in the minds of many it was an experiment—to-day it is an accomplished fact. The effect has been to make the paper which promises to pay a dollar equal to the dollar in coin,—the dollar of the laboring man equal to the gold of the capitalist or the bond of the bondholder. It has destroyed the speculations in gold, and abolished the gold gambling offices which existed so long as there was a difference in value between the greenback and gold. It has established national credit, and most of all has created confidence between man and man. The result of all this is that the accumulated capital of the country has been let loose at low rates of interest, and has found employment; the wheels of industry are in motion; bankruptcy is fast disappearing from our midst; the great army of tramps is going to work; stocks of all kinds are advancing in value; old liabilities are being settled; business is reviving and large numbers of the trading classes have left their uncertain employments to join the producers.

Agriculture, the greatest source of a nation's wealth, strength and happiness, has received a stimulus hitherto unknown. The surplus from our golden harvests of grain is

readily exchanged for the real gold of Europe at prices that make glad the heart of our farmers, and fill our marts with abundance of money.

With an agriculture that excels that of any other country; pastures that from their surplus supply even Europe with meat; manufactories that successfully compete in the markets of the world; lumber enough for the demands of a great nation; quarries of slate and stone sufficient for all time; mines of coal and iron inexhaustible in extent; deposits of gold and silver such as never blessed a nation before, and with a vast and growing commerce, our people believe that we have passed the crisis which was followed by the hard times, and have entered upon an era of solid prosperity.

In 1860 government securities sold at a discount of from 6 to 12 per cent., and in February, 1861, six per cent. government bonds sold at an average discount of $9\frac{1}{2}$ per cent. To-day the national credit is such that our four per cent. bonds are among the best securities in the world. In 1865, the national debt, including the unascertained outstanding claims, was nearly three billions of dollars; to-day it varies but little from two billions. In 1865, the annual interest claim was 150 millions; to-day it is less than 83 millions, while the annual burden of taxation has been reduced more than 300 millions. No nation in the world's history ever before paid its debts so rapidly, and none ever sustained a better reputation for honesty.

We now have the best currency the country has ever had, the people feel safe with it, business has become adapted to it, and it would seem good judgment to give the country a rest for the present from further disturbing financial schemes or distracting discussions.

STATE DEBT.

For a detailed statement of the condition of the treasury, I refer you to the Treasurer's report. The report shows that the receipts of the State treasury the past year, including \$157,256.20 on hand December 31, 1878, were \$1,385,417.14; and that the expenditures during the same period were \$1,316,003.67, leaving a balance in the treasury, Dec. 31, 1879, of \$69,413.47. On the first day of January, 1880, as appears by the report, the bonded debt of the State amounted

to the sum of \$5,848,900, from which, deducting the present amount of the sinking fund, \$1,166,159, leaves the debt at \$4,682,741.

On August 15, 1880, there will fall due of the public debt, bonds to the amount of \$307,000; on March 1, 1883, \$385,000; on June 1, 1889, \$2,330,000; and on October 1, 1889, there will become due \$2,826,900. The last named sum is provided for by the sinking fund of 1868. The other sums named are not provided for and must be paid or renewed as they mature. The act of Feb. 24, 1875, as amended by chapter 56, laws of 1878, authorizes the State Treasurer to issue new bonds for the purpose of renewing and extending the bonds falling due as before stated, except those provided for by the sinking fund, the bonds so issued to be payable to the amount of \$200,000 in 1890, and to the amount of \$200,000 each succeeding year. No steps have been taken by the Treasurer to renew and extend any of the State bonds. The bonds falling due August 15, to the amount of \$307,000, must be paid or renewed.

It would be gratifying to pay the whole amount falling due this year, as it matures, but owing to the present condition of the treasury and the expense forced upon the State by the recent political complications, it may be difficult to do so. I would therefore recommend the renewal of the bonds maturing this year so that \$100,000 be made payable in one year, \$100,000 in two years, and \$107,000 in three years, at a rate of interest not exceeding $4\frac{1}{2}$ per cent., and advise their payment at maturity by taxation. This will necessitate the raising of one hundred thousand dollars for that purpose this year, and may seem to many burdensome, but the policy of our State has long been to pay its debts at maturity. By that course the credit of the State has been maintained. All measures tending to an early payment of our debt not only reduce the interest charge, but in the end are best for the real good of the people.

TAXATION AND ECONOMY.

The burdens of taxation press heavily upon the people. Every species of property, whether owned by individuals or corporations, should bear its part of the public burden. I submit whether there should not be some more definite

system of taxation in regard to railroad companies, and that express and telegraph companies should pay a revenue to the State, where not now provided for by law. If there is any property in the State, not yet reached by the tax gatherer, or which does not bear its proportionate part, it is your province to ascertain that fact, and make such changes in the laws as may be necessary. The strictest economy should be practiced in all the departments of the State, and if there are any unnecessary State expenses it is your duty to cut them off.

STATE VALUATION.

The decennial valuation of the State comes before you as one of the most important questions upon which you are called to act. Many, if not all the members of the legislature, have been selected by their constituents with special reference to this matter. If a commission can be selected at once to act in conjunction with the legislature, I have no doubt this work, so vital to every part of the State, can be well advanced during the present session. It is for the interest of the State that the work of valuation should be commenced at once.

BIENNIAL SESSIONS.

The constitution has been so amended that our annual elections and the sessions of the legislature are changed to biennial elections and sessions. The duty will devolve upon you to examine the laws in regard to the tenure of office of many of our county and State officers, and to make such changes as may be necessary, so that the laws will fully conform to the constitution as amended.

EDUCATIONAL.

In a nation like ours, where the source of all power is in the people, universal education is the surest guaranty of good government.

The prosperity and moral standing of a State depend upon the intelligence of its people. Education lifts up the masses and gives all classes an equal chance in the battle of life. It gives self reliance, and independence of thought and action; while ignorance causes weakness and dependence. Here, where every man has just as many rights as every other man,

and liberties better than those enjoyed by any other people, he has the responsibility resting upon him, commensurate with those rights and liberties, of being obliged to help shape the government under which he lives.

Other republics have felt the dangers that result from the want of general education, where corrupt and ambitious men play upon the prejudices of the ignorant. Our hope is in the intelligence of the people. This fabric of constitutional government depends for its perpetuity upon universal education. To secure this result we rely chiefly upon our common school system. With our State, county, town and school district organizations—each of itself a miniature republic—the last is a very important factor in our system of government, and the district schools demand the earnest support and protection of the people. They educate the people, and should prepare them to well fill the office of citizenship. Money raised for their support is appropriated for the advancement of general knowledge.

As we progress in civilization, so art and science advance, and the mind of man reaches out to grasp the truths which make him more a man. We are yearly acquiring more fully a knowledge of the reasons of inferiority as well as of superiority of citizenship, and are beginning to know that the common school, through which the masses move, is the lever that may raise our State, our nation, to that perfection of political existence where universal intelligence marks the universal loyalty of a people.

If there is any fault in our school system it is that the district schools do not meet more fully the wants of a general education. They should furnish opportunities not only for primary and intermediate studies, but a systematic course that will fit the pupil for the business of life, so that the poor man's child may have without extra expense many of the school advantages now enjoyed only by those in more favored circumstances.

The common school system of our State is among the very best in the Union. We may well speak with pride of the intelligence of our people; but as great improvements have been made in the past in this particular, so may great progress be made in the future.

While schools of a higher order call for your careful

consideration, I leave it to your good judgment to protect and encourage the common schools of the State.

NORMAL SCHOOLS.

There are now in successful operation three normal schools, enough for all the wants of the State. All the expense incident to their establishment has been paid. They are institutions of the State, and were designed specially for the education of teachers. The good results of their instruction are becoming marked in our common schools. They are institutions worthy the patronage and support of the people, and while I would not advocate the establishment of others, it appears to me that the interests of the State are best subserved by carefully protecting those we have, by making them what it was originally designed they should be.

FREE HIGH SCHOOLS.

These schools were intended to meet a demand not supplied by the common schools, academies or normal schools. The best information gathered from all parts of the State shows that this class of schools has not proved all that was hoped for it. The law appropriating money for their support was suspended in 1879 for one year. The people have considered the advantages and disadvantages of the system, and I leave it for you, their representatives, to carry out their wishes.

STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS.

The report for the year 1879 of the State College of Agriculture and Mechanic Arts shows a careful and economical management of this institution in all its departments. It does not and should not interfere with other colleges. It was designed by its special application to reach a class who intend to follow the vocations of agriculture and mechanics, and to furnish a practical education to many who would not otherwise be reached. The college has gone through the early years of struggle for existence, has passed through the depressing period of hard times, and now stands almost self-supporting. An institution representing the leading interests of the State, owned and paid for by the State, and now demanding but little for its support, merits your favorable consideration.

INDUSTRIAL INTERESTS.

It is a gratifying fact that more interest is felt in the discussion of all questions relating to agriculture than ever before.

General attention for the past six years has been turned to the land. Our soil is above the average in fertility, and our people are beginning to appreciate the fact that farming can be made to pay. While many other kinds of business have not been profitable during the depressed times that have swept over the country, farming has proved a success, and while a large portion of business men have failed or been compelled to go out of business, the average farmer in this State has found ample remuneration for his toil. The payment of old debts that accumulated in the days of an inflated currency, has been burdensome, but that does not detract from the truth of the proposition. A glance over the State shows more good barns and more good houses, better furnished, than ever before.

Much of the low land that was formerly considered worthless, is being taken up, and is found to be the very best grass land in the State. The culture of fruit is becoming a source of wealth, live stock is of excellent grade, and farm implements are among the best in use. The sixty thousand farmers of Maine, upon whom largely rests the future prosperity of the State, are now receiving more real value for their products than when they sold them for a high price in an inflated currency, and they may well feel encouraged in their present condition and future prospects.

Our wide extended sea coast, with its many harbors, our forests of timber, suitable for ship-building, and our skilled mechanics, make Maine one of the most advantageous States for this great industry in the Union. The revival of business has increased our coast-wise carrying trade, and capital is attracted to this State to build vessels suited to this branch of our commerce. Our ships engaged in foreign trade are acknowledged to be among the finest in any country, and it is confidently expected that this class of navigation will also be remunerative, and a fresh impetus be given to this great and important branch of our industries.

Our natural advantages for manufacturing are not excelled, and they are being utilized, not rapidly, but surely. The

numerous manufactories of the State are nearly all in successful operation, running on full time, and on a solid basis.

The lumber business looks better than it has before since 1873. No business interest has suffered more than this, and its revival may well be hailed with joy by all classes. The time is not far distant when the timber lands of the State will possess a value hitherto unknown. Not only the soft woods but all the hard woods will command a ready market. When we take into consideration the fact that many of the farms taken up on the plains or prairies of the great West must be fenced and all the buildings constructed from lumber not produced there; that railroads in those localities must be furnished with timber from outside, and the numerous other wants of a great nation, we can account for the enormous home demand for lumber. When we consider the mechanical and farm implements that fifty millions of people must have, the vast number of carriages and railway cars that are being manufactured in this country for home and foreign use, we can but realize that the supply of hard woods which are more abundantly produced in this than in any other State will all in time be profitably utilized. The granite, slate, iron, and ice business occupy important places among our industries. The ice business alone this year employs some five thousand men, while the granite industry during the past year gave employment to nearly the same number.

The mineral resources of the State are now attracting unusual interest. That Maine possesses mineral deposits of great value there can be no doubt. The actual development of these newly-discovered resources is a matter in which the people cannot fail to be deeply interested. While we should earnestly deprecate all tendency toward unhealthy and illegitimate speculation, which can only lead to disastrous results, every well-directed effort to develop our mineral treasure and give employment to labor and capital should be encouraged.

At the present time nearly all the industries of the State are active, and labor is well employed.

BENEFICIARY INSTITUTIONS.

The beneficiary institutions of the State have strong claims upon its protecting care. The insane, the deaf and dumb, the inmates of the General Hospital and orphans of those who

died for a common country, have claims which the State can ill afford to neglect. The reports from these institutions will soon be laid before you, and while economy demands the strictest scrutiny, and the most careful investigation into all the claims that draw upon the treasury, the real wants of the wards of the State, and all those who have claims upon its fostering care should be fully supplied.

TEMPERANCE.

All agree that intemperance is one of the worst evils that can afflict a people. The way to eradicate it is a question that should address itself to all classes. The women's temperance movement, the Reform Clubs and the other temperance organizations have accomplished a great and lasting work. Like all other evils intemperance will succumb, at least in part, to true moral force, well directed. It is to be regretted, however, that there are those whom moral forces will not reach. To restrain this class, prohibitory laws have been found necessary. The principle of prohibition has been so long the settled policy of the State, and has been found so useful and effective in suppressing the liquor traffic, that no party or class of men now dare assail it. A proper and vigorous enforcement of the law upon this subject is reasonably demanded by the friends of temperance. None of the agencies which can be invoked for the suppression of intemperance should be impaired.

THE MILITIA.

The militia of the State consists of one regiment of ten companies, Lieut. Col. Daniel White commanding, also the following unattached companies, viz. : Portland Montgomery Guards, Biddeford Light Infantry, Richards Light Infantry of Gardiner, and the Androscoggin Light Artillery of Lewiston and Auburn, numbering in all about 700 effective men. There are also the following independent organizations : The Piscataquis Veteran Battalion of ten companies, of about forty men each, Col. J. B. Peaks commanding ; the Somerset Battalion, of seven companies, of about forty men each, Col. Knowles commanding ; also two companies at Paris, and one each in Eastport, Lewiston and Waterville, and six companies of cadets. The independent companies are organized

by permission of the Executive under special statute. They are not connected with the militia, and have only the right to parade with arms in public, and are armed and equipped at their own expense.

During the recent political excitement our State militia was subjected to exceptionally severe tests of subordination, discipline and loyalty, and it is in the highest degree creditable to all of our citizen soldiery that throughout the critical period, and in despite of conflicting assumptions of authority that might well have confused them, they were unshaken in their allegiance to the constitutional authorities, and without regard to personal or political bias held themselves constantly in readiness to aid in upholding the laws.

The soldier's discipline and patriotism imbue him with a profound respect for law. Whoever else may disobey or disregard the law, the soldier respects and obeys it, and if necessary will see to it that others obey. A large State in territorial extent, with a great stretch of sea coast and a long frontier line, the interests of Maine demand an efficient militia force—not large, to be kept up, at great expense, but enough to insure confidence and give security.

USURPATION OF POWER.

Our government is one of checks and balances. It is divided into three departments, the Executive, Legislative and Judicial. Each in its own domain has duties peculiar to itself, but each is amenable to law. For the first time in the history of our government the Executive department usurped power never delegated to it. Instead of giving expression to the voice of the people by counting returns of votes according to law and the plainest dictates of common sense, the attempt was made to subvert the will of the people, as expressed at the polls on the 8th day of September last. The attempt did not succeed, but it did plunge the State into disgrace and almost revolution, only averted by the patriotic and law abiding qualities of our citizens. There can be no half way ground in regard to this great public wrong—it should be no question of party, but should receive the condemnation of every honest and patriotic citizen, that it may serve as a warning in the future to those who, under a free government, may attempt to trample upon the rights of the people. I would recommend an investigation of the whole

subject of the arranging, tabulating, and counting the returns of votes of the last State election, that the facts, so far as they can be ascertained, may be made public.

CONCLUSION.

In conclusion, I congratulate you and the people of the State, that in all the excitement of the past four weeks, no act of violence has been committed—that through all and over all the majesty of the law has been sustained. Our fathers brought to this continent two noble principles; one the love of liberty, and the other a respect for law. These qualities, working together, have built up the grandest government the world has ever known. The love of liberty sometimes leads beyond the liberty to do right. The respect for law checks and regulates this spirit; it has ever been our guide in all the history of our State; it has triumphed in the great crisis through which we have just passed, and it is a credit to the law-abiding citizens of all parties that such is the case. Representative government is stronger for this test. The history of this period will mark one of the bulwarks of constitutional liberty; it will serve as a beacon light shining down through the ages to keep the ship of State from the reefs and rocks that lie along her course.

DANIEL F. DAVIS.