

MAINE STATE LEGISLATURE

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PRINTED BY ORDER OF

THE LEGISLATURE,

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1834.

MESSAGE

OF THE

GOVERNOR OF MAINE,

TO

BOTH BRANCHES OF THE LEGISLATURE,

JANUARY 2, 1834.

PRINTED BY ORDER OF THE HOUSE OF REPRESENTATIVES.

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1834.

M E S S A G E .

Gentlemen of the Senate

and of the House of Representatives.

Having been entrusted by our fellow citizens with the guardianship of the public interests, we should not be unmindful of the high responsibilities which devolve upon us, nor of the goodness of that Providence through whose controlling agency, all our privileges, civil and religious, have been secured and preserved. To promote the efforts of useful industry, to secure to all an equality of rights, and to extend the means of general education, are the great ends of our representative system of government. In the pursuit of these important objects, an ample field is presented for unremitting exertion; and coming as you do directly from the people, I feel assured, that, under a just estimate of the responsibilities resting upon you as public agents, your deliberations will be characterized by a due respect for the wishes of your constituents, and a strict regard for the highest interests of the State.

The tranquil aspect of Public Affairs, the general prosperity attending individual enterprise, and the steady progress of our State in wealth and population, conspire to render the present period highly auspicious for the commencement, by the State Government, of a system of

Internal Improvements, commensurate, in some degree, with the numerous facilities which nature has furnished for these purposes. In surveying our widely extended territory, over which an enterprising population is rapidly spreading, the importance of making such improvements in the internal communication between the different sections of the State, as their situation may be found to justify and the interests of the people to require, is forcibly suggested. The success which has attended the experiments of some of our sister States, in the construction of roads, railways and canals, may well encourage us to expect like favorable results from a liberal and well directed system of Internal Improvements within our own borders. What may be done advantageously in this respect, upon a more extended scale than has hitherto been adopted, and consistently with the wishes and interests of our constituents, is not yet satisfactorily known. And I deem it worthy of your attentive consideration whether it may not be expedient to organize a Board of State Commissioners, for the purpose of obtaining information upon this subject; particularly by instituting actual surveys, under such directions as may be adapted to the accomplishment of the desired results. The labors of intelligent Commissioners, judiciously directed to the developement of such improvements in the internal commerce of our State, as may from time to time be projected, would, I feel persuaded, fully confirm the highest estimate that has been made of the natural resources of our territory, and add strength to the convictions of our fellow citizens, that their growth as a people, in wealth and power, is vigorous and progressive. Information thus obtained would evidently form a surer basis for our successors to act upon, whenever appropriations of the public moneys to the purposes contemplated, should be made. It would enable them to legislate with a better understanding of the subject than has hitherto been

possessed. A more efficient and economical expenditure than has been practised in such appropriations, would also be attainable, through the immediate supervision and prompt correction, which such Commissioners might be empowered to exercise over the Agents entrusted therewith.

The public lands are justly regarded as susceptible of being made a source of very considerable revenue to the State, supplying as they do an important branch of our commerce ; and various considerations have arisen, latterly, to give strength to this opinion. By the aid of the revenue supposed to be derivable from this source, past legislation appears to have contemplated an advancement of the cause of education, in a manner calculated to reflect the highest honor upon the State, and to secure benefits of incalculable magnitude to the present and to future generations. With what fidelity the accomplishment of this purpose has been kept in view, is an inquiry to which I deem it my duty to invite your attention.

In this age of improvement and well directed enterprise, when the subject of education is assuming in the community a most interesting aspect, and when men of high intellect and diligent research are bringing to its support the weight of their influence, and contributing to the diffusion of knowledge through the higher Institutions of learning, we are naturally led, in view of the interests confided to us by our constituents, to look well to the fountains of early instruction. Several, if not all, of the Literary Institutions within the State, which have received aid from former Legislatures, are still in need of additional resources. But especially do I commend to your liberality and protection, the common free schools established by our laws, which are justly regarded by our fellow citizens with great solicitude. This class of schools extends in design and effect to the children of our whole population, to the poor

as well as the rich, diffusing, impartially, their durable blessings among all. Perhaps, however, the most profitable aid that can at this time be extended to the cause of primary education in our State, would be found in the establishment of a Seminary, for the better qualification of instructors. It is not sufficient that towns are required to maintain schools, nor that schools are kept within the reach of all our youth; the desired result will seldom be attained, certainly not in its full extent, unless the several towns shall be enabled to procure faithful and competent teachers. I am convinced, that these cannot be obtained in sufficient number to supply our rapidly multiplying districts, without additional facilities for their qualification, by the establishment of an Institution in which they may be instructed in the interesting and important duties, which, as teachers, will devolve upon them. Whatever, therefore, you may deem expedient to be done in this behalf, calculated to elevate the standard of qualifications among school instructors, will receive my cordial co-operation.

The appropriations from our Treasury for the benevolent purpose of furnishing instruction to the Deaf and Dumb, have been applied by my predecessors with great prudence and discretion. An Institution for this object of essential utility, has been for some time in operation at Hartford in Connecticut, and several individuals are now supported there, either wholly or in part, at the expense of this State. The welfare of this unfortunate class of our fellow beings, greatly depends upon their moral and intellectual culture, and we cannot be insensible to their strong claims upon the humanity of a discerning and enlightened Legislature.

But while we have thus made provision for the Deaf and Dumb, we have passed by others, who have no less claim to be included among the subjects for public liberality. I allude to the unfortunate Insane, many of whom are in a condition that makes the strongest appeal to our sympathy,

and might, I apprehend, derive the highest benefit from the advantages which an Insane Hospital would afford. I submit, therefore, for your consideration, whether it would not comport with the humane character of our citizens, and at the same time reflect honor upon us as a State, to make some suitable provision for their relief, either by aiding in the endowment of a Lunatic Hospital, or by making an appropriation in aid of those who may seek the benefit of such institutions already established in other States.

Among the most important subjects for legislative encouragement, the interests of Agriculture are entitled to a prominent rank. Provision has already been made by the State Government to induce, among those engaged in this branch of industry, a spirit of improvement. It may, nevertheless, be worthy of careful inquiry on your part, whether additional measures may not be necessary to secure, to a greater extent, the advantages derivable from this source of wealth. If, by the institution of County Agricultural Societies, a spirit of competition has been in any degree excited among individuals, it may, perhaps, be more generally diffused, by enlarging the relationship of these societies. By requiring an interchange of such practical information, as may not otherwise be so effectually promulgated, additional advantage would arise from them to the public. If through the superior enterprise of the agriculturists of any county, an advance should be made in the science or practice of husbandry, the citizens of every other County in the State, would be benefited both by the example, and by the information acquired. Each Society would thus contribute to the immediate advantage of all the rest, and each section of the State would aid the progress of Agriculture in every other section. This operation, too, would seem to be founded in justice, as the bounty of the State is shared by each of them at the expense of the

whole. The wealth of our citizens in agricultural resources is immense. It needs but a judicious application of their industry to its development, to enable them to realize the highest condition of ease and affluence, that any people can reasonably desire. Whatever inducements, therefore, you may deem proper to offer for such a purpose, tending to advance the best interests of our constituents, will command my cheerful support.

The subject of the North Eastern Boundary, which has long been in controversy with the Government of Great Britain, remains yet unsettled. The reference of this question to an Umpire without the consent and against the protestation of this State, having resulted in an obvious departure from the terms and purposes of the submission, and the recommendation of the Umpire having been rejected by our government, I cannot but consider the way as now open for the ultimate attainment of our rights. The determination of the present National Administration "to submit to nothing that is wrong" in its negotiations with foreign powers, furnishes a guaranty, that the territorial and jurisdictional rights of Maine will not again be put in jeopardy by any arrangement to which this State is not a party; or to which its assent shall not first be obtained. What considerations may grow out of the negotiation now pending, to induce the people of this State to assent to any proposed modification of their rights, I will not presume to anticipate. If any should arise in connexion with a proposition of that character, our obligations as public servants, acting under a Constitution which gives to us but limited powers, point directly to the people themselves, both for instruction and for the measure of authority that will be essential to a proper action upon the subject.

Experience has fully demonstrated that a well regulated militia composed of the great body of the people, is the surest safeguard of our existing institutions. It has already

identified itself with the glory of the country, and is well adapted to the spirit and principles of a free government. The laws of this State regulating the organization and discipline of the Militia, have long been deemed defective in many important particulars. My predecessors in office have at different periods invited to this subject, the attention of the Legislative departments, as being worthy of their especial consideration. There may be some sufficiently skilled in the exposition of statute laws, to overcome the defects of several amendatory acts which exist upon this subject. I feel confident, nevertheless, that to most of our fellow citizens, many of the provisions which have been engrafted upon the Act of eighteen hundred and twenty one, relating to the organization and discipline of the Militia, appear extremely intricate, if they do not deform the original which they were designed to improve. Permit me therefore to suggest for your consideration the expediency of so modifying our militia laws, as not only to remedy any existing defects in their provisions, but also to reduce them to a more intelligible form.

In this connexion I cannot forbear to remark, that the utility of legislation, under our popular form of government, depends in a great degree on its adaptation to the understandings of those, who are to be affected by it. It is not sufficient for the people to be assured, that they have laws framed with the design to secure the greatest happiness of the greatest number; they require also, that they be so framed as that all, who are bound to obey, may readily understand them. In proportion as our laws are simplified will the administration of government in each of its departments, be brought within the capacity of a greater number of our citizens. To none ought such a result to be a matter of uneasiness or regret. It is in accordance with an important principle of our republican government, and will serve to impress upon the mind a just estimate of the ex-

cellence and self preserving character of the representative system.

From the Penitentiary at Thomaston, it is believed, most if not all of the objects are realized, which can be expected from such an institution. The labor of the convicts is productive to a reasonable and gratifying extent; and the affairs of the prison generally, under the management of the present efficient Warden, appear to be conducted with intelligence and fidelity to the best interests of the State. Whether any further provisions by law may be necessary to accomplish more fully the ends for which it was established, I leave to your wisdom to determine.

I have received information from the office of the Secretary of State, that the edition of the first two Volumes of the Public Laws published for the use of the State in 1821, has been nearly exhausted in the distribution prescribed by law. A new edition of these volumes, prepared with care and ability, and combining improvements, which have elicited the approbation of many of the most experienced jurists in the State, has been recently published by individual enterprise. Aside from the policy which should influence every free government, to extend a liberal encouragement to such efforts of its citizens as tend to a more general knowledge of its statute laws, it may be more consistent with public economy for the Legislature to avail itself of the opportunity presented for furnishing the State with the volumes alluded to, than to resort to any other mode of supply. The superior value of the new edition, and the economy of the State Government in this item of expenditure since 1821, would seem to justify an appropriation for this object.

In closing this communication, permit me, gentlemen to congratulate you on the increased stability which the Union of the States has derived, during the past political year, from events which seemed for a time to threaten its integ-

rity. The wisdom, firmness and moderation with which they were controlled, by the vigilant and patriotic Chief Magistrate of our National Government, without compromising the constitutional rights of the States, justly merit the gratitude and applause of the American people.

Let us also, in the stations we respectively occupy, look to our written Constitutions as the sure guide of all our proceedings, and to the popular voice for all needful direction therein. Confiding in the intelligence and patriotism of the people, let us not be unmindful that to them are we responsible for the just exercise of the powers entrusted to us. And while as the guardians of a highly favored community, we act together for the public welfare, let us unitedly implore the Supreme Disposer of human events, that he will so control all our deliberations, as to preserve unimpaired our inestimable privileges, and the principles of our representative government forever.

ROBERT P. DUNLAP.

COUNCIL CHAMBER, AUGUSTA. }
January 2, 1834. }

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
January 2, 1834. }

Read, and ordered that one thousand copies be printed for the
use of the Members.

Attest, ASAPH R. NICHOLS, *Clerk.*