

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE.

1867.

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FORTY-SIXTH LEGISLATURE.

SENATE.

No. 66.

MEMORIAL.

To the Honorable Senate and House of Representatives of the State of Maine, A. D. 1867.

We, the undersigned citizens of Dexter, respectfully represent that the experience of other States, especially of Massachusetts, has abundantly shown that the State may safely loan its credit in aid of important undertakings of vital interest to the State, particularly to the building of railroads; that thereby the State can add to its wealth, power, happiness and population, and develop its resources more rapidly and more advantageously, than by any other means, and without cost or other detriment to the State.

The first clause of the Amendments to the Constitution of Maine, Art. VI., adopted in 1847, provides as follows :

"The credit of the State shall not be directly or indirectly loaned in any case."

The second clause of the same Article is of a similar nature.

By reason of this restriction, enterprising and public-spirited men, who have sought to advance the interests of their localities and of the State, being unable to raise the necessary funds by private subscriptions to stock, have sometimes sought and obtained aid from the State by appropriation of public lands and by other appropriations, the State thereby giving away so much of its property, but still undoubtedly enhancing the property of the State. They have, however, oftener resorted to cities and towns for the loan of their credit, to obtain which the machinery of previous legislation is requisite.

We believe that the loan of the credit of the State is preferable to the loan of the credit of cities and towns for many reasons.

To grant loans of credit by the State is a very simple process. Loans of credit by several different communities, made in order to accomplish a certain result in which they are unequally interested, are intricate measures, requiring much labor, perseverance, industry and expense, in order to furnish the proper information, and to reconcile different or unequal interests and jarring opinions in different bodies of men.

It is obvious that the bonds of a State will command a higher price in the market than the bonds of cities and especially of towns, to say nothing of some towns and plantations whose bonds could not command public confidence at all, and could never help them to build a railroad. The cost of construction by a judicious use of State credit would therefore be considerably less, and some places might be assisted which never could assist themselves.

We believe that the State, aided by the counsel of its wisest men from all parts thereof, having a larger field of vision, is better qualified to judge of the expediency of loaning its credit in aid of great enterprises. Cities and towns have not erred by excessive and ill-judged loans. They have exhibited, as they should do, commendable caution. But we believe that the State collectively, by its superior means of information, could with perfect safety, and with great advantage to its prosperity, be induced to loan its credit, without ever paying or giving away a dollar, and, by the means, secure great and important results, which otherwise would never be undertaken.

The objections of extravagance and corruption which may be urged with much force against a system of internal improvements undertaken by the State alone, do not apply to the loan of State credit *in aid* of improvements, the main risk of which is on individuals or private corporations. The State gives out no profitable jobs to unscrupulous contractors. It simply loans its credit, and always retains security for its loan.

The State of Maine has vast resources in lumber, minerals, water-power, agriculture. They need to be developed, and our young men induced to remain. The State may, in the manner suggested in this memorial, accomplish immense good by simply pursuing an enlightened self-interest as other States have done. We believe that the aforesaid provisions in the Constitution stand

directly in the pathway of the State's progress We therefore respectfully ask the present Legislature to take the initiatory steps for the repeal of the first clause of Art. VI. of the Amendments to the Constitution, and for the repeal or modification of the second clause in the same spirit.

JOSIAH CROSBY, ET ALS.

STATE OF MAINE.

RESOLVES for an amendment of the constitution by the repeal of article six of the amendments.

Resolved, Two thirds of both houses concurring and
2 deeming it necessary, that the following be proposed
3 as an amendment of the constitution of this state,
4 which, when approved and adopted in the manner pro-
5 vided by the constitution, shall become a part thereof,
6 viz : article six of the amendments of the constitution,
7 consisting of the following words, viz., “ the credit of
8 the state shall not be directly or indirectly loaned in
9 any case. The legislature shall not create any debt or
10 debts, liability or liabilities, on behalf of the state,
11 which shall singly or in the aggregate, with previous
12 debts and liabilities hereafter incurred, at any one
13 time exceed three hundred thousand dollars, except to
14 suppress insurrection, to repel invasion, or for purposes
15 of war ; but this amendment shall not be construed to
16 refer to any money that has been or may be deposited
17 with this state by the government of the United States,

18 or to any fund which the state shall hold in trust for
19 any Indian tribe," is hereby repealed.

Resolved, That the aldermen of cities, and selectmen
2 of the several towns, and the assessors of plantations
3 in this state, be and they hereby are directed to notify
4 the inhabitants of their respective cities, towns and
5 plantations, in the manner prescribed by law, to give
6 in their votes at the annual meeting in September next
7 upon the amendment proposed in the foregoing resolve ;
8 and the question shall be, shall the constitution be
9 amended as provided in certain resolves of the legisla-
10 ture of eighteen hundred and sixty-seven, entitled
11 " resolves for an amendment of the constitution by the
12 repeal of article six of the amendments?" And the
13 inhabitants of said cities, towns and plantations shall
14 vote by ballot on said question ; those in favor of said
15 amendment expressing it by the word " yes " on their
16 ballots, and those opposed to the amendment express-
17 ing it by the word " no " on their ballots ; and the
18 ballots shall be received, sorted, counted, declared and
19 recorded in open ward, town and plantation meetings,
20 and fair copies of the lists shall be made by the alder-
21 men, selectmen and assessors, and clerks of the cities,
22 towns and plantations, in the same manner as votes for
23 senators, and shall be returned to the office of the sec-

24 retary of state within twenty days after said election.
25 The governor and council shall examine and count the
26 same forthwith after the expiration of said twenty
27 days ; and if it shall appear that a majority of all the
28 inhabitants voting are in favor of the amendment pro-
29 posed by these resolves, it shall become a part of the
30 constitution. The governor shall thereupon issue his
31 proclamation, making known the fact, and shall cause
32 the same to be published three weeks successively in
33 the paper published by the printer to the state in Au-
34 gusta.

STATE OF MAINE.

IN SENATE, February 16, 1867.

Reported by Mr. CALDWELL, from the Committee on the
Judiciary, and ordered to be printed, together with the memorial
accompanying.

THOMAS P. CLEAVES, *Secretary.*