

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1847.

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Governor Dana's Messages.

To the members of the senate and house of representatives :

SINCE the organization of our state, her legislature has never convened, under circumstances more highly calculated to excite feelings of gratitude to Him who holds the nations in His hand, and exalts or depresses them at pleasure. While millions in other countries are stretching forth their suppliant hands for bread, and trembling at the approach of death in its most ghastly form, we have not only an abundant supply for all our wants, but an immense surplus, which charity and commerce are liberally distributing to alleviate the sufferings of others. Both the capital and industry of the country are in full, active employment; and probably receiving more ample remuneration than at any former period of our history. Unlike the imaginary prosperity, a few years since enjoyed, resulting mainly from over-issues of paper money and the abuse of credit both at home and abroad, through the agency of an unscrupulous banking institution assuming to be the regulator of our currency and business—unlike this deceptive state of things whose end was disappointment and ruin,—it is believed that our present prosperous condition is the result of increased industry, increased production, and new and enlarged markets for that production.

We are now realizing a striking practical confirmation of the political theory, that business is its own best regulator—that the productive energy of the country can be most profitably and usefully applied under its own uninfluenced direction; and that regulators, bounties, and monopolies, are but the seductive baits of crafty politicians, to lead business men into the arena of political strife, and tending only to derangement and confusion. A few years of such experience must convince even the most skeptical, that that government is best adapted to our wants, whose chief aim and tendency are, to protect with perfect equality each citizen in his person, his property, and his individual rights, leaving him free to select and pursue his own avocation, without legislative inducement—giving to every man and every interest universal protection, but exclusive privileges to none; and “showering its favors, as Heaven does its rains, alike on the high and the low, the rich and the poor.” The world has been enthralled for ages, with too much legislation;—shackles have been put upon trade, restrictions upon the free interchange of commodities, usually under the pretence of regulating and facilitating, but in reality for the purpose of giving exclusive privileges and undue advantages to favorite interests or classes.

Happily, however, the sentiment, that freedom of trade, like freedom of thought, gives expansion, energy, and power—is acquiring universality under the present practical illustration.

While a more benevolent and enlightened commercial policy, simultaneously adopted in Great Britain and the United States, has been pouring in upon us this tide of prosperity, the military arm of our government has furnished material for a most brilliant page in our nation's annals—Palo Alto, Resaca de la Palma, Monterey, Buena Vista, Vera Cruz, and Cerro Gordo, have become imperishable monuments of our nation's fame—and a Taylor, with hundreds of associates, has been added to the long list of our nation's heroes.

Still, this picture of national glory has its reverse. War is a calamity whose direct and indirect consequences are incalculably evil, both socially and politically. When a more humane and christianized civilization shall have influenced nations, in their intercourse with each other, “to insist upon nothing that is not clearly right;” then the alternative can never be presented of war, or “submission to what is clearly wrong.” But until that just sentiment pervades the governments of the earth, we should also be prepared to meet, like men, without murmuring or complaining, this necessary evil, as a last resort to redress our wrongs, or enforce our rights.

Although feeling acutely the miseries that follow in the train of war, still I can have no sympathy with that weak sensibility, which always shrinks from it, magnifies its horrors, and underrates the benefits in which it is expected to result. Such a feeling would blot out the history of the American revolution; snatch from oppressed humanity the untold blessings it has realized, or anticipates from this glorious movement: and withdraw from the world's admiration her brightest examples of self-sacrifice and patriotism; would restore to kings the divinity of their rights, and re-impose upon subjects the divinity of their wrongs;—would renounce even heaven itself, because its approach is through trials and sufferings.

As Maine must share, with others of the confederacy, the burthens and benefits of the war in which we are involved; its causes, objects, and consequences, are appropriate subjects for your consideration. Have we violated the rights of Mexico, by the annexation of Texas? Has the president involved the country in an aggressive war by ordering our army beyond the Texan limits? These are questions of deep interest to every citizen of the republic, as their answer must determine the character of the war, and our duty as a party to it.

Was Texas a department of Mexico, or an independent power, when she accepted the act of annexation? It is not denied that she had a regularly organized government, far more stable than that of Mexico. It is not pretended that Mexico had the ability to reduce her again to the position of a department of that government. It is conceded that Mexico, through her president, acknowledged the independence, defined the boundaries, and withdrew her troops from the limits of Texas. The most important commercial powers of the world had recognized her

independence. What, then, did she lack of the attributes of a sovereign and independent state, capable of forming alliances at pleasure?

Although Mexico had published her own infamy, by declaring her *intention* of repudiating the act of her president, and of violating her faith, by again invading and subjugating Texas, yet did this unexecuted threat render Texas less sovereign and independent? If anything was wanting to silence even cavil in relation to her independence, it was furnished by the last act of Mexico, acknowledging her independence, but coupled with a condition, that she should not incorporate herself into the American union. The rejection, by Texas, of the condition, cannot weaken the force of Mexican admission, that she was in fact a sovereign and independent state.

In the exercise of this undoubted sovereignty, Texas assented to the terms of annexation proposed by our government, and was admitted as one of the states of this union—a transaction of which Mexico had no more right to complain, than of the admission of Florida, or any other state. Yet she did complain, that the act of annexation was “that of despoiling a friendly nation of a considerable portion of her territory”—assuming, what the whole world knows is false, that she had held “uninterrupted possession” of Texas, and that Texas was still “an integral portion of the Mexican territory.” This pretension, on its very face unfounded and absurd, followed up by acts of hostility, boldly threatened, and at last perpetrated, was the direct, the immediate cause of war. It was not the advancing of our troops upon what some are pleased to term the disputed territory; it was not the question whether the Nueces or the Rio Grande was the boundary; but it was a question of territory, of title, in which was involved a still deeper question—the right of a people to establish for themselves a government by revolution; the right even of Mexico or the United States, to exist as an independent power. Mexico never raised the question of boundary—never would listen to our frequent overtures to negotiate a treaty of boundary on the most liberal terms; but uniformly met them with the assumption that Texas was hers, the Sabine was her boundary, and that she had no recourse left but war;—and war she has, solely the result of that assumption. Her government protested in advance, that it would consider the annexation of Texas as just cause of war; and, when the act was consummated, her minister carried out this declaration, by demanding his passports; and her government enforced it, by notifying our minister that all diplomatic intercourse must cease. So deep-seated was the popular determination upon war, that a consent to listen *even to a proposition* for peace involved president Herrera in a revolution which overthrew his administration, and placed in power a man above all others, clamorous for war, and fully pledged to prosecute it with Mexican spirit. His first executive act was consistent with his previous pledges—a refusal to receive our minister, Mr. Slidell, not on the frivolous pretext that he should have been clothed only with the powers of a commissioner, instead of a minister plenipotentiary, but with the bold and determined declaration that “the supreme govern-

ment had beforehand declared, that it would look upon such an act (the annexation of Texas) as a *casus belli*; and, as a consequence of this declaration, negotiation was, by its very nature, at an end, and war was the only recourse of the Mexican government." Such were the acts, the feelings and declarations of Mexico, before our troops took up their line of march for the Rio Grande. If, under such a crisis,—such a declaration of determined war,—our president had remained inactive, he would have justly merited impeachment. Again, after our troops had taken their departure for the Rio Grande, but before their arrival could have been communicated to the Mexican president, he issued orders to his commanding general to "attack" our army "by every means which war permits," and remarks: "At the present date I suppose you, at the head of that valiant army, either fighting already, or preparing for the operations of a campaign; * * * it is indispensable that hostilities be commenced, yourself taking the initiative against the enemy." Mark the expression; not that hostilities are already commenced, by an invasion of the disputed territory, but that they must "be commenced, yourself taking the initiative," by doing the first act of war. These orders were implicitly obeyed; the first act of war was done, by attacking our army on territory to which Mexico never set up a claim, distinct from that to the whole of Texas; on territory unquestionably ours; on territory which even, if in fact disputed, we had a right to occupy while Mexico refused to determine our boundaries—especially as it was needed as an eligible point of defense against her invading armies. Is there, then, the least foundation for the charge that the president has involved the country in war, by occupying the disputed territory? Was the subsequent act of taking position on the Rio Grande the cause of Mexican *pre-determination* to resort to arms? Even Mexican malignity never suggested that act as the cause of war; the charge had its origin in hearts *claiming* to be American.

In view of all these facts, will ordinary candor tolerate the pretense that any just rights of Mexico have been violated, or permit a doubt of the truth of the declaration of the American congress, "that war exists by the act of Mexico?"

It may be safely asserted, that the history of the world does not furnish an instance of a strong government, like that of the United States, humbling itself, as it were, at the feet of one weak and distracted, like Mexico, and suing for peace, and a restoration of diplomatic relations, which had been dissolved without cause, and in terms and manner most insolent; at the same time overlooking an unbroken series of wrongs and outrages, in time, commensurate with her existence as a nation. Was the president influenced by a passion for war, when he departed from the first rules of diplomacy, by soliciting, through our consul at Mexico, a renewal of relations thus unceremoniously dissolved? Was conquest his motive, when he withdrew our squadron from the Mexican coast, in compliance with the only condition which president Herrera attached to his acceptance of the proposed renewal? Would he despoil Mexico of her territory, when he directed Mr. Slidell

to present himself to the new president Paredes, *again* a suppliant for peace, after having been rejected by president Herrera, on pretexts most frivolous? Did he seek for his administration military renown, when he followed up the glorious victories of the eighth and ninth of May, by another tender of negotiation? The statement of such propositions is but the statement of palpable absurdities.

If, then, we have been forced into this war by Mexican injustice and folly, the individual and collective influence and energy of every state should be exerted to encourage and sustain the executive in its vigorous prosecution. If, on the other hand, it is, as it has been characterized, a president's war,—a war of usurpation, aggrandizement, and aggression, it should have been met at once by congress, with a bold and manly declaration of its character, accompanied with instructions to the president to withdraw our troops upon our own soil; and with provision for ample indemnity to Mexico, for the injuries sustained, and expenses incurred, in asserting and protecting her rights.

I am unable to perceive the slightest justification for any medium course on the subject. And after congress, the duly constituted authority, without distinction of party, and with an unanimity, unparalleled in our legislation, has declared, that "war exists by the act of Mexico," there can be nothing left for any friend of his country, but cordial support of the most vigorous measures, to bring it to an early and successful termination. Delaying supplies of men and money by factious opposition, until the season for a campaign is past; discouraging enlistment and volunteering; preventing loans, by assailing the credit of the government; and exaggerating our own weakness and our enemy's strength—all such opposition by indirection and subterfuge—can only tend to encourage Mexico, weaken ourselves, and thus prolong the war. Such opposition looks more like treason to our own government, than any just regard for the rights of Mexico.

As Mexico is unable to pay or secure to us indemnity for the past and the present expenses of the war, a cession of a portion of her territory to the United States seems inevitable. By this acquisition we shall secure an extent of coast on the Pacific, almost equal to that on the Atlantic, with a practical line of communication between the two oceans. Thus situated between Europe and Asia, we become the central point, and command the commerce of the world.

To Mexico the result of the war is uncertain, but in a measure within her own control. She has already illustrated the truth of the proverb that "whom the gods would destroy, they first make mad." Unprovoked she has rushed in her mad career upon our arms; and if madness still controls her, her fate is, to be blotted from the list of nations. But if in time she submits herself to the dictates of reason and justice, she may with our aid, escape the snares of European intervention—break the iron sway of a military despotism—concentrate her strength—reinvigorate her government—and commence a career of prosperity and happiness.

I would earnestly recommend that ample provision be made, to

enable the executive to meet with promptness, any requisition which may be made upon Maine during the continuance of the war.

The acquisition of new territory, as the probable result of this war, has presented to the country, more distinctly than at any former period, the question of slavery, its rights and its extension. Perhaps the agitation of this question, by congress, was premature; but the agitation exists and the whole union is moved with intense anxiety for the safety of the republic.

In the annexation of Texas the increase or diminution of slavery was not involved, for it existed there, and would exist, whether within or without the union, until her people saw fit to abolish it. That measure was consummated, like the purchase of Louisiana and Florida, from important considerations, both foreign and domestic, disconnected with the question of slavery, although that question undoubtedly had its influence upon individual minds.

The territory which we may acquire as indemnity for claims upon Mexico, is free; shall it be made slave territory? The sentiment of the free states is profound, sincere, and almost universal, that the influence of slavery upon productive energy, is like the blight of mildew,—that it is a moral and a social evil—that it does violence to the rights of man, as a thinking, reasoning and responsible being—that its existence in this territory will shut out free labor, because the free man will not submit himself to the degradation which attaches to labor, wherever slavery exists. Influenced by such considerations, the free states will oppose the introduction of slavery into the territory which may be acquired.

On the other hand, the slave states claim that this territory will be acquired, if acquired at all, by the blood and treasure of all the states of the union, to become the joint property of all; to be held for the benefit of all. And they emphatically ask, “is it consistent with justice; is it consistent with equality, that any portion of the partners, outnumbering another portion, shall oust them of this common property of theirs—shall pass any laws which shall proscribe the citizens of other portions of the union, from emigrating with their property to the territories of the United States?”

This, their position, is plausible, but is it sound? The constitution of the United States provides that “the citizens of each state shall be entitled to all the privileges and immunities of citizens in the several states.” One of the most important “privileges” of the citizen of each state, is protection in the use and control of his property; and the constitution guarantees to the citizen of every other state, a full participation in that privilege;—thus creating as perfect an equality of rights, as can possibly grow out of joint ownership of territory. The citizen, therefore, of a slave state may remove with his slaves into a free state, and there assert a claim, founded upon the constitution, to protection in the use and control of his slave property, with as much propriety as he can assert the same claim, founded upon joint ownership, in territories of the union. The one is as valid as the other. The former has

never been asserted, and yet the anticipated denial of the latter, is assumed as sufficient cause of the dissolution of the union.

A slaveholder emigrates to this territory, with his horses, his cattle and his slaves. When he arrives there, he needs no law declaring that those horses and cattle are still his property; he may want law to protect him in their use and enjoyment, but not to perfect his right. His right to acquire and possess property, is one of the inherent rights of man, independent of laws or constitutions. Not so with the right to his slave; that is an unnatural, an artificial, a statute right; and when he voluntarily passes with his slave to a territory, where the statute recognizing the right does not exist, then at once the right ceases to exist. The slave becomes a free man, with just as much right to claim the master, as the master to claim the slave.

Now the slaveholder asks the government of the union to interfere, either directly, or through a territorial legislature, and re-create this unnatural, this artificial right—restore the relation that had ceased to exist, of master and slave. If the government refuses to interfere, then slavery cannot exist. But is non-interference proscription of the slaveholder and his property?—a violation of his rights as a joint owner of the territory? Surely not. He goes there with the same rights as other men, but with a limited, a defective title to his slave, which government is not bound to perfect. The question then resolves itself into one of expediency and humanity. And the free states may declare and act upon the declaration, without violating the rights of any other section, that it is inexpedient and inhumane to create slavery where it does not exist.

The slave states regard slavery as a political institution, absolutely necessary with them, for the preservation of the two races, co-existent as they are in nearly equal numbers. This may be a perfect defense of slavery, under such circumstances; and still it would fail to afford the slightest justification for the introduction of the two races, in like equal numbers, into unoccupied territory, thus *creating a necessity* for the introduction of *like political institutions* for their preservation.

The south contend, too, that this territory should become slave states, that the equality may be preserved which now exists in slave and free representation in the United States senate. When the free states, they ask, shall have secured a majority in both branches of congress, what protection have we against their aggressive policy? Can we rely upon their sense of justice? It is to be regretted that they have too much reason for propounding this question, and to tremble for the response which the future may make. When they see parties organizing and increasing at the north, with the open and avowed object of abolishing slavery at all hazards,—the union with it if necessary, and denouncing the constitution for its tolerance of slavery; when they see candidates for office, commending themselves to public favor by the vehemence of their denunciations of the south, and reviling their opponents for possessing southern sympathies—when they see the pulpit and the press, in concert, arraying the north against the south, exciting sectional

prejudice and fanning the flame of local jealousy—they may well ask, when our equality in the senate is gone, what shall protect us from this aggressive spirit? And the friends of the country, and of humanity may ask, too, when this aggressive spirit shall have acquired strength to commence its work, what shall preserve the union?

That assemblage of worthies, who officiated in solemn responsibility at the birth of this republic, and gave it a constitution and a name, accomplished their work by concession and compromise:—who regrets their success? If they had carried into their deliberations the spirit of discord and jealousy that now exists, who doubts that they must have failed? If that evil spirit would have surely prevented, it will as surely destroy. Concession and compromise were the price and the conditions of the union; who would withdraw the price, abrogate the conditions, and dissolve the union? Upon concession and compromise the union rests; and he who disturbs this foundation, from motives of supposed philanthropy, or of local interest, by violating conceded rights on the one hand, or by asserting unfounded claims on the other, will receive the lasting execrations of betrayed humanity.

Maine, by the action of her state government, and by her representation in congress, should abide honestly and cheerfully, by the letter and spirit of the concessions of the constitution; at the same time resisting firmly all demands for their enlargement or extension. Her tone to the south should be, we know your rights and will sacredly regard them; leaving you to the quiet enjoyment of your “peculiar institution,” until reflection undisturbed by northern threats, or aggression, shall lead you, as soon it must, to the truthful conclusion, that what you now consider your “peculiar” blessing, is in fact your peculiar curse.

When the free states shall have uniformly adopted this tone, then the great motive, (self-preservation,) for the struggle to increase slave representation will cease to exist—then too, the friend of the slave will see effective action at the south, take the place of noisy declamation at the north, for his relief.

I have been drawn into a somewhat extended consideration of the subject of slavery, by the fact that it has become interwoven with our state, as well as national politics—by an impression that states have placed themselves in an attitude of violent hostility toward each other from imprudent and unnecessary legislation in relation to it—and by a deep conviction that in adjusting this question, rashness and violence will dissolve, but that wisdom and prudence will preserve the union.

The existence of the war will naturally direct your attention to the militia, and to the fact that it is practically disbanded. Whether this condition has resulted from diversity of opinion in preceding legislatures, on the details of its organization, or from an intention to entirely abandon it, I am unable to determine. I would not recommend a revival of the cumbrous system with which we have been burthened; and yet cannot but consider the permanent disbanding of the militia, an experiment hazardous in the extreme. It is true that a strong feel-

ing exists against the institution ; but should not that feeling bear upon its defects, and not upon the institution itself? Rightly viewed, it is but a concentration of the individual power of the state, in such a manner that it may be exerted, at any moment, to repel invasion or enforce the laws. The civil government, relying entirely upon the voluntary, unorganized support of the citizens, becomes powerless, and merely an association to be continued or dissolved at pleasure. The criminal does not submit to his punishment from considerations of the justice of his sentence, or from fear of the officer who is charged with its execution ; but because he knows that that officer is backed by the concentrated, or in other words, by the military power of the state, and that therefore resistance by himself or by his associates in crime, will be unavailing. The riotous and seditious are not dispersed by respect for the magistrate who reads the riot act, but by fear that the military power which he indicates will be called in requisition.

Within the last few years, New York, Pennsylvania, and Illinois, by neglecting promptly to apply this power, have permitted scenes of outrage and blood, disgraceful to those states, and strongly tending to weaken respect for the laws, and confidence in the government, and bringing our institutions into general disrepute. In the former state, the anti-rent movement could have been suppressed at once, by a prompt military demonstration ; but in its absence, men have grown bold in resistance of the law, and in holding the government at open defiance, until, instead of suffering punishment due to their offenses, they have become a political party, capable of purchasing, with their votes, immunity for their crimes ; the government at the same time continuing in the neglect of its paramount duty—the protection of the property, and enforcing the rights of its citizens. The occurrences of but yesterday in a sister state, may be the scenes of tomorrow in our own ; and true wisdom would seem to dictate the continuance of a policy necessary to prevent or suppress them.

The feeling is very general that a military spirit is inconsistent with the pacific tendency of the age, and that a continued state of preparation against foreign aggression is entirely unnecessary. But is there sufficient evidence that the reign of peace has in reality commenced on earth, to warrant such a feeling? True, Great Britain is constantly reading us lectures on the wickedness and horrors of war ; but always with her cannon loaded and the match in hand. She preaches to us most eloquently and earnestly of peace, while her well trained troops are putting to the sword by thousands, the enfeebled and defenseless races of Asia. If there has been any sincerity in the pretensions of that government, she has had more causes for war with us, than with any of those nations with which she has been recently involved. Why has she softened down her claims, and remained at peace with us, while she has enforced to the very letter, and at the cannon's mouth, more unfounded claims upon others? because she knew that we were determined and *able* to protect our rights—because the "wickedness and horrors of war," are only brought home to her in a well fought field,

Let her succeed in persuading us to disarm ourselves, and then, whenever her interest dictates, she will illustrate her peace doctrines in America, as she does in India and China, by compelling us to submit to such peace as she may dictate. What is true of this power is true of others.

In fact, I can see not the slightest evidence that the war spirit is subdued. It may have assumed a form more mild and plausible—but it lives and is in constant action. Although more than thirty years have elapsed since the whole world was but one great battle-field, and man was only practiced in the arts of war, yet this period has by no means been a thirty years of peace. Strange as it may seem, yet it is true, that the last fifteen years of this pacific era, has seen almost every nation on the face of the globe involved in war, either foreign or domestic. And even at this moment, such is the condition of nearly all the *important* powers of the world. Why then “cry peace, when there is no peace?” Why lay down our arms in the absurd dream that the sword has already been beaten into the ploughshare?

The United States has now been longer at peace than any other nation; and why? Because we have in our intercourse with others been prompt, and prepared to present the alternative of justice or the sword. This, with but one exception, has been uniformly our rule of diplomacy. The exception to the rule has been in our treatment of Mexico and it has resulted in war. If our usual energy and promptness had been long since exhibited towards Mexico, we might still have been at peace with her. The rule of being always prepared and willing to assert our rights, has given us a third of a century of peace. The single exception to that rule has involved us in war. Will the friends of peace adopt as their guide the rule or the exception?

I leave this subject with you, adding only the suggestion, that the present disorganized state of the militia, is in direct violation of the laws of the United States.

One of the striking characteristics of the present age, is an active, comprehensive benevolence—a deep feeling of man’s common brotherhood, exhibiting itself in untiring, systematic efforts for the relief of the unfortunate and afflicted. Our hospital for the insane is an offspring of this spirit, and should be favorably regarded by the state. I would cordially recommend any regulation or appropriation which may be deemed necessary, for its economical, yet efficient administration.

The recently increased interest, which the authorities of the state have substantially manifested, in the improvement of the moral and physical condition of the inmates of our state prison, is but a just response to the dictates of humanity; and, if continued, will be rewarded, if not pecuniarily, yet by an elevation of morals, and diminution of crime.

When we reflect that in twenty-five years, at farthest, the destinies of the state will be under the entire control of those, who, unconscious of the responsibilities that await them, are forming their characters for good or evil, under the influence of our primary schools; it seems a matter

of profound astonishment, that those institutions excite so little interest in the public mind. In forming a constitution, enacting laws, or adopting a policy for a state, we feel a solemn obligation to use the utmost care and forecast that they are well adapted to the wants of coming generations; and yet we are content that mere accident and chance shall give, or withhold, intelligence to sustain, and capacity to enjoy them. We lay firm the foundations of a beautiful city, for our descendants; make strong its walls; enrich it with whatever its prosperity and happiness may require, and then leave it, with open gates, exposed to the Vandal attacks of ignorance and vice.

We may justly congratulate each other that many strong minds in the state have vigorously awakened to this subject; but yet it is to be feared that the great mass is still unmoved. While this is the case, our advance must be small. The most perfect system which human wisdom can devise, will fall powerless in its effects, unless it is sustained by the zealous co-operation of both parents and children, in its execution. Our school-houses may be re-modeled, our text books improved and systematized, our teachers elevated; and yet the system is inert and lacks its motive power, until we have secured the attention of the parents of the state to a full appreciation of its benefits to their children.

A large proportion of our population expect no education for their children, except that they may be able to read and write intelligibly, and acquire the rudiments of mathematics. This they feel will be secured during the period of their minority, even without effort; and beyond this they have no hope. To this feeling, I apprehend, we may look as the hidden cause of the want of interest, so generally manifested on the subject; and if so, our first efforts should be directed to its removal. How shall this be effected? The state has for years made appropriations to enable agricultural societies to offer rewards for agricultural improvements. A premium is awarded to him who exhibits a beautiful horse, a strong ox, or a well cultivated field; and may we offer no inducements to the exhibition of classic beauty, intellectual strength, or mental culture? Spose provision be made for the establishment of a school, under the direction of the board of education, for the purpose of qualifying teachers, and of giving a practical and scientific agricultural education; and the school committee, at their county meetings, be authorized to select, annually, from the pupils of the public, who may present themselves for examination, a limited number,—who are best entitled, by merit and proficiency—to be educated at the public expense, at the school thus established. What would be the effect of such a system? At least a small additional portion of our children would be well educated—competent teachers would be provided—scientific farmers would soon be scattered in every town in the state, who must, of necessity, become practical teachers to those around them. But its grand results would be in the interest thus awakened in our public schools. The poorest parent in the state would feel that an opportunity was presented, to secure to his child an education, which

would fit him for the highest stations in society, and that our public schools are the only medium through which that boon could be secured. Would they then be regarded with indifference? No, every district school-house in the state, would become a race-course, for the prize thus offered, where every child would be entered on its lists, and every parent anxiously watching to remove all impediments from its path. Under such a feeling, ill adapted houses, bad text books, and incompetent teachers, would be no longer tolerated, and our schools would soon acquire such an elevation as to realize the most sanguine hopes of those now laboring in their behalf.

I am precluded from recommending, at this time, the adoption of the plan, of which I have suggested the outlines, only by a consideration of the burthens which our public debt, and the duty of its prompt extinguishment, impose upon the citizens of the state. I would suggest, however, that the board of education be requested to prepare the details of a system embracing these general features, with an estimate based upon the strictest economy, of the expenses attending it. I do this with the hope that those expenses may, on minute examination, be found so small, as to induce a willingness to incur them. It will be perceived that manual labor must necessarily be a feature of such a school, and if properly conducted will contribute largely to its support. It is possible that the income of the "permanent school fund," which has not yet been appropriated for any specific purpose, may supply the deficiency.

Our population on the river St. John require a special provision, for education among them, adapted to their peculiar wants. Far removed from any other settlements in the state—speaking a different language—strangers to our laws and form of government, they will, for a time, continue proper subjects of special regard and legislation. I am convinced from personal observation, that no portion of our state embraces a population more deeply interested in education, or who would better improve the opportunities placed within their reach. I would therefore recommend an appropriation, sufficient to continue the schools which have been established under the supervision of the state.

The deep interest now manifested by our people, on the subject of rail roads, evinces a wise determination that the agricultural and manufacturing resources of the state shall be more fully developed; and that streams from these inexhaustible fountains of wealth, shall be so directed as to give renewed activity to our navigating and commercial interests. The agricultural products of a large portion of the state are now limited to the immediate wants of the producers, because the cost of transportation is such as to preclude any surplus from a remunerating market. The same cause prevents the profitable employment of our immense water power. Whenever that cause is removed the products of labor and capital will be increased to an incalculable extent.

Every reduction which is made on the cost of transportation, by increased facilities, is like a reduction on the cost of the article transported—a saving or profit which the laws of trade will equitably divide

between the producer and consumer. As much as the cost of the necessaries and comforts of life are reduced, so much the necessity for labor is diminished, and the opportunity to the laborer, for moral and mental culture, is increased. Every improvement therefore, in the mechanic arts—in the implements and science of agriculture—and above all, in the transportation of their products—is so much time saved to morality and intelligence. The subject then is direct in its appeals, not only to our love of gain, but to our philanthropy.

A feature strongly encouraging confidence in the completion of improvements already projected, is their reliance upon individual enterprise. Many of the states which have commenced internal improvements under the direct auspices of their governments, have been forced to abandon them incomplete, after sinking themselves into irretrievable bankruptcy; and all of them, except Massachusetts, have incurred debts onerous in the extreme. The experience of the past fully vindicates the opinion that this is the appropriate sphere for individual, not state effort; that where individual effort would succeed, state interference may be the cause of failure. In granting acts of incorporation for these works, private rights should be regarded—the general interest secured—no exclusive privileges granted—and no unnecessary restrictions imposed.

The present prosperity of the country is attended with dangers upon which we cannot wisely close our eyes. Our immense exports have resulted in large importations of the precious metals. Our banks, fearing no foreign demand for specie, while exchanges were thus favorable, have largely increased their circulation. These causes combined have given an upward tendency to prices, which, if continued, will induce excessive importations from abroad, and production at home. The effect of which must be to expose many branches of industry to ruinous foreign and domestic competition, and thus produce eventually a general revulsion.

I have entire confidence that the present tariff will afford ample protection to all our industrial pursuits, under an ordinary circulating medium; but neither this nor any other tariff, (unless it be entirely prohibitory,) will be a sufficient barrier against the flood of importations which must always be induced by a highly inflated currency, and consequently inflated prices. The superior energy, skill and intelligence of the industry of our country, will readily adapt itself to, and protect itself under any system of revenue which may be adopted; but these traits are all unavailing, to guard against the disastrous consequences of a constantly fluctuating circulating medium. The most sure protection to labor is a uniform currency—without it all other protective systems fall.

A short time previous to the expansion in 1835, the banks in Maine had a circulation of about \$1,200,000; during that expansion it was increased \$2,200,000. Under the revulsion which followed, it was reduced again to about \$1,000,000, since that time it has been increasing, and is now probably up to the highest point of 1835,

\$2,200,000. If the past throws any light upon the future, there can be no reason to doubt that the circulation must be reduced again to about one-half its present amount. The chief available means of our banks to effect this reduction are the notes of their debtors; and can an unexpected collection of \$1,000,000, and a simultaneous reduction of the circulating medium to the same amount, be made without prostrating the business of the state? A gradual reduction might now be made without serious consequences; but if it is delayed, until a general expansion throughout the country shall have highly excited prices, and multiplied contracts, it will tend to aggravate upon Maine the evils of a general commercial revulsion.

These remarks are not made in the spirit of an alarmist, nor with the view of censuring those who have the direction of our banks, as I believe their business has generally been conducted honorably, and with due regard to the provisions of their charters—but for the purpose of calling your attention to what I conceive a radical defect in our banking system—the unrestricted tendency of our banks to undue expansion and consequent contraction. Perfect uniformity in the amount of a paper currency cannot be attained; but even a partial remedy for the evil will place the business of the state on a much more firm foundation. A law of the last legislature requires that after the circulation of a bank has reached a given amount, its *additional* circulation shall depend upon the amount of specie in its vaults. If this principle should be applied to the whole circulation, a much higher degree of uniformity would be secured.

I would invoke for this subject your careful consideration, as one involving the pecuniary interests of the whole community.

The management of our public lands requires the utmost care, discretion and sound judgment, influencing as it does, in a great degree, the growth and business of an important portion of the state. The great object in relation to our settling lands should be, to have them occupied as early as practicable by an independent, industrious population. The most effectual inducements to such occupancy, are roads and mills, as these greatly alleviate the hardships and privations, which necessarily attend new settlements. A liberal policy on this subject will render the unoccupied territory in the vicinity of our timber lands, most desirable locations; as the lumbering operations would cause a ready demand for all agricultural products. If our timber is exhausted before our settling lands are opened and taken up, and thus the new settler deprived of the advantages of this market; the most favorable opportunity that could possibly exist for effecting this object, will be lost, and the progress of sale and settlement, ever after, extremely slow. Our timber operations may be made instrumental in the settlement of our lands; and the improvement of our lands would enhance largely the value of our timber, by reducing the cost of supplies for those operations. The two causes should be made to act and react upon each other.

We cannot safely regard these lands as a source of revenue, but may

soon make them wealth and strength to the state by filling them with a thriving population.

The wisdom of existing laws regulating the management of our timber lands, is evinced by the fact that for some years past, the state has derived a large income from that source.

In making appropriations for roads, or for any other objects connected with the public lands, it would be well to make such appropriations directly chargeable upon the land department, that the annual report of the land agent may always exhibit the net income which the state derives therefrom.

The fact that for every dollar appropriated for any purpose, an additional dollar must be assessed upon the people, should exert a constant influence upon legislation. The tax payers feel, and perhaps justly, that appropriations are frequently made without due consideration of the additional burthens which they necessarily impose upon them. The history of the finances of Maine for a few years past, will show in a striking light, how soon and imperceptibly a state may change its position from one of freedom from debt, to that of deep indebtedness. At the close of the year 1835, our whole debt was less than \$100,000; in five years from that time, it had increased to about \$1,700,000. As large a sum was required to pay the mere interest on that debt, as was necessary to defray all the ordinary expenses of the government, without taking into the account the loss of interest on money necessarily accumulated and retained to meet with promptness the principal at maturity. The next five years, (from 1841 to 1845, inclusive,) exhibit in a light quite as striking, how slow and burthensome is the process of extinguishing such a debt. Within that time, the treasury received, in round numbers, \$900,000 from direct taxation, \$300,000 from the land department, and \$600,000 from the general government, in all \$1,800,000; and yet, so much of this sum was required for the payment of interest, that the debt was only reduced to about \$1,000,000. In fact, before the whole debt is paid, nearly as large an amount will have been absorbed in the payment of interest, as the original debt. I make this review for the purpose of presenting more distinctly than I otherwise could, the excessive burthens attending our public debt—the consequent importance of its early extinguishment—and the wisdom of hereafter avoiding one. Our debt at this time, after deducting money in the treasury, and that invested in United States stocks, is about \$1,000,000. The people will, willingly, submit to taxation for its payment, but will hold their servants to a strict responsibility that the avails of such taxation are not withdrawn from that object, by extravagant expenditures or unnecessary appropriations. I believe it is our true policy to continue a state tax of \$200,000, until the state is freed from debt: at the same time using the utmost vigilance that the largest possible amount of such tax is applied to that purpose.

A provision requiring the secretary of state to prepare and publish at the close of each session of the legislature, an abstract of the appropriations made, and their objects, distinguishing between ordinary and

extraordinary, would have a tendency to satisfy the people of the necessity of the expenditures, or aid and guide them in their efforts to reduce them.

I herewith transmit the reports of the land agent, treasurer of state, bank commissioners, adjutant general, and trustees and superintendent of the Insane Hospital; to which I would refer you for detailed information relative to the several departments under their superintendence.

I cannot close this communication without calling your attention to the great evil resulting from frequent changes in our public laws. They should be so permanent and unchanging, that the public may become familiar with them and with the constructions which our courts may have given them. Without this there must be constant uncertainty and litigation. It is not sufficient that a proposed amendment has no objectionable feature; the change itself is objectionable, and should be resisted, unless it will obviously produce a positive good. The shorter the time and the less the amount of your legislation, the more sure and unanimous will be the approval of your constituents.

JOHN W. DANA.

COUNCIL CHAMBER, }
May 19, 1847. }

To the senate and house of representatives:

I herewith lay before you, for your consideration the first report of the board of education; also the annual report of the inspectors of the state prison.

JOHN W. DANA.

COUNCIL CHAMBER, }
May 26, 1847. }

To the senate and house of representatives:

I herewith lay before you resolutions adopted by the legislature of the state of New Hampshire, relative to "the protection of national industry"—to "the extinction of slavery in the district of Columbia, and its exclusion from Oregon and other territories that now or any time hereafter may belong to the United States"—and on other topics. Resolutions of the general assembly of the state of Rhode Island, relative to the tariff, sub-treasury, slavery and the Mexican war." Resolutions of the legislature of the state of Virginia, relative to slavery. Joint resolutions of the general assembly of the state of Missouri, relative to "a modification of the laws and regulations of the army of the United

States." Also a communication from the corresponding secretary of the prison association of the state of New York.

JOHN W. DANA.

COUNCIL CHAMBER, }
May 27, 1847. }

To the senate and house of representatives :

I herewith transmit the report of William P. Parrot, appointed under the provisions of the resolve of July 27, 1846, to make a survey of "Orson Island and the several channels of the Penobscot river around the same;" together with the accompanying plans.

JOHN W. DANA.

COUNCIL CHAMBER, }
May 27, 1847. }

To the senate and house of representatives :

I have received a communication from Hon. James K. Polk, president of the United States,—in reply to my letter communicating the order of the legislature of the 10th instant, inviting him to extend his contemplated eastern tour to the capital and to accept the hospitalities of the state—which is herewith transmitted.

J. W. DANA.

COUNCIL CHAMBER, }
June 25, 1847. }

To the senate and house of representatives :

The resignation of Jonathan Merrill, major general of third division of the militia of this state having been tendered and accepted, a vacancy exists in that office, to the filling of which your early attention is requested.

JOHN W. DANA,

COUNCIL CHAMBER, }
Augusta, June 25, 1847. }

To the senate and house of representatives :

I herewith transmit a communication this day received from Mons. Vattemare—the distinguished founder of the system of international intellectual exchanges ; and the constituted agent of France and Maine

in connection with that system. I cannot entertain a doubt but the legislature of Maine will fully appreciate the distinguished efforts and sacrifices of Mons. Vattemare in perfecting a work so important in its social and intellectual results to the whole civilized world; or that they will extend to him personally and to his suggestions on the subject such consideration as his well-earned reputation of a great public benefactor would seem to demand.

The allusion made by him to the ancient friendship between France and our republic and the wish expressed through him on her part to increase social relations, "by mutual exchange of public acts of courtesy and friendship," will meet with a hearty response from every citizen of the state. In conclusion I would add that I shall cordially co-operate with you in any measures you may deem expedient, in establishing this system upon a liberal and permanent basis.

JOHN W. DANA.

COUNCIL CHAMBER, }
July 22, 1847. }

To the senate and house of representatives :

Major general Charles Megguier of the fifth division of the militia, having at his own request, been honorably discharged, a vacancy has occurred in that office, to the filling of which, I would respectfully call your attention.

JOHN W. DANA.

COUNCIL CHAMBER, }
July 27, 1847. }

To the members of the senate and house of representatives :

I herewith transmit a communication received this day from Mons. Alexandre Vattemare, agent of the State of Maine for the purpose of international literary and scientific exchanges.

JOHN W. DANA.

COUNCIL CHAMBER, }
July 31, 1847. }