

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

115

PASSED BY THE

FORTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1866.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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1866.

GOVERNOR CONY'S ADDRESS.

*Gentlemen of the Senate
and House of Representatives :*

I congratulate you that we meet under happier auspices than have attended the inauguration of the government of the State for five years past. By the goodness of Providence the clouds of war have rolled away from our skies, and the sun of peace, shining again in full effulgence, gilds and blesses, with its beneficent rays, our battle-rent and blood-stained country. The mighty conflict of arms has ceased, and leaves the government of the Union master of the field, its flag floating in unchallenged supremacy over its ancient and rightful boundaries. That blot which tarnished its escutcheon and was so long our reproach among the nations, has been effaced. The republic, regenerate and enfranchised by the fearful baptism of blood, has vindicated its right to be called "the land of the free." The mighty armies, beneath whose tread the continent has shaken, returning to their homes, have been quietly absorbed into the ranks of the citizen whence they sprung, again to embrace their old employments, dissipating every apprehension which their vastness excited and allaying every fear that we were to become the subjects of a military despotism.

It is our happiness this day to behold enrolled among your members, numerous gentlemen, who at the call of their country, disregarding every impulse but that of patriotic duty, went forth to do battle in her behalf, nor ceased their service so long as it was needed. The State is honored by such sons, and her councils cannot fail to be strengthened by their presence. I bid you welcome to these seats, as the representatives of those glorious armies of citizen soldiers, which have achieved the deliverance of our nation from its imminent peril.

The year which has closed upon us, filled, as it has been, with causes of joy and congratulation, has, nevertheless, been marked by one event that will ever constitute a sad page in our history. While the people were rejoicing in those thick-thronging successes, the harbingers of returning peace, as the light was breaking around the whole horizon, the marked man of this country, the best beloved of the nation, fell by the assassin's hand. The bullet which struck down Abraham Lincoln, pierced the bosom of millions, plunged the nation in mourning and shocked the moral sense

of mankind. With no single quality of character or act of his life calculated to inspire revenge, this man with heart lacerated by the calamities which had befallen his country, yet filled with the kindest purposes towards the deluded authors of them, was suddenly and wickedly slain. Having filled the measure of his earthly fame, through a period of civil administration the most difficult that ever fell to the lot of a public man, denied the gratification he might well have promised himself in the serener and more peaceful days then dawning, "with malice towards none and charity for all," he was summoned to go hence. His name stands in isolated and unapproachable grandeur, associated with an act of beneficence and justice which will shed a halo of glory around it that time cannot efface or obscure. The tears and thanks of enfranchised millions will forever ascend a grateful incense to his memory. Friend of our country, friend of the human race, farewell!

MILITARY HISTORY.

At the first summons of the nation to arms the citizens of Maine, from the field, the shop, the ship, the dock yards, the institutions of learning, men of all professions, trades and pursuits, rallied with an enthusiasm and alacrity surpassed by no others, to her defence, and as the weary years of strife rolled on they did not abate their loyalty nor withhold the full measure of support required at their hands. Equivalent to three regiments of cavalry, one regiment of heavy, and seven batteries of light artillery, thirty-one full regiments of infantry, seven companies of sharpshooters, and thirty companies of infantry assigned to regimental organizations, and seven companies of coast guards were raised and mustered into the service of the United States from Maine. These with the recruits which, during the war, were constantly forwarded to reinforce their continually melting ranks, with the naval enlistments, according to the report of the Provost Marshal General of the United States, up to the thirtieth of April, 1865, reached the number of 71,558 men, being more than one tenth of the population and largely more than a majority of the heaviest vote ever polled in the State. The number of men embraced in all the calls upon this State for troops during the war, was 72,227; leaving a balance of but 669 to be supplied when the orders to stop the draft were issued in April last. These would have been furnished in a very few days, as recruiting was then being prosecuted with great vigor and success. I do not hesitate to express the opinion that no State contributed a larger proportion of its own citizens in filling quotas than Maine.

Since the close of active hostilities in April, the following organizations belonging to this State, have been mustered out of service, viz:—The 1st and 2d regiments of cavalry, the 1st regiment

of heavy artillery, the 1st, 2d, 3d, 4th, 5th, 6th and 7th batteries of light artillery, the 1st veteran, 9th, 14th, 16th, 17th, 19th, 20th, 30th and 31st regiments of infantry, seven companies of coast guards and a large number of recruits who had not left the State. The 12th and 14th regiments, whose terms of enlistment expired in 1864, and which were mustered out that year, were subsequently reorganized in 1865. The number of commissions issued by the Executive of Maine during the war was 4,295, of which 2,084 were by Governor Washburn in 1861 and 1862, 819 by Governor Coburn in 1863, and the residue by the present Executive in 1864 and 1865. These do not, of course, embrace that number of individuals, as very many were promotions.

At this time there still remain in service the following of our organizations, viz :—The 8th, 11th, 12th, 15th, 29th regiments and one battalion of infantry. Some discontent has arisen from the fact that certain organizations have been discharged which had been in service but a short time, while others, who had served longer, have been retained. This has frequently but unjustly been attributed to improper influences. I believe it to be due entirely to the accident that these regiments belong to the army corps upon which the duty devolved of remaining south, and that similar results would have followed if it had fallen to the lot of any other corps to have been assigned to this position. I am assured by the Secretary of War that the remaining organizations shall be mustered out and discharged at the earliest moment it can be done with safety to the interests of the country.

It is unnecessary, and would be unbecoming, to speak boastfully of the services of the soldiers of Maine. She has no reason to blush for their conduct upon any occasion. All did their duty according to their opportunity, and very many covered themselves with distinguished honor. The inscriptions on their battle-flags which greet the eye of the visitor to this Capitol, tell the story of their deeds.

I beg leave to express the hope that a full history of each of the different military organizations from this State, which participated in the war, may be written by some one of their intelligent and accomplished members, of whom there were so many. This is the time to do it while events are fresh in memory and there are so many living witnesses to correct errors or misstatements. It would be a most important contribution to the historic annals of the State, increasing in value with the lapse of years and securing justice to our gallant soldiers in more ample measure than they will otherwise obtain.

The records of the government exhibit the fact that of the soldiers we furnished, eight thousand four hundred and forty-six perished, either being slain in battle or died of wounds received or

disease contracted in the service, a large portion of whom lie sleeping upon the fields where the salvation of the nation was achieved, in Pennsylvania, Maryland, Virginia, the Carolinas, Florida and Louisiana.

Among the losses we deplore are

Maj. Gen. Hiram G. Berry, formerly Colonel of 4th Infantry, killed in action.

Brig. Gen. Charles D. Jameson, formerly Colonel of 2d Infantry, deceased.

Brig. Gen. Hiram Burnham, formerly Colonel of 6th Infantry, killed in action.

Col. Thomas H. Marshall, 7th Infantry, deceased.

Col. Calvin S. Douty, 1st Cavalry, killed at Aldie, Va., June 18, '63.

Col. Freeman McGilvery, 1st Mounted Artillery, died of wounds.

Col. Daniel Chaplin, 1st Heavy Artillery, killed in action August 20, '64.

Lt. Col. William S. Heath, 5th Infantry, killed at battle of Fair Oaks.

Lt. Col. Robert J. Gray, 9th Infantry, killed in action.

Lt. Col. Winslow P. Spofford, 11th Infantry, died of wounds June 17, '64.

Lt. Col. Charles S. Bickmore, 14th Infantry, killed in action October 19, '64.

Lt. Col. Stephen Boothby, 1st Cavalry, died of wounds.

Lt. Col. George F. Leppien, 1st Mounted Artillery, died of wounds May 24, '63.

Lt. Col. Edwin Burt, 3d Infantry, killed in action May 6, '64.

Lt. Col. George W. Sabine, 1st Heavy Artillery, died of wounds.

Major Wm. C. Morgan, 3d Infantry, killed in action May 23, '64.

Major Wm. L. Pitcher, 4th Infantry, killed at Fredericksburg, Va., Dec. 13, '62.

Major Eben Whitcomb, 4th Infantry, deceased Oct. 5, '63.

Major Robert H. Gray, 4th Infantry, died of wounds May 9, '64.

Major Joel A. Haycock, 6th Infantry, killed at Fredericksburg May 3, '63.

Major James P. Jones, 7th Infantry, killed at Ft. Stevens, Washington, D. C.

Major O'Neil W. Robinson, 1st Mounted Artillery, deceased.

Major Archibald D. Leavitt, 16th Infantry, died of wounds.

Major Ellis M. Sawyer, 17th Infantry, killed in action Nov. 27, '63.

Major Samuel T. Keene, 20th Infantry, killed in action.

Major Joseph D. Bullen, 28th Infantry, killed by a member of his regiment.

Major Charles W. Nute, 1st Heavy Artillery, deceased.

Major Wm. Knowlton, 29th Infantry, died of wounds Sept. 20, '64.

Major Wm. R. Currier, 31st Infantry, died of wounds Aug. 24, '64;

and staff and line officers to the number of two hundred and fifty—too long a catalogue for recital upon this occasion. All of these were soldiers of conspicuous gallantry and each worthy of the highest eulogy, but which the limits of this address will not permit. The residue of the perished thousands, composed of non-commissioned officers and privates, contained the flower and hope of many a home. To these vast losses, alike the sources of her sorrow and her pride, Maine points as the sacrifices she has laid upon the altar of her country. Peace to their ashes, honor to their memories and thanks to God that they have not died in vain.

In addition to these are six thousand six hundred and forty-two soldiers mustered out of the service for disabilities resulting from the casualties of battle or sickness of the camp. How many of them have gone down to untimely graves, I have no means of knowing, nor how many are dragging out a life of lingering suffering. I have endeavored to obtain from the war department, a list of such as perished in rebel prisons, but have been unable to procure it in season for this communication.

The war being ended and the measure of the sacrifices and services of the soldiers of our State known, I submit that some testimonial is due to the memory of the dead and equally to the more fortunate living, as broad as the authority of the State, in token of its appreciation and gratitude.

Other States are erecting monuments to their slain, and it is befitting that we should erect some enduring memorial in honor of the dead who have perished in our behalf. So numerous are these that it would not be practicable to erect statues or monuments to all, but a work of art, worthy the State and worthy the subject, might be devised which will accomplish the object. This form of commemoration is usual among all civilized nations, and by it is nursed that spirit of manly patriotism ever their refuge and defence in the hour of danger. I know of no mode by which it can be so properly done as at the expense of the State. It is her debt and I believe the people desire its payment. This is the suitable time when the sacrifices of our heroic martyrs are fresh in memory; let it not be postponed till recollection of their virtues becomes dim, and least of all, let us not shirk a public duty, trusting that private munificence and private sensibilities will supply a public neglect.

For the living, it has occurred to me that a simple medal with suitable inscriptions might be struck and furnished to each soldier who has been in the service and honorably discharged. This recognition by the State will gratify the pride of the soldier and become an invaluable heir-loom to his family when he shall pass away.

But the erection of monuments to the dead and the bestowal of

medals on the surviving, alone, will not satisfy the public conscience, for the duty of the State is thus but in part discharged. Many households there are upon whom penury has laid his chill hand, for their prop and support, the father or husband has given his life to his country. Many soldiers there are who in the same cause, though their lives have been spared, have received such injuries as absolutely to incapacitate them from supporting themselves or families. The government of the United States bestows a pension upon all these, but so small as to be inadequate to their necessities. Under such circumstances, I conceive that an imperative obligation rests upon the State to interpose and ameliorate the condition of the sufferers. The impulses of humanity and a sense of duty alike demand it. The orphans of the soldier who has sacrificed all for his country, have a right to demand it. The soldier whose life is about all that has been spared him, can well claim that he shall not be made either a mendicant or a pauper. Failing to provide for these classes, every sufferer would be a living reproach to the State. As to the best means of making this provision, so that the meritorious and deserving may be suitably cared for and at the same time to guard against imposition upon the State, it will be for you to select some of the modes which the philanthropic minds of the country have devised, if, as I cannot doubt, you shall concur in the opinions here expressed. It may be desirable, for the purpose of procuring statistics as to the numbers needing relief, and evidence of the best methods of affording it, and the limitations by which it shall be surrounded, that a commission shall be instituted, so that final action may not be reached the present session of the Legislature. There is one thing which can and should be done, and that is to enact a law that no soldier of sober habits, incapacitated by injuries received in the discharge of his duty while in the military service, or his family, who shall require aid from any city or town, shall thereby become paupers or subjected to any disability in consequence thereof, and that this provision shall be extended to the families of such as have died in the service or in consequence of injuries received therein.

The whole subject is submitted to your consideration, with entire confidence that you will meet it as it deserves and so dispose of it that it shall not be said that Maine is unmindful or neglectful of her duty to those who have suffered for their country.

Soon after the battle of Gettysburg, under the immediate auspices of the Governor of Pennsylvania, a movement was set on foot for the consecration of a National Cemetery and the erection of a monument to the memory of the soldiers who fell in that memorable engagement. This State, co-operating with the others which suffered upon that occasion, has contributed its share to

accomplish the work, and the same, now in course of rapid completion, will be a fitting testimony in honor of the dead.

The State authorities in Maryland are moving for a similar object on the battle-field of Antietam, and Maine has been invited by the Governor of that State to unite in the effort. In that conflict, as in all others in which the Army of the Potomac was engaged, this State contributed her proportion of the slain. It is due to the memory of those who lie there, that the spot where they rest should be suitably marked and consecrated. I shall submit the communication from the Governor of Maryland and commend the same to your favorable consideration.

MILITARY AGENCIES.

The agencies for the care of our soldiers have been discontinued and the various organizations maintained, especially by the ladies of the State, for their relief, have closed their labors. To these, as well as to the noble women who have gone to the front, and with that patience and tenderness belonging only to their sex, have watched and waited by the couch of the sick, wounded and dying soldier in his agony, I tender the thanks and acknowledgment of the State. Among these, and as most conspicuous, I do not deem it invidious to mention the names of Mrs. Sampson and Mrs. Mayhew, who may well be styled the Florence Nightingales of Maine. The United States General Hospital at this place has been closed by order of the Government. The number of patients who have been admitted and received treatment in it during the last eighteen months, is thirty-seven hundred and sixty-four, all of whom, with the exception of one hundred and fifty, were soldiers belonging to this State. Of these but eighty-six have died, more than two thousand returned to active duty, eleven hundred discharged the service, the residue transferred to the veteran reserve corps, other hospitals and deserted; the number of the last class being very small.

This hospital has been the source of great relief to the soldiers and comfort to their friends. For the past year it has been in charge of Brevet Lieut. Col. Derby, to whom, as well as to his assistants, I tender my thanks for the fidelity and kindness with which they have discharged their duties. For the present and until the residue of our regiments are mustered out of the service, a post hospital will be maintained here.

REPORT OF THE ADJUTANT GENERAL.

The forthcoming Report of the Adjutant General, embracing the operations of his office for the years 1864 and 1865 and the history of our soldiers for the same period, will constitute a most full and complete compendium of facts invaluable to them and their friends

as furnishing the clew by which their rights may be effectively secured. It will be an enduring monument to the ability and indefatigable industry of that officer. You are respectfully referred to it for suggestions in relation to the organization of the militia of the State.

FINANCE.

Passing from these considerations, your attention is invited to the financial condition of the State as it was at the outbreak of the rebellion and as it is at the close of the year 1865. On the first day of January, A. D. 1861, the funded debt of the State was \$699,500. At the commencement of the present year, it is \$5,164,500. The difference between these sums does not exhibit the amount of State expenditure made directly in aid of government in the prosecution of the war, for the debt existing at its commencement has been reduced \$197,500, and a very large amount added to the current revenues of the treasury from the increased taxation which has been imposed upon the citizens of the State from year to year, during the continuation of the struggle. The expenditure for war purposes, embracing the outfitting of the first ten regiments, bounties, aid to families of soldiers, for sick and wounded and other objects, including interest on the war debt, reaches the sum of \$7,357,572.97, distributed among the different years as follows :

1861,	.	.	.	.	.	\$1,008,578	17
1862,	.	.	.	.	.	165,878	60
1863,	.	.	.	.	.	642,030	90
1864,	.	.	.	.	.	3,784,481	55
1865,	.	.	.	.	.	1,756,603	75

Of these sums there has been paid for bounties alone, including scrip issued to soldiers since the eighteenth day of February last, \$4,578,636.00. The amount advanced by cities and towns for aid to families of soldiers to January 1, 1865, was \$1,599,536.66, which has been refunded by the State or provision made therefor. To this is to be added the estimated sum of \$400,000.00, being advances for the same purpose in 1865, which has been already provided for by the tax for that year. The returns have not been received from the cities and towns, so that the precise sum cannot be stated, but the estimate is believed to be large enough to cover it. Deducting from the foregoing aggregate the three hundred and twenty thousand dollars refunded by the United States, the State has expended \$7,037,572.97 already for the support of the war including interest on war debts, exceeding the amount of war loans including scrip by \$2,217,572.97.

The expenditure of 1861 was largely for outfitting the regiments raised that year, the expense of doing so having been cheerfully

assumed by the State in consequence of the utter want of preparation on the part of the government of the United States to meet the terrible emergency in which it found itself, its financial credit at the outbreak of the rebellion being far weaker than at any subsequent period of the struggle. The greater portion of these advances are still due from the United States, and the accounts, at this time, are in process of examination. These claims will be pressed to a settlement at the earliest possible moment, and I trust the State may realize what is fairly due to it. She made the advances in an ungrudging spirit, at a time when it was uncertain whether there would remain a government to refund. Under these circumstances, a liberal allowance of the expenditures, though not vouched strictly according to "regulations," may fairly be claimed. Beyond all these for us large amounts, returns received from the cities, towns and plantations of the State, under the requirements of the law, show that they are in debt, not less than \$6,556,183, which they have paid for bounties. To this sum is to be added whatever has been obtained by taxation for this purpose, there being many towns who have so raised a portion of the bounties paid by them; and still others which have assessed and collected the whole amount without recourse to taxes and are free from debt on that account. Putting all these sums together, there has been expended by the people of this State for the support of the national cause \$14,093,572, for which they owe to-day about \$12,000,000, saying nothing about private contributions, which through their liberality have continually flowed as freely as water.

These large debts will be met with unflinching integrity, the burden though heavy being lightened by the conviction of its necessity and the grand results achieved.

For the year 1865 the total expenditures of the State have been \$2,872,080.89, of which, the sum of \$325,113.38 represents the entire cost of its civil administration including appropriations for the enlargement and improvement of our public institutions. The civil expenses of the government have been somewhat, though slightly, increased by the war, but the disposition to economy has been enforced by the inevitably heavy burdens growing out of the struggle.

In common with the people, the Legislature of 1865 was strongly impressed with the conviction that the funded debt of the State was as large as could be maintained with safety to its credit. Such was my own view of the matter and that the policy of providing for our wants by immediate taxation, should be adopted. To enforce this policy, it became necessary to levy a very heavy State tax for the year 1865. This was, accordingly, done and a tax of one cent and five mills upon the valuation of 1860, was imposed, producing the sum of two millions, four hundred seventy-

six thousand eight hundred twenty-one dollars and twenty-one cents, to meet existing deficiencies and provide for the payments which the treasury would be called to make during the year 1866. As this tax was not payable till the first day of January of the present year, authority was granted to the Treasurer of State to make temporary loans to the amount of one million of dollars, not exceeding a year to run in anticipation of and to be paid from the proceeds of this tax. This policy and the establishment of a sinking fund to be obtained by an annual tax of three-fourths of a mill upon every dollar of the State valuation, producing about one hundred and twenty thousand dollars, has had the effect to maintain the high financial character of the State, her bonds having been sold in the closest money market of the year within one or two per cent. as high as the 7-30 bonds of the United States with all their advantage of exemption from taxation and superior rate of interest. I cannot too strongly press upon your consideration, the necessity as well as value of adhering to this policy of gradually paying off the public debt through the instrumentality of the sinking fund. It distributes the burden over a series of years and looks to its final extinguishment.

The Treasurer of State, having funds to spare, under the advice of the Executive, in conformity with the law has invested, by purchasing for the sinking fund, bonds of the State to the amount of \$100,500.00. These were bought at prices ranging from ninety-five to ninety-six dollars on the hundred and a very handsome saving secured thereby. In this connection, I would recommend, as some amounts will be received from the United States in liquidation of our claims against the general government for advances, that whatever is so refunded, shall also be added to the sinking fund, for the reason that this money was borrowed by the State under the authority to make loans for war purposes, and when returned should be applied to liquidate the debt as a matter of judicious economy. Under the authority to make temporary loans in anticipation of the receipt of the State tax of 1865, the Treasurer of State provided for the payment of the liabilities of the State for advances by cities and towns in 1864, to the families of soldiers. The mustering-out of large numbers of troops, consequent on the termination of active hostilities, has reduced materially the charge for aid furnished the families of soldiers during the past year, and the provision therefor made by the tax of 1865 will be ample.

The amount of scrip for soldiers' bounties, issued under resolve of February 18, 1865, is \$355,600.00 which will be payable at the office of the Treasurer of State, February 1, 1867, with interest. I would recommend that by the State tax of the present year its payment be provided for.

I take pleasure in stating that you will be able to reduce the

State tax of 1866, at least twelve hundred thousand dollars, or about fifty per cent. from what it was in 1865, if your appropriations do not exceed the estimates of the Treasurer of State, which have been made with great care by that vigilant officer. This will be a very grateful present relief to your constituents, who will be cheered by the prospect of a reduction of their burdens.

ASSUMPTION OF STATE DEBTS.

In my address last year I took occasion to present certain considerations why the indebtedness of the States including all their municipalities, should be assumed by the government of the United States. The importance of the subject must be my apology for repeating them. The war was fought for no special locality nor any particular generation. The contest was purely and simply for national existence and to preserve in perpetuity republican institutions in the United States for all time to come, and for the human race. Those who have fallen cannot be restored, for the grave will not give up its dead. The enormous sacrifice of life, the measureless woe caused by the struggle, can never be shared by those who succeeded us. The pecuniary burden can and should be. Men were demanded for the armies, and the inducements offered by the national government were inadequate to procure them. States supplied the deficiency, doing only what necessity required, and which had they failed to do the struggle itself must have been a failure. The law conscribing soldiers, produced directly, the most meager results, though indirectly, it stimulated States to increase their efforts and through State action and State energy alone, the armies were recruited. The most efficient means was the payment of large bounties. Compelled by the inexorable necessities of the case to this vast expenditure, it should be at the common charge of the whole country. Upon these considerations alone, the demand for this assumption rests upon impregnable grounds. Coupled with these are others of equal weight. The enormous charges of the national government have driven it to lay its hands upon every national resource. Clothed by the constitution with the sole power of levying imposts, which in olden time was entirely adequate to the supply of the national wants, there still remained an abundant field from which the States could gather revenue as their necessities demanded. The changed condition of affairs has compelled the general government to the exercise of legitimate though hitherto unaccustomed powers. The act levying excise and income taxes penetrates every pocket and reaches every branch of business and industry. Of this no loyal person does or will complain. The act creating a national currency is rapidly driving all State banking institutions from existence, thereby drying up a most important source of State revenue. Very large amounts of capital have been withdrawn from taxation

by investments in the government bonds, invited thereto by that very exemption. The States, accordingly, find themselves laboring under largely increased burdens with diminished means of meeting them.

But beyond all these and reaching into the future, the time is not remote when the territories between the Mississippi and the Rocky Mountains, which to-day are but a waste so far as human habitancy is concerned, will be the abode of millions of people and come as States within the pale of the Union. These States will have no such inheritance of debts, as will oppress the industry of their older sisters unless the nation comes to their relief, but on the contrary, will furnish attractive fields of settlement to citizens of those States, who, to escape the onerous taxation of their present homes, will seek new ones in these, at present, uninhabited regions. We have by our blood and our treasure, dedicated this country as the abode of liberty; and those who are to partake of its blessings have no right to refuse, so far as they can, to participate in its cost and contribute their share to mitigate the burdens.

The growth of the United States in the past in population and wealth, has been a marvel in human history. The decade closing with 1860 exhibits the most astonishing results. That system of inter-communication by railroads and locomotives, unknown to the world forty years ago, had been largely adopted by our people and was just beginning to produce its legitimate fruits, in an unrivalled national prosperity, when the war of the rebellion broke upon us. Railroad construction in the loyal States has been pressed notwithstanding the war and already the lines are commenced at either end which are to unite the Atlantic and Pacific. These will bring the fertile regions which they are to traverse within the compass of a far easier journey than our forefathers, coming from other portions of New England, had in reaching central Maine. Already the vast metalliferous wealth found in the valleys and declivities of the Rocky Mountains is stimulating enterprise and adventure, till the highways across the plains are thronged with the trains of the emigrant pressing their slow footsteps to the new found El Dorado. With the railroad to the Pacific completed, the imagination can hardly compute the result. This is the enchanter's wand, which, in that now remote region is to build cities and populate States, as it has already in the nearer west, with a rapidity no statistics could have foretold, and where but for its magic potency, primeval solitude would now reign through a vast domain. The addition to the national debt of the liabilities of the State will not equal six months expenditure in prosecuting the war. That debt, large as it is, in comparison with any other in our past history, the country has demonstrated its ability to carry. The certain knowledge of those yet vast and multiplying resources which

the genius and industry of the American people are day by day unfolding, affords confident assurance that this increase will not be sensibly felt, in the national finances. The rapid growth of the country in population and wealth will constantly diminish the pressure of the burden by enlarging the base upon which it rests.

BANKS AND CURRENCY.

The inflation of the currency at this time, is producing injurious effects upon the business of the country, by stimulating speculation and enabling comparatively a very small number of persons to engross many of the leading staples demanded for general consumption. From this state of things calamitous financial results may be anticipated.

For the most part, the power and duty to reduce the amount of currency, rests with the national government, it having swelled the volume to an enormous extent by its own issues. The policy indicated by the Secretary of the Treasury, deserves the support of all who desire to return to a stable basis. It is to be attended with difficulties, at best. These however must be met promptly, otherwise greater evils will overtake the country. The difference between the value of paper money and gold is very much less than it was a year since, but the prices of commodities have not declined relatively or anything like it. The large demand coming from the south, tends to maintain them, but the facility for obtaining means to carry on large speculations in consequence of the great volume of currency afloat is, without doubt, the main cause of the ruling high rates. The States can do but little to affect this matter.

Under existing laws of this State, banks which since February 24, 1865, have voted to surrender their charters and become banking associations under the laws of the United States, are required to file a bond or deposit stocks or other securities with the Treasurer of State, to the acceptance of the bank commissioners, to secure the redemption of all bills of banks so surrendering, issued prior thereto by the same, or by the association to which it has converted itself afterwards, and that the bills so redeemed shall not be reissued or again put in circulation but shall be destroyed; provided however, it shall be made to appear that such association cannot immediately procure of the comptroller of the currency of the United States, circulating notes to use as currency in place of the bills so required to be redeemed and destroyed, the bank commissioners may authorize such bank to reissue and continue in circulation such bills for a period to be fixed by them, not exceeding twelve months after being authorized to act as a national banking association and not subsequent to the receipt of such circulating notes of the United States as it shall be entitled to receive; with

the further provision that nothing in the act containing these provisions shall authorize any bank to have in circulation bills of all kinds exceeding the amount permitted under the act of Congress establishing such association. The privileges and limitations of this law are prospective and apply only to banks of the State changing to national associations subsequent to the passage thereof. The reason for enacting this law grew out of the supposed embarrassment in accommodating the customers of the banks during the interval between the surrender of the charter of the bank and the reception of the national currency. It appears by the report of the bank commissioners that this requirement has not been observed in all cases. The obligation to comply with the law requiring security, if regarded as a condition precedent to the surrender of the State charter, and I am inclined to that opinion, would leave the banks failing to give the security, in the position of not having completed the surrender and amenable to the State tax.

There have been instances of national associations created before the law of February 24, 1865, which have employed the bills of the bank from which they were converted, to a very large amount, without filing any bond, or furnishing any additional security to the public. If this course of proceeding is tolerated, it may happen that the bills of such banks will be issued up to the last day when the surrendering bank is liable to redeem the same and a large amount of its currency kept afloat, having no legal sponsor to redeem it and whose value will depend solely upon the honor of those who have put it on the public. This has never been regarded in Maine, as an adequate basis for bank circulation. The faith of the State is involved to the extent of guarding against a possible abuse of this kind. The bills, except for the authority it has given to issue them, would be worthless and a control of their issue should be reserved to it until they are retired and destroyed. It will be for you to look into this subject and ascertain if there is any danger from this source and if so to guard against it, if possible. I would suggest that in all cases where the bills of a State bank are to be employed subsequent to the surrender of its charter and conversion into a national association, that a State tax be levied on such circulation.

The addition of the State note circulation above referred to, added to the national currency issued by the banks, helps to swell the amount, and I deem it proper that the State require the earliest practical redemption of these notes, doing thereby its part in contracting the volume of the currency and as a matter of safety to the public.

I would likewise suggest that the banks surrendering their charters shall be required to return as often as once in three months, the amount of their bills in circulation to the Secretary of State,

until the time allowed for closing their affairs expires, which returns he shall cause to be published in such newspapers and for such time as the Legislature may prescribe. Additional notice should also be given of the time when the obligation of banks surrendering their charters, to redeem their bills, ceases. I advise that this notice shall be given in each case by the Secretary of State, who shall publish the same in certain designated newspapers during the last three months of the existence of the bank, for such time as the Legislature may provide. The notice now given, at the time of the vote to surrender, naturally passes out of the public mind, but the renewal of it towards the close of the bank's existence, will arrest public attention and secure a return of the bills in season to save loss to the community.

BOUNTIES, ETC.

The expenditures of the State for bounties and other military purposes have run up to millions, instead of the few hundred thousands required for the civil expenses in times of peace. It is not surprising that suggestions and insinuations of fraud in the disbursement of these large sums, should obtain currency, if not credence. By the law granting State bounties in 1864, cities and towns were not authorized, but substantially inhibited from the payment of bounties, the State having made large provision therefor. But these municipalities, moved by the anxiety of their citizens to escape the conscription, almost universally voted lavish sums to fill their quotas and appealed to the Legislature of 1865 to sanction their proceedings, which was done. The action of the cities and towns at the time being without color of legal authority, the Executive of the State disclaimed, all supervision or control except to insist that they must be bound by the law of the State. So far as these corporations were concerned, the agreement to pay bounties or sums for the filling of quotas, was a contract between them and the recruit or the agent of the town, whether a substitute broker by profession, or the specially authorized agent of the municipality, to be enforced in the same manner as other contracts, subject to the legal rights of the parties. So far as the payment of State bounty was concerned, every possible precaution was enjoined upon the officials having charge thereof, to prevent the payment of the same to any party but the recruit himself, or to the municipal authorities, who had previously and according to law, advanced any portion of it to such soldier.

The rule in disbursing these bounties, when not advanced by the towns—and only a small portion was so advanced—was to withhold them until the organization was ready and about to leave for the field, when the soldiers composing it were mustered in a body and all paid at the same time. Occasionally absentees did not get

their bounty at the time of the general payment. The total number of these was small and great care was observed that they should be paid on sufficient and well-authenticated vouchers. No well-grounded complaint has reached me that the State bounty has not been honestly and fairly paid.

Under the circumstances of the case, the war being ended, and as the books of this account should be closed, I would suggest that the Legislature cause a thorough investigation to be made into the financial management of the State and into all other departments of the public service, that the people may learn whether they have been properly and faithfully served or not. This is due to the people and to the gentlemen who have had charge of public affairs during the protracted struggle through which we have passed and under the vastly increased responsibilities imposed thereby.

PUBLIC INSTITUTIONS.

For the condition of the various institutions maintained by or under the patronage of the State, you are referred to the several reports of the officers thereof. Those in the State have all been visited by the Governor and Council the past year, and those beyond its limits by the Council. From the examination made they appear to be progressing satisfactorily and still entitled to the continued favor of our people.

An appropriation of \$20,000 for building an additional wing to the Insane Hospital, was made by the Legislature of 1865. The crowded condition of the institution rendered this indispensable. The work was commenced under the direction of the Trustees, upon whom the expenditure was devolved. The work done has been of the most permanent character. Causes well understood have made the cost much heavier than in former times. When the walls were completed the appropriation had become exhausted. It was of the highest necessity that they should be covered by a roof to protect what had already been done, from injury by the storms and frosts of the coming winter. The Governor and council having fully examined and considered the subject, advised the prosecution of the work to that extent, and an advance from the Treasury to do it. The necessity of the case required the erection of the addition and good economy demanded that what had been done, should not be suffered to incur injury from exposure. I can have no doubt that you will justify the action of the executive department of the government and make an appropriation which shall finish the structure. The number of insane persons in the State is such, and increasing with its growth, as to make further accommodation for them indispensable. An additional wing, of the size of the one in process of construction will make the present hospital

as large as it should be. Patients already there are to fill it. Probably it may be postponed some little time, but its necessity will become more pressing every year. The erection of another hospital at some other point in the State, will without question be required to supply the wants of this unfortunate class. The numbers accommodated by the present institution, when completed, will be as great as can properly be cared for under one Superintendence, and as large as, from sanitary considerations, can be grouped together. I mention what I believe will, at an early day, become a public need, not with a view to any action by you, but for the purpose of presenting it to the attention of the people.

The affairs of the State Prison since the accession of the present warden, Mr. Rice, have exhibited a very flattering improvement over any previous period of its history. Under his management it has become a self-sustaining institution, and that too, notwithstanding a very large diminution of the number of its inmates, which, at one time the last year, was as low as sixty-five, against one hundred and twelve at the close of the year 1862. In consequence of this decline in numbers, the productive capacity of the Prison has proportionately lessened, while the expenses of its maintenance do not fall off in a corresponding ratio, the same number of subordinate officers, overseers and guards being required for the police and management of the establishment, whether the number of prisoners is large or small. This institution, during almost its entire existence, has been a heavy drain upon the Treasury, and it seemed to have become, in this direction, chronic and incurable. The results achieved by the warden are due to general, skillful management of the prison, the judicious direction given to the labor of the convicts, but perhaps more than all to the treatment of the prisoners. The application of corporal punishment has been entirely discontinued. The effect of this punishment is to degrade the subjects of it and to induce a sullenness which resists all other incitements to labor, a carelessness in the performance of it, a wasting of the material employed and an entire recklessness of results. Such has been the experience in this prison. Pursuing an opposite course, treating the prisoners with kindness instead of brutality, the amount of work done by them has been largely increased, the quality of it improved and the income of the prison enlarged, with most beneficial effects also upon the moral condition of the prisoners. A management producing these results deserves and will receive the public approbation.

Your attention to so much of the report of the Inspectors of the State Prison as recommends an appropriation for stable, cistern and out-buildings is invited. I concur in believing the same to be a judicious and proper expenditure.

During the war the number of convicts was much reduced and a singular immunity from crime existed, but the tide which for four years ebbed in so gratifying a manner, has, with the return of peace, again set in upon us with fearful force. I am not aware that any change in the penal code is called for, or would add to its efficiency, but an increase of numbers and vigilance of the police force in cities and towns is required, and those officers charged with the prosecution of offenders are called upon by this state of affairs to a most energetic exercise of the powers confided to them.

In relation to the Reform School, while my impressions as to its usefulness in its general scope and purpose have been strengthened, I think that some changes in the law prescribing who shall be the subjects of sentence there, should be made. By existing laws, the ages of children sent to the School, are from eight to sixteen years. The term of sentence is during minority, in every case, subject however to the power of the trustees to discharge them sooner. It may happen that a boy of the age of eight years, upon whom the light of moral sense has hardly dawned, for breaking a pane of glass, will receive a sentence for thirteen years, while one of sixteen, for a crime involving moral turpitude of which he is fully conscious, receives a sentence for five years. So far as the sentence is to be regarded as a penalty, there is a manifest confusion of degrees of guilt, imposing the lesser punishment for the greater offence. Again, the association of children of tender years, who as yet have not the perception of right and wrong, with those who are older and in whom the moral faculties have a development, but have become perverted by neglect of their education, cannot be particularly favorable to the younger, notwithstanding the restrictions of the school. I am impressed with the necessity of a separation of these classes, and in fact, doubt the propriety of making children as young as eight years, the subject of penal visitation at all. There may be, and doubtless is, a necessity for public provision for the education and sustenance of these little children who may have no parents to take care of them, or such as from immoral habits are unfit to have charge of them, but it is revolting that they should be taken, at that tender age, from parents of a different character. If nothing more is done, measures should be taken to secure an absolute separation of these different classes of children, and those who may be sent to the school for mere thoughtless mischief should not be confounded with such as are in a marked degree criminal. It is impossible that this promiscuous association can be otherwise than injurious to a portion, who, if not brought in contact with the viciously disposed, would escape contamination.

I trust that you will give to the consideration of the subject, the

careful deliberation and thorough scrutiny to which it is entitled, nor limit yourselves to the suggestions here made. Our public institutions ought to be the best of their kind, and whatever aid is to be derived from the experience of other States, as well as our own, should be availed of to accomplish this object.

The Normal School at Farmington, it affords me pleasure to state, is in a flourishing condition, equal to the most sanguine expectations of its warmest friends. This institution, regarded as an experiment by many, is destined, I trust and believe, to vindicate the wisdom of its authors. The number of pupils has largely increased the past year, there having been in attendance during the fall session of 1865, one hundred and fifteen pupils, coming from nearly every part of the state, all but three counties being represented. The Governor, accompanied by a committee of the Council, visited the school in the month of October, without notice to the officers thereof; and had an opportunity to observe it in its every day workings. I am gratified in being able to say that the teachers are well qualified for their positions and possessed of that spirit in the discharge of their duties, which furnishes a sure guarantee of success. A school like this can hardly fail of achieving great results. It will become the focus of the educational interests of the State so far as common schools are concerned. If the pupils of this school succeed as teachers, as we have reason to believe they will, it is there that teachers will be sought. This fact will attract pupils to it. The bringing together of so many persons having a common object—the learning of the science of teaching—by the attrition of mind with mind, cannot fail to be mutually beneficial. Of the members in attendance in October, all who proposed taking schools the present winter have been employed.

The classes which are to graduate from year to year, like the overflow of the river, which fertilizes the valleys on its margin, will shed the beneficent influence of their acquirements over our State, returning an hundred fold all that they have cost the Treasury. I do commend most cheerfully, a fair and full trial of this experiment, if experiment it may be called, to the people of the State.

It is proper to inform you that the land set apart for the support of the Normal School, was duly advertised by the Land Agent for sale, but failed to obtain anything like the upset price. An offer therefor was subsequently made for it, which the Governor and Council, upon mature examination of the premises, regarded as justifying them to advise the Land Agent to make a conditional contract of sale, subject to the ratification of the Legislature. This he did and it rests with you to confirm it, if, upon full consideration of the matter, you shall find the interests of the State will be promoted thereby. Unless this is done, it will be necessary to

make a specific appropriation from the Treasury to sustain the school.

The Trustees of the College for the promotion of Agriculture and the Mechanic Arts, have not yet decided upon any location for the institution. The lands granted for the endowment thereof, have, under the advice of the executive council, concurred in by the board of trustees, been advertised for sale.

In this connection, your attention is called to a resolve approved March 23, 1864, "appropriating the timber and lumber on a township of land for educational purposes." This appropriation was charged with various endowments to Berwick, Houlton, Limerick, Presque Isle and St. Albans Academies, amounting in all to eleven thousand dollars. The township designated for the purpose was supposed to be as valuable as any belonging to the State, not before set apart for other purposes. The Land Agent has been unable to dispose of the timber and lumber thereon for an amount sufficient to meet the charges upon it. The general enhancement of prices has not affected that of timber lands, thus far. When this appropriation was made, it was doubtless the impression of the Legislature that the stipulated amounts could readily be obtained. Exaggerated opinions of the value of the lands, the property of the State, led to this conclusion. It will rest with you to determine what, under the circumstances, shall be done, though I cannot withhold the expression of the opinion that it was the expectation as well as the intent of the Legislature that the several institutions should have in money, the whole amount of the endowment proposed.

I am not aware that any legislation of a general character is required upon the subject of the public lands. With regard to the operations of the Land Office, you are referred to the report of the Land Agent. They have been of a limited character and will continue to diminish, especially if the European and North American Railway Company shall so far comply with the conditions of the contingent grant made to it, as to secure it absolutely.

EUROPEAN AND NORTH AMERICAN RAILWAY.

The interest which has been manifested in the extension of our railway system northerly to the Aroostook and eastward to the British provinces, by the Legislature heretofore, was prompted by a belief of its advantage to the entire State. Whatever can be done to build up any portion of the State, not at the expense of the rest, for by such policy nothing is gained, as equivalent injury ensues, but adding to the wealth and prosperity of any locality by developing new resources or opening new avenues for business, is deserving of encouragement; for the growth of a part, under these conditions, is an increase of the whole.

Prior to the construction of the Grand Trunk Railway the position of Maine was one of extreme isolation and its chief sources of business were confined to its own limits. This enterprise, over-leaping natural obstacles has brought us in contiguity with the Canadas and the fertile prairies of the Western States, enriching the region through which it passes, creating large values where none existed before and pre-eminently contributing to the growth and prosperity of the commercial metropolis of the State. The ratable estates of the city of Portland in eighteen hundred and fifty by the State valuation were established at \$7,311,561. That year the railroad enterprise above referred to had just got into successful operation. By the valuation of eighteen hundred and sixty, being a period of ten years, the taxable property of that city reached the sum of \$21,866,000, being a growth of nearly two hundred per cent. and seven times the amount it was at the close of the decade terminating with eighteen hundred and forty. This is, for us, a striking illustration of the importance of railroads as contributing to our growth and prosperity. Without the Grand Trunk Road, Portland, this day, would have been comparatively an unimportant place. With it she has before her a future gratifying to every friend of the State.

The value of land or commodities depends upon vicinity to market or facility of access thereto. If upon Casco Bay can be found a market for buying and selling, as good for our citizens as that of Boston or New York, it cannot fail vastly to benefit the State at large. With the statistics above presented, we have the pleasant and certain assurance that such is to be the case at a very early day. With these results before us, from breaking through the barriers on the north-western part of the State, is there not great encouragement to push improvements in the north-eastern direction, opening up the Aroostook to rapid settlement and penetrating to New Brunswick and Nova Scotia?

The commencement of the European and North American Railroad has been deferred by causes not in the power of the corporators to control. The prospect, however, is flattering for a speedy beginning of the work, and once commenced it will not be discontinued, the interests of the valley of the upper Penobscot being too largely involved to permit its abandonment. The State has been generous in her grants to this enterprise, making it, of its class, the solitary recipient of her bounty. These have indeed been contingent, but no one would desire to recall them while there is a reasonable prospect of the accomplishment of the work, which must ultimately depend upon the efforts of the people, who above all others, are interested in its success. Railroad enterprises in Maine, have heretofore required and received the energetic and united efforts of the communities by which they have been con-

structed. Compliance with this condition will be found indispensable to the achievement of this most important undertaking. Let it be secured; the rest of the State will bid it "God speed" and triumph will crown the work.

It is time that local jealousies and animosities in this State should cease. They do not contribute to our credit, nor will they increase our prosperity. Conceding to every portion of it, what it is fairly entitled to, it is alike our duty and our interest, moving unitedly, to pursue every line of honorable policy which will result in the promotion of the common welfare. Guided by this principle, it will be found that no antagonisms exist and that what benefits a part will be shared by all.

I have heretofore taken occasion to recommend to the favorable consideration of the Legislature, the enterprise designed to connect the railroad terminus on the Penobscot at Milford, with that at Princeton on the waters of the St. Croix. The accomplishment of this will bring the eastern frontier of the State in nearer and easier communication with the centre and the west. The country between these waters is a wilderness, compelling the asking of aid from the State. The road which is proposed to be built will place Calais within an easy day's ride of Bangor, and inasmuch as that portion of the State has not been largely the recipient of grants from the Legislature heretofore, I can but repeat my commendation of it to your favor.

THE RECIPROCITY TREATY.

The Reciprocity Treaty, regulating trade between the United States and the British provinces, will expire, under the notice of our government on the seventeenth day of March next. It is not too much to say that no accomplished negotiation or congressional legislation ever affected the general interests of Maine more injuriously than did this treaty. I refer specifically to the products of field and forest. It is matter of congratulation that it is so soon to terminate. Already, however, we have notice that its advocates are about to besiege the national authorities for its renewal in some shape. Already are the agents of British colonial interests hastening to Washington to secure this consummation. Damaging as it was to Maine prior to the war, when we had no internal national taxation, it would be vastly more injurious and unjust to put our sorely taxed producers in competition with the untaxed industry and material of these provinces. The idea of reviving free trade in the present condition of the national finances, is simply preposterous, and to do it with the articles embraced in that treaty, would look like a wanton attempt to strike at the special industrial pursuits of this section of the Union. It is doubtless true that under such a treaty, some articles could be thrown more cheaply

on our markets and the same is no less true of every article embraced in the national tariff if it could be imported duty free. The cost of labor is enhanced by taxation of what it consumes; what it produces is subject to the same. When the ingenuity of financiers is tried to the utmost to find sources of supply for the national revenue, it will be hard to find a reason for the exemption of the products included in that treaty, which was reciprocal only in name.

The difference between the currencies of the United States and the provinces has operated, of late years, to mitigate its injurious effects, but a return to a specie basis would restore the old advantage, if the treaty or anything like it is to be renewed, injuriously affecting our farmers and bankrupting our lumbermen.

I am happy to perceive that this project receives no favor at the hands of the Secretary of the Treasury and trust that the effort for the renewal may fail. It is not easy to perceive why these provinces should stand upon any different footing in the markets of the United States than other foreign nations, upon the principle of fair dealing with all. During the war of the rebellion the United States has been the object of ill-concealed hostility on the part of their people to a great extent and on the ground of good neighborhood they have no claim to be admitted to our markets upon better terms than other people. I dismiss this subject with the remark that the farmers and lumbermen of Maine, who have no boards of trade to represent them at Washington, have a right to claim your interposition in their behalf.

THE SECRETARY OF WAR.

During the two years past, the Executive of this State has had, necessarily, frequent correspondence with the Secretary of War, concerning the defences of the State and many other subjects growing out of military operations, affecting the interests of our citizens, but especially touching the welfare of our soldiers.

I take this occasion, personally and officially, to express my sense of obligation to that officer for the promptness of his attention to the suggestions I have had the honor to make in the interest of the State, the readiness with which he provided against the probabilities or possibilities of attack upon our seaboard, for the disposition manifested to mitigate the hardships of the conscription so far as possible consistently with the national interest, and more than all, for the humane and kindly consideration with which he listened to every application of mine, having for its object the relief of the suffering soldiers of our State and the efficient orders he gave in that regard.

From the day on which he entered the cabinet of Mr. Buchanan, when treason was stalking unbuked by national authority and

the ship of State, her pilot holding the helm with feeble hands and bowing before the tempest, was driving upon the breakers of dissolution, identifying himself with the only councils and measures which lighted the gloom of the closing hours of that administration, up to the time when rebellion was crushed beneath the ponderous blows of the military power of the country so effectively organized by him, loyalty has had no abler or more disinterested servitor nor treason a more determined foe than Edwin M. Stanton, whose courage never quailed and whose fortitude never faltered in the darkest hours of the republic.

Placed in a position inevitably bringing him offensively in contact with the ambition and self-interest of individuals and as the right arm of the commander-in-chief, through whom he exercised his most summary powers, he has encountered a large share of malignant detraction even for a public man; but upon this tried and ever trusted friend of Abraham Lincoln, the loyal men of this nation will bestow the benediction of "well done, good and faithful servant."

NATIONAL AFFAIRS.

The restored supremacy of the national authority brings with it difficulties of the gravest character, arising as well from the ruptured relations of the revolted States as the new relations resulting from the abolition of slavery, which, almost necessarily, give rise to various theories of re-adjustment, the more numerous as the history of the past sheds no light and furnishes no example by which we may be guided.

The colored race has been the slave of the white from the early settlement of this continent. God, in oceans of blood, through the tears, sufferings and unutterable woes of the nation, has seen fit to break their chains. We are now to determine whether these people are to remain among us and if so what shall be their status, civilly and politically. The solution of the questions involved, is clouded by difficulties arising from the prejudices which have gathered against the servile and unfortunate race during the centuries of their bondage. One theory is that which starts with the fundamental idea that the two races cannot dwell together except in the subordination of one to the other. The necessity of this subordination was the doctrine of that man, to whom, though in the grave, the country is most indebted for the miseries which have been inflicted upon it. He relied upon it as a justification of slavery. If true, then in self-defence, the white man must maintain the institution. Propositions having no other foundation than the sheepest assumption, uttered with an air as if *ex cathedra* and persistently repeated, passing from mouth to mouth unchallenged, come to be received as first principles. The assertion so often made and

long repeated that the blacks are an inferior race, has become a common belief. There are certain prominent characteristics which mark them as a different race, but these by no means establish the fact of natural inferiority, for they do not necessarily effect their intellectual or moral organization. The ignorance, the propensities, the laziness, the incapacity to take care of themselves, the feeble sense of moral obligation alleged against the blacks, are to be considered, and their origin traced. Brought to this country in a savage state, shut out and forbidden all means of obtaining knowledge except by observation, how could they be otherwise than ignorant? If they will steal, is it strange that the victims of perpetual robbery should lay their hands on what might come in their way liable to appropriation? Doubtless they have always been taught it was improper to take their master's property, but when he was snatching their all without recompense, abstract teachings would be very likely to fail in the light of such an example. Practically forbidden the enjoyment of the family relation, deprived as it has been of all those sanctions which constitute it the incentive and guard to chastity, the charge of licentiousness can be made with no more justice against them than against the brute creation. The laziness which shirks labor is not wonderful when the laborer does not receive his reward. How many white men would work except upon the compulsion of the task-master, if at night a collector stood by to receive their wages, from which the laborer should be allowed but a pittance to supply him with the scantiest fare and shabbiest raiment? The great wealth of the south before the rebellion, was due almost wholly to the toil of the slave, and the world's history is pregnant with proof that the security of acquisition is the greatest possible stimulus to industry. If they are insensible to moral obligations, is it not pertinent to inquire how regard for these could be expected of a people towards whom moral obligations have never been maintained and whose whole existence has been fraught with lessons that no such obligations existed? Suppose the like number of whites reduced to the same bondage, under precisely similar conditions, who doubts that the assertion would be made and accepted that they were an inferior race? Whatever there is in the condition of the freedman giving color to the allegation of inferiority, is it not chargeable to the bondage in which he has been held?

Mr. Jefferson, one of the wisest and most philosophical statesmen this country has produced, was inclined to the belief, that, summing up all the elements of organization and character, the blacks were inferior to the whites, but even to this belief he gave utterance with great doubt and hesitancy, as there were no sufficient tests known to him by which the question had been tried to justify an authoritative judgment. If in anything they were infe-

rior, it was in the highest qualities of intellectual organization. But admitting, for the sake of the argument, the alleged inequality, how does this conflict with the compatibility of the two races dwelling together in the same country? Is it true that all whites are equal in the endowments God has bestowed, or in the acquirements they possess? On the contrary, with every race and tongue, there are gradations of physical and intellectual power in individuals, but these differences create no disturbance in society and all of its adjustments are made easily and without disorder. If the learned and accomplished can live in the same community with the ignorant and the rude; if wealth and poverty can stand side by side, each respecting the rights of the other when they are of the same complexion, why may not the same harmony exist when there is a difference of races? If inequalities notoriously existing among the so-called master races do not prevent the harmonious arrangement of society, it should require the test of actual experiment to induce a belief that the same differences in another race would be attended with different results.

Mr. Jefferson, contemplating the abolition of slavery and speculating upon the difficulties attending it, conceived that the resentment of the oppressed race, stimulated by the recollection of the wrongs they had endured, would excite them to take vengeance on their masters and that this state of feeling continuing, would make the residence together of the two races in a state of freedom incompatible with the safety of either. Is it affirming too much to say that this apprehension has proved groundless? The disposition of the black race is, for the greater part, mild and forgiving, and when it is considered that this vast multitude of ignorant beings have been suddenly set at liberty, it is astonishing that so few excesses have taken place or have been so easily corrected.

The first great demand of this country is for labor. From the very foundation of our government, it has been our policy to invite the freest immigration from every portion of the earth. The allurements of a free government; the ease with which citizenship has been acquired; the facility for obtaining cheap and fertile lands; the readiness with which employment for unskilled labor even could be procured and the vast commerce which has brought them so cheaply to our shores, has, in forty years, swelled the numbers of immigrants to only equal those of the black population of the country to-day. Yet with all this tide of life flowing in upon us, labor has been in readier demand and commanded a higher price in the United States than in any portion of the civilized globe, and the need is still pressing for more. The inventive genius of man has been and is constantly on the rack to devise machinery and processes in every department of life, which shall

increase production and dispense with or give greater efficiency to human labor.

With the south the very first necessity is labor to till its fertile soil. The freedman, ignorant as he may be in all else, is well-trained in her agriculture. The southern climate, unfriendly and enervating to the whites, is congenial to the negro by reason both of constitutional organization and long acclimation and no imported labor could compete with his at all, even if the substitution could be made in a day without cost or inconvenience. The demand at the south for labor in the production of rice, tobacco, cotton and sugar, outruns all others in an immeasurable degree and nothing but the blindest rage could prompt a desire for the deportation of the freedman.

No doubt the crudest notions, at this time, are entertained by the blacks in regard to their rights and their relations to their former masters. The first lesson for them, and they are learning it rapidly, is that freedom does not mean idleness, but that it brings to them the necessity of labor with the right to retain the fruits of it. There can hardly be a question that in the course of a brief period of time the demoralization of labor existing at the south, will be corrected. The wants of existence force the most unwilling to toil, and the incentive which the freedman now feels for the first time, that he is his own and the labor of his hands is not to be snatched from him, will achieve the same results with him as with the white. The land owners of the south must be eager to resume the cultivation of their plantations, stimulated alike by necessity and the love of gain. The white needs what the black has to sell—labor; and the black wants what the white man has to give him—employment. When the necessities of buyer and seller are both pressing, there is ordinarily but little difficulty in arranging terms.

The proposition to remove the blacks from the south would be like taking out the wheels which move the complicated machinery of our factories, or dismissing the operatives and expecting the spindles to turn and the shuttles to fly. I dismiss it as unwise, unphilosophical, impracticable and absurd, involving ruin to the south and calamitous consequences to vast national interests.

If then, these people are to remain at their ancient homes, and the tenacity with which they cling to them stamps folly and falsehood upon the assertion that the north was to be overrun by them, the duty devolves upon the national government to assure to them the rights attaching to that freedom, which through its action, they have attained. This, clearly, can only be secured while the relations of the rebellious, slaveholding communities to the Union are held in suspense and before they resume the political status existing anterior to the rebellion, for the states of the American

Union are not under the surveillance of the general government, touching their powers affecting the rights of their citizens, except in a very limited degree and the regulation of the right of suffrage, for instance, rests with them exclusively. In fact their power is so great to affect the civil and political rights of their citizens, that in any one an obnoxious class may be so persecuted as to render its condition quite as intolerable as that of servitude. The denial of the right to give testimony in courts of justice, or enforce contracts therein as suitors, the omission to give the sanction of law to the marriage and family relation, the introduction of obstructions to the acquisition of real estate and in a great variety of other methods to make distinctions against such a class, is within the power of our State governments.

The regard in which the colored race has been held by the citizens of the late slaveholding communities, has not, probably, been improved by recent events. The part they have borne in the struggle which has terminated in their emancipation, cannot fail to excite feelings of resentment on the part of the whites unfriendly to them and though the new condition of affairs may be accepted, it is accepted only and because it has been enforced by the military power of the nation. To declare the slaves free and under such circumstances remit them to the unrestrained control of their former masters with such powers in the State to oppress, would be but mockery, delusion and cruelty, "keeping the promise to the ear but breaking it to the hope." It is said that the exercise of such powers as are above referred to, has never been practised in free States and should not be anticipated? True, but in no free State has there ever existed a temptation to the perpetuation of such injustice and besides in the free State the ballot is held by so many hands that it would be only the audacity of madness which should attempt it. It is the ballot in the free State, mightier than the sword, that protects liberty and stifles even the conception of tyranny.

What we are at liberty to anticipate, after the attempt to overthrow such a government as ours, he would be a very wise man who could set the limit.

The country has reached a crisis in its affairs, most momentous. The settlement of the questions of this day is pregnant for good or for evil and any adjustment which ignores the demands of justice and freedom, faithful service and unbending loyalty, will give rise to controversies as sharp, bitter and, it may be, as calamitous as any we have experienced.

The reconstruction of the "insurrectionary States" and the restoration of their relations to the general government, is a part of the great problem forcing itself on the people of this nation. Precedents and analogies are wanting to give us any clue to the solu-

lution. How stands case? The life of the nation was assailed for the avowed purpose of establishing a government, the corner stone, of which was to be human bondage. The monstrous effort failed and with it has gone forth the fiat irrevocable that in the United States slavery shall be known no more. The rebellion was terminated by no treaty nor compromise of any sort whatever; it was actually and literally crushed out by military power. The revolting States held out till their powers of endurance and effort were utterly exhausted. They were absolutely overrun and subjugated, no more and no less. The terms granted on the surrender of their armies have been and will be punctiliously observed on the part of the government, but these did not even imply a restoration of political rights and only covered the personal security of those composing the armies. In the reconstruction of those communities, what is obviously the first requirement of common sense, common justice and common prudence in the disposition of political power to persons therein? If any number of the citizens of those States sufficient to establish and maintain a government which should not be a burlesque upon republican governments, are and have been thoroughly and truly loyal during the rebellion, maintaining their allegiance to the flag of the nation, are not these the persons to be entrusted with the reconstruction of them to the exclusion of such as were not; and should not loyalty, genuine loyalty, be the first qualification demanded to authorize a participation in political affairs? By loyalty I mean that sentiment which prompted you, gentlemen, who have just returned from the gory strife, to take your lives in your hands and go forth to the defence of your country. I mean that devotion to her cause which has moved our people to lay down their lives by myriads in her behalf. I mean that spirit which regards no sacrifice too great to preserve her life and maintain her authority. I mean by loyalty, a love of country which surpasses the affection of a child for its parent. I mean that patriotism, which, holding our government to be the best ever devised by man, or vouchsafed by heaven to any people, desires no other and will accept no other and is willing to risk all in its defence. I do not mean treason whitewashed by legal formulas. To this requirement I can conceive but one answer. In that mighty struggle, who were the fast and only friends of the government in the rebellious regions? Excepting the State of Tennessee, outside of our military lines there were none but the slave to do homage to the flag of the Union; or, if any others, so few and exceptional as hardly to be taken into account in the solution of this problem. That in these rebellious communities there are men enough who maintained their loyalty to the United States through the struggle, who lent no willing aid to the effort to overthrow its government, outside the servile class, to justify the re-

establishment of governments in those States and the restoration of political relations within the Union by and through them, is a fact, the certain assurance of which would be as gratifying as I believe it to be improbable. If then there are not white loyalists enough to establish governments in these States and restore them to their former relations, is this privilege to be accorded to rebels and traitors? Treason, under the constitution and laws, is the highest of crimes. It has been said that "it should be made infamous." Thus far it has been no more dangerous to those who have been guilty of it, than to those who have resisted. The battle-field and camp have had equal perils for all.

A judicial condemnation of all engaged in the rebellion, it is impossible to have, but the judicial finding of the guilt in every individual case, would not add strength to the conviction of the universality of its existence in the rebel States. This statement is not made because of any belief or desire that the government of the United States should exercise its just powers to punish these subjugated people, enormous as have been their crimes. The innumerable multitude of our people slaughtered upon the battle-fields of the rebellion; our brothers who have perished by thousands, the victims of a merciless and calculating cruelty in the prison pens and stockades of the south; the enormous debt with which the industry of our country has been laden, constitute an aggregate of crime so vast as to seem like the frightful phantasms of a delirious dream rather than a living reality and surpass the power of human justice to avenge.

The President of the United States, in the legitimate exercise of his authority, has granted amnesty to large classes of offenders, exempting them from the penalties attaching to their crimes. This is a merciful, humane and christian exercise of his prerogative. So far as affects the civil rights of those embraced therein, it commands the approval of the country. He has, also, in very numerous instances granted pardon to individual supplicants. Be it so. Doubtless, far better this than that the bloody assizes of England, the revolutionary tribunals of France or the recent scenes in Jamaica should be re-enacted here, to crimson the pages of our history and blot our fair fame as a civilized and christian nation. But should the relieving men from the penalties of crime draw after it and clothe them with political rights to the exclusion of such as have not offended, but who at all times and under all circumstances have been loyal and helped to maintain the government at the extremest peril to themselves? Such a conclusion would be anomalous; but to go farther and say not only so but that these loyal people shall be disfranchised and subjected to the power of those whose atrocious attempt against the government was prevented in a great degree from succeeding by the services of these loyal people,

is the grossest perversion of justice. If however, the revolted States are still to be regarded as States of the Union with rights unimpaired, what remains for them but to resume, in their own good time, their relations with it and enter the national councils to exercise the well-defined, well-understood power of States belonging thereto and within their own limits, enjoy the authority which has always pertained to them heretofore? Conceding this, the national government needs not concern itself with regard to the citizens of these States, for their rights, subject to the limitations of the Constitution of the Union, are under the control of the States. It is for them to determine for themselves the extent of the elective franchise, the qualifications for office, to establish or neglect systems of education, regulate the tenure of estates, to declare the course of judicial proceedings, who may be suitors and witnesses and prescribe the conditions thereof in the same unquestioned manner as heretofore and exercise all their ancient powers except that they cannot restore the institution of slavery. To this extent, however, the logic of no loyal man has reached, whether in private life or exalted station.

The President of the United States has set forth various conditions as a precedent and indispensable to the return of the revolting States to relations with the Union. These are :

1st. To declare their ordinances of secession null and void, *ab initio*.

2d. To repudiate the debts contracted in aid of the rebellion.

3d. To enact laws for the protection of the colored man's rights as a free man.

4th. To ratify the amendment of the Constitution abolishing slavery.

To the spirit and purpose of these conditions, no loyal man would enter a dissent. In regard to the first in order, it is to be remarked in passing that the pretension of the right of secession, has been scouted by the nation; it has been stamped in the dust under the heel of its power; the first gun fired from Fort Sumter was a national protest against it; the surrender at Appomatox Court House blotted it out forever and no act of a State can add force or solemnity to its extinction.

If, however, it is legitimate to impose these conditions or either of them, antecedent to the rehabilitation of these communities as States, whence is the power derived that it limits itself to these exactions? If the United States government has the power thus to deal with the "insurrectionary States," does not the same power authorize the imposition of any other conditions demanded by justice or national safety?

It has been said that an attempt to interfere with the right of suffrage might as well be made in Pennsylvania as South Carolina

or Mississippi. If so, then why by the same reasoning, did not a peremptory mandamus issue to Kentucky, New Jersey and Delaware, to ratify the amendment of the constitution abolishing slavery, as well as to require Georgia and Florida to do so? The demand upon the revolted States that they shall pass laws of a particular class and ratify constitutional amendments, imposing these acts as conditions to their return to the Union, is the exercise of a power not to be found in the constitution of the United States and can only be justified or defended on the ground that having revolted against the government they have forfeited their relations and rights as States of the Union. If this be not so, if they have not so forfeited, then the imposition of any terms whatever is an usurpation of authority quite as glaring as it would have been to make a demand upon the non-concurring loyal states to ratify the amendment of the constitution abolishing slavery. Holding these views and it being the duty of the United States to guarantee a republican form of government to the States composing it, is it not its right in readjusting the relations of the revolted States to require such changes in their organic laws as shall make them such in fact? Is it not both the right and the duty of the national government to forbid the creation by law of castes and to secure equal rights to all who have not treasonably offended? A solemn obligation rests upon this nation, that no discrimination shall be made on the basis of a difference of complexion and much more that those who have proved themselves almost the only friends of the government in its dire extremity, shall not be the subjects of limitations which are not imposed upon those whose only claim to loyalty is that they are embraced in the terms of the Presidential Amnesties or have pardons in their pockets under the great seal of the United States, while the blood of our countrymen has scarcely dried upon their hands.

The restoration of the relations of the revolted States to the Union upon any other basis than that of limiting the exercise of political rights to the actually loyal population, or one which shall fail to secure the recognition of the colored race as freemen having equal rights and obligations with the whites, or omits to provide for their moral and intellectual culture so indispensable to the citizen of the free State, cannot be contemplated except with the profoundest alarm. The sanguinary examples of other countries admonish us of the difficulties of obtaining an enlargement of rights to classes who are under the ban of privileged orders. We want no such contests here. Having the power now to guard against their occurrence, if the opportunity is omitted, it will only be reached again, if at all, through fresh torrents of blood, the thought of which makes the heart grow sick. Justice, humanity, good

faith, national honor and national self-interest, alike forbid that we should fail to improve it.

The difficulties which surround this subject and perplex its settlement, result from the complex character of our government and are aggravated by the prejudices existing against the colored race, as well in the loyal States as in the south. That they will be overcome, as have all those which have beset our country in its perilous path through the days of the rebellion, conformably to the principles of justice, would be a distrust of Providence to doubt. To the action of the great council of the nation the eyes of all are turned, as with it must rest the inauguration of the measures which a vast majority of those who stood firmly on the side of their country in its peril, regard as indispensable to its own security and to the maintenance of good faith to its now otherwise helpless allies.

The objection to investing the colored race with the elective franchise, growing out of their ignorance, is one having great force, but applicable alike to the white man of the same intellectual condition. To obviate this, there may be a necessity for postponing their full investiture with this right until they in common with other ignorant persons, shall be fitted by education for its exercise. The stimulus this would impart to the educational effort of both races would be of incalculable benefit. In the meantime, as a measure of security to the nation, the constitution of the Union should be so amended as to limit the right of national representation to the legal number of suffrages in each State, and to define who shall be electors in the States, of president, vice-president, and representatives to the Congress of the United States. The fathers of this State, nearly fifty years ago, in framing the constitution under which we have assembled to take upon us our respective official functions, planted it upon the broadest basis of equal rights and impartial justice. Adopting the principle and practice of universal suffrage by giving the ballot to all, they provided a system of universal education which should fit all for its intelligent exercise. During our existence as a State, no person ever proposed to curtail it of these fair proportions, no voice has been raised to invoke their change. By these principles, I believe the people of this State will stand and while asking the boon of impartial justice for others, they cannot be reproached with denying it themselves.

CONCLUSION.

I beg leave to express to the people of Maine my profound acknowledgements of the honor conferred upon me by repeated elections to the chief magistracy of the State and to thank them for their cordial support of my administration, to which, alone, is to be ascribed any success that may have attended its efforts to

uphold that cause, which has, thus far, signally triumphed. At the close of the present year my connection with public affairs will cease and I shall most gladly return to that retirement from which I was originally so unexpectedly called. To be chosen in times of such public exigency to take the helm of State, is eminent distinction and if, at the end of my official term, I retain the confidence of the people, which has thus far cheered and supported me, it will be the amplest reward for all the harrassing anxieties and labors which have pressed upon the position it has been my honor and my lot to fill.

Rendering due homage to that Good Providence which has so signally blessed our country and our State, I invoke His wisdom for the guidance of our councils and the direction of our steps.