

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FORTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE.

1869.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
February 26, 1840, and March 16, 1842.

AUGUSTA:
SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.
1869.

GOVERNOR CHAMBERLAIN'S ADDRESS.

Gentlemen of the Senate and House of Representatives:

With devout gratitude to the Merciful Disposer of all destinies, and invoking his blessing on our humble endeavors, we meet to dedicate ourselves with the New Year to the service of the State. It is not merely to repair the wastes of war, but to provide for a new career of prosperity that she now demands our care. With astonishing courage she is doing in these doubtful and difficult times the works from which she shrank in the days of her improvident ease. Though late she now perceives her true policy, and enters upon the field where her proudest triumphs shall be won. It is for us to join and guide as best we can in this awakening. The heaviest burdens we cannot remove. We suffer with the Country. Our prosperity is so involved in hers that the measures which most seriously affect our interests, are determined by the National Legislature and not by our own. But there too we may expect relief. The agitations which have perplexed or paralyzed our industries, must by the necessity of things give place to the healthful rivalries of commerce, and the culture and nobler development of life may again be deemed worthy of our highest aim.

In the recent decision of the people at the critical hour when the great issues which have distracted the country were to be finally determined, they have shown that they are not willing to give the Government over to the hands of our adversaries as a rebuke for our errors and weaknesses; and that neither the renewal of violence nor of treachery shall cause them to lose sight of the high mission laid on them for the enfranchisement of man. The firm hand raised up by Providence to quell the violence of Rebellion, is chosen once more to guide in the victories of Peace. The task is not indeed light to restore financial confidence and industrial prosperity; but we may now pursue it under more favorable auspices. The different branches of the Government will no longer have occasion to bend their energies to baffle each other. The States of the South will see that our quarrel is not with them but with the implacable spirit of secession and slavery, and it is to be hoped will acquiesce in the manifest will of the people. Diversity of interest and multiplicity of plan will be harmonized to one great end. We shall have peace. Conciliation, magnanimity and fra-

ternal regard may safely resume their benignant sway. Our State which bore so honorable a part in the strife of arms, may congratulate herself on the important share she is to take in the greater and more difficult acts of reconciliation.

I shall not encumber this communication with the details which properly appear in the reports of the several departments, but shall present such matters as pertain to my immediate relations with you, and those which might not otherwise be brought so distinctly to your attention.

It will become your duty on the second Tuesday of the session, to proceed to the choice of a United States Senator for the next six years.

FINANCE.

The report of the Treasurer will exhibit to you the very satisfactory condition of our finances. Our receipts for the last year were \$1,358,533.67; expenditures, \$1,142,807.74. The public debt has been reduced \$37,000. The whole now outstanding is \$5,053,500. Of this, \$800,000 falls due in 1871. To meet this we have the accumulating sinking fund, which with the sums paid in on our claim against the General Government, already amount to \$846,000. On this war claim we have received the last year \$134,203.30. At my entrance upon office in 1867, the amount of our claim was \$702,849.82. Since that time we have been allowed and paid \$701,048.75. Of this \$357,702.10 were paid to the United States to cancel the direct tax laid on the State in 1861, and \$9,516.89 paid to settle private claims under resolve of 1868. The balance, \$333,829.76, remains in the Treasury, and is applied to extinguish the war loan of 1861. It will be seen that the balance of the claim is very small. The items of this are of such a nature that it is doubtful whether any more can be allowed without further legislation by Congress.

The commission authorized by the act for equalization and reimbursement of municipal war debts, under the recent amendment to the Constitution, have entered on their duties. This is an important tribunal. The Act declares that their adjudication is to be final, and without appeal; and that the State shall be relieved from all further claims on account of municipal war debts. A loan of \$3,500,000, bearing interest from April 1, 1869, is authorized to meet this reimbursement. It will devolve on you in pursuance of this act to provide for the first semi-annual payment of the interest of such portion of this sum as the commission may find due to the several municipalities within the year, with the ratable portion of the sinking fund provided to extinguish the debt at maturity.

It must be expected that this will require our rate per cent. of taxation to be somewhat increased from last year, probably by

two mills on the dollar. This will be the better borne when it is considered that it is to be more than reimbursed to the poorer towns, and to contribute to equalize so far as possible the burdens of the State.

The Examiner of Banks and Insurance Companies has been at much pains to investigate the facts lying within his field of duty, and will lay before you the result in a document of exceeding interest and value. I commend his suggestions as worthy of your especial attention.

MILITARY.

The Soldiers' Testimonials authorized by the last Legislature have been much sought for and prized. Ten thousand five hundred have already been issued, and twice that number will probably be applied for this year. The act authorizing them did not include in its provisions those who entered the naval service. Feeling that it was not the intention of the Legislature to exclude these, I endeavored so to frame the language of the certificate, that it could be granted to seamen as well as soldiers, and I would respectfully suggest that the benefit of this act be so extended. An appropriation of \$2,500 will be needed to pay for the testimonials to be delivered this year.

The administration of the State pension law devolves on the Governor and Council important and laborious duties. The whole number of applications for 1868 is 1197. Of these there were granted 725; rejected 400, and suspended for further proof 72. The whole amount authorized to be paid, including estimates on cases yet to be presented, is \$40,000. This brings the expenditure for 1868 within the appropriation. Owing to the omission to assess one of the appropriations, the arrearages for 1866 and 1867 absorbed nearly the whole of the appropriation for 1868, and the Council were obliged to give their personal guaranty to the Treasurer in order to meet the just claims of towns and not dishonor the promises of the State. The Council should be relieved of this liability by suitable legislation. It is estimated that \$80,000 will be needed to cover this deficiency and provide for the year 1869. You will without doubt continue this relief, which at the best is but a slight return for the sacrifices of those who have lost their support, their health, their all, in the country's cause.

Another sad relic of the war is the orphans of soldiers and sailors. We have tried to reach those who are destitute and render them such aid or care as we could. 1,931 have been reported. We have aided 1,018. Fourteen have been taken into the kindly care of the Bath Orphans' Home, and eight into the Bangor Asylum. The destitution among most of these orphans is very great, and requires some special provision. If the present manner of pro-

viding for them is approved by you, the appropriation of \$10,000 will be required for distribution this year.

It is hardly safe or wise for the State to be without a small military force at its command, and I cannot but repeat my former suggestions as to the importance of providing a complete equipment for a few volunteer companies. The Governor is already authorized to organize any portion of the militia. But the pay which by law attaches to military service amounts to so much that I have not felt it right to add to our burdens in that way. I am assured that if the State would equip them, a few companies would be formed in various parts of the State, who would keep up an effective organization, drill and discipline, without pay except when ordered out on actual service.

EDUCATIONAL AND REFORMATORY INSTITUTIONS.

The report of the Superintendent of Common Schools will present matters of extraordinary importance. The topics with which he deals are those which already engage the deepest interest of the people, and his suggestions as to an improved system of instruction, and a better economy of expenditure, demand your earnest attention. His exhibition of the actual decrease within the last eight years to the extent of nearly 20,000, in the number of children in the State between the ages of four and twenty-one years is of a nature to startle those who have at heart the welfare of the State.

In my view this is not chiefly to be accounted for on physiological, still less—it is to be hoped—on criminal grounds; but it is one of the sad signs of that emigration of the youthful and producing population of the state, to which I have often called attention. But whatever may be the cause, it cannot be directly reached by legislation. Whether it lies in the depletion of our youth by emigration, or in the disinclination of our citizens to rear families, it must mainly be met by a generous public sentiment and policy, which will give our people courage, vigor and independence, and make them earnest to transmit to their posterity the blessings they enjoy and the good they have won.

The State College of Agriculture and Mechanic Arts has made cautious beginning, and with most gratifying prospects. The Report of the Trustees will more fully set forth their doings and their desires in behalf of the College. The appropriation they ask for seems to be demanded by the plan upon which they have entered, and which the friends of Industrial Education generally approve. It will be for you to determine whether to carry out during the present year all that they propose, or such portion of it as may seem to you indispensable:

The Reform School, as you will learn from the Report of its

officers, is now in the most satisfactory condition, and its management is worthy of particular commendation. Instead of being a burden this Institution must be regarded as a saving and a blessing to the State.

The State Prison has shown great improvements in its internal discipline, and general management. The earnings have been greater than in any previous year, though for sufficient reasons they do not quite meet the current expenses.

PARDONS AND EXECUTIONS.

Pardons have been granted the past year in perhaps unusual number, still but a very small portion of the applications have been favorably received. Many of these cases are of soldiers, who in the extravagance of satisfaction at their safe return home carried their frolics to the extent of crime. Some of these upon examination it has been thought proper to release. The results have vindicated the clemency.

In accordance with my expressed intention I have executed the duties devolving on me in reference to convicts under sentence of death. These cases have been thoroughly considered. Whenever there has been a mitigating circumstance of any moment, the convict has had the benefit of it. In two cases the sentence has been commuted to imprisonment for life; in another not admitting of lenity, the prisoner died before the warrant was to be issued; while in a case of peculiar atrocity and aggravation the sentence has been ordered to be carried into execution.

I should have contented myself with this simple statement of my action without comment; but as it has pleased the Attorney General in his official Report to protest against this execution, although candidly admitting that it is the Governor's duty to execute this law; and as his careful official statement must be taken as the best expression of dissent which can be made, I may be warranted in giving you the reasons why I am not influenced by that kind of argument.

It is urged by the distinguished attorney, that Harris should not be executed, because he "turned State's evidence." This means, I suppose—for it will not be pretended that mere confession of his own guilt after arrest comes within the meaning of this term—that there was some promise or obligation, expressed or implied, that if Harris should succeed in implicating an accomplice, he should escape the due penalty of his crime.

I am not learned in the rules of evidence, and I remark upon this no further than to say that if guilt can thus find a scape-goat; if a person can be convicted of capital crime by evidence given under the pressure of this consummate hope of reward, then the altar of justice is no longer the asylum of innocence, and life and

liberty must seek some other defence. But if this was so, let those who made the promise keep it—let them see that their witness has his reward while the case is still in their hands. But did the Attorney General avail himself of his privilege, and withdraw any portion of the indictment in token of service rendered? Did the jury in their verdict, or the judge after sentence, recommend to the mercy of the Executive? Nothing of the kind:

Now one of two things: in turning State's evidence Harris must have implicated either a guilty party or an innocent one. If an innocent, then he endeavored to add a *third* murder to the former two; if a guilty, then in afterwards contradicting the statement with equal vehemence he virtually shielded the guilty from justice, in either case but adding another to his horrible list of crimes, and crowning the whole with perjury. I fail to see the extenuating force of any such State's evidence as this.

It is said that the facts of Harris' early life—the degrading influences of slavery, and the development of his brutal passions alone, and his being almost in his legal infancy, should have been considered. They were considered, and at their full value. They were a relieving element in the case; they were ground of gratitude that no man nursed of woman was left to do these horrors—and of congratulation that this precocity of guilt was nipped in its “legal infancy,” before its blossom and full fruits had come. But they did not appear sufficient to entitle him to special grace. “Previous good character” is a plea in mitigation—but to plead a “previous bad character” is a novelty in jurisprudence.

A parallel is also drawn between the case of Harris and that of Knight, the latter being a more responsible person, and yet suffered to remain unhung, while Harris is ordered to execution. The right and duty of the Governor to execute the law having been conceded, the argument conveyed in this illustration goes only to this effect: that *Knight also* should have been hung—a conclusion to which I take no exception; although Knight still protests his innocence while Harris boasts of his guilt. But this case is not in my hands. The law sentences a murderer to *solitary* confinement until sentence of death is executed upon him; if he has been released and simply set at hard labor like any other convict, that is to all intents and purposes a commutation of sentence. Now Knight has been at hard labor for some twelve years. He was not sentenced to imprisonment for his natural life, *and* hanging. Virtually he has been put upon the former sentence and has actually served out a considerable portion of it. To me it appears very questionable whether a Governor has even the right to take out such a convict after he has been serving on a life sentence, and order him in addition to that to be hanged by the neck just before he dies.

It is also asserted, or intimated, that Harris was not the real criminal in this case, but another party: With him I have nothing to do. If he were convicted and sentenced a duty would arise in his case. But the Attorney General was unwilling to put him on his trial (when a new one was ordered) and discharged him from custody: presumably, because he could not convict him; if otherwise, then he did a great wrong to Harris and to society and the cause of justice itself. The argument does not appear to me a convincing one that sentence should not be executed upon Harris who confesses his guilt, because another is suspected to be more guilty whom even the earnest and ingenious Attorney General believed he could not convict, but released and forever set free from peril on this charge.

I shall enter into no defence of an official act so plainly required by the constitution and the law, and my solemn oath; and which I had beforehand so explicitly brought to the attention of the Legislature. Neither my own views of the death penalty nor the present state of public opinion, whatever they may be, affect in the least my duty to execute the existing laws. Whether there has been any recent change of public sentiment on this subject I have no means of knowing. The only legitimate and deliberate expression of public opinion of a recent date is the action of the last Legislature, which having before them the announcement of my views of duty in this matter, and voting directly on the bill to abolish capital punishment, refused so to abolish it by a vote of nearly two to one. To my mind, I am free to say, this amounted to a reaffirmation of existing law. If the Legislature upon mature consideration deemed it unwise to abolish capital punishment, it would be an extraordinary presumption in me to take the responsibility of abolishing it myself.

CAPITAL PUNISHMENT.

I have heretofore advised that the death penalty be either ensured or abolished. Not that the law leaves it doubtful whether it is the Governor's duty to execute the sentence at all—which would be a manifest absurdity—but that in failing to fix a limit within which the warrant shall be issued, it has left a chance for the Executive to defer it indefinitely, and thus a precedent had been established too strong to be set aside without bringing odium upon any Executive who should do his duty. Now that this precedent has been broken, it may be best to leave the law as it is. Cases might arise where few would say that death was not the only adequate penalty; yet it might be desirable to delay the execution, while testing some particular theory. In the case of Doyle, for instance, nothing but the earnest conviction of his counsel that another party was the guilty one, saved him from

execution. This surely is not a case for commutation. If Doyle is innocent he should be set at liberty, and every possible reparation be made him. If guilty, he should suffer the extreme penalty of the law. Then too if you abolish the death penalty, you do not discriminate between a single high crime and an accumulation of such crimes. Take the above cited case of rape. The punishment is imprisonment for life. If the offender sees no higher penalty before him, he has a powerful motive to dispose of the principal witness against him. He has everything to gain and nothing to lose by adding the crime of murder.

However the experience of suffering may have affected my personal sympathies, the consideration of the public safety convinces me that this is not the time to soften penalties. Too much crime is abroad, and emboldened by the mildness and uncertainty of punishment. Most of our neighboring States retain the death penalty. We do not wish to invite crime here by the impunity it fails to find elsewhere. It is urged that we should be merciful. But to whom? I ask. To the violator of all sanctities—the assassin of all defencelessness—the pitiless spoiler of the peace and order of society? or to the innocent, the good, the peaceful and well-doing, who rely upon the protection of the State which they serve and adorn? Mercy is indeed a heavenly grace, but it should not be shown to crime. It is the crime and not the man, at which the law strikes. It is not to prevent that man alone from repeating his offence, but to prevent others from so doing. If the wretch who meditates crime sees the sure and sharp penalty before him he may take better counsels. This is merciful; to him, to his intended victims, to his possible imitators, and to the community.

And what convinces me the more that we should retain our present penalty, is the fact of which I have had abundant evidence, and must admonish you to keep ever in view, that the same parties who are so fierce for mitigating the death penalty to imprisonment for life, are equally discontented with this, and are quite as irrepressible in the demand that these criminals shall be absolutely pardoned and set at liberty, for the reason that they have been so long in prison. Witness the Thorne case, where the virulence of abuse because a free pardon was not granted to the murderer of his friend and benefactor, with this friend's wife as a paramour and accomplice, was almost equal to that with which the virtues of Harris the ravisher of his murdered and dying victims, are compared with the crime of the stubborn Executive in not withholding the just penalty of the laws.

This shows whither these things tend—to the abolition of all penalty—the consequent contempt for law—the breaking down of every safeguard of liberty—the resort to personal vengeance—the utter demoralization of society—and a universal reign of terror.

It is that, rather than the calm vindication of a righteous law by a just penalty, which should properly be called "going back to the dark ages." Therefore it is that I deem it not wise to listen when weakness usurps the name of mercy and pleads for the impunity of crime.

PROHIBITORY LIQUOR LAW.

Legislation upon what a man shall eat or drink, is certainly a pretty strong assertion of "State rights" over those of the individual. But every good citizen will admit that drunkenness is an evil; a dishonor to manhood, a disturber of society, and a detriment to the State. It stands out from other vices in being the exciting cause of much of the costly litigation and criminal proceeding before the courts, and in driving men to crimes which they would not otherwise commit. Hence it is the duty of the State to restrain men from it, and protect the innocent from its depredations; and the duty of the individual to yield some of his personal rights for the general good. Our State has accordingly enacted the present prohibitory law as in its judgment an adequate means to this end, and wherever it has been executed it appears to have been effective.

Since the repeal of the Constabulary Act there does not appear to have been much effort to make use of the ordinary means of enforcing the prohibitory and kindred laws. In some localities the friends and guardians of good order have done their duty, and the traffic in intoxicating liquors is effectually suppressed. But for the most part there seems to have been a reaction from the severe measures of the previous year, and also a willingness on the part of some to let the reaction do its worst, in order to give urgency to the movement for more stringent legislation. Precisely what measures to adopt to secure the more general execution of this law is a question on which the wisest and best will differ. It may be proposed to restore the late Constabulary system, but experience found in that much that was objectionable. It was essentially repugnant to the deep settled notions of municipal rights. It was an independent and abnormal power in the civil system. It afforded peculiar liabilities to abuse and indiscretions in its exercise. We should be able to provide some means which would more command the consent and coöperation of the people. I think it highly desirable to accomplish this end if possible through our established civil officers. But at all events let us execute our laws or repeal them.

Let no one imagine that with the severest execution—either of the liquor or the murder laws, all crime and all evil are to be expelled from among men. The most we can hope to do is to intimidate and restrain them,—the Divine law has as yet achieved no more.

These are important matters, and I am persuaded that you will deal with them without rashness or fear.

SPECIAL REPORTS.

There were several special duties laid on the Governor and Council at the last session of the Legislature in regard to which it is proper that I make report.

Immediate measures were ordered to be taken to enforce the collection of the claim against the sureties of B. D. Peck, late Treasurer of State. The Attorney General was accordingly instructed to proceed with the case before the court, but this officer appears to have found some embarrassment in the matter, which will be laid before you in his report.

Some complications having embarrassed the Legislature in regard to the bids for the public printing and binding, the matter was referred to the Governor and Council who were directed to contract therefor with some responsible party. It appeared that more favorable terms could be made with the old contractors than with any other parties, and contracts were accordingly made with them at rates considerably reduced from those of last year.

The Governor and Council were also directed to investigate the condition of incurable idiotic and demented inmates of the Insane Hospital, with a view to separating classes of patients; and also to examine localities proper for an Asylum, with the cost of building to be erected or purchased for this purpose. In attending to the first portion of this duty it was necessary to consult the experienced Superintendent of the Hospital, and the Report submitted by him will be laid before you. After a full consideration of the subject it has not been deemed advisable to recommend the erection of a separate Asylum at present, inasmuch as our existing Hospital building is not yet completed in accordance with the original plan, and it is thought best to bring our established Institution into as perfect a condition as possible before the erection of another. We would further recommend the purchase of the lot of land adjoining the Hospital on the south, as a measure necessary not only to the symmetry of the grounds but to the convenience of the Hospital as it stands, and to the welfare of the patients themselves.

In obedience to the direction of the Legislature, the Arsenals at Portland and Bangor have been examined with a view to the expediency of disposing of the present sites and erecting a State Arsenal in the vicinity of the Capitol. After a careful consideration of the matter, it was thought most advantageous for the State to retain the Arsenals for the present as they are. Although we have now so little of military material in a servicable condition that we actually require no Arsenal at all, still it is not likely that

such will long be the case. It is unsafe for the State to be without a moderate supply of arms and equipments, and our territory is so extensive that probably it will always be found necessary to have two Arsenals at points so remote from each other and so central within their respective sections as Portland and Bangor.

In accordance with a Resolve to that effect, a commission was appointed to obtain information as to the practical operation of Asylums for Inebriates, the report of which is to be submitted to you.

By the same authority proposals were invited from cities and towns desiring to cooperate in the establishment of a State Industrial School for girls. No responses have as yet been received. I trust no ordinary obstacles will be allowed to delay an Institution prompted by every humane and Christian consideration, and fraught with so much good to society. Upon an accidental visit to the "Little Wanderers' Home" in Boston, I found to my surprise that more than a hundred children from this State, most of them girls, had been gathered from devious ways into this kindly fold. So impressed am I with the good which this Institution is doing, and such confidence is commanded by the broad and high basis on which it is built, that I think it would be proper to pay a certain subsidy for each child maintained there, until we can furnish some corresponding means of reclamation in our own State.

The long pending claim of the State against the United States for indemnity for lands assigned to settlers on the late disputed territory under the provisions of the fourth article of the Treaty of Washington, having been met by an act of Congress at its last session, I was advised by the Executive Council—which by Resolves of 1854 and 1861, appears to have plenary powers in the matter—to enter into agreement with the authorities of the United States to grant releases of the title of the State in the lots to which possessory claims had been laid by settlers and confirmed by Commissioners appointed for that purpose, in order that the money authorized for this indemnification might be received. This was done. The Land Agent entered upon the work of finally establishing the titles of the settlers, and the money amounting to \$113,906.25 was paid to me, and deposited in the Treasury. This claim as well as the similar one of Massachusetts, had been assigned to the European and North American Railroad Company; and Governor Bullock paid the share of Massachusetts, amounting to \$32,687.50, to me in trust for the Company. This was at once paid over to them through the State Treasurer. As there was some doubt in the minds of the Governor and Council as to the interpretation to be given to the several provisions of the Acts and Resolves, relating to the assignment to the Company of our claim, the money received upon it was not paid over to them until

the opinion of the Attorney General had been obtained, nor then until a bond of indemnity in twice the amount had been given by them to the State.

A contract has been made with the Historical Society, agreeably to the terms of the Resolve for the encouragement of that society in the publication of the early Documentary History of Maine. The most gratifying results of this undertaking already appear. The volume will soon be laid before you containing many original and curious maps of the earliest voyages to this region, and the discussion and decision of the most interesting questions relating to the discovery of this coast. The volume now in preparation is still more valuable. I think it may be safely said that no more remarkable document relating to the colonization of this continent has appeared. The Society and the State are to be congratulated upon affording the auspices under which this work is to be made public.

PRACTICAL INTERESTS.

There is great need of a revision of the statutes, and I suggest that you make provision for this at the present session.

My attention has been drawn to a resolution introduced at the last session providing for biennial elections of State officers and sessions of the Legislature. It strikes me as worthy of consideration. The people are overtaxed and overburdened with elections. This weight is felt more as business interests are more active, and the demands for the products of industry are multiplied. The respect for law and its officers is lessened by frequent changes. The excitement and disorder of political campaigns is demoralizing in its effects. A change to a biennial system would be a vast saving directly and indirectly. We should be more prudent in our legislation and in our expenditure. The financial consideration is a strong one. The year 1870 would be a favorable time to inaugurate a new system. I commend the matter to your further attention.

I cannot forbear to call your attention to the imperfections of our present jail system. Besides being insecure, unhealthful and expensive, it is attended by moral evils which are disastrous in the extreme. The jails are schools of vice, and hot-beds of crime. Here the hardened profligate, the accomplished desperado, the unfortunate youth guilty of his first offence, or possibly only as yet suspected, are huddled together without proper restraints, and with no profitable employment or amusement. Unfortunately the prisoners are not confined to one sex. It may be imagined how rapidly the interchange of criminal experience, and instructions in wicked ways bring all to the level of the lowest, and how latent capacities of evil are nourished and crime is multiplied. Some of our jails also are so situated that young people can freely

gather around the windows and hold converse with the inmates. We can ill afford to have such institutions as educators of our youth. I would respectfully suggest that a commission be appointed to examine and report upon this matter.

Complaint has been made of the imperfect manner in which our land surveys are conducted, which leads to much of the litigation brought before our courts. The recommendation of the Commissioner on the variation of the magnetic needle that meridian lines marked by stone monuments be established in each county to fix a standard for the true cardinal points by which each surveyor shall be required to correct his compass, appears to me a valuable suggestion.

Scarcely any measure we have entered on promises better results than the provision for the Report upon the Water Power of Maine. A preliminary report was issued last year to meet the urgent demand; but the edition was exhausted immediately and the expectation is more earnest still for the final report now in hand. There is available Water Power in this State to the amount of upwards of a million horse-powers—a power equal to that of 15,000,000 men. No one can fail to see that the seat of manufactures in New England is yet to be within the limits of this State. When we consider that in Massachusetts and Rhode Island, water-power is worth from \$150 to \$400 per horse-power, and rents in some places for \$70 per annum for each horse-power, we see how immediate and great a source of wealth lies in this single item of our natural resources. And it requires only a little foresight and breadth of vision to comprehend all the benefits that will flow from the full occupation of this to every branch of native industry. Other States are moving in this matter anxious to make the most of what they have. Our work should not stop short of affording the practical advantages for which it was designed. It must be borne in mind that the active interest of the several localities has spared us the expense of a Hydrographic Survey proper, and the work hitherto has been carried on with great economy. We may with the more freedom make the moderate appropriation necessary to a satisfactory completion of the Report which the accomplished Superintendent now has in preparation.

The Railroad enterprises in the State are now pushing on with vigor, but still under disadvantage. I have before ventured the opinion that the burdens which the towns are taking upon themselves to secure the building of railroads might be found too much for them. Consider too that while these loans drain so heavily upon home capital, the bonds are then sold at a ruinous sacrifice. When a town pledges all its available means, and then is discounted by 20 per cent., it seems to me not an advantageous way to carry on a public enterprise. Pardon me if I weary you with

repeating that it would seem better that the State should give her endorsement to such enterprises as she deems vital to her advancement, providing by ample restrictions against the abuse of the concession, and securing herself by lien or mortgage against the actual payment of a dollar on either interest or principal. There is no railroad in this State which would not pay well upon \$10,000 a mile. Suppose the State should endorse the bonds of a road to that extent, taking proper security for the payment of both interest and principal from the earnings of the road. The result would be, I think, that the bonds would be negotiated at par or nearly so, and outside the State, which is the same thing as bringing capital in. Home capital would be left for investment in active enterprises. Instead of adding a burden to the people it would actually relieve them. In my opinion this would be safer, less expensive, and more effective than our present system, and better than grants of public lands.

What shall we do for our Aroostook road for example, where we cannot expect nor allow towns to take the burden on them? How can we justly leave Washington and Hancock counties to cut their way through a difficult country by their own unaided strength? Or why should a single city and its neighboring towns assume a task which is really for the benefit of the whole State?

I do not pretend to be able to present a plan sufficiently guarded and effective, but I submit the matter to your better judgment and skill.

Since our shipping interests have so much declined, we are not reaping the full advantages from our wonderful coast; but there is one way in which we may partly repair the evil; that is by opening railroads to the sea. Bring hither the products of our rich fields and busy factories—the treasures of the North and boundless harvests of the West—make our deep harbors the business outlets of the great lakes—the ocean terminus of the mighty pathways which traverse half the continent; bring hither also foreign ships to exchange here the products of distant lands, and you will thus make us not only more prosperous in wealth, but in that higher culture which comes from contact with older civilizations, and the broad recognition of other interests, and other men than those within our own borders. There may be no more than a single port upon our shore at which all this can be achieved, but this will be a vital centre which will send life through all the State.

I have heretofore remarked upon the desirableness of encouraging Scandinavian immigration. My conviction is strengthened that it would be greatly to our advantage to induce colonies of these hardy, frugal and industrious people to settle in this State. I deem the subject of sufficient importance to recommend that you

appoint a committee to investigate it, and if they find the project desirable to report some feasible plan.

Whatever we do to encourage other activities we must never fail to recognize the vital importance of Agriculture. I am happy to observe that increased attention has been given the past year to raising wheat. Our farmers seem to be inspired with new hope and vigor. If anything can be done by us to encourage the spirit of enterprise in this direction our aid must not be denied. Although the soil of the State generally may be better fitted for dairy and stock produce, still soils are not wanting here that are eminently adapted to grain. Skill too will open hidden veins of wealth, and mind mould matter at its will. Nor is our climate so rigorous as to discourage agriculture. The natural vegetation of the southern portions of Aroostook county, compares favorably with that of Massachusetts.

I have been struck with the merits of a paper in the forthcoming report of the Board of Agriculture in which are shown with much force the ruinous results of the destruction of our forests. The subject does not admit of legislation, that I am aware of, but it is well for those who have the public interest in charge to bear this matter in mind.

The natural advantages of this portion of the country which struck the early visitors to the continent were passed over by the accidents of colonization or the force of political causes. In the progress of civilization these are now coming to claim their true value, and the State is entering upon a course of prosperity such as she never saw before. It will take time to unfold fully her material resources and set in motion all the agencies which are to contribute to the glorious end.

In the rekindling spirit of enterprise, in the new courage which is beginning to attract and hold our youth, and in the opening prospect of brighter times for our whole people, I cannot but feel a peculiar and affectionate interest. And I may venture here to express the hope that those who are to come after us will not suffer the work to flag which was only inaugurated by bold measures, after the State had lost its proper place in the race of enterprise.

I trust that the result of all our efforts will be that we can keep our young men and women at home, and rear up a generation just and fearing God, exemplifying in themselves the noblest culture and doing good works to their fellow men.

CONCLUSION.

I would fain linger on this theme; but I am admonished that this greeting is also a farewell. Untried, unknowing, and almost unknown, I was summoned by the people with a cordiality I could not fully comprehend, to this high trust. The honor has been

twice repeated with no less emphasis. Whether I have been a faithful and profitable servant cannot be judged by the present praise or blame. History will write our record truly, and estimate with impartial hand the worth of our best endeavors.

It would be an affectation of indifference in me, however, to close this address without tendering through you to the men and women of this State my deep and grateful acknowledgments. To those riper in years and wisdom who in my behalf yielded their judgment to their generosity, I owe lasting thanks; to those who hesitated to trust this high power to youth and inexperience, I tender the assurance of my respect; to the young men of Maine who have rallied around me as they did when shoulder to shoulder we stormed the phalanxes of the foe, I pledge anew, here or wherever, the best part of my soul. And for you, gentlemen, while I give voice to these vain thanks, I may also seek a benediction mightier than that of man.

As we enter on our duties, beneath those battered and blood-emblazoned flags, in the presence of all these dear and sacred memories, and overshadowed by kindling hopes, may wisdom and strength be given us while we dedicate ourselves anew to honor, to freedom, and to God.

JOSHUA L. CHAMBERLAIN.