

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1874.

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1874.

GOVERNOR DINGLEY'S ADDRESS.

Gentlemen of the Senate and House of Representatives :

In entering upon the discharge of the duties to which we have been respectively called by our fellow-citizens, it is fitting that we should recognize our dependence upon that Being who is over all and above all. We have cause of devout gratitude for the Divine favor which has been shown towards the State and nation during the year which has just closed. In no period of the history of either, has our advance in population, material prosperity and other conditions of true greatness, been more conspicuous. We may well congratulate ourselves that so marked progress has been made in healing the wounds of the terrible struggle for national existence, and in re-uniting all sections of our beloved country in a common devotion to a Republic preserved from enemies without and within, redeemed from the curse of slavery, and consecrated to the grand work of maintaining the equal rights of every citizen.

NECESSITY FOR ECONOMY.

The financial panic which so recently threatened to cause serious derangement to the business of the country, has not been without its influence for good. It has given new emphasis to the great economic law, that the savings rather than the incomes of a people, are the measure of their material prosperity. The careful observer of the tendencies to extravagance so noticeable everywhere, can but recognize the truth that *economy* is the one word which needs to be spoken and put in practice in private as well as public circles. Fortunately the wave of extravagance has not been felt in this part of the country with so much force as elsewhere. Although the public affairs of the State have been managed with such exceptional prudence and integrity, that the opportunities for retrenchment are few ; yet you will undoubtedly consider it an imperative duty at this time to study the closest economy, and to confine your appropriations within as narrow limits as is consistent with the public welfare. In wisely prescribing the extent of public expenditures, and in determining such cases of compensation of public officers as may arise, you cannot fail to recognize principles which are at once the safety and

glory of a popular government,—that frugality and simplicity are essential characteristics of free institutions; and that official positions should be sought less for the salaries attached to them, than for the satisfaction and honor which come from faithful public service. In every endeavor to maintain and promote the highest efficiency, economy and integrity in all the departments of the State government, you will have my earnest co-operation.

THE STATE FINANCES.

The report of the State Treasurer shows that the receipts of the State Treasury during the year ending December 31, 1873, including \$379,762.08 on hand December 31, 1872, were \$1,798,884.45, and the expenditures during the same period, \$1,362,453.77, leaving a balance of \$436,430.68 in the the treasury at the close of the year, most of which will be needed to meet obligations of the State that will mature at an early date. Of the receipt, \$131,293 was the tax on savings banks, \$3,666 interest on deposits, \$2,180 duty on commissions, \$1,111 balance paid into the State Treasury by the Insurance Commissioner, \$986 license fees from hawkers and peddlers, and nearly all the remainder, reaching about a million and a quarter dollars, was from direct taxation. Of the expenditures, \$430,566 was on account of interest, and \$214,708 on account of sinking fund and principal of public debt, and about \$40,000 for pensions of soldiers and aid to soldiers' orphans; making a direct expenditure of about \$685,274 arising from the late war. The sum of \$374,978 was also paid from the State Treasury to towns for common school purposes, and reduced municipal taxation to that extent. This left about \$300,000 as the expenditures for general State purposes.

THE STATE TAX.

That portion of the public debt which came due in 1873, and was presented to the Treasury, amounting to \$49,000, has been paid; and the sinking fund for the redemption of the debt as it shall become due, has been increased during the year to \$1,255,746. After deducting the sinking fund, the State debt on the 1st of January, 1874, was \$5,882,654,—a reduction of \$284,499 during the past year, and of \$2,366,746, or more than one-fourth, since the close of the war. At the present rate of accumulation of the sinking fund, the State debt will be met as it matures, and entirely extinguished in 1889. As the sinking fund, invested in United States and State securities, is already over a million and a quarter dollars, and is constantly increasing, I suggest whether some additional provision for its oversight and security would not be advisable.

SOURCES OF TAXATION.

It will be observed that up to the present time, almost the only resource of the State to meet both ordinary and extraordinary expenditures, has been direct taxation. The State tax last year was five mills on the dollar, but it is the judgment of the Treasurer that the tax may be reduced the present year to four and a half mills, provided the legislature shall make no unusual appropriations. I most earnestly urge, however, that you should consider whether it is not advisable to devise some method other than direct taxation to secure a part of the revenue required for State expenditures; so that the rate of taxation may be still further reduced. Pennsylvania finds no difficulty in securing sufficient receipts from indirect taxation to support the State government. A large share of the State expenditures of Massachusetts is met by the proceeds of a State tax upon the valuation of the corporate stock of railroad and other corporations, over and above municipal taxation for real estate and machinery; and upon the business of fire and life insurance companies. Without indicating more in detail what sources of revenue may be made available to this State, I desire to call your attention to the subject, and to suggest a careful inquiry and investigation, with a view of devising methods of lifting some portion of the burden of taxation from real estate. Such a policy would give needed encouragement to our agricultural interests, and promote the development of the resources of the State.

INSURANCE DEPARTMENT.

Although the object sought in establishing a Department of Insurance, was simply to secure such a supervision of the business of insurance as would protect the public interests, yet the fees received for licenses have not only paid the salary and expenses of the Commissioner, but also yielded to the State a revenue of about eleven hundred dollars for the year ending July 1, 1873. The indications thus far are that the revenue of the present year will be as much. The Department has conferred great benefits upon the public by preventing many doubtful companies from doing business in the State, and supplying needed information on insurance topics by means of its annual reports.

STATE INSTITUTIONS.

The reports of the Inspectors of the State Prison and Trustees of the Reform School, which will be promptly laid before you, contain information and suggestions of much importance. The report of the Trustees of the Insane Asylum has not yet reached me. For the highest success of these important State institutions, it is important that, through your several committees intrusted

with their interests, you should make your oversight of them not simply a brief, formal visitation, but a thorough and careful annual inspection and investigation, in the early part of the session, when at least a portion of the members of each committee could give the time necessary for this work. Thus you would bring the people into closer relations with these institutions, remove abuses, if any had grown up, disarm criticism, and inspire that generous confidence on which their success so largely depends.

THE STATE PRISON.

According to the report of the Inspectors, the earnings of the convicts have defrayed the expenses of carrying on the State Prison during the year ending November 30, 1873, and yielded to the State a net profit of \$6,544.98, which has been added to the working capital of the institution. The salaries of the Warden and Inspectors, amounting the past year to \$4,460.35, are paid from the State Treasury, in accordance with the system which has always obtained in making up the prison accounts. Deducting this amount, and there still remains a balance of \$2,084.63 in favor of the State, after paying all the expenditures of supporting the prison, including salaries of Warden and Inspectors, the cost of transportation of prisoners from the several jails, and payments to convicts when discharged. Should this favorable financial condition of the institution continue, the State will be relieved of all expenditures on prison account, except so far as may be necessary to keep the buildings in safe condition, and provide for possible losses by fire. The recent increase of prison accommodations by the erection of a new wing, supplies all the demands which will be made in this direction for years.

The Inspectors report that the value of the tools, stock on hand and balance of debts due the prison on the 30th of November last, was \$125,197.03. A few days after, one of the workshops was unfortunately burned, involving a loss of the building, valued at about \$6,000, and also of stock and tools valued at \$17,000. This loss reduces the value of the tools, stock, &c., to about \$108,000; but it is thought that the operations of the prison can be carried on as usual without any appropriation to supply this part of the loss. A new fire-proof workshop will, however, be required another summer, whether the labor of the prisoners is disposed of to contractors, or employed on account of the State. For the erection of such a building as shall be well adapted to the wants of the prison, the Inspectors recommend an appropriation of \$12,000.

With the exception of a period of six or eight years, the State has always employed the labor of the convicts in manufacturing operations on its own account, on the assumption that such a

course was preferable on grounds of economy as well as discipline. Inasmuch as it is thought by some that it would be more equitable to the public, and more advantageous to the State, to dispose of the labor of the convicts to contractors, I would suggest that your committee on that institution investigate the subject, and give a hearing to all persons interested in this or any other matter connected with the management of the prison.

REFORM SCHOOL.

The Trustees of the Reform School give expression to a judgment forced upon them by observation and experience, and in harmony with the advice of officers of similar institutions in other States, that a large part of the benefits which might be expected from that school, are lost in consequence of so faulty an arrangement of the interior of the building as to make it impossible to properly separate the different grades of boys. As it is now, there must be an enforced association of boys who are committed for truancy or some petty misdemeanor which by no means argues more than want of parental care, with youth who are to a great extent depraved; as well as an indiscriminate herding of all classes of crime. Under such circumstances, any methods of reform must be largely counterbalanced by bad influences. The Trustees ask for an appropriation of \$20,000 to make the changes in the building required in order to overcome the insuperable difficulties suggested, and are thoroughly convinced that unless this can be done the institution must continue shorn of a large part of its power for good. I am so profoundly convinced of the correctness of this view, that I trust you will give the recommendations of the Trustees that favorable consideration which they so well deserve.

INSANE HOSPITAL.

The report of the Trustees of the Insane Hospital, which has been delayed for a thorough examination of the accounts of the late Treasurer of the institution, will be laid before the Legislature as soon as it is placed in my hands.

The report of the Superintendent shows a steady increase of the number of the patients, and gives evidence of a successful discharge of the duties resting on him. I am informed that a proposition will be made to you to so amend the laws relating to the Hospital, as to place the patients more completely under the protection of the laws. This suggestion is not made on account of any existing necessity in this State, but in pursuance of a general movement designed to reach all similar institutions in this country.

The report of the Commissioners of a proposed new Insane Hospital, appointed by virtue of a resolve of the last Legislature, will be found of such importance as to claim your considerate attention. Two members of the commission report in favor of erecting, on the present Hospital grounds in Augusta, a new Hospital, to accommodate one hundred patients, at an estimated cost of one hundred and fifty thousand dollars. One member reports in favor of the erection, on the Hospital grounds, of two or three cottages at first, and subsequently others as they may be needed, to severally accommodate about twenty patients, at an estimated cost of about five thousand dollars each. The present Hospital building is over-crowded, and additional accommodations are already required.

STATE CHARITIES.

During the past year the State has expended about fourteen thousand dollars in educating fifty-five deaf and dumb and eleven blind beneficiaries. The cost of supporting insane State paupers has reached the large sum of thirty-five thousand dollars, and of paupers in unincorporated places six thousand dollars. It is more than probable that an amendment of the law relating to these charities is expedient.

THE INDIAN TRIBES.

In accordance with treaty stipulations and the provisions of existing laws, more than twelve thousand dollars have been expended in aid of the remnants of the two Indian tribes still living within the State, about \$8,700 of which has been devoted to the Penobscot tribe, and \$3,700 to the Passamaquoddy tribe. Of the amount devoted to the Penobscots, however, about \$5,000 was the interest on the fund belonging to the tribe held in trust by the State. By direction of an act of the last Legislature, the proceeds of certain shore rents amounting to over \$5,000, are to be distributed among the members of the tribe. As probably some heads of families entitled to receive a large sum, would make an improper use of the same, it is possible that the law may need some amendment to give a larger discretion in the disposition of the fund.

INDUSTRIAL SCHOOL FOR GIRLS.

I regret that the late financial disturbances have as yet prevented the Trustees of the Maine Industrial School for Girls, from securing the twenty-five thousand dollars required through private subscriptions, before they could avail themselves of the five thousand dollars conditionally granted by the State to aid in the establishment and maintenance of the proposed institution. The School has been located in Hallowell, in consideration of liberal

donations from two benevolent ladies of that city; and it is intended to put it in operation as soon as the balance of the private contributions required can be secured. It is to be hoped that measures to that end will be successful at an early day, so that the State may be provided with a school so much needed for a class of girls leading an idle, vagrant or vicious life, or in great danger of falling into habits of vice or immorality. To secure such a school the State may wisely extend liberal assistance.

EDUCATIONAL INTERESTS.

The report of the Superintendent of Common Schools, which will be laid before you at an early day, presents an encouraging view of the condition and prospects of the educational interests of the State. The increase in school money arising from the State mill-tax and the tax on Savings Banks; the improvement in methods of teaching, growing largely out of the work of our Normal Schools; and the already marked influence of the Free High School System adopted by the last Legislature; have materially improved the character and efficiency of our public schools, and aroused a new interest in the cause of education.

FREE HIGH SCHOOLS.

The Free High School system, especially, although in practical operation but little more than half of the past year, has already achieved so great success as to surpass the utmost expectations of its warmest friends, and to promise, within a reasonable time, results that can but satisfy all of the wisdom of the policy. The official reports which have been received by the Department of Education, show that 150 Free High Schools, in 133 different cities, towns and plantations, representing every county in the State, have been maintained from one to three terms each, since the first of March last; and that these schools have been supported by municipal appropriations to the amount of \$83,523, and State aid to the amount of \$29,134. In these schools 10,286 pupils have received instruction in those branches usually taught in the common schools, excluding primary studies, and also in such other directions as are demanded by the increasing industrial and business wants of the times. It is especially note-worthy that a large portion of the youth of both sexes reached by these schools, are those who had already withdrawn from the common school with a deficient education; or whom poverty or other circumstances had prevented from leaving their homes to obtain better opportunities for education than those afforded by the short winter term of their district school. Many youth, who will hereafter make most valuable teachers of our common schools, are

receiving, in the Free High School, that broader and deeper culture so essential to prepare them for this high work. The influence on the common schools of such pupils as have attended the Free High School, is already proving in the highest degree beneficial. So far as I am informed, in most of the towns in which such school has been held, a new interest has been awakened in the cause of education.

It was feared by some that the system would be impracticable for small or sparsely settled towns; but some of the most successful Free High Schools maintained during the autumn, have been in just such localities. In one case, at least, a sparsely settled plantation has maintained a most flourishing school for eleven weeks, by a municipal appropriation of \$75, increased by an equal amount from the State. Indeed, thus far the most complete success of the Free High School system has been in exclusively farming towns, where this adjunct of the common school system is affording such facilities for education as can but serve to increase the attractions of that rural life which is the source of our national strength and purity. With a continuance of the system, there can be scarcely a doubt that within a brief period these schools will be established in most of the towns of the State; and will give such an impetus to our educational interests as nothing else could.

EDUCATIONAL EXPENDITURES.

The aggregate expenditure for the public schools of the State during the past school year, has been \$1,000,596, exclusive of the amount expended for school buildings, and Free High Schools. Of this sum, towns have directly contributed \$625,618, and the State \$374,978. If to this sum should be added the annual expenditures for school buildings, Free High Schools, Normal Schools, and College of Agriculture and Mechanic Arts, and the public and private expenditures for those Academies, Seminaries and higher institutions of learning which supplement our educational system and confer such lasting benefits on the State, there can be little doubt that the amount would reach a million and a half dollars. So large an annual expenditure on the part of the people, is a conclusive answer to the suggestion that the people are losing their interest in our free schools. To our credit as a State, let it be said, never before was there so general interest in education; never before so almost universal willingness to make the largest sacrifices, in order that our children may have the inestimable blessings of intellectual culture. All that the people of Maine ask is to be assured that their contributions for so grand an end, are prudently and wisely expended. To my mind, indeed, it seems clear that the work on which our educators may at present

well unite their earnest efforts, is not so much to secure larger school revenues—although these are essential in some localities—as to devise methods by which better results may be obtained from the means at our disposal. By this it should not be inferred that there is not the closest economy in school expenditures. For the most part, there is this; and yet that policy which loses sight of the fact that a good teacher is cheap at any price, and a poor instructor dear even if his services are gratuitous, is not true economy, but waste.

NORMAL SCHOOLS.

It is in this direction that our two Normal Schools are conferring lasting benefits upon the public schools of this State. Recognizing the truth that the highest success as a teacher requires not only natural aptitude, but also, like other professions, special preparation and training, the State has wisely established and maintains these institutions as a part of its educational system. Probably no money expended in educational directions, yields larger returns. The teachers who go forth from Farmington and Castine, not only impress themselves on the schools over which they are called to preside, but also make their influence felt for good over many other instructors with whom they come in contact. No one who has watched the progress of our common schools for the past decade, can have failed to discover a striking improvement in methods of instruction, coming largely from the influence of our Normal Schools. Whatever appropriations are required to maintain their high standard and excellence, and increase their means of usefulness, should be made; and made, too, in the interest of the wisest economy. It should not be forgotten that a special necessity for increasing the efficiency of our common school system, has arisen from the fact that the intense activity pervading modern American life, is seriously abridging the time within which our public schools must do their work, by withdrawing our youth from them at least five years earlier than formerly; while at the same time it is necessitating a broader culture.

SCHOOL SUPERVISION.

Next to skilful instruction, nothing is more essential to the highest efficiency of our public schools, than careful, intelligent and well-sustained inspection and supervision. Excellent as is the work of most of our school committees, yet it is not to be expected that men engaged in other pursuits, can spare the time requisite to keep abreast of the progressive educational movements of the times, and thus be able to suggest improvements in the work of the teachers under their charge, and inspire in them

that professional pride and ambition which is so essential to success. As it is physically impossible for the State Superintendent to personally and effectively reach the several towns and town committees, sooner or later it will be found necessary to establish some form of intermediate supervision, through which the State Superintendent may impress on them the results of his observation and experience, and secure a uniform system that will cover the examination and certification of teachers, as well as the most effective inspection of schools. In view of the fact that time and means will be required to perfect and extend the Free High School system, so that its advantages may be felt by every town, I do not recommend that any legislative steps be taken at present to secure a more effective inspection of the common schools, but trust that the subject may continue to receive that public consideration which its importance may demand.

THE DISTRICT SYSTEM.

While it is generally conceded by the most experienced educators that the district system is in the way of the highest efficiency in the public schools; yet, in view of the strong hold which it has on the public mind, it would be unwise for legislation to go further at present than it has already gone in simply authorizing towns to abolish the system and manage the schools as a unit. Many towns have already done this, and in every case with satisfactory results. By this change better teachers have been secured, the smaller districts have had the same length of school as the more densely populated village centres, less difficulties have been encountered, and more effective inspection had. For the present, however, these are considerations that must be addressed to the citizens of the several towns, rather than to the law-makers.

OBLIGATORY ATTENDANCE.

Notwithstanding the large expenditures to maintain free schools in sufficient number to secure to every child such elementary education and training as all alike will need for the common duties and the ordinary pursuits of life, yet the last census makes the startling announcement that there are 13,486 persons in this State, above ten years of age, who cannot read or write. Our State pride may be somewhat satisfied by the consideration that a large portion of this army of illiterates are immigrants; yet we cannot lose sight of the fact that they and their children are now a part of our people, and that their education into American ideas and duties, has become doubly essential. But the evils of truancy and absenteeism from our common schools are by no means confined to the children of foreign born parents. Poverty may have

something to do with the development of these dangerous evils, and thoughtlessness and avarice more; but both of these causes united have not had half so much to do with it as intemperance and immorality. It must be confessed that such is the indifference of the public mind, or its aversion to interference with what is popularly thought to be the right of parents to control their own children, the experience of other States with obligatory statutes, has by no means been encouraging. Even the Factory Act in this State, which requires certain attendance at school of children who work in manufacturing establishments, is a dead letter.

Compulsory laws, with a strong central government to enforce them, as in Prussia, have produced excellent results, but in this country, where the execution of the laws depends so much on public opinion, there must be a more earnest and general public discussion of the subject, before we shall reap much benefit from such legislation. The right of the State to have every child educated sufficiently to intelligently discharge his duties as a citizen, and shield him against the dangers of ignorance, is necessary to his own safety. The child has a right to such an education. The parent, indeed, has rights, but he has duties also; and the enforcement of the duties which every parent owes his child, cannot be an invasion of his rights. Defensible, and even important as is a legal enforcement of the parent's duty to educate his child, yet such a statute can press only as a complement to sound views, wrought into the popular mind and heart. The most important work in this direction at present must be done by earnest personal appeals to parents, and by making the school-room attractive to the child.

No subject claiming your attention as legislators, demands more thoughtful and earnest consideration than that of our public schools. A free government like ours can exist only where the people are educated; and there can be no general education without an effective common school system. To impair the efficiency, or sap the foundations of this system, is to strike at the life of the State and the Nation. More than this, it is to overthrow an institution which is doing so much to improve social life, promote private virtue, comfort and thrift, and secure general prosperity.

COLLEGE OF AGRICULTURE AND MECHANIC ARTS.

The reports of the Trustees, President and Treasurer of the College of Agriculture and Mechanic Arts, present unmistakable evidence of the prosperity and progress of this institution. Only five years have elapsed since the college opened with twelve students; and now one hundred names appear on the roll of undergraduates—an increase of twenty-nine since the last report.

The friends of this institution have thus far been disappointed in the reasonable expectation that private donations would go far to provide the means necessary for the erection of suitable buildings. This would have left the State mainly to make such appropriations as might have been needed to supplement the annual income of the national endowment, (which is but little more than \$8,000,) and maintain the institution in the highest degree of efficiency. Notwithstanding the State has already made large appropriations for building purposes, as well as smaller sums to meet the annual deficiencies, yet the college is still greatly in need of additional means in the same directions. It is to be hoped that an institution so well calculated "to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life," will receive that popular sympathy and support which it so well deserves.

THE LAND DEPARTMENT.

The Land Agent reports that the affairs of his office are being so rapidly closed up, that within two years, at least, such considerable State interests as remain may be transferred to the care of the Secretary of State and State Treasurer, and the once important land department of the State government be discontinued. This will necessitate legislation authorizing the Land Agent to select and reserve such portion of the 114,000 acres set apart for settlement as may be suitable for that purpose, and to sell the remainder; and also to dispose of the 82,880 acres of school land, and the timber on the ten townships reserved in the grant to the European and North American Railroad. This railroad grant included not far from 700,000 acres, valued at more than \$300,000, and is nearly all still held by the road, although mortgaged to secure the payment of their bonds. It is of the highest importance to the State, that so much of these lands as well as of other immense tracks of land within the State now held by proprietors, as is suitable for settlement, should be placed within the reach of settlers on the most favorable terms. It is too late now to correct the wasteful policy under which the magnificent domain which the State possessed a half a century since, has disappeared, yet much may be done to remedy evils that arise from the locking up of large tracks of settling lands which would otherwise be improved.

Decisions favorable to the State have been had in two of the cases where the European and North American Railroad made certain claims on the State; but the most important case, involving a claim on the part of that corporation to nearly all the remaining lands held by the State, although argued last July, is still held by the court for advisement. Your attention is called

to several important recommendations made by the Land Agent, and particularly to the importance of taking measures to "quiet" certain claims of settlers which arose from the settlement of our northeastern boundary.

SWEDISH IMMIGRATION.

The report of the Commissioner of Immigration presents a detailed account of the inception and progress of the enterprise of founding a Swedish colony in Aroostook; and announces that in September last all State aid to the Swedes ceased, and that the colony of 600 persons is now self-sustaining. The colony owes the State a balance of \$16,292.16, on supplies, advanced to them, which is to be paid in work on highways as wanted. There are at present no American citizens and consequently no municipal organization in New Sweden, and can be none for two years, at the expiration of which time a hundred and thirty-three Swedes who have already taken the necessary preliminary steps, will become American citizens. The Commissioner is confident that the colony will not only prosper, but also that it will attract a still larger immigration from Sweden; and the results fully justify the State expenditure now closed. He recommends that the care of the public property in New Sweden, as well as of the road labor due the State, be transferred to the Land Agent; and that the act establishing the office of Commissioner of Immigration, be repealed.

THE FISHERY COMMISSION.

The annual report of the Commissioners of Fisheries gives an interesting account of the progress of their work, in connection with that of United States Commissioner Baird, in introducing and disseminating valuable species of fish into the streams and lakes of this State. The experiment of re-stocking our fresh waters with salmon, shad and alewives, has so far progressed, and the difficulties in the way have been so far obviated by the construction of fishways over dams and the removal of other obstacles, that the Commissioners speak with entire confidence of the complete success of this important movement to restore to our lakes and streams their former abundance of food fishes. In a very short time now the practical results of these efforts will be patent to all, and if these shall come near the confident expectation of those who have the best means of information on this subject, we may regard the small investment of the State in this direction as peculiarly fortunate and wise. The recommendations of the Commissioners should receive the attention they so well deserve.

THE LAW DEPARTMENT.

The report of the Attorney General gives a detailed statement of the extent of the labors of this officer, as well as of the several County Attorneys, in enforcing the laws of the State against crime. The suggestions contained in his report should receive due consideration.

THE LAWS TO PUNISH MURDER.

In view of criticisms which have found expression, not only in public journals, but even in courts of justice, I should fail to discharge the duty imposed upon me, if I did not direct your attention to the anomalous provisions of our statutes for the punishment of the crime of murder in the first degree, since the legislation of 1869. In contravention of well-settled principles of government, this statute fails to preserve the wise distribution of powers contemplated by the framers of the constitution, in that it imposes upon the executive department the duties and responsibilities of a court of review—a function clearly judicial rather than executive.

By this statute it is made the imperative duty of the governor and council to carefully review the evidence and proceedings in every case; and then to decide whether the sentence of the court imposing the punishment provided by law, shall stand, or another penalty be substituted. Practically, the determination of this extraordinary court of review—in which each member is a law unto himself,—is controlled by a majority of the council; for a sense of the impropriety of one and the same person acting both as judge and executioner, has in every case that has arisen under the law, restrained the executive from assuming the grave responsibility of over-riding the action of the council when that body has voted in favor of commutation. When the council have voted otherwise, as they have done in only a single case since the enactment of the statute of 1869, the executive has issued his warrant, as then clearly required by law.

It will be observed that the statute requirement to which your attention is called, is additional to, and even inconsistent with the design of the pardoning power conferred upon the executive by the constitution. The latter is a constitutional prerogative, designed not as an ordinary provision for revising the proceedings of the courts, but simply as an exceptional resort in extraordinary cases, over which it was intended that neither the legislative nor judicial department should have control, and for the exercise of which the executive department should be solely responsible. But the former is a statute duly imposed upon the executive department, requiring a "review" of every case, and almost

inviting the exercise of the pardoning power as if the legislature contemplated that modification of sentence should be the rule instead of the exception. As the constitution makes ample provision for any exigency demanding the intervention of the pardoning power, it seems to me eminently desirable that our statutes should establish such a penalty for the crime of murder as the law-making power expects to have uniformly executed. To incorporate in them a provision looking to the modification after conviction and sentence of the penalty provided, is not only to create in the administrators of the law more than a suspicion that the punishment nominally established was not designed to be executed; but also to deprive the law of that wholesome influence over the evil-disposed, which comes from the conviction that no one adjudged guilty can avoid the uniform and impartial enforcement of whatever penalty the legislature may under all the circumstances consider best calculated to protect society.

PREVENTION OF CRIME.

It is cheaper and more effective and beneficent to prevent crime by removing its causes, than to allow these to ripen into criminal acts which require punishment. A large part of this work of prevention is within the sphere of personal moral effort; yet that important portion which consists in removing the hindrances to right conduct, and repressing the temptations to vice interposed by men in their relations as citizens, comes confessedly within the domain of law. Indeed, no government fulfils its mission which forgets that the State can in this way do much to make it easy to do right and difficult to do wrong. So large a proportion of pauperism and crime arises from intemperance, of which the dram shop is the prolific cause, that all citizens who have regard for the public safety and welfare, as well as the highest court of the nation, unite in affirming the principle that the liquor traffic is a source of grave peril to society, against which it is the right and duty of the State to protect itself by such enactments as the legislative authority shall consider best calculated to that end.

On this well settled principle has rested all the legislation ever had in restraint of the liquor traffic, whether involving the principle of license or of prohibition. For more than two hundred years, first in the parent Province and Commonwealth, and subsequently in the State of Maine, a thorough trial was had of the license system, in every form that could be devised. This experience led to so wide spread a conviction that any system of licensing dram shops is nearly powerless to repress the temptations which promote intemperance, that in 1851 this State adopted the policy of prohibiting drinking houses and tipping shops altogether, and of

authorizing the sale of intoxicating liquors only for medicinal and mechanical purposes, by agents appointed for that purpose. This system has had a trial of only twenty-two years ; yet its success, in this brief period, has on the whole been so much greater than that of any other plan yet devised, that prohibition may be said to be accepted by a large majority of the people as the proper policy of this State towards drinking houses and tippling shops ; and to be acquiesced in to a great extent by others, as an experiment which should have as thorough a trial as other systems that preceded it. By dealing in this spirit with a question affecting so momentous interests, there will ultimately be substantial agreement among all good citizens on such a policy as experience shall have shown to be most effective in repressing the evils of the liquor traffic. To this end, such an investigation into the effects of the traffic, and the results of legislation to suppress or restrain the same, as is contemplated by a proposition introduced into Congress by one of the Representatives from this State, could not fail to be in the highest degree beneficial.

It would be unwise for any one to claim that prohibition has entirely suppressed or can entirely suppress the dram shop. That is no more possible than it is for human enactments to entirely prevent theft, robbery, arson, or even murder. Indeed, any effective enactments against practices which are exceptionally profitable, and at the same time pander to men's appetites and passions, are peculiarly difficult of thorough enforcement, as has always been found the case with statutes prohibiting gambling saloons and houses of ill-fame, as well as drinking houses and tippling shops. The true test of the merits of such legislation, of whatever character, is not whether it entirely uproots the evils prohibited ; but whether on the whole it does not repress them as effectually as any system that can be devised.

Where our prohibitory laws have been well enforced, few will deny that they have accomplished great good. In more than three-fourths of the State, especially in the rural portions, where forty years since intoxicating liquors were as freely and commonly sold as any article of merchandise, public sentiment has secured such an enforcement of these laws, that there are now in these districts few open bars ; and even secret sales are so much reduced as to make drunkenness in the rural towns comparatively rare. The exceptions to this state of things are mainly in some of the cities and larger villages, where public sentiment on this question is usually not so well sustained as in towns more remote from the tide of immigration. But even in these places our prohibitory legislation has always been enforced to some extent, and not infrequently with much thoroughness ; and has never been without that important influence for good which all laws in moral

directions exert. Constant, uniform and impartial enforcement, to the highest practicable standard, is required in any municipality, in order to obtain the full benefit of any system of legislation in restraint of the liquor traffic. Under our system of government, where the public sentiment of municipalities even will have great influence in controlling the measure of enforcement of this as well as other laws, the only permanent remedy for any laxity in this direction in exceptional localities, ultimately lies in such a quickening of public opinion as will either give new energy and purpose to local officers in power, or will secure the election of other men in their places. For it should be remembered that local officers are primarily required to enforce the laws against drinking houses and tippling-shops, and can do this work, if they will, much more satisfactorily and effectively than any others.

In addition to the duties thus imposed on local officers, the act of 1872, and the Executive orders issued in compliance therewith, make it the duty of sheriffs to inquire into all violations of these and other laws of the State, within their respective counties, and to institute legal proceedings against such violations. The act also imposes upon County Attorneys the duty of directing inquiries before the grand jury into such violations, and of prosecuting persons indicted and securing the prompt sentence of such as shall be convicted. If either of these officers shall wilfully refuse or neglect to discharge the duties imposed upon him, evidence of the specific instances of such refusal or neglect, as contemplated by the act and the constitution, may be presented to the Executive, and if he is satisfied that the charges are sustained, it will be his duty to bring such fact to the attention of the Legislature at the earliest practical day, whereupon that body may request the removal of the delinquent officer.

While such a remedy as this is provided for exceptional cases of delinquency, yet it will rarely be found that any of these officers will wilfully refuse or neglect to do his duty, where he is made to feel that the public sentiment will sustain him. Where this sentiment is not strong enough in a county either to urge existing officers to a faithful discharge of their duty, or, in case of their neglect, to secure the election of men who will do their duty, the ultimate remedy must be sought, under our system, through such instrumentalities as will arouse and elevate public opinion.

Valuable and indispensable as is the prohibitory system of legislation for the repression of drinking houses and tippling-shops, whose fruits are drunkenness, ignorance, brutality, waste, pauperism, crime, impaired health, shattered intellect, premature decay and untimely death, it should not be forgotten that the efficiency of law, as well as the power of those moral instrumentalities

which law only supplements, depends on the constancy and energy with which labors are directed to maintain a high standard of public sentiment on this question. In so glorious a moral work as this, every good citizen should unite his sympathies and efforts.

THE MILITARY DEPARTMENT.

The reports of the Adjutant General, and of Major General Chamberlain as Commander of the First Division of Maine Militia, furnish full information as to the condition of the Military Department of the State; and their recommendations and suggestions are commended to your favorable consideration. There are ten companies of infantry and one of artillery, uniformed as well as equipped by the State; and two additional companies of infantry armed and equipped by the State, but uniformed at their own expense. The expense of uniforming these companies was about eleven thousand dollars; the expense of the encampment, held near Portland in the month of August, about six thousand dollars; and other incidental expenses of the department about two thousand dollars. Probably the annual expense of supporting the existing military establishment, with an encampment, would not hereafter exceed nine thousand dollars. The State could hardly meet the reasonable expectations of the national government, or exercise common prudence in providing itself with a force to meet any internal exigency, without maintaining a volunteer militia at least as numerous as that now existing, which in case of necessity could be promptly expanded from one regiment into ten or more. And it seems to me clear that our present volunteer companies cannot be well maintained without an annual encampment.

SOLDIERS OF THE LATE WAR.

Among the obligations which a grateful State and nation recognize as peculiarly sacred, is that of generously caring for the destitute families of soldiers who lost their lives or were disabled in the late war to preserve the national existence. With what fidelity this debt of gratitude is being met by this State, as well as by the American people, is known to all. And yet our obligations to the men who took their lives in their hands and went forth at the call of their country, will not be redeemed so long as there shall remain a destitute "boy in blue," or an indigent family of a living or dead soldier, whose necessities are not supplied; and supplied, too, not as paupers, but as citizens who are only receiving what they have more than earned.

To this end, the national government has during the past year paid the generous sum of \$1,224,640 to ten thousand eight hundred and sixty pensioners in Maine; and this State, under the

direction of the Adjutant General, the sum of \$21,646 to aid soldiers' families; \$2,477 to aid in the support of soldiers' orphans under the charge of the Board of Guardians; and \$10,000 for support of soldiers' orphans at the Bath Home, and \$1,000 at the Bangor Home. I suggest that the Board of Guardians of Indigent Orphans of soldiers and seamen, be abolished, and their duties and funds transferred to the Pension Department of the Adjutant General's office, which can discharge this trust more conveniently, systematically and economically than under the present system. It will be incumbent on you either to continue in force the pension act of 1871, which expired by limitation at the close of 1873; or if this shall not seem to fully meet the obligations of the State, to enact another law more liberal in its provisions.

THE ORPHAN ASYLUMS.

The Bangor Home is a general Orphan Asylum, eminently deserving of the contributions of a generous people; and so far as it cares for indigent orphans of soldiers, it should receive aid from the State. The Bath Home has at the present time nearly sixty children in its charge, all but three of whom are soldiers' orphans; and has found homes for other soldiers' orphans in private families during the year. This work reflects the highest honor on those liberal minded men and women who have contributed to found a soldiers' Orphans' Home, and deserves a continuance of the bounty of the State.

MEMORIAL DAY.

In view of the fact that the thirtieth day of May of each year has been designated by the Grand Army of the Republic as the Soldiers' Memorial Day, and is every year coming to be more generally dedicated to services commemorative of the noble men who in the late struggle for national life gave their lives in defence of the Union, there seems to me to be eminent propriety in giving the same legal recognition to the day in this State, as is given to other holidays, and as has already been given by the State of New York. Such a graceful act would be a deserved and tender tribute to the memory of that noble band who responded to the call of the State for aid in her time of need, and who rest in cemeteries in this and other States, or in nameless graves where they fell, in Virginia, in the Carolinas, wherever the banner of freedom was borne. Nay, it would be an eloquent teacher of the duty and honor of patriotism, and would place the day which honors the nation's salvation, side by side with the day which celebrates its birth.

THE NATIONAL CENTENARY.

By authority of an act of Congress, approved March 3, 1871, a Board of Commissioners was appointed by the President to prepare and superintend the execution of a plan for the national celebration of the One Hundredth Anniversary of the Independence of the United States, by the holding of an exhibition of arts, manufactures and products of the soil and mine, at Philadelphia, during the summer of 1876. The Centennial Commission, ably represented on the part of this State by Hon. Joshua Nye as Commissioner, and Hon. Charles P. Kimball as Alternate Commissioner, have made most successful progress in arranging such an international exhibition as will serve as a fitting recognition of so important a national event, and at the same time as a worthy exposition of our progress in literature, art, science and industry. To further the objects of the Exhibition, and secure an appropriate representation of the industries of the several States, the Commissioners invite Maine to appoint a Board of Directors consisting of five members, who, with the Commissioner and Alternate Commissioner, shall constitute the State Board of Centennial Managers, upon whom will devolve the responsibility of seeing that the State is properly represented in the Exhibition, and all its interests there faithfully cared for. I recommend that you authorize the appointment of such Directors, to serve without compensation.

MAINE IN THE NATIONAL STATUARY HALL.

By an act of Congress, passed a few years since, the several States were invited to furnish not exceeding two marble or bronze statues of citizens illustrious for their patriotism or distinguished services, to be placed in the old hall of the House of Representatives at Washington, which was set apart as a National Statuary Hall. Many States, including all of New England, except Maine and New Hampshire, have responded to the invitation. It would be peculiarly appropriate for you to take such preliminary action as might result in giving this State, on the approaching centennial anniversary of American Independence, the honor of contributing to this national collection the statue of Major General Knox, the distinguished citizen soldier whose illustrious services, both in the struggle that gave our nation birth, and subsequently in the cabinet of the illustrious Washington, have conferred imperishable renown upon the State and the nation.

RAILROAD INTERESTS.

The report of the Railroad Commissioners gives a detailed account of the progress and condition of the important railroad interests of the State, and makes recommendations to which your attention is

directed. Inasmuch as the Board of Railroad Commissioners must, from the growing importance of railroads, be charged with as high and delicate duties, within the sphere in which they act, as are imposed even upon the courts of justice, I suggest whether it would not better comport with the dignity of the State and the independence of the office, if the salaries of the Commissioners should be paid from the State Treasury, and the State itself should assess the several railroad corporations for the amount of the same.

Railroads have become so indispensable an agency in the material development of a State, and exert so important an influence over the public interests, as to make the laws relating to them worthy of your thoughtful attention. The pressing necessity for extension of new railroads into large sections of our State, as yet partially or wholly destitute of means of communication so essential to their convenience and development, and the partial competition afforded by exceptional facilities for water communication, have thus far made restrictions on railroad corporations in the public interest, seem to be less essential than in many other States. The fact that such a feeling of confidence exists to a great extent, makes the present time peculiarly favorable for such a careful revision of our railroad legislation as will, on the one hand, impose upon railway corporations just responsibilities and restraints; and on the other hand, properly protect invested capital, and inspire that public confidence which is so essential to the true interests of railroads, as well as of communities.

Inasmuch as railroad corporations are granted extraordinary powers which partake of the nature of sovereignty, it is only after many limitations and restrictions that they can be said to be private corporations at all. Railroads should not and can not be regarded simply, or even principally, as the property of individuals, to be managed as they please. They are public works, no matter by whose capital built; and while the rights of property in them may not be violated, yet it is the right and duty of the State to see to it that they are so managed as to serve the public. So superior are they to every other means of land transportation, and so expensive is the construction of competing lines, that railroads are practically, and not necessarily in any offensive sense, monopolies along their respective lines of business; and unless there is some power to restrain them expressly or impliedly reserved in the control of the State, as there always is in other grants of exclusive privileges, they may not only impose such freight and passenger tax on the people as to control markets and destroy or build up communities, but they may discriminate between citizens at pleasure. Valuable and even indispensable as railroads may be to a community, so long as these corporations are servants, yet, in view of the tendency to a combination of their interests and agree-

gation of their capital in the hands of a few, if they are allowed to become masters, a large part of the benefits which the public have a right to expect from them will be lost, and the corporations become sources of oppression and public peril.

In authorizing the formation of railroad corporations hereafter—whether by special legislation or as is preferable, by general law—care should be taken to include such provisions as will remove all doubts as to the right of the State to exercise such supervision as the public interests may require. The question as to how far the legislature may exercise control of the railroad corporations which it has heretofore chartered—the most of them with peculiar privileges and powers,—is still in some important aspects an open one, although judicial decisions are gradually developing legislative rights which these corporations have steadily denied. It has been held by the Supreme Court of the United States that railroad corporations are common carriers, as that office is defined by the common law,—at least so far as to require them to provide sufficient and convenient methods of transportation, and to carry passengers and freight for all persons without distinction and without unjust discrimination; even if not on such terms as may be determined to be reasonable. It has also been held that a railroad corporation may be judicially deprived of its franchises for a non-use or mis-use of them; and that notwithstanding the ownership of a railway may be private, yet the use is public, and the road itself a public highway. And as a necessary consequence of this, the court added by way of argument that “the legislature is the exclusive judge of the mode of use;” and this carries with it the right to make such provisions and impose such restrictions as the legislature may think necessary for public convenience, as well as safety.

While the importance of this subject demands a careful preliminary investigation and inquiry into such facts relating to the railroad systems of this and other States, as will furnish the *data* for a judicious and intelligent revision of our railroad laws,—which inquiry, either through the Railroad Commissioners or some other commission, I most earnestly recommend,—yet there are some features of such legislation of so immediate and obvious necessity, as it seems to me, that they need not be deferred.

Of this character is a general law for the formation of railroad corporations and construction of railroads. Hitherto this has been done by special charter, and has involved not only all the evils incident to ordinary special legislation, but also, at least in some other States, in cases where proposed roads were supposed to conflict with existing railways, those fearfully demoralizing practices to which great corporations sometimes resort to defeat or promote legislative measures. These evils would be entirely

avoided by a general law authorizing a suitable number of persons, under restrictions which carefully protected private as well as public interests, to construct railroads between such points as they desired, and could obtain the means to build. By thus putting the construction of railroads on a free basis, subject to the same laws of trade that regulate other business transactions, they would be built wherever the demands of transportation justified, or communities could furnish the requisite means. Although, on account of the expense of the construction of railroads, even free rail-roading will by no means secure the same competition in this as in other business, yet its tendency would be in that direction, and its influence healthy. It would serve, on the one hand, to moderate the demands of railroad corporations from a knowledge that competition might spring up; on the other hand, to some extent relieve such corporations from the odium which attaches to monopolies sustained by law.

Existing laws, as it seems to me, fail to confer upon the Railroad Commissioners powers which are essential to secure the convenience, even if they do the safety of the public. These Commissioners should have power to order that additional station or transportation facilities be furnished by a railroad to any town through which it may pass, where, after hearing and investigation, they may regard these facilities insufficient. They should have authority to require railroads to connect at such points as they may judge the public interest requires; and when the roads cannot agree upon connecting terms, should have power to adjust such differences. It is unjust to the public that they should suffer in consequence of disagreements between different roads preventing such a connection of their lines as is necessary to secure the public convenience. Without such a provision, it will be in the power of existing trunk lines to compel new roads seeking an outlet, to submit to such severe terms as may seriously impair the value of the latter, and prove prejudicial to the public interests.

There are other directions in which, sooner or later, legislation will be found necessary. While railroad corporations are clearly required, as common carriers, to transport passengers and freight for all persons, without distinction, and without unjust discrimination, yet as the remedies for a breach of these duties all rest on the common law and not on statute, there are great difficulties in the way of any private individual enforcing his rights against a powerful corporation, unless there shall be legislation to facilitate.

Inasmuch as it must ever be the aim of the managers of a railroad corporation, to make the net earnings sufficient to pay the interest on the bonded indebtedness and stock of the road, the law should guard against the serious evils which have resulted in some States from what is popularly known as "watering stock," by

absolutely prohibiting the issue of any stock, except for a consideration of money, labor or property equal to the par value of such stock; or of any bonds or other evidences of indebtedness, except for such consideration equal to, perhaps, eighty per cent. of their value. So much danger is incident to the growing practice of railroad corporations, in purchasing and holding real and personal property for other purposes than those necessary to carry on the business for which they are incorporated, that it may be well to consider whether all such transactions should not be more clearly forbidden by law.

These and other considerations bearing upon this important subject, should receive your careful attention.

SPECIAL LEGISLATION.

In whatever direction you may feel called upon to exercise your authority as law-makers, too much care cannot be exercised to avoid private and special legislation, so far as possible. As a general principle, laws should be general in their character and uniform in their operations; for it is the business of government to protect the rights of all rather than the interests of a few. Too often private and special legislation is only a device to secure exceptional privileges at the expense of the people. It is the parent of that growing lobby system which is always injurious to the public interests; and when supported by powerful corporations or interests, becomes a source of demoralization and positive danger.

SAVINGS BANKS.

In view of the late financial complications, the annual report of the Bank Examiner, which will be laid before you at an early day, will be read with unusual interest. Savings Banks have become so generally distributed, and their financial operations have grown to such magnitude, that they afford a very correct indication of the material prosperity of the people. For this reason it is gratifying to know that on the third of November the amount of deposits in the fifty-six Savings Banks of Maine, was \$29,556,523.84—an increase of \$3,402,190.81, since the previous annual examination; and that the number of depositors was 91,398—an increase of 10,078. The Examiner, who seems to have conducted his investigations with great fidelity and thoroughness, finds these banks for the most part conducted with the greatest care, and with an earnest desire to conform both to the spirit of the law, and of the well settled principle that Savings Institutions should regard safety first and profit secondary.

In this view I can but commend the Examiner for the important step which he has taken in including in his detailed report of the

condition of the several banks, a full statement of the nature of the resources of each. Such a public statement as this is due to every depositor, and will exercise a most beneficial influence in deterring the guardians of these institutions from investing in doubtful securities which promise large returns. The fact that among the securities of these banks, are reported more than three millions of dollars in Western railroad bonds and stocks, and more than four millions in State, county and municipal bonds—mainly the latter—out of the limits of New England, leads the Examiner to recommend legislation designed to discourage if not prohibit such investments. Any proper legislation that will tend to retain the large accumulations of the savings of the people, within our own borders, will not only conduce to the safety of the banks, but also materially promote the development of the State.

The recommendations of the Examiner relative to providing an adequate penalty for violations of the Savings Bank law, and also for legislation to discourage the use of these institutions for large temporary investments, are worthy of your serious attention. When it is remembered that the deposits in the Savings Banks of Maine have already reached five and a half millions more than the aggregate capital and deposits of the National Banks in this State, the importance of the subject will be properly estimated.

THE PRESENT AND FUTURE OF MAINE.

You will rejoice with me over so unmistakable indications that Maine has entered upon a career of marked prosperity. Although temporarily checked by the recent financial panic, yet there is reason to believe that the progress of our national development will be unexampled during the next decade. Abundant evidence of this prosperity is afforded by the admirable and wonderfully complete report of the State Statistician, which will be laid before you in printed form at an early day, and cannot fail to show the importance and value of an undertaking which has been so successfully accomplished with so small means, in so short a time. Such an annual survey of the wealth and industries of the State, will serve not only to bring prominently before the capitalists of other States the extent and variety of our resources, but also to give our own people a stronger faith than ever in the future of Maine.

We have been ready, perhaps too ready to concede that Maine is not a good agricultural State. Yet, with all the drawbacks of climate and soil, it is capable of demonstration that the farmers in those sections of our State where manufacturing and industrial operations have developed home markets, are as prosperous as those of States which have a more genial climate and a more

fertile soil, but are further removed from the consumer. The State Industrial Commissioner estimates that the hay crop of Maine for 1873, was about two millions tons, worth twenty-five millions of dollars—several times the value of the wheat crop of any State of the fertile West, with an equal population. The value of our dairy products, which are rapidly increasing, was over two millions of dollars; and of all productions of the farm, including live stock, nearly fifty-seven millions of dollars. Yet the territory in Maine thus far reached by the tiller of the soil, is much smaller than that which is still a wilderness. Not to speak of the great body of unsettled productive land lying between the Androscoggin and Penobscot, there still remain unimproved, nearly three millions of acres in the Aroostook region, which surpasses in size the territory of Massachusetts, has a soil equal in depth and fertility to that of any portion of the Union, and is capable of supporting a population of a million persons. The fact that emigration from this State to the great West has practically ceased, and that the tide has to some extent turned eastward, unmistakably indicates that even as an agricultural State, Maine has a promising future. Whatever policy will give needed encouragement to those rural pursuits which engross the energies of a majority of our citizens, should be pursued,—not simply because it will promote the interests of so many of our citizens, but also and especially because thereby will be laid the most enduring foundations for the material and moral prosperity of the whole State.

It is to such a development of our natural resources as will create home markets, that those engaged in agricultural pursuits must look for a permanent promotion of their interests. In these resources Maine occupies a pre-eminent position. Within a few years, indeed, our manufacturing, commercial, mechanical and mining industries have wonderfully expanded. The value of the cotton manufactures of the State, for the past year, was nearly twelve and a half millions of dollars; of the manufactures of wool, seven millions; boots and shoes—an industry that has developed with remarkable rapidity—nearly nine millions; leather, four millions; paper, three millions; flour and grist-mill products, two and a quarter millions; iron, cast and forged, two and a half millions; machinery, two and a half millions; edge tools, nearly three-fourths of a million; oil cloths, a million and a half; bricks, a half a million; fertilizers, nearly eighty thousand; menhaden and kerosene oils, a half a million; fisheries, more than three-fourths of a million; and canned products of the soil and sea, a million and three-fourths. The value of the ice cut from our rivers, was over a half a million dollars; of the granite quarried from our rock-bound shores and hills, four and a half millions; of the lime burned from the abundant materials at hand, one million eight hundred

thousand dollars ; and of the lumber cut from the immense forests, which, with proper care, may be handed down to future generations, nearly ten millions of dollars.

But, if possible, more encouraging still, not only on account of the immediate value of the industry itself, but also because of its great influence on national prosperity, is the revival of ship-building along our coast and rivers, as evidenced by returns showing that during the past year there have been built in Maine 276 vessels, with a tonnage of 89,817 tons, valued at nearly five and a half millions of dollars—more than double the tonnage of 1872, and nearly as large as that of any one of the prosperous years of this industry before the rebellion. And what is more hopeful yet, the indications are that if Congress shall continue, and if possible extend the wise policy adopted to promote the development of American commerce, and the consequent growth of American power and influence on the ocean and in foreign lands, we may reasonably look for such prosperity of our ship-building interests as has never before been known.

Gratifying as are the statistics which show that our agricultural productions, representing values wrung from the soil, have reached nearly fifty-seven millions of dollars ; and our manufacturing and other industrial products, representing the value of raw materials as well as of labor, have reached ninety-six millions of dollars, an increase of twenty-two per cent. within three years,—making the aggregate value of the products of Maine soil and industry for the year 1873, nearly one hundred and fifty-three millions of dollars,—yet even these figures give but a faint idea of the magnitude of the natural resources of the State. I have spoken of the great extent of fertile territory yet awaiting the tiller of the soil, but which cannot be well reached until our railroad system, which has increased from 245 miles in 1850 to 905 miles in 1874, shall be extended into new regions. The beginning that has been made in supplying the increasing demand for the crystal ice of our rivers and ponds ; in quarrying from our inexhaustible granite beds the most beautiful and enduring building material known to art ; in meeting the growing demand for the excellent slate which has already been found to occupy a belt that stretches eighty miles between the Kennebec and Penobscot ; in furnishing commerce with a desirable quality of charcoal-iron from the immense supplies of ore in Piscataquis, Penobscot and Aroostook ; and even in developing an important business from the tide of visitors to whom our charming natural scenery in the interior, and salubrious summer atmosphere on the coast, are an increasing attraction,—all shadow forth somewhat of the future that is in store for the State. Our commercial resources are unsurpassed. Including the sinuosity of the shore, Maine has from two to three thousand miles of

coast-line, notched with safe and capacious harbors, and indented with bays and inlets, while navigable waters extend far into the interior. Situated in the great highway of commerce across the continent, this State presents commercial possibilities which may well inspire the highest hope.

It is, however, when the magnificent water power of Maine is considered, that this State stands forth the first in the Union, and presents resources which when developed will make it second to no other. Indeed, few, if any, portions of the earth's surface approach Maine in the extent, volume, momentum and constancy of its water-power. One thousand five hundred and sixty-eight lakes, at an average elevation of six hundred feet above the sea, form the head waters of five thousand one hundred and fifty-one streams, which go rushing down towards the ocean, creating over three thousand water-powers, which afford a force measured by not less than one million horse-powers, and equal to the working energy of thirteen million men! When it is remembered that not a thousandth part of the water-power of the State is as yet harnessed to machinery, some faint idea of the almost boundless extent of our manufacturing resources, may be obtained. It is for you, gentlemen, in your public capacity; for you, in your private spheres; for every citizen, who takes a just pride in having Maine become the great and grandly prosperous State for which God designed her, to lend your energies in such directions as will tend to the development of so magnificent resources.

In this great work, as well as in every measure calculated to promote the material and moral interests of our beloved State, I shall take pleasure in earnestly co-operating with you. Invoking the favor and guidance of that kind Providence who is over states and nations, as well as individuals, may we severally consecrate ourselves to the work before us.

NELSON DINGLEY, JR.

JANUARY 8, 1874.