

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
FIFTY-EIGHTH LEGISLATURE
OF THE
STATE OF MAINE.
1879.

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GOVERNOR GARCELON'S ADDRESS.

Gentlemen of the Senate and House of Representatives:

In accordance with the provisions of the Constitution of the State, you have assembled to discharge the duties imposed upon you by that instrument, and to enact such laws as in your judgment the happiness and prosperity of the people demand.

The year so recently terminated has been one of peculiar fruitfulness. Our flocks and herds have multiplied. No wide spread epidemic has prevailed within our borders, and the blessings of health to an unusual degree have been vouchsafed to our people; and yet surrounded by these favors, we are compelled to note that financial distress prevails to an unusual extent. Property has depreciated in value; business interests are prostrated; thousands of our people are out of employment, and other thousands are working at prices which barely keep themselves and their families from the poorhouse; interest and taxes are paid with extreme difficulty or not at all; and in all circles there is a feeling of despondency in relation to business enterprises.

As legislators, it is your duty to search with care for the causes which have produced these results, and so far as in you lies to apply the remedy for existing evils.

STATE EXPENDITURES.

The fact that our State expenditures, exclusive of any payments on account of our public debt, interest on the same, and of bounties to soldiers or their families, have nearly tripled during the last twenty years, notwithstanding the fact that our population has remained almost stationary, is one of peculiar significance. I suggest for your consideration this entire subject. Unnecessary offices, if any are found, should be abolished, and the personnel of every department of the Government reduced to the minimum of absolute necessity. If three trustees can do the work of five or seven let the number be reduced; if one Commissioner of Railroads or other departments can do the work of three, and do it as well or better, let two be returned to the repose of private life or delegated

to some more useful employment. The desire that was uppermost in the public mind during the late canvass and that was most strongly voiced in the election, is the desire for reform in the administration of State affairs, and I cannot too strongly urge upon you the necessity for the most thorough scrutiny of the civil service in all its branches in order that economy may be rigidly enforced and the burdens of taxation reduced to the lowest reasonable point.

BIENNIAL SESSIONS.

The annual session of the Legislature now required by the Constitution is attended with great expense, and it is believed a majority of the people demand a change of that instrument authorizing biennial sessions, as also a change in the time of holding elections. So great a saving of expense, both in time and money, can be effected by such changes that I have no hesitation in recommending a submission of these questions to the decision of the people.

TAXATION.

The subject of taxation is one which comes to the home and person of every voter of the State. The theory of a Republican government is, that every person should bear his just proportion of the burdens imposed for the protection of person and property and for the blessings of civil liberty secured to all. It is not to be denied that this theory fails in its practical operation under the existing laws in this State. The average rate of taxation upon real estate and farm property for a series of years has not been less than one and one-half per cent. During the same time a very large proportion of the accumulated capital of the State has been virtually exempt from all assessments. Probably more than one hundred millions of the accumulated wealth of this State is invested in mortgages, railroad, municipal, county and State bonds, or deposited in savings banks, and it would seem but an act of justice to enact such laws, if practicable, as will compel the holders of such property to bear their just proportion of the public burdens. The tax imposed upon railroad stocks by the Legislature, some two or three years since is wholly inoperative so far as the real owners of our railroads are concerned. As the matter now stands, the assessment made upon railroad stocks is simply an assessment upon the right of redemption. I trust your wisdom will devise some method of reaching the real owners, and compel the investments in this and kindred species of property to pay the same rate of taxation, according to their true valuation, as is imposed upon real estate and other fixtures.

INTEREST.

Closely connected with the subject of taxation is that of interest. By an act of a recent Legislature the law fixing the legal rate of interest at six per cent., was so far modified that any agreement

upon the matter was made of binding force. The fact that we find upon our records agreements to pay twenty, fifty, and even eighty per cent., renders the inquiry pertinent whether the law should not be restored, not only in the interest of morality, but more especially for the protection of the ignorant and those who may be sorely distressed.

THE JUDICIARY.

The judiciary is an integral and necessary branch of the general government. As at present constituted the delay in the trial of causes and the difficulty of obtaining prompt and final decisions in cases of appeal are matters of great complaint. I commend to your consideration the various propositions which may be submitted to you, trusting that such a reorganization may be effected as will remove all reasonable objections and promote the ends of justice.

EDUCATION.

The Constitution of the State enjoins upon the Legislature the duty "to require the several towns to make suitable provision, at their own expense, for the support and maintenance of our public schools" and also "to encourage, and suitably endow from time to time, as the circumstances of the people may authorize, all academies, colleges, and Seminaries of learning within the State." Under and in compliance with this provision of our fundamental law, the annual assessment of our people in all the towns and cities throughout the State for the support of our public schools, has become a matter of statute regulation. These primary institutions have become the pride of our people, and they willingly bear any reasonable assessment for their support, providing that assessment is made in accordance with the provisions of the Constitution.

The tax, however, levied by the State upon the entire population, to be doled out by way of bounty to such towns as are able to establish what are termed Free High Schools, meets with decided opposition in many quarters. In the first place it is claimed that in no sense are they free schools except so far as the towns themselves in which they are located are concerned. Sparsely settled and impecunious towns, so situated that they are unable to establish such schools, although contributing to the support of such as are established in more favored places, have no claims upon the latter. Another objection urged with much force, is, that practically, these high schools are very expensive and that the children of the more favored classes are those who receive the benefits of their establishment. The introduction of the study of the dead languages and abstruse sciences into these schools, is of very questionable utility. The object of our common schools is the education of the masses within certain limits. Beyond these we have our Academies and Colleges where those who have the ability and disposition

can avail themselves of their advantages at their own expense, as in duty-bound they ought.

As the representatives and guardians of the people this subject demands your careful examination, but I am sure you will have no disposition to do aught that will injure the efficiency of these primary institutions of learning, or take from the parents in their respective localities the responsibility and control of them; for it is a general truth that when responsibility terminates, interest begins to decline.

THE ELECTIVE FRANCHISE.

The duty of examining the safeguards thrown around the elective franchise and preserving the freedom and purity of elections in our own State, is a subject which comes especially under your supervision. Obstacles in the way of rightful registration should be guarded against, and such penalties provided as will deter designing politicians or bitter partizans from interposing them. Intimidation at the muzzle of the musket or at the door of the pantry, involves the same principle. Any interference with the fullest and unbiased exercise of the elective franchise, whether at home or in other states, deserves the condemnation of every good citizen. To remove the beam in our own eyes is, however, as good a criterion of our sincerity and honesty of purpose, as bitter invectives against our neighbors. And I respectfully suggest the propriety of a submission to a vote of the people the propositions adopted by the Constitutional Commission of 1875 to prevent bribery, and guard the freedom and purity of elections.

STATE DEBT.

The indebtedness of the State is a subject that requires your careful attention, although no portion of the principal falls due during the present year. The act of 1875 repealing the act of 1865 establishing a sinking fund, has been criticised in many quarters as impolitic and unwise, and some provision, if possible, should be made towards supplying the deficiency created by that act, and to meet that portion of our liabilities which falls due in 1880. I have had no opportunity to examine the subject in detail, but must refer you to the report of the Treasurer for information thereon. The dictates of prudence require that early attention to this matter should not escape your consideration.

NATIONAL FINANCES.

The financial affairs of the country, although not a subject for your especial legislation, is one in which every citizen takes a deep interest, and upon which your voice may exert a potential influence. The result of the recent elections in this State was influenced to a greater or less degree by the discussions on this subject. One of these topics has passed into a reality, and resumption has become

an accomplished fact. Time alone can determine the success or failure of the measure, but it is hoped that there may be no necessity for a retreat from so plain a duty, for, according to the Constitution of the United States, which is the supreme law of the land and which every legislator, both of the State and the nation swears to support, nothing but gold and silver can lawfully be made a legal tender for debt. The legal tender act was manifestly and unquestionably, with all due respect for a majority opinion of a Supreme Court, reconstructed evidently for the purpose of declaring an adverse decision, a violation of the Constitution, and in its operation, in conjunction with the Act establishing national banks upon the basis of double interest, has brought disaster and misery upon the entire nation. Aided by their yoke-fellow, a protective tariff, there could not have been extracted from Pandora's box of evils three measures more prolific of mischief. They have increased the expenses of government; doubled our public debt; advanced the rates of interest; destroyed commerce; driven gold and silver from the country; prostrated our manufacturing industries; created an aristocracy of wealth; engendered profligacy and crime, and brought destitution and misery into the abodes of the laboring and industrial classes throughout the land. A compliance with the teachings and requirements of the Constitution of the country is the only course of safety. That instrument was framed by our forefathers who had suffered persecution for opinion's sake, endured hardships, fought a long and bloody war, realized the misery produced by a depreciated currency, and was adopted, after mature deliberation, as the guiding star of safety to conduct the Ship of State in its perilous passage through boisterous seas, and as a beacon light to warn against any Scylla or Charybdis which it might encounter in its future course. Any departure from its precepts, whether in peace or war, is fraught with the utmost danger, and in all our discussions and deliberations its provisions should be kept constantly in view.

The question of a circulating medium other than gold and silver is another branch of discussion upon the subject of our national finances. The return of these metals to the hands of the people under the resumption act will add materially to the volume of our circulating medium, and sooner or later under an indiscriminating and uniform coinage act, they may of themselves fill the void. In the meantime, whether United States Treasury notes, in multiples of five, ten or twenty dollars, or national, or State bank notes of like amounts shall supply any deficiency is a question which agitates the public mind. The only authority found in the Constitution in relation to the former is the authority given Congress in that instrument "to borrow money upon the credit of the United States." The objection urged against using the notes of the national banks is that these institutions are based upon a principle manifestly

unjust, and which practically gives to the capitalist double, or treble interest on his investment, and thereby increases the burdens of the people, who receive in return no valid compensation. A single examination of any of the reports of the comptroller of the currency during the last ten years will exhibit this matter in its true light. Take, for instance, the standing of these institutions on the 30th of October last, given in the latest report which has fallen under my observation, and the exhibit in round numbers is as follows :

Bank capital.....	\$466,000,000
Invested in bonds.....	442,000,000
Loans and discounts.....	830,000,000

Aggregating aside from investment in real estate, \$1,272,000,000 an amount, upon which they are drawing interest, equal to nearly three times the amount of capital invested. And as a compensation for paying the interest on this enormous amount at bank rates, the public receives the benefit of a circulating medium of national bank notes of \$301,000,000. In view of such facts, if the authority to issue treasury notes to a fixed amount and sufficient for the necessities of business under the Constitution is clear and unmistakable, there will be no doubt as to which method the people will prefer.

As before remarked, it is not your especial business to legislate upon national matters, but you have the right to indicate to our Senators and Representatives in Congress, by resolution or otherwise, what you believe to be the wishes of your constituents and for their best interests.

CONCLUSION.

The circumstances under which I have been called to assume the duties of the Chief Executive officer of the State prevent me from entering into details as to the condition and requirements of the various industrial and reformatory institutions placed under our supervision. For particulars in reference to these matters I must refer you to the reports of the several officers in charge of them, which will be submitted for your inspection at as early a period as practicable. The importance of making suitable appropriations for the successful management and well being of these institutions will be apparent to you all. While urging upon you the importance of strict economy, and a careful scrutiny into the necessity of any, and all of your appropriations, it must not be forgotten that liberality even, in some directions, is true economy, and that the best interests of the State may be best subserved by judicious expenditures.

The position, Gentlemen, to which I have been so unexpectedly called by your votes, is one of grave responsibility. I shall endeavor to discharge its duties to the best of my ability, seeking only the

interest of all our people, irrespective of political factions or local interests. You will have my co-operation by the approval of all judicious enactments having for their object the promotion of education, the suppression and prompt punishment of crime, the curtailment of unnecessary expenditures, and of every measure that reasonably promises to lessen the burdens of taxation, or that is designed to ameliorate the sufferings, and add to the prosperity and comfort of our people.

On your part, I am sure you will be actuated by the same purpose, and will devote your best energies to secure these results. I trust that your deliberations will be harmonious, and that the acerbity of party spirit will be forgotten, in your desire to promote the interests of your constituents, and to make this legislature, of which you are the members, conspicuous for its economy, industry, sobriety, and for its wise and judicious enactments.

ALONZO GARCELON.