

MAINE STATE LEGISLATURE

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DOCUMENTS

PUBLISHED BY ORDER OF

THE LEGISLATURE

OF THE

STATE OF MAINE.

1865.

AUGUSTA:

STEVENS & SAYWARD, PRINTERS TO THE STATE.

1865.

FORTY-FOURTH LEGISLATURE.

HOUSE.

No. 40.

MINORITY REPORT.

ON THE

MILFORD AND PRINCETON TURNPIKE.

The undersigned, a minority of the Committee on State Lands and State Roads, to whom was referred the petition of the Milford and Princeton Turnpike Company for State aid in the construction of said road, believing that no moneys should, at this time, be paid out of the State treasury to aid a purely private enterprise, ask leave to report :

That this attempt to get money from the State treasury from the proceeds of sales of the public lands, must prove abortive, as it comes in direct conflict with previous grants of the State.

This Turnpike Corporation has for several years past been an applicant for aid in lands or money, without success, and now, that the lands are beyond their reach, they ask that "*a sufficient tract or tracts of the public lands not otherwise appropriated, sufficient to produce when sold the sum of thirty thousand dollars,*" be designated, and the proceeds paid over to this corporation.

There are no lands subject to the disposal of the Legislature, at this time, of sufficient value to realize therefrom the sum of thirty thousand dollars. As stated by the Governor in his annual message, until it is settled "whether the European and North Ameri-

can Railway Company shall so far comply with the resolves in favor of that corporation, sales of lands and timber will be necessarily held in abeyance."

This Turnpike Corporation, however, assumes to override this decision of the Governor, and to declare that all the lands have reverted to the State.

Regarding this assumption as unjust and unwarranted, the undersigned think that the State ought not, at this time, to involve itself in a controversy of this character ; that if any grant is made, it should be made in money.

The constitutional limit of the indebtedness of the State for ordinary purposes has been reached. Can such an appropriation be justified under the plea of its being a war measure ?

If by declaring a turnpike a military necessity, you can appropriate money for its construction, there is no limit on the power to create a debt. Suppose the State should declare a railroad to the St. John river a military necessity, would that authorize the building of it by the State ? If so, millions of money might be voted into enterprises of this character in violation of the spirit of the Constitution. It would open a door for corruption and speculation, which no one could contemplate without fear and dread. But the undersigned have failed to see sufficient reason for the necessity of this enterprise to justify the appropriation were there no constitutional restriction in the way. Until some further evidence is adduced of its importance to the public, and of the ability of the Company to complete the road without further aid, it cannot be defended. If the State gets once involved in this undertaking, it may be called upon to put in further sums in order to secure its completion. The Turnpike Company should, at all events, be compelled to finish and complete their line of road before they receive any aid from the State Treasury.

There is not a foot of land on the line of this road belonging to the State, nor does it open any State lands lying in its neighborhood.

For the State, therefore, at this time, to enter upon a new sys-

tem of expenditures, the aiding of roads built only for private purposes, through lands of rich proprietors, would be a policy that the undersigned cannot justify or approve.

They therefore respectfully report that the petitioners have leave to withdraw.

PARKER P. BURLEIGH,
GEO. PEIRCE,
I. W. JOHNSON,
E. S. F. NICKERSON.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
February, 15, 1865. }

Presented by leave by Mr. JOHNSON, from the Committee on State Lands and State Roads, and on his motion laid on the table and ordered to be printed.

HORACE STILSON, *Clerk.*