

# MAINE STATE LEGISLATURE

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# RESOLVES

OF THE

## SEVENTEENTH LEGISLATURE

OF THE

# STATE OF MAINE,

PASSED AT THE SESSION

WHICH COMMENCED ON THE FOURTH DAY OF JANUARY, AND ENDED ON THE THIRTIETH  
DAY OF MARCH, IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT  
HUNDRED AND THIRTY-SEVEN.

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PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

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AUGUSTA:  
SMITH & ROBINSON, PRINTERS TO THE STATE.  
1837.

William Trafton, <i>Secretary</i> ,	86	301
Additional for filing papers, } making up Journal, &c. }	30	105
Oliver G. Guptill, <i>Assistant Secretary</i> ,	86	172
Robert Martin, <i>Messenger</i> , } for himself and all his Assistants, }	86	387

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**CHAPLAINS.**

Eliphalet Gillet,	5
Benjamin Tappan,	5
William A. Drew,	5
John H. Ingraham,	5
Silas Curtis,	5
E. H. Edes,	5
Charles Blanchard,	5
George Webber,	5
Asbury Caldwell,	5
Jonathan Cole,	5
Sum total,	<u>5705</u>

**Chapter 73.**

Resolve on Pay Roll of the Senate.

Approved March 30, 1837.

RESOLVED, That there be paid to the several persons named in the above and preceding Roll the sum set against their names respectively, amounting, in the whole to the sum of Five Thousand Seven Hundred and Five Dollars.

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**Chapter 74.**

Resolve to amend the Constitution, relative to bail.

Approved March 30, 1837.

WHEREAS the Judges of the Supreme Judicial Court have given it as their opinion, in answer to a question propounded to them by the Legislature, that if the punishment of death should be abolished by the Legislature the crimes of Treason, Murder and Arson, would become

bailable offences by the Constitution, in consequence of the phrase "capital offences" being construed to mean those offences only which are punishable with death; AND WHEREAS the crimes of Rape, Robbery with intent to kill and Burglary which were punishable by the Statute laws with death prior to their repeal by an Act approved February twenty-eighth, one thousand eight hundred and twenty-nine are now by this construction bailable offences; Therefore :

RESOLVED *by the Senate and House of Representatives in Legislature assembled*, That the tenth section of Article first of the Constitution shall be so altered and amended as to read, That no person before conviction shall be bailable for any of the crimes which now are, or have been denominated capital offences since the adoption of the Constitution "when the proof is evident, or the presumption great" whatever the punishment of the crimes may be. *Provided* that a majority of the inhabitants of this State, who are constitutionally qualified to vote for State officers, shall at the annual meeting, on the second Monday of September next decide in favor of such amendment.

RESOLVED FURTHER, That it shall be the duty of the Aldermen, Selectmen and Assessors of the several cities, towns and plantations in this State, to insert an article in the warrant for calling city, town and plantation meetings, respectively, on the second Monday of September next, to require the qualified voters as aforesaid in the several cities, towns and plantations to give in their votes on the question,—Shall the proposed amendment of the Constitution be adopted? And the manner of voting shall be by ballot, those voting in favor of the amendment shall have written on their ballot the word *yes*, and those voting against the amendment shall have written on their ballot the word *no*, and the duties of the several Aldermen, Selectmen, Assessors and Clerks of the several cities, towns and plantations in receiving, sorting, counting, declaring, recording sealing up and returning said votes so given in on the question of amending the Constitution, shall be the same as their duties are in relation to votes given in for Governor of the State. And it shall be the duty of the Secretary of State to lay the returns of said votes before the Legislature at the commencement of their next session; and if on examination it shall be found, that a majority of the votes so returned shall be in favor of the amendment proposed, as aforesaid, then said amendment

shall be considered as adopted and shall form a part of the Constitution of this State. And it shall be the duty of the Secretary of State to furnish the several cities, towns and plantations with a convenient number of suitable blank returns twenty days at least previous to the said second Monday of September next.

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### STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES, }  
MARCH 9, 1837. }

The Committee on Agriculture, to whom was referred the order directing them "to inquire into the expediency of passing a Resolve authorizing the payment of a bounty upon every barrel of fine wheat flour raised and manufactured in the State," have had the same under consideration and beg leave to

### REPORT,

That in investigating the subject entrusted to us, we have seriously felt the want of suitable documents which might furnish such data and facts as we could wish. We have had recourse to the statistical work of Mr. Greenleaf, and the statements contained in the returns of valuation in the office of Secretary of State, as the principal authority by which we have been guided in the calculations which they lay before you. We assume the number of the inhabitants of Maine, to be, at the present time *one half million* (500,000.)

If we are right in this estimation, and we presume that no one will doubt it, and if we allow each individual on an average, *one pound of bread* per day, or 365 pounds per annum they will need 912,500 barrels of flour of 200 pounds each to supply them during the year.

The question then arises does the State of Maine afford this quantity from her own soil? Your Committee are aware that the quantity of wheat raised in this State per annum fluctuates very much from year to year; some years being more favorable for this grain than others, and from the fact also that not so much is sown some years as in others. In order, therefore, that we may come within the range of probability, we will take three positions, from which we may make our deductions, viz.: The