

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE.

1859.

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

AUGUSTA:
STEVENS & SAYWARD, PRINTERS TO THE STATE.

1859.

GOVERNOR MORRILL'S MESSAGES.

To the senate and house of representatives :

A vacancy exists in the office of major general in the ninth division of the militia of this state. I invite your attention to the subject as the duty of filling the vacancy devolves upon the legislature.

LOT M. MORRILL.

COUNCIL CHAMBER, }
February 2, 1859. }

To the senate and house of representatives :

I herewith transmit a joint resolution of the legislature of the state of Michigan in reference to the pending appropriation before the congress of the United States for certain improvements.

LOT M. MORRILL.

COUNCIL CHAMBER, }
February 7, 1859. }

To the senate and house of representatives :

A vacancy exists in the office of major general in the sixth division of the volunteer militia of this state, the duty of providing for which devolves upon the legislature.

LOT M. MORRILL.

COUNCIL CHAMBER, }
March 5, 1859. }

To the honorable the senate :

In compliance with its order of the 5th inst., I would inform the senate that the trustees of the Maine State Seminary have given satisfactory evidence to this department, of a compliance, on their part, with the provisions of their act of incorporation; and that they had substan-

tially complied, in the month of October, 1857, at which time buildings had been erected suitable for the accommodations of the seminary, and which were then in use for the education of youth.

It is proper to state that at that time, the boarding house, then in process of construction and since finished, was not completed; from which fact, together with a want of authority to issue the state scrip provided for in the act, the governor and council in January, 1858, "deemed it advisable not to take any action upon this business." The legislature in March, 1858, made provision for the payment of interest "until the state shall issue and deposit the scrip as therein provided."

At this time "the boarding house" was completed and was in use, and by reference to the act of incorporation it was seen that it did not provide for a "boarding house," and it was shown not to have been originally contemplated; and as it did not appear to have been indispensable to the purposes of the seminary it was matter of doubt whether it could well be regarded as a condition precedent on the part of the trustees.

LOT M. MORRILL.

COUNCIL CHAMBER, }
March 8, 1859. }

To the senate and house of representatives :

I deem it important that some provision should be made for the preparation and publication of the cases argued and determined and in the possession of the late reporter of judicial decisions at his decease.

It is not understood to be the duty of a successor to do that work, besides, regard should be had to the rights of the late incumbent in the materials for a new volume.

I invite your attention to the subject, and recommend that provision be made for the publication of the legal opinions unpublished by the late reporter, by his successors, and also such provisions as may be necessary to secure the rights which the deceased had in the work, to his legal representatives.

LOT M. MORRILL.

COUNCIL CHAMBER, }
March 24, 1859. }