

MAINE STATE LEGISLATURE

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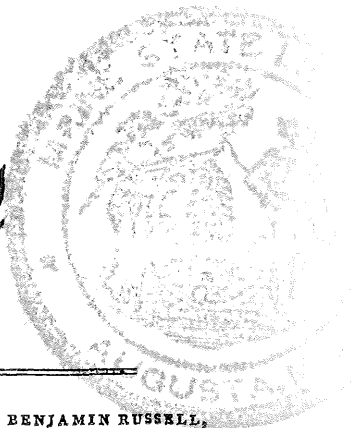


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RESOLVES
OF THE
GENERAL COURT
OF THE
Commonwealth of Massachusetts.

PASSED AT THEIR SESSION,
WHICH COMMENCED ON WEDNESDAY THE 5th DAY OF OCTOBER, 1814,
AND ALSO AT THEIR SESSION, WHICH COMMENCED ON
WEDNESDAY, THE 18th OF JANUARY, 1815.

—❦—
Published agreeably to a Resolve of 16th January, 1812,
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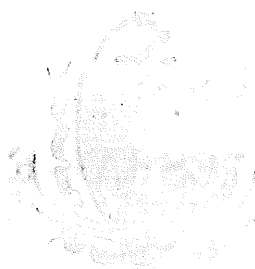
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RESOLVES

OF THE

GENERAL COURT OF MASSACHUSETTS,

PASSED AT THEIR SESSION,

WHICH COMMENCED ON THE 5th AND ENDED ON THE 20th DAY OF

OCTOBER, A. D. 1814.

GOVERNOR'S MESSAGE.

REPRESENTATIVES' CHAMBER, OCTOBER 5, 1814.

At 12 o'clock, the Secretary of the Commonwealth came down from the Council Chamber to the Senate and House of Representatives, with the following Message from his Excellency the Governor :—

MESSAGE :

*Gentlemen of the Senate, and
Gentlemen of the House of Representatives,*

SINCE your late adjournment such important changes have taken place in the state of our public affairs, and the war in which we have been unhappily involved has assumed an aspect so threatening and destructive, that the Council unanimously concurred with me in the opinion, that an extraordinary meeting of the Legislature was indispensable.

At different times and for short periods, some of the troops of the United States had been stationed within this Commonwealth; but most of them having been withdrawn for the purpose of aiding in the operations against Canada, it was found necessary in the course of the late session of the General Court and afterwards, to call out a number of the militia for the protection of the most exposed places on our maritime frontier, and to furnish their inhabitants with such other means of defence as the circumstances of the State would authorise.

Brigadier-General Cushing, while he was Superintendent of this Military District, informed me that he expected an order from the President of the United States to request a detachment from the militia of this Commonwealth for the defence of the sea-coast, and particularly of this town; and stated that the number of the United States' troops in the two forts in this harbor was not more than sufficient to man one of them. He proposed that one of the forts should be occupied by the militia; and agreed that when called out they should be subject to the command of no officer of the United States army, except the Superintendent of this Military District. Though it was supposed, that in ordinary cases the militia were not liable by the constitution to do garrison duty in the forts of the United States, yet as the defence of this town was a primary object with the government of the State, and we possessed no other means of strengthening the forts at the entrance of the harbor, I agreed that the proposed detachment should be made upon the terms before mentioned.

After I had left Boston, I received a letter from Major-General Dearborn, who had succeeded General Cushing as Superintendent of this Military District, dated on the 8th of July, in which, by order of the President, he requested me to detach eleven hundred of the militia to occupy the forts in the harbor of Boston, and other points on the sea-coast of the State. I immediately wrote to the Adjutant-General, requesting him, if he could make such arrangements with General Dearborn as had been proposed by General Cushing, to issue the necessary order for making the detachment. A general order was accordingly issued for that purpose on the 18th of July.

On the 4th of September, I received a letter of that date, from General Dearborn, stating that he had received infor-

mation of the enemy's having taken possession of Castine with a formidable force, and that it was not improbable his views might extend to our principal towns on the sea-coast, and requesting me to order out, for the service of the United States, two thousand infantry and two hundred artillery of the militia of this State, exclusive of the town of Boston, for the defence of this harbor, town and vicinity ; and the same numbers for the defence of Portland and its vicinity, and the sea-board between Kennebeck and Penobscot rivers ; and two hundred infantry and fifty artillery from Kittery, Berwick and York, to aid in the defence of the harbor and the public ships in the harbor of Portsmouth. But such objections and complaints had arisen in executing the general orders of the 18th of July, and the whole number proposed to be called out was so great that the Council, whose attention was requested to this subject, unanimously advised me to issue the general order of the 6th of September, and to place the detachment made by virtue of it, under the immediate command of a Major-General of the militia. The alacrity with which this and other similar orders were obeyed, has been highly honorable to the militia of the State. Measures were also taken to call out, for the protection of the towns on the sea-coast in the District of Maine, a part of the militia of that District. I immediately addressed a letter to Mr. Monroe, the acting Secretary of War, inclosing the last mentioned general order, and requesting to be informed whether the expenses thus necessarily incurred for our protection, would be ultimately reimbursed to this State by the United States. A copy of this letter and the Secretary's answer to it, and of the general order of September the 6th, with such official information as I have received concerning the capture of Eastport and Castine, and other hostile events, which have taken place in the eastern part of the State, since the capture of Eastport, and also a letter from the Governor of Rhode Island and the reply to it, will be laid before you by the Secretary.

In the defensive measures which have been adopted, and which for the most part have been under the immediate direction of the Commissioners for the defence of the sea-coast, we have been solicitous to avoid unnecessary expense. But the apprehensions of an attack in every part of our coast, and the pressing calls for the means of defence from the exposed towns through an extent of five or six hundred miles, have

made it necessary to call out a greater number of our militia than have been in service at any former period. It is an obvious reflection, that the limited sources of revenue, which the State has retained in its own power, bear no proportion to the expenses hereby incurred, and if those efforts are much longer required, the State will find it extremely difficult, if not impossible, to provide even in the first instance for the requisite expenditures.

By a law of Congress, passed at their late session, it is enacted, that in addition to the officers of the militia, which had before been provided for, there shall be to each division, one Division-Inspector, and one Division Quarter-Master, and to each brigade, one Aid-de-Camp. But no provision has been made directing the manner in which those officers shall be appointed.

The situation of this State is peculiarly dangerous and perplexing. We have been led by the terms of the constitution to rely on the government of the Union to provide for our defence. We have resigned to that government the revenues of the State, with the expectation that this object would not be neglected. But the government has declared war against the most powerful maritime nation, whose fleets can approach every section of our extended sea-coast, and we are disappointed in our expectations of national defence. But though we may be convinced that the war in its commencement was unnecessary and unjust, and has been prosecuted without any useful or practicable object against the inhabitants of Canada, while our sea-coast has been left almost defenceless; and though in a war thus commenced we may have declined to afford our voluntary aid to any offensive operations—yet I presume there will be no doubt of our right to defend our dwellings and possessions against any hostile attack, by which their destruction is menaced.—Let us then, relying on the support and direction of Providence, unite in such measures for our safety, as the times demand, and the principles of justice and the law of self preservation will justify. To your wisdom and patriotism the interests of the State are confided, and the more valuable those interests are, the more solicitous you will be to guard and preserve them.

CALEB STRONG.

Council Chamber, October 5, 1814.

RESOLVES.

October, 1814.

CHAP. LXXVII.

Resolve granting a county tax for the county of Oxford.
10th October, 1814.

Whereas the Clerk of the Circuit Court of Common Pleas for the county of Oxford, has exhibited an estimate made by the said Court, of the sum necessary to be raised the current year for the purpose of finishing the Court-House and fire proof offices in said county, and for defraying the other expenses of said county :

Resolved, That the sum of three thousand dollars be, and the same hereby is granted as a tax on the said county of Oxford the present year ; to be apportioned, assessed, paid, collected, and applied for the purposes aforesaid, according to law.

CHAP. LXXVIII.

Resolve establishing the pay of the Council and General Court. 10th October, 1814.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to each Member of the honorable Council, Senate and House of Representatives, two dollars per day, for each day's attendance during the present

session ; and the like sum of two dollars for every ten miles travel from their respective places of abode, to the place of the sitting of the General Court.

And be it further resolved, That there be paid to the honorable President of the Senate and the honorable Speaker of the House of Representatives, two dollars per day each, for each and every day's attendance, over and above their pay as Members.

CHAP. LXXIX.

Resolve authorising the Treasurer to borrow money of the several Banks. 11th October, 1814.

Whereas a resolve passed this Legislature on the 14th day of June last, authorising and requiring the Treasurer of this Commonwealth to borrow from any Bank or Banks within the same, such sum or sums of money for effectuating the objects and purposes of this said resolve, as he might be directed to do by his Excellency the Governor, not exceeding the sum of one million of dollars :

And whereas the said resolve did not authorise and require the said Treasurer to borrow any part of the said sum, after the commencement of the then next session of the General Court, previous to which time such engagements had been made on account of this Commonwealth, as would absorb a greater amount of funds than is now in the Treasury :

Therefore, be it resolved, That the Treasurer of this Commonwealth be, and he hereby is authorised and empowered, in the name and behalf of the Legislature, to require of any Bank or Banks within the same, according to the provisions of their several acts of incorporation, and upon such terms and conditions as are therein specified, the loan of any such sum or sums, not exceeding, with what has been already borrowed, the said sum of one million of dollars as may be necessary, in the opinion of his Excellency the Governor, to accomplish the purposes of the said resolve of the fourteenth of June last ; and that this authority shall continue in force until the second Wednesday of the next session of this General Court.

Be it further resolved, That during the period aforesaid, his Excellency the Governor be, and he hereby is authorised

and empowered, from time to time, to draw his warrants on the Treasurer, for such sum or sums as may be expended for the objects and purposes aforesaid.

CHAP. LXXX.

Resolve on the petition of Samuel Gushe, Jun. and others, Collectors of Taxes for the towns of Raynham and Easton, county of Bristol. 11th October, 1814.

On the several petitions of Samuel Gushe, Jr. and George Andrews, Jr. Collectors of Taxes for the town of Raynham, in the county of Bristol, and of John Gilmore, a Collector of Taxes for the town of Easton, in the same county, the last year, shewing that the petitioners delivered to John Gilmore, Jr. Esq. Representative in the General Court, for the town of Raynham, the following sums of money, being part of the State tax of the said towns, for the last year, to wit : the said Samuel Gushe, Jr. the sum of sixty dollars ; the said George Andrews, Jr. the sum of one hundred and seventeen dollars, and the said John Gilmore the sum of seventy dollars, to be paid into the Treasury of this Commonwealth ; and that on the twenty-fifth day of May last, while the said John Gilmore, Jr. was on his way to the Treasurer's Office, his pocket book was stolen, containing all the aforesaid sums, no part of which has ever been regained, and praying for relief in this behalf :

Resolved, For reasons set forth in their petitions, that the sum of one hundred and seventy-seven dollars, part of the tax of the town of Raynham for the last year, and the sum of seventy dollars, part of the tax of the town of Easton for the last year be, and the same are hereby abated. And the Treasurer is hereby directed, to credit the said Samuel Gushe, Jr. with the sum of sixty dollars, and the said George Andrews, Jr. with the sum of one hundred and seventeen dollars, and the said John Gilmore with the sum of of seventy dollars, on the books of his office, as, and for the aforesaid abatement.

CHAP. LXXXI.

Resolve on the petition of Peter Cary, \$100 granted, and pension allowed. 12th October, 1814.

On the petition of Peter Cary, of Phipsburg, in the county of Lincoln, praying for compensation for the loss of the use of his right arm, while doing military duty :

Resolved, For reasons set forth in said petition, that there be allowed and paid out of the Treasury of this Commonwealth to the said Peter Cary, in consequence of his having lost the use of his right arm, in manner as is set forth in said petition, the sum of one hundred dollars, to enable him to pay his nurses' bills, and other expenses arising from the said misfortune ; and an annuity or pension of five dollars per month during his natural life.

CHAP. LXXXII.

Resolve, confirming the proceedings of the Inhabitants of the town of Brewster. 13th October, 1814.

On the petition of the Selectmen and Town Clerk of the town of Brewster, in behalf of the inhabitants of said town, setting forth that on the eighteenth day of September last past, a demand for the sum of four thousand dollars in specie, was made on the said town, by Richard Ragget, Esq. of his Britannic Majesty's ship Spencer, commanding a British squadron in Cape Cod Bay ; and that unless the said sum had been produced in eighteen hours, he would have proceeded to the destruction of the saltworks and buildings of said town ; shewing also, that at a meeting of the inhabitants of said town, which was then and there notified and held for the purpose of consulting what measures were best to be taken concerning the said demand, it was voted, that the said sum of four thousand dollars should be assessed upon the saltworks and buildings of every description in said town, and upon vessels owned in said town, frequenting or lying upon the shores thereof ; and praying that their proceedings may be confirmed :

Resolved, For reasons set forth in said petition, that the proceedings of the inhabitants of the said town of Brewster, relating to the said demand and assessment, at the meeting, which was held on the eighteenth day of September aforesaid, and by adjournment, on the day then next following, be, and the same are hereby ratified, confirmed and made valid ; and that the inhabitants of the said town of Brewster, by their proper officers, be, and they are hereby authorised and empowered to assess the said sum of four thousand dollars upon the saltworks and buildings in said town, and upon vessels owned therein, and frequenting or lying on the shores thereof; and to levy and collect the same, for the uses and purposes aforesaid, any law, usage or custom to the contrary notwithstanding.

CHAP. LXXXIII.

Resolve on the petition of the town of Chester, authorising the assessment of \$300 towards re-building a Bridge.
14th October, 1814.

On the petition of the Selectmen of the town of Chester, in the county of Hampden, setting forth, that a certain Bridge across Westfield river at Falley's village, so called, had for several years been supported in part, by the county of Hampshire, before its division, and that said Bridge has been swept away by a freshet, and praying relief from said county :

Resolved, For reasons set forth in said petition, that the Justices of the Court of Sessions, for said county of Hampden, be authorised and directed to add to their other county estimates for a tax for said county, the sum of three hundred dollars, and to order payment of the same out of the county Treasury, for the purpose of aiding said town in re-building said Bridge, and to appoint an agent to superintend the laying out of the same.

CHAP. LXXXIV.

Resolve on the petition of Doane Batteshell, allowing compensation for a wound received. 14th October, 1814.

On the petition of Doane Batteshell, praying compensation for the loss of time and expences incurred in consequence of a wound received at Hampden, on the third day of September last, while actually serving as a soldier under General John Blake :

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth to the said Doane Batteshell the sum of thirty six dollars, in full compensation for the loss of time and expences as aforesaid ; and his Excellency the Governor is hereby requested to draw his warrant on the Treasurer of this Commonwealth accordingly.

CHAP. LXXXV.

Report of the Committee on the Governor's Message. 15th October, 1814.

The Committee to whom was referred the Message of his Excellency, with the documents accompanying the same,

Respectfully Report in part, That the ruinous war, declared against Great Britain, has assumed an aspect of great and immediate danger to this Commonwealth. The persevering invasion of Canada, has at length produced, as by natural consequence, the invasion of our Atlantic, Frontier and River towns. A portion of the territory of this State is already in the actual occupation of the enemy ; and the sea-coast, in all such parts as may be deemed assailable, is openly menaced with desolation. To defend our soil and to repel the invader, no force or means, bearing any proportion to the emergency, have been provided by the national government. It was justly to have been expected, that, before hostilities were provoked from a formidable enemy, or at least, that at some period subsequent to their commencement, means of defence and protection would have been afforded to a sea-coast so

extended, and so exposed to the ravages of an enemy as that of Massachusetts. But events forbid a reliance on any such expectation. The principal part of the regular force raised, or at any time quartered in this State, has been withdrawn for the war on the Canada border. The fortifications, until lately strengthened by the exertions of our own citizens, were essentially defective; and the navy in a situation calculated to invite, rather than repel aggression; and to require protection, instead of affording it. Indeed, when the circumstances under which the war was declared, and has been prosecuted, are viewed in connexion with the utter neglect of the ordinary preparation for such a state, the inference is fairly warranted, that the American cabinet intended no other means of defence for this State, but such as a brave and free people would feel themselves impelled to make, by their own sense of danger and love of country.—That it relied upon the passions and sufferings, incident to a state of war, to overcome the repugnance so universally felt by our citizens to the unjust and ruinous contest, and to leave them at liberty to drain our population and our treasures, for the prosecution of their favorite enterprises. But when the Commonwealth was found to be in danger of invasion, the people have not paused to consider the motives or objects of their national rulers in leaving them defenceless; but at the summons of their Governor, they have repaired to the standard of their country, with a zeal and alacrity, which demonstrate, that the principles which unite men of every class and description in the determination to conquer or die in its defence, are not enfeebled by our party divisions. Thousands of brave and hardy yeomanry, composing a part of a well provided and well disciplined militia, have hastened to the post of danger; and other thousands are ready to follow, at a moment's warning. The most liberal and effectual aid has been afforded in erecting forts and batteries; and but one spirit animates the whole mass of our citizens, with the invincible resolution of defending their native land against the incursions of the enemy. It is, however, a fact, not to be disguised, that while the people of this state, with the blessing of Heaven, have confidence in the sufficiency of their resources, for defending their own soil, if applied exclusively to this object, yet, they cannot be supposed equal

to this, and also competent to respond to the heavy and increasing demands of the national government.

The state of the national treasury, as exhibited by the proper officer, requires an augmentation of existing taxes ; and if, in addition to these, the people of Massachusetts, deprived of their commerce and harrassed by a formidable enemy, are compelled to provide for the indispensable duty of self defence, it must soon become impossible for them to sustain this burden. There remains to them, therefore, no alternative, but submission to the enemy, or the control of their own resources, to repel his aggressions. It is impossible to hesitate in making the election. This people are not ready for conquest or submission. But being ready and determined to defend themselves, and having no other prospect of adequate means of defence, they have the greatest need of all those resources derivable from themselves, which the national government has hitherto thought proper to employ elsewhere.

Your Committee are also of opinion, that, if the war is to continue, provision for a military force, in addition to the ordinary militia, must be resorted to ; that a considerable force must be constantly embodied and maintained, ready to meet the enemy in his varied and distant enterprises ;—that the continual calls upon great bodies of militia, to march from home at all seasons, and to remain at a distance from their families, will be the most oppressive and least economical of any mode of defence which can be devised, in a protracted warfare.

But while your Committee think, that the people of this Commonwealth ought to unite, and that they will unite under any circumstances, at the hazard of all that is dear, in repelling an invading foe, it is not believed, that this solemn obligation imposes silence upon their just complaints against the authors of the national misfortunes. It is, on the contrary, a sacred duty to hold up to view on all occasions, the destructive policy, by which a state of unparralleled national felicity has been converted into one of humiliation and danger ; believing, that, unless an almost ruined people will discard the men and change the measures, which have induced this state of peril and suffering, the day of their political salvation is past. It should never be forgotten, that this disastrous condition of public affairs, has been forced

upon Massachusetts, not merely against her consent, but in opposition to her most earnest protestations. From the moment, that the administration, yielding to its own passions and calculations of party power, commenced its system of commercial hostility to Great Britain, and of conformity to the views of the late tyrant of France, its tendency to involve the nation in the most needless and cruel embarrassments, was distinctly foreseen, and declared by former legislatures. The insufficiency of our youthful, though flourishing commerce, to cope with that of Great Britain in a struggle of restrictions, was announced by the united warning of those best versed in a knowledge of this subject. It was never doubted by these persons, that a war with Great Britain would be accompanied by an extinction of commerce ; by the banishment of our sailors ; the desolation of our coast ; the blockade and invasion of our sea-ports ; the failure of national credit ; the necessity of oppressive taxes ; and the consummation of national ruin, by an alliance with the late despot of Europe, from which greatest of all calamities we have been preserved only by his fall. Of all these evils, were our rulers forewarned by Massachusetts, whose vital interests were thus put in jeopardy ; and they were implored, by every consideration of policy and humanity, to stay their hands from the cruel and wanton sacrifice of the interests of those, who asked from them nothing but the privilege of pursuing their own industrious callings. But government, deaf to this voice, and listening to men distinguished in their native state, only by their disloyalty to its interests and the enjoyment of a patronage, bestowed upon them as its price, have affected to consider the patriotic citizens of this great state as tainted with disaffection to the union and with predilection for Great Britain ; and have lavished the public treasure, in vain attempts to fix, by evidence, this odious imputation. Thus dishonored and deprived of all influence in the national councils, this state has been dragged into an unnatural and distressing war ; and its safety, prehaps, its liberties, endangered.

It is therefore, with great concern, that your Committee are obliged to declare their conviction, that the constitution of the United States, under the administration of the persons in power, has failed to secure to this Commonwealth, and as they believe, to the eastern section of this union,

those equal rights and benefits, which were the great objects of its formation, and which they cannot relinquish without ruin to themselves and posterity. These grievances justify and require vigorous, persevering and peaceable exertions, to unite those who realize the sufferings, and foresee the dangers of the country, in some system of measures, to obtain relief, for which the ordinary mode of procuring amendments to the constitution, affords no reasonable expectation, in season to prevent the completion of its ruin. The people, however, possess the means of certain redress ; and when their safety, which is the supreme law, is in question, these means should be promptly applied. The framers of the constitution made provision to amend defects, which were known to be incident to every human institution ; and the provision itself was not less liable to be found defective upon experiment, than other parts of the instrument. When this deficiency becomes apparent, no reason can preclude the right of the whole people, who were parties to it, to adopt another ; and it is not a presumptuous expectation, that a spirit of equity and justice, enlightened by experience, would enable them to reconcile conflicting interests, and obviate the principal causes of those dissensions, which unfit government for a state of peace and of war ; and so to amend the constitution, as to give vigor and duration to the union of the states. But as a proposition for such a convention from a single state, would, probably, be unsuccessful, and our danger admits not of delay, it is recommended by the Committee, that in the first instance, a conference should be invited between those states, the affinity of whose interests is closest, and whose habits of intercourse, from their local situation and other causes, are most frequent, to the end, that, by a comparison of their sentiments and views, some mode of defence, suited to the circumstances and exigencies of those states, and measures for accelerating the return of public prosperity, may be devised ; and also to enable the delegates from those states, should they deem it expedient, to lay the foundation for a radical reform in the national compact, by inviting to a future convention, a deputation from all the states in the union. They therefore report the following Resolves, which are submitted.

H. G. OTIS, *per order.*

Resolved, That the calamities of war, being now brought home to the territory of this Commonwealth, a portion of it being in the occupation of the enemy, our sea coast and rivers being invaded in several places, and in all exposed to immediate danger, the people of Massachusetts are impelled by the duty of self defence, and by all the feelings and attachments which bind good citizens to their country, to unite in the most vigorous measures for defending the state and expelling the invader; and no party feelings, or political dissensions can ever interfere with the discharge of this exalted duty.

Resolved, That provision be made by law for raising, by voluntary enlistment, for twelve months or during the war, a number of troops, not exceeding ten thousand, rank and file, to be organized by the Governor, for the defence of the state.

Resolved, That the Governor be authorized to accept the services of any volunteers, and to organize them as part of the aforesaid troops, who shall hold themselves in readiness to march at a moment's warning, to any part of the Commonwealth, who shall be entitled to full pay and rations, when in actual service, and to a just compensation, short of full pay, to be provided by law, during the entire term of their enlistment.

Resolved, That the Governor be authorized to borrow, from time to time, for the use of this Commonwealth, a sum, not exceeding one million of dollars, at an interest not exceeding six per cent; and that the faith of this Commonwealth be pledged to provide funds, at the next session of this Legislature, at furthest, for the payment of the interest on the sums borrowed.

Resolved, That twelve persons be appointed, as Delegates from this Commonwealth, to meet and confer with Delegates from the other states of New England, or any of them, upon the subjects of their public grievances and concerns, and upon the best means of preserving our resources and of defence against the enemy, and to devise and suggest for adoption by those respective states, such measures as they may deem expedient; and also to take measures, if they shall think proper, for procuring a convention of Delegates from all the United States, in order to revise the Constitution thereof, and more effectually to secure the support and attachment of all the people, by placing all upon the basis of fair representation.

Resolved, That a circular letter from this Legislature, signed by the President of the Senate, and Speaker of the House of Representatives, be addressed to the executive government of each of said states, to be communicated to their Legislatures, explaining the objects of the proposed conference, and inviting them to concur in sending Delegates thereto.

Resolved, That, on the eighteenth day of October instant, this Legislature will by joint ballot elect twelve persons to meet such Delegates as may be appointed by the said states, or either of them, at Hartford, in the state of Connecticut, on the fifteenth day of December next.

CHAP. LXXXVI.

Circular Letter to the Governors of the New England States on a Convention to be holden at Hartford, which his Excellency the Governor is requested to transmit.

17th October, 1814.

SIR,

Your Excellency will herewith receive certain resolutions of the Legislature of Massachusetts, which you are respectfully requested to take the earliest occasion to lay before the Legislature of your state, together with this letter, which is intended as an invitation to them to appoint Delegates, if they shall deem it expedient, to meet such others as may be appointed by this and other states at the time and place expressed in these resolutions.

The general objects of the proposed conference are first, to deliberate upon the dangers to which the Eastern section of the Union is exposed by the course of the war, and which there is too much reason to believe will thicken round them in its progress, and to devise, if practicable, means of security and defence, which may be consistent with the preservation of their resources from total ruin, and adapted to their local situation, mutual relations and habits, and not repugnant to their obligations as members of the Union.

When convened for this object, which admits not of delay, it seems also expedient to submit to their consideration, the enquiry, whether the interests of these states demand, that persevering endeavours be used by each of them to pro-

cure such amendments to be effected in the national constitution, as may secure to them equal advantages; and whether, if in their judgment, this should be deemed impracticable under the existing provisions for amending that instrument, an experiment may be made without disadvantage to the nation, for obtaining a Convention from all the states in the Union, or such of them as may approve of the measure, with a view to obtain such amendment.

It cannot be necessary to anticipate objections to the measure which may arise from jealousy or fear. This Legislature is content, for its justification to repose upon the purity of its own motives, and upon the known attachment of its constituents to the national union, and to the rights and independence of their country.

Read and accepted in both Houses, and thereupon

Resolved, That his Excellency the Governor be requested to transmit letters of the foregoing form, signed by the President of the Senate and Speaker of the House of Representatives, to the several Governors of the States of New Hampshire, Rhode Island, Connecticut, and Vermont, and also a copy of the resolutions to which it refers; with a request that the same may be laid before the Legislatures of their several states.

CHAP. LXXXVII.

Resolve appropriating the Land Office for the Board of War.
17th October, 1814.

Resolved, That from and after the first day of November next ensuing, the apartment at the north-east corner of the State House, on the lower floor, now occupied as the land office, be, and the same is hereby appropriated as an office for the Commissioners for the defence of the Commonwealth, or to such board as may by law succeed to them in that department; and the said Commissioners, or their successors as aforesaid, are hereby authorized to provide suitable desks, shelves, and furniture, for the said office, if any may be wanted, in addition to those already in the apartment aforesaid.

And be it further resolved, That from and after the said first day of November next ensuing, the apartment call-

ed number eleven in the north-west corner of the State House on the second floor be, and the same is hereby appropriated for the land office, instead of the room now occupied for that purpose.—And that the agent for Eastern lands be, and he hereby is authorized and empowered, to provide suitable desks, shelves, and furniture for the said room number eleven, if any additional articles of that description shall be necessary therefor. And the Commissioners aforesaid, and agent for Eastern lands aforesaid, shall lay their accounts before the Committee of Accounts.

CHAP. LXXXVIII.

Resolve referring all orders of notice and papers, referred at the last session, to the next session of the General Court.
18th October, 1814.

Resolved. That all matters and things whatever, which were referred by the Legislature at the last session of the General Court to this session or any particular day therein, be further referred to the next session of the General Court, and to such day therein as was appointed therefor in this session; and that all orders of notice which were issued at the last session and have not been served, are hereby revived and may be served and returned to the next session and to such day therein as was appointed therefor in this session; and all persons, who, in the last session, were directed to shew cause against granting the prayer of any petition at this session or any particular day in this session, shall have the same day in the next session as was appointed therefor in this session; any thing in any resolve of the General Court, at the last session thereof, to the contrary notwithstanding. And the Secretary is directed to publish this resolve in the newspapers in which the laws of this Commonwealth are published, as soon as may be.

CHAP. LXXXIX.

Resolve authorizing the Quarter Master General to furnish Cavalry with trumpets and bugles. 18th October, 1814.

Resolved, That in all cases, in which the Quarter Master

General is by law authorized to furnish a trumpet for the use of any troop of Cavalry in the Militia of this Commonwealth, the said Quarter Master General be, and he is hereby authorized to furnish such troop of Cavalry with a trumpet or bugle, as may be most convenient.

CHAP. XC.

Resolve providing for the pay of the Page of the House.
19th October, 1814.

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to the Messenger, to be paid by him over to Joseph Francis, one dollar and twenty-five cents per day, for each day he the said Francis shall have attended as Page, the present session of the General Court.

CHAP. XCI.

Resolve respecting the removal of prisoners in the County of Berkshire. 19th October, 1814.

Resolved, That the Sheriff of the County of Berkshire be, and he hereby is authorized and empowered to remove such of the Criminals as now are, or may hereafter be confined in the Goal at Lenox in said County, as he may think their safe keeping may require, to the Goal in Northampton in the County of Hampshire; and the Goaler in said County of Hampshire, is hereby empowered and directed to receive said prisoners, and safely to keep the same; and the said Goal in Northampton, is hereby made the Goal, as well for the County of Berkshire, for the purposes aforesaid, as for the County of Hampshire.

And be it further resolved, That all the expenses attending the removal of said Criminals and the keeping and supporting of the same at the Goal in Northampton, shall be defrayed by the County of Berkshire.

Be it further resolved, That this resolve shall be, and remain in force for, and during the term of one year, and

from thence to the end of the then next session of the General Court, and no longer.

CHAP. XCII.

Resolve allowing to the Secretary \$100 to pay for extra writing in his department. 19th October, 1814.

Resolved, That there be allowed and paid out of the public Treasury to the Secretary of this Commonwealth, in his said capacity, the sum of one hundred dollars to defray the expenses of extra writing in his department, and to be accounted for by him.

CHAP. XCIII.

Resolve on the petition of Captain James Hunnewell, directing him therein. 19th October, 1814.

Whereas a resolve passed the Legislature of this Commonwealth, on the twenty-first day of February last, allowing to the officers, non-commissioned officers, musicians, and privates, under the command of Captain James Hunnewell, the sum of sixty-four dollars and twenty-six cents, and no provision was made in said resolve, specifying to whom the same should be paid by the Treasurer; therefore

Resolved, That the Treasurer be, and he is hereby authorized to pay the sum aforesaid, to the said Captain James Hunnewell, to be by him, the said Hunnewell, applied for the purposes mentioned in the aforesaid resolve.

CHAP. XCIV.

Resolve relative to Courts in Hancock and Washington Counties. 19th October, 1814.

The Committee of both Houses appointed to consider the expediency of altering the times and places for holding the Circuit Court of Common Pleas, in the Counties of Han-

cock and Washington, report the following resolves, which are submitted.

Per Order,

JACOB ABBOT.

Resolved, That if, at the next term of the Circuit Court of Common Pleas to be holden at Castine, within and for the County of Hancock, on the first Tuesday of November next, none of the Justices of the said Court shall attend, so that it shall be necessary to adjourn said Court, the Sheriff of said County, or any of his Deputies, by him specially authorized, shall adjourn the said Court without day.

And it is further resolved, That, if such adjournment shall be made, all writs and processes, and all other precepts original or judicial, which are, or may be returnable to the said Circuit Court of Common Pleas, to be holden by law at Castine, shall, and may be entered at the next term of said Court, for said County, to be holden at Bangor, on the first Tuesday of January next; and the same proceedings shall be had thereon, as if the same were originally made returnable to said last mentioned Court, and all attachments shall have the same effect as they would have had, if said Court had not been adjourned.

Resolved, That the Sheriff of said County, or either of his Deputies, or any Constable of any town, in said County, is hereby authorized to commit to the Goal in Augusta, in the County of Kennebec, any person who may in due course of law, be in his or their custody; and the said Goal in Augusta, shall, in case of such commitment, be considered to all intents a lawful Goal therefor; and it is hereby made the duty of the keeper thereof to receive therein, and deal with such person accordingly.

Be it further resolved, That all deeds and other instruments for the conveyance, security, or defeasance of real estates, and all executions levied upon real estate, or upon the rents and profits thereof, and all depositions taken in perpetuum rei memoriam, which ought by law to be recorded in the registry of deeds, for the Counties of Hancock and Washington, may be filed in either of the offices of the register of deeds of the north district of the County of Hancock, or of the County of Kennebec, and a certificate of the register of such office, that they are so filed, shall have the same effect from the day of the date thereof, as the due filing and

recording of the same would have had before the passing of this resolve.

And be it further resolved, That this resolve shall be in force, until the end of the next session of this General Court, and no longer.

CHAP. XCV.

Resolve appointing Hon. Lothrop Lewis and others, a Committee to examine into the doings of the several Banks, in the District of Maine. 19th October, 1814.

Resolved, That the Hon. Lothrop Lewis, James Neal, and Samuel Coney, Esquires, be a Committee, for the purpose of examining, in the recess, into the doings of the several incorporated Banks in the District of Maine, with full power of access to all their books and vaults; and that said Committee report at an early day of the next session of the present General Court.

CHAP. XCVI.

Resolve allowing compensation to Jacob Kuhn, for taking care of the Adjutant and Quarter Master General's Office. 19th October, 1814.

Resolved, That there be allowed and paid out of the public Treasury, to Jacob Kuhn, eighty cents for each day he may be employed in taking care of the offices of the Adjutant General, and Quarter Master General, agreeably to an order of the General Court of the 13th of June last, the same to be certified by the Adjutant General, and Quarter Master General.

CHAP. XCVII.

Resolve granting \$300 to the Messenger of the General Court to purchase fuel. 19th October, 1814.

Resolved, That there be paid out of the Treasury of this

Commonwealth, to Jacob Kuhn, Messenger of the General Court, the sum of three hundred dollars, to enable him to purchase fuel, and such other articles as may be necessary for the use of the General Court, together with the Governor and Council Chamber, the Secretary's, Treasurer's, Adjutant General's, and Quarter Master General's offices, he to be accountable for the expenditure of the same.

XCVIII.

Resolve providing for the pay of Assistants to the Messenger of the General Court. 20th October, 1814.

Resolved, That there be allowed and paid out of the public Treasury of this Commonwealth, to Warren Chase, Henry Bacon, and Lewis Low, Assistants to the Messenger of the General Court, one dollar per day each, during the present session of the Legislature, in addition to the usual allowance to them, of two dollars per day.

CHAP. XCIX.

*Resolve providing for the pay of John Low, jun. Assistant to the Messenger of the General Court.
20th October, 1814.*

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to John Low, jun. Assistant Messenger of the House of Representatives, forty-one dollars, for his services, in that capacity, during the present session of the General Court.

CHAP. C.

*Resolve establishing pay to Ward Locke, Assistant to the Messenger of the Governor and Council.
20th October, 1814.*

Resolved, That there be allowed and paid out of the Treasury of this Commonwealth, to Ward Locke, Assistant

to the Messenger of the Governor and Council, two dollars and fifty cents per day, for each day he may have been employed, since the session of Council, in June last, and the same sum for each day his Excellency the Governor and the Honorable Council may judge it necessary to employ him in future.

CHAP. CI.

Resolve to pay to Thomas Wallcut, \$50.
20th October, 1814.

Resolved, That there be allowed and paid out of the public Treasury to Thomas Wallcut, a Clerk in the Lobbies, for the assistance of the members of the Legislature, fifty dollars, in full for his services, during the present session of the General Court.

CHAP. CII.

Resolve authorizing the Treasurer to delay issuing warrants of distress, as he may deem proper.
20th October, 1814.

Resolved, That the Treasurer and Receiver General be, and hereby is authorized to delay, when in his judgment such delay is proper, issuing warrants of distress against the several Collectors of the State tax, for the year eighteen hundred and thirteen, until the next session of the present General Court.

CHAP. CIII.

Resolve providing for the pay of the Clerks of the General Court. 20th October, 1814.

Resolved, That there be allowed and paid out of the public Treasury, to Samuel F. McCleary, Clerk of the Senate, and Benjamin Pollard, Clerk of the House of Representatives, one hundred and twenty dollars each; and also to

Robert C. Vose, Assistant Clerk of the Senate, seventy-five dollars, in full for their services in said offices, the present session of the General Court.

CHAP. CIV.

Resolve giving the consent of the General Court to march the forces of this State to the assistance of a neighbouring State, if the Governor shall think it expedient.

20th October, 1814.

Whereas during the present calamitous war, a common danger threatens the safety of this, and the adjacent states, and the Governor and Legislature of Rhode Island have expressed their readiness to render to this Commonwealth all the aid in their power, in cooperating to avert the same :

Resolved, That the consent of the General Court agreeably to the Constitution, is hereby given to his Excellency the Governor, to order to march out of the limits of this Commonwealth, any portion of the military force of the same, to the assistance of any adjacent State, whenever in his judgment it shall be expedient so to do.

COMMONWEALTH OF MASSACHUSETTS.

Secretary's Office, May 20th, 1815.

By this I certify, that the Resolves, &c. contained in this pamphlet, which were passed by the General Court, at the October Session, 1814, and at the Session begun and holden on the 18th day of January last, have been compared with the originals, in this Office, and appear to be correct.

ALDEN BRADFORD,

Secretary of the Commonwealth.