

MAINE STATE LEGISLATURE

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DOCUMENTS

PRINTED BY ORDER OF

THE LEGISLATURE,

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1837.

AUGUSTA:
SMITH & ROBINSON,.....PRINTERS.

1837.

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REPORT

OF THE

COMMITTEE OF THE COUNCIL,

ON THE

PETITIONS FOR THE PARDON

OF

WILLIAM LAMBARD,

WITH

ACCOMPANYING PAPERS.

PRINTED BY ORDER OF COUNCIL.

AUGUSTA:

SMITH & ROBINSON, PRINTERS TO THE STATE.

1837.

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STATE OF MAINE.

IN COUNCIL, MARCH 22, 1837.

On motion of MERROW,

ORDERED, That the Secretary of State, be directed to cause to be published 2000 copies of the Report on the Petitions of sundry persons for the pardon of William Lambard—together with the names of the Petitioners for granting said pardon—also the statements of facts as drawn up by Mr. Evans and others.

(Extract from the Journal.)

Attest,

A. R. NICHOLS, Secretary of State.

STATE OF MAINE.



IN COUNCIL, February 25, 1837.

The Committee of the whole Council to which was referred the petitions of **JOSEPH R. ABBOT**, and of many others, praying for the pardon of **WILLIAM LAMBARD** of Augusta, who was convicted of the crime of Manslaughter at the Supreme Judicial Court holden at Augusta on the first Tuesday of October last—have had the same under consideration, and ask leave to

REPORT :

That on the twenty-third day of September last, the said William Lambard, being in the quiet pursuit of his business, was set upon and assailed repeatedly without provocation, by Henry Shattuck, with language exceedingly violent and abusive, and threatening the immediate infliction of bodily injury—that said Lambard endeavored to avoid all controversy, and retreating some distance was followed by his assailant. Having seized a stick of wood with the apparent purpose of intimidating said Shattuck and defending himself from injury, he continued still to retreat, and with the stick endeavored to keep him at a distance; he besought Shattuck repeatedly, without avail, to desist and let him alone, as he wished to have nothing to do with him, and being still closely pursued, he suddenly turned, and in a moment of agitation, gave a blow with the

stick, which proved fatal to the unfortunate assailant on the thirtieth of said month.

It appeared that said Lambard was a man of feeble health, of little physical power, and that very slight personal exertion had often produced dangerous results. It was moreover shown that said Shattuck was a man of muscular power, sufficient to have overcome said Lambard had he been unarmed. Such are the facts of this case, succinctly stated, upon which the jury, who tried the indictment, found the respondent guilty. This verdict, upon the law as laid down by our Courts, was doubtless correct; the principles being, that any one who uses a deadly weapon, (whatever his real and true intention or expectation may be,) is presumed to intend the consequences, which it may be reasonably supposed would result from such use of it. This, as a general principle, is sound, and yet in many cases would go to hold men responsible for crimes when there is no criminal intention.

The clause in the Constitution of this State, giving to the Governor, "the power, with the advice and consent of the Council, to remit, after conviction, all forfeitures and penalties; and to grant reprieves and pardons," is one which, in our opinion, should be exercised with great caution. It was vested in the Executive for wise and humane purposes, and should be resorted to only where the ends of justice will allow its exercise. The public good requires the punishment of crimes, as well as of all other violations of the laws, and of the peace and good order of the State. Old offenders—persons hardened in iniquity, whose uniform course of life has evinced a want of moral principle, are not

the proper subjects of Executive clemency. For individuals, convicted of offences showing great obliquity of morals, and perversity of evil disposition, this provision never was intended. So also in regard to crimes where *malice prepense* is an essential ingredient, it would seldom occur that the interposition of the constitutional prerogative of the Executive would be required. But in cases of young offenders, convicted of offences in their nature not highly criminal, where the rigor of the law would evidently work no good to the convict or the public, it is right and the duty of the Executive to put in force that power, which our oaths of office require us to exercise on every proper occasion. We consider this clause of our Constitution as binding upon us, and that its provisions should be as sacredly regarded as any other. To limit or define by precise rules, what occasions *are* proper for its exercise, is not easy nor perhaps practicable. Were it so, the Constitution itself would have minutely prescribed them. "The *reform* of offenders is one of the primary objects of their confinement." Another object is the *warning* and *example* which it holds out to deter men of vicious and depraved hearts from depredating upon the peace and security of society. It does not come within its objects to be vindictive; but to prove a salutary warning to the abandoned, and promote the reform of the guilty.

In cases, therefore, presented to the Executive for pardon, the natural inquiries are, how far punishment is required for the reform of the offender, and how far as an example to the community.

If any case can be stated as demanding, above all

others, the protection of this constitutional power, it is that of an individual, whose uniformly correct and exemplary deportment, has secured to him the confidence and esteem of his fellow men; who as a citizen and a man of business, as a neighbor and a friend has maintained a respectable place in society, but who, either from evil counsel or bad example, has been unwarily seduced from the path of rectitude. Here, if a good character and reputation ever to be available to their possessor, should they be invoked in his behalf.

Second only to such a case, is that of the individual for whom the petitioners in the present instance ask the interposition of the Executive. His character as a citizen was unassailed. Industrious in his habits, exemplary in his deportment, correct in his dealings, he maintained a good reputation among his fellow citizens. This was the first offence charged against him, and it did not appear that this was committed from the promptings of malice or revenge. On the contrary the facts show, that it was not until his patience and forbearance had been exhausted by continued insults—by language exceedingly provoking and abusive—by being followed up and pursued by the deceased, (who, it appeared, declared he had “an old grudge against him,” and had even threatened his life,) nor until he had been repeatedly requested by the unfortunate convict to desist from the assault—and not until Lambard had retreated from him, brandishing his stick to intimidate, or cause him to cease his persecution, that, losing for a moment the requisite equanimity and forbearance, he gave the fatal blow. This by our laws is *Manslaughter*, the punishment of which is

extremely rigorous; and for cases of this description, where the severity of the punishment is disproportionate under all circumstances of its commission, we are unanimously of opinion, the pardoning power was inserted in our Constitution.

Had it appeared to the Council, that Lambard was malevolent, vindictive, depraved, bent upon mischief, and inclined to evil, the case would have presented an entirely different aspect. But as it was plain that he endeavored to avoid the controversy—that he submitted to much, long continued, and vehement abuse without retorting it, that he sought the interposition of others to protect him—that he manifested throughout a desire to escape from the unprovoked threats *peaceably* and *quietly*—that in short the rencontre was forced upon him against his will, we cannot perceive wherein punishment is necessary for the purpose of reform, or as an example to deter others from crime. Indeed the act was rather *legally*, than *morally* a crime. It did not spring as crimes, morally considered, always do, from a vicious, criminal, malignant, premeditated design. Punishment, therefore, is not required for the purpose of reform. Is it, then, in this case, necessary to deter vicious men from the perpetration of crimes? We think not. What crime has been committed? *legally*, Manslaughter. Was there any malice accompanying its commission? It appears not. There was, however, a want of coolness, judgment and reflection,—of personal firmness, and of fortitude and composure.

In this view we would refer to the fact, that the accused was in feeble health—wholly unable to cope in personal controversy with the deceased. He

was anxious as to his health. A short time before, a very slight exertion had produced bleeding from the lungs. He was, therefore, in the most unfavorable condition for the exercise of calm judgment. Would the example of his punishment restrain offences? Would it strengthen any man's nerves, or give him composure in the moment of excitement, fear or apprehension? We cannot so understand the effect of his punishment. On the contrary it may well be considered whether the example would not tend to the encouragement of the intemperate, the profane, and the quarrelsome, in the abuse of the peaceful, orderly and quiet citizen.

After this view of the case, it is hardly necessary to state that the infliction of punishment upon the accused would probably be attended with fatal consequences. The evidence from a medical gentleman who has been his physician, shows that his life would be in jeopardy, by the usual punishment for this offence. This circumstance has been considered by us, in connection with the other facts in the case, in coming to the conclusion to which we have arrived,—as we cannot believe that the law intends, or requires the punishment of an offence, such as that to which we have adverted, by the forfeiture of the life of the unfortunate offender. Few offences, under our laws, are punishable by *death*; and *manslaughter* is not of that number.

The anguish which has already destroyed the peace and withered the happiness of the unfortunate convict, is of itself a weight of punishment, which can scarcely be augmented.

The numerous petitions and representations, containing the signatures of very many respectable citi-

zens of this section of the State, relative to this subject, among which are six of the Jurors who tried the case and four of the last Executive Council, have demanded and received the attentive consideration of your Committee—and it is but justice to state, as evidence, that he bears no malice against the deceased, that he has caused one thousand dollars to be appropriated for the benefit of his widow, to assist her in her maintenance and support.

On the whole view of the case, and of all the circumstances attending it, the Council are unanimously of the opinion, that, although they by no means consider, the blow with the weapon used by Lambard, to defend himself, as justifiable, yet they cannot but consider it in some measure, *excusable*, under the gross and continued provocation.

Impressed with these views, the Council unanimously recommend and advise, that the Governor extend a *free and full pardon* to William Lambard of Augusta, in this State, for the crime of which he stands convicted, for the infliction of a fatal blow upon Henry Shattuck, on the twenty-third day of September last.

Per Order,

WM. DUNN, Chairman.

IN COUNCIL, February 25, 1837.

This Report on being read, was unanimously accepted by the Council, and by the Governor approved.

Attest,

A. R. NICHOLS, Secretary of State.

STATEMENT OF MR. EVANS.

THE HONORABLE THE GOVERNOR AND COUNCIL :

GENTLEMEN,—I have been apprised that an application was about to be made to the Executive Government of the State of Maine, for the pardon of William Lambard, against whom a verdict was rendered, at the last term of the Supreme Court in the County of Kennebec, upon an indictment for Manslaughter. Having a full knowledge of the circumstances of the case, as a very careful and diligent examination of every thing proved upon the trial, enables me to acquire, I deem it incumbent on me to express an earnest hope, that the application for his pardon may prove successful. The power to grant it, is expressly given by the Constitution, and like all other powers, it is given to be exercised, when fit occasions require it. Such an one, I most sincerely believe the present to be. To limit and define by precise rules, what occasions are proper for its exercise, is not easy nor perhaps practicable ; and indeed, if it were so, the Constitution itself would have prescribed them with minuteness and precision. It rests, therefore, upon the sound judgment and discretion of the constituted authorities, to determine under what circumstances the beneficent power, thus conferred, shall be exercised. “The reform of the offender,” says the late Message of the Governor to the Legislature of the State, “is among the primary objects of his confinement.” Undoubtedly the sentiment is just. Another object of punishment, is, the warning—the example, which it holds out to deter men of vicious and depraved hearts, and profligate lives, from deprecating upon the peace and security of society. It does not come within the objects of punishment, to be vindictive—to measure out so much pain and suffering as a reward for so much crime. It is only to deal out so much as will prove a salutary warning to the abandoned, and at the same time will promote the reform of the guilty. The smallest degree of punishment, which will be likely to attain these ends, and that only, will be allowed by a wise and humane government. In any case, therefore, which may be presented to the Executive Administration for the exercise of the power, it will naturally be inquired, How far punishment is required, for the reform of the offender himself, and how far, as an example to the community ? A reasonable compass to a communication of this kind, forbids me to attempt to narrate minutely the circum-

stances, under which the fatal occurrence took place, upon which the indictment against Mr. Lambard was founded. It is the less important, as I presume the proof offered on trial will be laid before you. Upon these facts, then, it may be asked, in what particular, is it necessary, reform should be wrought, in the habits, life or character of the accused? Do the proofs show, that he was malevolent, vindictive, depraved, bent upon mischief, inclined to evil? Far from it. On the contrary, it appeared, that he was desirous of avoiding controversy—that he submitted to much, long-continued, vehement abuse, without retorting it—that he sought the interposition of others to protect him—that he manifested a desire, throughout, to escape from unprovoked threats, peaceably and quietly. He sought no controversy. It was forced upon him against his will. Wherein, then, is punishment necessary for the purpose of reform? All crime is seated in, and springs from, the heart. Frailties and infirmities are incident to our nature; and will continue to be, until a higher power, than human governments, makes it other than it now is. Doubtless it is our duty to guard against these imperfections as best we may; but they are not crimes, vices, malignant propensities, which are to be *reformed*.

The next inquiry, then, is, whether the case, in all its circumstances, is one requiring punishment, for the sake of the example—for the purpose of deterring *vicious* men, from the perpetration of crimes. What is the offence, here? Technically and legally, it must be admitted, Manslaughter; because the Jury have so rendered a verdict; and until that verdict is set aside, it must stand as the basis of this application? But, in what did the crime charged consist. Not in the *intentional* killing of the deceased. Not one, I apprehend, of all who heard the trial, for a moment believed, that at the instant of the affray, the accused designed serious bodily mischief—much less, the death of the unfortunate man, *whose own violence* and passion brought the fatal result upon himself. The offence was made out, upon the ground, that one who uses a deadly weapon, is presumed in law, to intend the mischief, which obviously and reasonably may be supposed or foreseen, would result from such a use of it. I have not aimed at legal accuracy in stating the proposition. The general rule is a sound one; and yet in many cases, would go to hold men responsible for crimes which they never committed; or rather to make that crime, which in truth is *no crime*, but rather human weakness

and infirmity, and from which the best of men are by no means exempt. Allow me to put a case—which indeed I believe, upon the fullest consideration and reflection, is the very case in question. A man, of good character and morals, under the influence of no malevolent passions—with no purposes of mischief or wrong to any human being, but in the quiet pursuit of his business, is violently and wantonly set upon and assailed, by another of ungoverned temper and intemperate habits—is threatened, with the coarsest language and foulest abuse, with personal violence, even with his life—this is continued for hours; he is closely followed wherever he moves—pursued as he retreats—and in the prospect of assault, arms himself with a heavy club which at the moment of expected attack, lies at hand. His purpose is, intimidation—simply to prevent injury to himself. He warns—he admonishes—he requests to be permitted to go about his business in safety. Finding retreat useless—and still pursued—he brandishes the weapon—aims at repelling an expected attack—and unfortunately inflicts a fatal blow. Why is it Manslaughter? Because he is *presumed* to have intended it. Because, he had not coolness, judgment, discretion enough, in such a moment, to have foreseen the consequences—because he had lost, during some hours of excitement and apprehension, the capacity to reason as calmly, and calculate as nicely, the degree of injury, likely to happen, as one remote from the scene could have done—because he did not pause to weigh the club, and measure the force, it could be safely wielded with. Now, it may be asked, what is the crime, that has been committed? Any thing springing from a *depraved heart*? From *malicious motives*? By no means. The utmost is, a want of coolness, and judgment and reflection. The whole conduct of the accused, and all the circumstances, showed it could be no more—and yet, by *legal intendment*—it is Manslaughter. The case does not show, *moral obliquity*—but rather a want of personal firmness and fortitude and composure. Is this a *crime*? or an *infirmity*? In this view it ought to be considered, that the accused was, and for a long time had been, in feeble health—unable to cope in personal controversy with his antagonist. He was anxious in regard to his health. His nervous sensibility was much excited. He was, therefore, in the most unfavorable condition for the exercise of calm judgment; and, in truth, was in that situation, as regards this particular case, when he could hardly be held responsible for his actions. In this view, how can it be said, that an example

of punishment is necessary, to restrain offences? Would it strengthen any man's nerves—or give him composure in the moment of fear, or apprehension? Would it give clearness and promptness to the judgment? In a word, would it reach the case under consideration? Would not the public influence be the other way? Would it not encourage the intemperate, the violent, the profane, the abusive, that however they might assail and insult the peaceable and orderly, they were protected—that they would be free from apprehensions of personal resistance, however they might excite the fears or the passions of others? I merely allude to these topics, without presuming to argue them in full. I abstain also from doing more than to suggest, that the infliction of punishment in this case, would probably be attended with fatal consequences to the accused. In all human probability, his life would be put in jeopardy. Does the law require, that such a hazard should be incurred? Does humanity require it? Does public good require it?

If I have exceeded the bounds of proper discussion in this communication, I hope to find an acceptable apology for it, in the assurance of my firmest convictions, that the case is one, earnestly requiring the exercise of the power vested in the Executive Government. By its own judgment, ought it to be influenced. Liberty, and all its blessings—character—usefulness—family attachments, and every thing which renders life desirable, if not life itself, ought not to be put in jeopardy and sacrificed, upon vague, indefinite, popular caprice—upon false, though temporary, ideas of impartiality in the execution of the laws. Notions of this sort, even in this case, have been exceedingly unfavorable, to the accused, in the fairness of investigation. The Executive Government, will, I doubt not, look above all such considerations.

I have the honor to be,

With much respect,

Your obedient servant,

GEO. EVANS.

JANUARY 27th, 1837.

STATEMENT OF MR. WILLIAMS.

AUGUSTA, February 22, 1837.

To the Governor and Council :

GENTLEMEN,—I was engaged for Mr. William Lambard, before the Magistrate and upon his trial in the Supreme Judicial Court, on the charge against him for manslaughter, and was particularly attentive to the evidence in the case, and feel warranted in stating that the substance of the testimony was, that Shattuck was very abusive to Lambard, as well in words, as in gestures, without the least provocation ; that Lambard avoided him until he went to the shop of Emery, to obtain Emery's assistance in cooping the potash, when Shattuck left the shop, threatening to lick him, and making toward Lambard, when Lambard in retreating took a weapon and held it retreating and asking Shattuck to let him alone, and requesting Emery to take Shattuck away—after retreating more than one hundred feet from the place where Shattuck first approached Lambard, and while Shattuck was following up Lambard and continuing his threats to lick him, Lambard turned with the club in his hand and inflicted the blow which felled Shattuck, and proved fatal.

Immediately after giving the blow, Lambard returned and did all in his power to get Shattuck into a place of rest, and sent for Physicians to attend and dress his wounds.

There was no appearance of intention on the part of Lambard to injure Shattuck, except what the law imputes to the fact of his giving the blow with a dangerous weapon, which took the life of a fellow being.

I am, respectfully,

Your obedient servant,

REUEL WILLIAMS.

STATEMENT OF DR. BRIGGS.

To the Governor and Council of the State of Maine :

MR. WILLIAM LAMBARD, merchant of this town, has for four or five years been subject to attacks of bleeding from the lungs; during these attacks, I have been his Physician. These bleedings are generally brought on by exertion more or less active. Mr. Lambard once bled profusely from making a mis-step in going from his store to his boarding-house. These attacks have uniformly left his lungs in a very weak state for a considerable time. He has spent one or two winters at the South on account of his health, and it has only been by very great care and precaution that consumption has been prevented. The last bleeding was in May last; this left his lungs in a worse state, than any preceding one—he coughed daily and never recovered his strength from that time to the latter part of autumn, when he left here for the South. I saw him the day before he left here for the South, and judging from the state of his lungs then, I doubt if he can ever enjoy good health. Mr. Lambard's moral character was unexceptionable, and so far as I have known or heard, he has been considered a man of honesty, integrity and fair-dealing.

His *affair* with Shattuck was an unfortunate one, but taking *all the circumstances* of the case into consideration, in my opinion, more *unfortunate* than *criminal*. I therefore most earnestly recommend him to your clemency.

Yours very respectfully,

(Signed) CYRUS BRIGGS.

*Statement drawn up and signed by Mr. YOUNG
Foreman of the Jury.*

TO WHOM IT MAY CONCERN :

THE undersigned respectfully represent, that they composed [in part] the Jury, by which the indictment against William Lambard, for Manslaughter, was tried at the last term of the Supreme Judicial Court in the County of Kennebec. The Jury was under the painful necessity of rendering a verdict against the accused. Although the blow was given the deceased, with a large club, considered by us to be of a deadly and dangerous nature, yet from several circumstances, which appeared in evidence at the trial, we were of opinion that the accused did not intend the fatal consequence which ensued ; nor did we consider that the offence was one springing from evil intentions.

(Signed)

ELI YOUNG.

DEC. 24th, 1886.

I cheerfully concur in the foregoing statement.

(Signed)

HIRAM MORRILL.

I cheerfully concur in the foregoing statement.

(Signed)

JOHN PHILBRICK.

I cheerfully concur in the foregoing statement, except the last sentence. I have no belief that the accused intended the life of the deceased, but think he intended to injure him.

(Signed)

JACOB SHAW.

To the Governor and Council of Maine :

THE undersigned would respectfully represent, that he was one of the Jury by which the indictment against William Lambard for Manslaughter was tried at the last term of the Supreme Judicial Court for the County of Kennebec. And although the Jury were under the painful necessity of rendering a verdict of guilty—I am well satisfied that the case of Lambard is one which fully deserves the mercy of the Executive.

(Signed)

ROBERT THOMPSON.

FEBRUARY 1, 1837.

To the Governor and Council of Maine :

GENTLEMEN,—I was one of the Jury for the County of Kennebec, by which was tried the indictment against William Lambard for the crime of Manslaughter. Although we were by our oaths compelled to find a verdict of guilty, I am satisfied that his case is one which is fully deserving the Executive clemency.

(Signed) HENRY WHITNEY, JR.

JANUARY 19, 1837.

P E T I T I O N E R S .**KENNEBEC.**

J. R. Abbot,
 Geo. W. Morton,
 Ch's Keene,
 Luther Severance,
 Elijah Robinson,
 Sam. P. Benson,
 John Potter,
 Lot Myrick,
 George W. Allen,
 Erastus Bartlett,
 Johnson Lunt,
 Jos. G. Moody,
 Jona. S. Burrell, Jr.,
 I. D. Wing,
 J. D. Emery,
 Benj. Swan,
 Virgil H. Hewes,
 Daniel Pike,
 James T. McCobb,
 Daniel Williams,
 Daniel C. Stanwood,
 James A. Thompson,
 Jos. J. Eveleth,
 Wm. Caldwell,
 John H. Eveleth,
 Anslem Cary,
 W. A. Brooks,
 Mark Nason,
 Willard Bailey,
 E. A. Nason,
 W. S. Craig,
 Silas Leonard,
 Moses Purinton,
 J. W. Patterson,
 W. L. Wheeler,
 Joseph F. Gannet,
 Tho's Little,
 J. H. Hartwell,

J. C. Dwight,
 G. Farrell,
 S. C. Whittier,
 Hiram Fuller,
 A. F. Palmer,
 S. W. Robinson,
 J. Lothrop,
 B. Wales,
 Benj. Brown,
 Samuel Redington,
 David Folsom,
 Geo. W. Hall,
 Prince Hawes,
 Abiel Getchell,
 John W. Thoms,
 Eben'r Frye,
 Daniel Tiffany, Jr.,
 Thomas Frye,
 Robert H. Cary,
 Wm. C. Dow,
 Tho's Swan,
 Amos Stickney,
 John G. Fitch,
 F. M. Rollins,
 John G. Hall,
 Dan. C. Smart,
 Moses Taber,
 Jacob Southwick,
 Joseph H. Davis,
 Stephen Frye,
 Thomas Carlton,
 Daniel S. Purinton,
 James Owen,
 John B. Hawkes,
 Edw'd Starr,
 William Marshall,
 David C. Lincoln,
 Daniel Taber,

James Safford,
 Jno. A. Pettengill,
 Sam'l P. Shaw,
 G. S. Rogers,
 E. Holmes,
 Hiram Shorey,
 Charles Waterhouse,
 Gustavus A. Benson,
 J. A. Chandler,
 G. S. Carpenter,
 Jacob Stanwood, Jr.,
 Sylvanus Caldwell,
 S. Deering,
 Wm. M. Stratton,
 Greenlief White,
 Alfred Marshall,
 Samuel Wells,
 Henry W. Paine,
 John T. P. Dumont,
 Daniel Beckford,
 Artemas Leonard,
 Jesse Aikin,
 John Otis,
 John H. Sheppard,
 I. Nutter,

Fred'k Allen,
 R. H. Gardiner,
 Arthur Berry,
 E. F. Deane,
 Henry Bowman,
 S. Gay, Jr.,
 R. H. Gardiner, Jr.,
 Alex. Cooper,
 Frederick Allen, Jr.,
 Cha's E. Allen,
 Edward C. Stevens,
 Hiram Stevens,
 L. M. Morrill,
 Asa Gile,
 John Smith, Jr.,
 George S. Currier,
 Jas. Fillebrown, Jr.,
 Joshua Bean,
 Dudley Hains,
 David H. Foster,
 Jotham Crane,
 Oliver Bean,
 James Dudley,
 James Brown,
 G. T. Estes.

LINCOLN.

Wm. King,
 David Stinson,
 Wm. Richardson,
 Geo. F. Patten,
 P. H. Green,
 Wm. M. Rogers,
 John Stockbridge,
 Jona. Cilley,
 Wm. D. Sewall,

Nath'l Groton,
 T. G. Stockbridge,
 John Smith,
 Zina Hyde,
 James McLellan,
 Thomas Eaton,
 Seth Laberee,
 Wales Hubbard,
 John O'Brien.

SOMERSET.

Cullen Sawtelle,
 James Bates,
 Solo. W. Bates,
 Cyrus Fletcher,

Amasa Manley,
 Edw'd Rowe,
 D. Farnsworth,
 Sam'l Jewett,

Richard Sawtelle,
 Asa Clark,
 Joshua Gould,
 Nathan Fowler,
 Josiah S. Witherell,
 Solomon Low,
 Isaac Hagget,
 Harvey Scott,
 Wm. Farnsworth,
 Moses H. Pike,
 Darius Forbes,
 Harrison Barrett,
 Charles Green,

HANCOCK.

John Burnham.

Geo. Sawtelle,
 John McKechnie,
 Calvin Selden,
 John M. Sawtelle,
 Elisha P. Barstow,
 John H. Sawyer,
 John S. Lynde,
 M. S. Blunt,
 Israel Danforth,
 Thomas C. Jones,
 Edward J. Peet,
 E. E. Russell.

WASHINGTON.

T. Pillsbury.