

# MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1857.

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PART SECOND.

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AUGUSTA:  
STEVENS & BLAINE, PRINTERS TO THE STATE.  
1857.

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# THIRTY-SIXTH LEGISLATURE.

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SENATE.]

[No. 3.

## STATE OF MAINE.

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*Gentlemen of the Senate  
and House of Representatives :*

I herewith lay before you Resolutions adopted by the Legislature of the State of New Hampshire, on the 12th, 13th and 14th days of July last. The Resolutions were forwarded to the Executive of Maine during the recess of the Legislature, with a request that they should be submitted to you for your consideration.

H. HAMLIN.

COUNCIL CHAMBER, }  
Jan. 24, 1857. }

## STATE OF NEW HAMPSHIRE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED  
AND FIFTY-SIX.

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RESOLUTIONS of the Legislature of New Hampshire in relation to the late acts of violence and blood-shed by the Slave Power in the Territory of Kansas, and at the National Capitol.

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*Resolved by the Senate and House of Representatives in General Court convened, as follows :*

1. *Resolved*, That all subsequent events have demonstrated that the abrogation, in the act organizing the Territories of Kansas and Nebraska, of the prohibition against slavery, which formed a part of the compact long known and respected as the Missouri Compromise, was not, as was alleged by the supporters of the measure, for the purpose of recognizing and enunciating a great political principle, but, as was charged by its opponents at the time, had for its object to strip that great territory of its defences, and to open it to invasion and conquest by that relentless power, which, in its onward movement, no concession can appease, and no acquisition can satisfy; and which, for the advancement of its unholy purposes, has long wielded, and virtually claims the right to wield, the whole power of the general government.

2. *Resolved*, That the successful incursions of the armed and organized bands of lawless marauders from a neighboring state into the Territory of Kansas—assailing and overpowering its peaceful inhabitants, preventing their lawful exercise of their political rights, seizing upon and appropriating all the powers vested in them for the formation of a government, and fortifying and perpetuating this usurpation by the most oppressive and atrocious laws—have proved

that the doctrine of popular sovereignty, however true in the abstract, and in its application to more mature, or to independent communities, is not fitted to the condition of an infant territory, under constitutional guardianship, and most especially, where the powers vested in the guardian shall be used in violation of the great trust which it holds.

3. *Resolved*, That there never has been established in Kansas any government in accordance with the provisions of its territorial or organic law, and that the conduct of the National Executive, in sanctioning and sustaining a pretended government, forcibly imposed upon its inhabitants by slavery fanatics and propagandists from the State of Missouri, is unjust and inhuman, and ought to be rebuked by the friends of freedom throughout the Union, in the most emphatic manner in which they can express their condemnation of wrong.

4. *Resolved*, That the adoption of a constitution, the organization of a government, and the application for admission into the Union as a state, by the people of Kansas, are measures forced upon them, by the necessities of their condition, are justified by precedent, and should be acceded to by Congress as the best and speediest, if not the only means of restoring peace and order to the Territory, and of calming the agitation of the country.

5. *Resolved*, That responsibility for the depredations, burnings, imprisonments, and murders which have been committed against the property and persons of the people of Kansas, tidings of which have come to us upon every western breeze, rests, we are constrained to say, as well upon the President of the United States, charged with the execution of the laws and the preservation of the peace of the country, as upon the inflamed and misguided men who have been the actors in the perpetration of these crimes, and upon those who have stimulated and instigated their commission.

6. *Resolved*, That the recent unmanly and murderous assaults which have disgraced the national capital, are but the single outbursts of that fierce spirit of determined domination which has

revealed itself so fully on a larger field, and which manifests itself at every point of contact between freedom and slavery, and which, if it shall not be promptly met and subdued, will render any free expression of opinion, any independence of personal action by prominent men of the free states in relation to the great national issue now pending, imprudent and perilous, unless it shall be understood that it is to be backed up by the bowie knife and the revolver.

7. *Resolved*, That while offences, of whatever enormity, which affect only or mainly individual security, may be referred for punishment to the local laws of the place where they are committed,—for those offences which reach beyond the individual, and inflict a wound upon a great principle which concerns the whole people, it becomes a duty to arraign the offender at the great bar of the public opinion of the country, and to pronounce upon him such sentence of condemnation as his crime shall merit.

8. *Resolved*, That the assault upon an editor of a public journal, when in attendance upon Congress in his lawful business, for opinions supposed to have been expressed by him through the columns of that journal, upon the public official conduct of a member of the government, was a blow at the freedom of the press, and could only have been intended as an admonition that slavery had grown so great that her champions must be spoken of only in careful language and with bated breath.

9. *Resolved*, That the later, more atrocious and more brutal attack, by one of the chivalrous representatives of South Carolina, upon a senator from Massachusetts, in the senate chamber, for words spoken in debate, in his place, and as the organ of the state which he in part represents in that body, made with the stealthy approach of the assassin, and with the cowardly accompaniment of an accessory and coadjutor, inflicting blows which by their force and frequency had in them hardly anything short of the significance of murder, is receiving the indignant rebuke which it deserves, from the concentrated voice of the people of the free states, expressed through the press, and in popular assemblies and legislative bodies—not merely

as a crime against personal sanctity, but as a violation of senatorial privilege, as an insult to the dignity and rights of a sovereign state, and as an outrage upon the great constitutional right of freedom of debate,—a right, in the vindication and preservation of which, every state and every citizen has a deep interest,—and that it is fitting that New Hampshire, through her legislature, should add her voice, as she now does, to that of Massachusetts, Rhode Island and Connecticut, in swelling this volume of denunciation, and in demanding the punishment of the offender, by his expulsion from that body which he has disgraced.

10. *Resolved*, That the people of the free states, strong in the irresistible force of a majority of numbers, have the power, if they will exercise it, through the lawful and peaceful agency of the ballot-box, to compel respect for the rights of their representatives wherever they may be in the discharge of their official duties; the power to right the wrongs of Kansas, and to restore peace and security to that unhappy territory; the power to prevent the extension of slavery over any territory now free, and to re-establish freedom, as it should have ever been, as the controlling power in the government,—and that this state now pledges herself to co-operation with any and all of her sister states in all constitutional measures for the accomplishment of these great ends.

11. *Resolved*, That His Excellency the Governor be requested to forward a copy of these resolutions to the governors of the several states and territories of the Union, to be laid before the legislative authorities thereof, and to each of our senators and representatives in Congress, to be laid before the Senate and House of Representatives of the United States.

EDWARD H. ROLLINS,

*Speaker of the House of Representatives.*

THOMAS J. MELVIN,

*President of the Senate.*

Approved July 12th, 1856.

RALPH METCALF, *Governor.*

## STATE OF NEW HAMPSHIRE.

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SECRETARY OF STATE'S OFFICE, {  
Concord, N. H. }

I hereby certify, that the foregoing is a true copy of the resolutions passed by the Legislature of this State, copied from the original record now on file at this office.

LEMUEL N. PATTEE,  
*Secretary of State.*

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## STATE OF NEW HAMPSHIRE.

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WHEREAS, His Excellency the Governor, has laid before the Legislature, the following preamble and resolutions, from the General Assembly of the State of Arkansas, viz :

“Whereas, the right of property in slaves, is expressly recognized by the constitution of the United States, and is by virtue of such recognition, guaranteed against unfriendly action on behalf of the general government; and, whereas, each State of the Union, by the fact of being a party to the federal compact, is also a party to the recognition and guarantee aforesaid; and, whereas, the citizens of each State, are, in consequence of such citizenship, under the most sacred obligations to conform to the terms and tenor of the compact to which their State is a party, therefore,—

1st. *Be it resolved by the General Assembly of the State of Arkansas*, That the legislation of Congress, repealing the Missouri compromise of eighteen hundred and twenty, and asserting the doctrine of non-interference with slavery, alike in states and territories, is in strict accordance with the Constitution, and in itself just and expedient, and is, for these reasons, cordially approved by the people of Arkansas.

2d. *Resolved*, That the opposition of the northern states to the



legislation above mentioned, is at war with the letter and spirit of the Constitution, is grossly violative of plighted faith, and is a traitorous blow aimed at the rights of the South, and the perpetuity of the Union.

3d. *Resolved*, That the citizens of the State of Ohio, have pursued a course peculiarly unjust and odious, in their fanatical hostility to institutions for which they are not responsible, in their encouragement of known felons, and endorsement of repeated and shameless violations of law and decency, and in their establishment of abolition presses, and circulation of incendiary documents, urging a servile population to bloodshed and rapine; and, by reason of the premises, it is the duty and the interest of the people of Arkansas, to discontinue all social and commercial relations with the citizens of said State, and the same is hereby earnestly recommended as the punishment of past outrages, and a preventive of further aggressions.

4th. *Resolved*, That His Excellency the Governor, be, and he is, hereby requested, to transmit copies of these resolutions to the governors of the several states and territories of the Union, to be laid before the legislative authorities thereof; and to our Senators and Representatives in Congress, to be laid before the Senate and House of Representatives of the United States:”

*Therefore, be it resolved by the Senate and House of Representatives in General Court convened, as follows:*

1st. *Resolved*, That the legislature of New Hampshire expressly and distinctly deny, that the Constitution of the United States recognizes the right of property in slaves; and, while they admit that the Constitution confers upon Congress no authority to interfere with the subject in the States, they do claim, that, from all territory over which Congress have the exclusive power of legislation, they may, and it is their duty to exclude it, and that the doctrine of the slave States, that Congress are restrained from all action unfriendly to slavery in such territory, cannot be sustained.

2d. *Resolved*, That the legislature of New Hampshire entirely

disagree with the General Assembly of the State of Arkansas, respecting the repeal of the Missouri Compromise of 1820, and believe that the repeal of said compromise was an uncalled for, a most gross and wanton, outrage upon the rights, feelings and sentiments of the people of the free states, and should be condemned by every citizen of every State of this Union, as a most perfidious and treacherous violation of public faith and national honor.

3d. *Resolved*, That the people of New Hampshire demand as a right, the restoration of said compromise, and the amendment of the Kansas and Nebraska bill, so called, so as to exclude slavery from said territories, and will never consent to the admission into the Union, of any State out of said territory, with a constitution tolerating slavery.

4th. *Resolved*, That, while the people of New Hampshire are ardently and affectionately attached to the Union, and will do all in their power to preserve it, consistently with their honor and their rights, they will not, to avoid any crisis, submit to the introduction of slavery into Kansas and Nebraska, consecrated and set apart to free labor, as those territories have been for more than thirty years, by the consent of all the States of the Union.

5th. *Resolved*, That all threats of a dissolution of the Union coming from the slave States, unless they are permitted to regulate the policy of the general government on the subject of slavery, have lost all their terrors with the people of New Hampshire, and that they are resolved to demand and enforce their rights in every crisis, and at any sacrifice, consistently with honor and the Constitution.

6th. *Resolved*, That it will be in time for the General Assembly of Arkansas to complain of the legislation of the free States respecting slavery, when the slave States shall have corrected their own, and when the lives, liberty and property of the people of the free States shall be made safe therein.

7th. *Resolved*, That the question whether "it is the duty and the interest of the people of Arkansas to discontinue all social and

commercial relations" with the people of Ohio, in consequence of conduct of which they disapprove, is one upon which the people of New Hampshire are not at this time called to act, and one which they are willing the people of Arkansas should settle for themselves, *upon their own responsibility*, having no fears that the people of Ohio will be frightened from what they deem *their* duty or interest, by any threats of the kind coming from the State of Arkansas, or any other slave State, and that the people of New Hampshire hereby pledge themselves to the people of Ohio, that they will unite with, and sustain them in all constitutional efforts to resist the further aggressions of the slave power.

8th. *Resolved*, That His Excellency the Governor, be, and he hereby is, requested to transmit copies of these resolutions to the governors of the several states and territories of the Union, to be laid before the legislative authorities thereof; and to our Senators and Representatives in Congress, to be laid before the Senate and House of Representatives of the United States.

Approved July 14, 1855.

JOHN J. PRENTISS,  
*Speaker of the House of Representatives.*  
 WILLIAM HAILE,  
*President of the Senate.*  
 RALPH METCALF, *Governor.*

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## STATE OF NEW HAMPSHIRE.

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SECRETARY OF STATE'S OFFICE, {  
 Concord, N. H. }

I hereby certify, that the foregoing is a true copy of a preamble and resolutions passed by the Legislature of this State, copied from the original record now on file in this Office.

LEMUEL N. PATTEE,  
*Secretary of State.*

EXECUTIVE DEPARTMENT, {  
Nov. 2d, 1856. }

SIR: By the direction of His Excellency the Governor, I have the honor to transmit a copy of a preamble and resolutions, passed by the Legislature of this State, agreeably to the requirements of said resolutions.

Very respectfully,

Your obedient servant,

LEMUEL N. PATTEE, *Sec'y of State.*

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## STATE OF NEW HAMPSHIRE.

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IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED  
AND FIFTY-FIVE.

*Resolved by the Senate and House of Representatives in General Court convened:* That, concurring substantially with the General Assembly of the State of Rhode Island and Providence Plantations in the resolutions transmitted by the message of His Excellency the Governor, "our Senators and Representatives in Congress be, and they hereby are requested, to urge upon the consideration of Congress, the necessity of passing a law imposing severe penalties against the introduction or importation into this country of foreign paupers and foreign criminals; since the introduction of the first named class of foreigners is calculated to impose unreasonable taxes upon American citizens, and of the latter class, to corrupt the public morals, and endanger the public safety."

*Resolved,* That our Senators and Representatives in Congress be, and they are hereby requested, to use their best exertions to procure the passage by the national legislature, of a new naturalization law which shall require a previous continuous residence of not less than ten, nor more than twenty-one years, in this country, to enable an alien to become a citizen thereof, and that all processes

and oaths required by such law, shall be required to be had and taken exclusively before some circuit or district court of the United States, and before the judge or judges thereof in open court.

*Resolved*, That His Excellency the Governor, be requested to transmit copies of the above resolutions to our Senators and Representatives in Congress, to be by them presented to their respective houses of Congress, and to the Governors of other states, with a request that they be communicated to the legislatures thereof.

JOHN J. PRENTISS,

*Speaker of the House of Representatives.*

WILLIAM HAILE,

*President of the Senate.*

Approved July 13, 1855.

RALPH METCALF, *Governor.*

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STATE OF NEW HAMPSHIRE.

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SECRETARY OF STATE'S OFFICE, {  
Concord, Nov. 2, 1855. }

I hereby certify that the foregoing is a true copy of the original, deposited in this office.

LEMUEL N. PATTEE,

*Secretary of State.*

## STATE OF MAINE.

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IN SENATE, January 26, 1857.

ORDERED, That 500 copies of the foregoing Message from the Governor, with the accompanying Resolutions from the Legislature of the State of New Hampshire, be printed for the use of the Legislature.

JOSEPH B. HALL, *Secretary.*