

# MAINE STATE LEGISLATURE

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# RESOLVES

OF THE

## LEGISLATURE

OF THE

# STATE OF MAINE,

PASSED AT ITS SESSION,

WHICH COMMENCED ON THE TENTH DAY OF JANUARY, AND  
ENDED ON THE TWENTY-SECOND DAY OF MARCH, ONE  
THOUSAND EIGHT HUNDRED AND TWENTY-ONE.

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1821.

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**MESSAGE**  
OF THE  
**GOVERNOR OF THE STATE OF MAINE,**  
TO  
*BOTH BRANCHES OF THE LEGISLATURE,*  
JANUARY 11, 1821.

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

THE Chief Magistrate of our country having so lately, and in a manner so satisfactory, detailed to our national Legislature the posture of our national concerns, I have not thought it necessary particularly to invite your attention to subjects of that nature. Yet a comparison of our situation as thus developed, with that of any other people, cannot fail to inspire us with love of country—to stimulate us to renewed efforts to promote the best interests of our infant, but rising republic, and to excite in us a lively gratitude to the supreme Ruler of the universe, for the high privileges and unnumbered blessings he has been pleased to bestow on us.

The rapid increase of the United States in power and resources since the adoption of the Federal Constitution, may justly be ascribed

to the wisdom with which the government has been administered : Instituted for national objects it has properly directed its attention to the general interests, and left the local policy of the States to the care of the local Legislatures. This course, dictated by the genius of our institutions, has been justified by its happy results ; while each government has thus confined its legislation within its appropriate sphere, the harmony of the union has been preserved. It is not to be presumed that the United States' Government will depart from this system of policy, as the local interests of the particular States can no where be so safely trusted as with their own Legislatures.

The affairs of our own State possess a peculiar interest, arising out of the new and untried situation of our government, which has but just commenced its political existence. Great responsibility and important duties were imposed by the Constitution upon the first Legislature. In relation to the subjects specially confided to them, much still remains requiring their attention. The difficulties inseparably connected with the performance of their respective duties in every department of a new government, cannot fail to be justly appreciated by an intelligent people. But whatever difficulties we might have reasonably apprehended, our government, I have much pleasure in stating to you, has progressed in its organization in as satisfactory a manner, it is believed, as could reasonably have been expected.

The preservation of the timber on the public lands being so highly interesting not only to this State, but to Massachusetts, I lost no time in communicating your resolve on this subject, to the executive of that Commonwealth ; from whom, however, no reply has as yet been received. As extensive depredations were committing on the Schoodiac by foreigners, an Agent residing there, has been appointed ; and I am assured the depredations have ceased. An Agent has also been appointed on the Penobscot, whose character will authorize the expectation that any further trespasses are not to be apprehended on that river. Being unable to obtain such information as was deemed necessary in order to give the proper instructions to an Agent or Agents on the St. Johns river and its branches, a person suitably qualified was despatched to that quarter for that purpose. From his report, it appears that the trespasses there within our acknowledged territory, particularly on the rivers Aroostook, De Chute, Presquille, and Meduxnekeag, committed by persons residing in the British Provinces, have for many years past been very great. Accordingly arrangements have lately been adopted with the view to prevent the recurrence of such predatory incursions in future. But the extensive depredations which have been and still are committed on the disputed territory by lawless trespassers, encouraged and emboldened, as they are, by the protracted delay in the settlement of the boundary lines by the Commissioners under the fifth article of the treaty of Ghent, will deserve the consideration of the Legislature ; for which purpose the necessary documents will be laid before you.

Considering the State as deeply interested in the settlement, as speedy as practicable, of these boundaries, I immediately forwarded a copy of the resolve, passed at the last session of the Legislature, on that subject, to the President of the United States. The Secretary of State of the United States transmitted a copy of the same to the American commissioner, who in reply, "gave reasonable ground of expectation in the opinion of that officer, *that a final decision of all points in controversy respecting those lines would be made in October last.*" As the commissioners were to have met at that time in New-York, and our Senators in Congress would pass through that place, they were requested to make such inquiries as the interests of this State seemed to require. Not finding the commissioners in session, but accidentally meeting the American Agent, they were informed by him, *that he was ready to bring the discussions to a close, but the British Agent would not attend.* All reasonable hope of a speedy adjustment seems, therefore, to have vanished. I exceedingly regret that it is not in my power to give you a more satisfactory reason for this unexpected and extraordinary delay. In the mean time it rests with the Legislature to devise such measures as are best calculated to preserve the interests of the State, and protect it from a system of pillage countenanced by the claims of pretended title, and rendered doubly active by the wholesome provisions of our navigation laws.

In compliance with the provisions of the Act relating to the separation, and in conformity to the Resolve of this State, Col. Lewis was designated to negotiate with the Penobscot Indians. He has accordingly effected with them a new treaty or agreement, by virtue of which, this State assumes all the duties and obligations of the Commonwealth of Massachusetts in relation to that tribe; the payment of the annuities to commence as soon as the stipulated sum to be received from Massachusetts for that purpose, shall have been paid over to this State. On their part the Indians have released to Massachusetts all claims and stipulations arising under any treaty between them and that Commonwealth. The ready compliance of these Indians with the wishes of this government, the unhesitating manner, in which they acceded to the existing arrangements, should constitute on our part, additional inducements not only to respect their rights, but to aid them in obtaining, at least, the ordinary and common comforts, of which it is but too evident, they are destitute. Should the Friends or Quakers of our State be inclined to become the friends of a friendless people, they would here find a field for the exercise of those qualities for which they have long been distinguished, and, at the same time, might do much toward producing a union of sentiment hereafter in relation to their exemption from services, which they may be conscientiously scrupulous of performing.

The situation of the Judges of the Circuit Courts of Common Pleas is not such at this time as is contemplated by the Constitution. The Courts not having been organized anew, the Judges continue to act under their old commissions, and thus hold their offices during the

pleasure of the Governor and Council, and not during good behavior, as the principles of the Constitution require. This delay in organizing that Court has been deemed proper, as a new arrangement of the system is under the consideration of the Legislature. It is therefore suggested whether it is not desirable that, what remains to be done in regulating and establishing the system of our Courts, should receive your early attention. With respect also to the Clerks of the Courts, as they are receivers of the public money in the several counties, I suggest, for your consideration, the propriety of making provision for the payment by them directly to the Treasurer of the State, and not to the County Treasurers, as now required. Such a regulation would not only expedite the payments into the State Treasury, but would lessen the expense of collection.

The Militia Law will require the further consideration of the Legislature, in order that its provisions may fully comport with the spirit and principles of the Constitution. Your attention is particularly requested to such of its provisions as relate to Courts Martial, which under the existing laws are particularly expensive. One General Court Martial only has been ordered, the expense of which will be laid before you, and will render further remarks unnecessary.

Of the loan of twenty-five thousand dollars authorized at the last session, the Treasurer borrowed eleven thousand dollars only, being all that was necessary. This sum, added to the sum borrowed by the Convention, makes the State debt at this time amount to twenty-five thousand dollars. The receipts into the Treasury, including the eleven thousand dollars borrowed, amounted on the thirty-first day of December last, to thirty-four thousand three hundred and eighty-six dollars. And the payments up to that time, to twenty-three thousand two hundred and fifty-three dollars—leaving in the Treasury on the first day of January instant, a balance of eleven thousand one hundred and thirty-three dollars. The situation of the Treasury will probably admit, under a system of rigid economy in the public expenditures, of the payment of a considerable part, if not all of the debt due from the State within the year : provided the pauper expenses and those for criminal prosecutions are not made a State charge ; in which case I recommend the passage of a Resolve, authorizing the Treasurer to pay such portions of the debt as the condition of the Treasury may from time to time admit. Although the salaries of most of the officers have been established at less than half the sum allowed to similar officers in the State, from which we have but just separated, no immediate inconvenience has resulted from it ; as the persons designated to fill the offices, have accepted their appointments. This early evidence of a disposition on the part of the Legislature to economize the public expenditures, cannot fail to be satisfactory to the people. I cannot however, omit suggesting for your consideration, that the amount paid to salary officers by the State, constitutes but a comparatively minor portion of the State expenses. It is in other and more expensive branches of the government, with the

numerous appendages and ramifications, where the want of economy operates most extensively and severely upon the public Treasury, and through the treasury upon the people. A reduced compensation, where it can be made consistently with a reasonable allowance for services rendered, considering the present reduced price of almost every necessary article, seems not only just and in due proportion, but is almost imperiously required by the state of our finances.

To perform the duties assigned me in accordance with the principles of the Constitution, is most particularly my desire. In appointments to the several offices my great object has been to select men who would discharge the duties of their stations with fidelity to the people, and credit to the State. In doing this I have not considered myself at liberty to consult so much my own personal feelings, as what should appear to be the public sentiment. Nor have I thought it would be either consistent with the harmony that so happily prevails, or just in itself, to confine the selection exclusively to those of a particular sect or party. The people of Maine have had too much reason to deplore the violence of a party administration, which, for a series of years, selected all its officers from a minority. This mode of disposing of the public employments, exclusively with a view to party, has fortunately at the present day but few advocates. I ask, therefore, a continuance of the candor and liberality of my fellow citizens while engaged in correcting these errors—a task which I assure them shall not be entailed upon my successor. Believing that your deliberations will be guided by a regard to the best interests of our constituents, and that your measures will be adapted to promote the welfare and honor of the State, you may rely on their receiving at all times my cordial approbation and support.

WILLIAM KING.

COUNCIL CHAMBER, }  
*January 11th, 1821.* }