

MAINE STATE LEGISLATURE

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RESOLVES

OF THE

THIRD LEGISLATURE

OF THE

STATE OF MAINE,

PASSED AT THE SESSION,

WHICH COMMENCED ON THE FIRST DAY OF JANUARY, AND ENDED
ON THE ELEVENTH DAY OF FEBRUARY, ONE THOUSAND EIGHT
HUNDRED AND TWENTY THREE.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 23, 1820.

PORTLAND:

PRINTED BY TODD AND SMITH, PRINTERS TO THE STATE.
1823.

CHAPTER IV.

Resolve in favor of Nathaniel Tilton.

Resolved, That the sum of one hundred and twenty dollars, be paid to Nathaniel Tilton, as a compensation for the wounds inflicted upon him, while in the faithful execution of a warrant against one John M. Harmon, for the crime of forgery. And the Governor, with advice of Council, is hereby authorized to draw his warrant on the Treasury for the said sum.

[*This Resolve passed January 15, 1823.*]

MESSAGE OF THE GOVERNOR.

To the Senate and House of Representatives,

I lay before the two branches of the Legislature a copy of an unanimous act of the board of Commissioners, appointed under the law separating Maine from Massachusetts, by which a division is made of all the ordnance, arms, and military stores belonging to the two States.

Soon after this division was effected, I received from the Executive of Massachusetts a copy of a resolve, passed by the Legislature of that State, directing and requiring the Adjutant General thereof to deliver over to such person as might be duly authorized by this State to receive the same, the property to which it was entitled by said assignment. These documents, together with the Resolve of the Legislature of this State of the eighth of February last, "respecting the military stores of the State," were submitted to the consideration of the Council, who advised that the Adjutant General of Maine be appointed and authorized to receive from the Adjutant General of Massachusetts, the property mentioned in said assignment.

As no buildings had been provided by the Legislature for its safe keeping and preservation, and no appropriation made to defray the expenses incident to its removal, I was desirous that the ordnance, with its appendages, amounting to upwards of two hundred tons, should remain where it was then deposited, until after the present session. It was, however, on application, ascertained that the continuance of these articles in the arsenals of Massachusetts, would be so inconvenient as to render their removal unavoidable. Conformably therefore to the advice of

Council, the Adjutant General was directed to repair to Boston, and having received the said property, to superintend its transportation to this place, taking care "that every service be done at the lowest expense, to have full and satisfactory vouchers for every payment, and in no case to suffer any useless service to be performed, or unnecessary expense to be paid." The Council further advised to a sale of such part of the powder as would not be necessary for the use of the State; which was accordingly effected, leaving in the arsenal here a quantity, exclusive of fixed ammunition, estimated to be sufficient for three years expenditure. With the proceeds of the sale all the charges of removing the property to this place have been defrayed. The expenses of landing and securing it, after its arrival here, have been partially paid out of the contingent fund, with a small addition out of the money received from the parent State; but the accounts remain unsettled and will be submitted for your consideration.

Previous to the removal of the property, application had been made to the Secretary of War for permission to use two brick buildings in this town, belonging to the United States, which had for a long time remained unoccupied. The permission was granted upon condition that the buildings be retained by the State only during the time they may not be required by the United States, and that they be kept in good repair while they remain in possession of the State. It became necessary to repair these buildings in such a manner as to render one safe, as a magazine for powder only, and the other for fixed ammunition. It was also deemed necessary both for the security of the buildings and the preservation of the heavy ordnance placed near them, to enclose the whole with a substantial empaling. The accounts for these services will also be laid before you. The shot and shells, amounting to upwards of one hundred tons are deposited in a gun-house, belonging to the State, erected many years since, for the use of one of the Companies of Artillery in this town, which has lately been disbanded. This building is situated on land belonging to the town, and the municipal authority have recently suggested a wish for its removal. The subject will require a legislative provision.

The small arms, including our proportion of those already received from the United States, amount to nearly four thousand stands, which, with the accompanying equipments and camp equipage, have been deposited in a secure brick building in this town rented for that purpose; and the residue of the property, such as small ordnance and gun carriages have been secured in a building rented on account of the State in Westbrook. The

whole has been critically examined since its arrival here, and every part put into the best possible state of preservation—and it is presumed no one will doubt the expediency of keeping it in that repair, after having viewed it and become acquainted with its value and importance to the State. Such articles of ordnance and military stores, belonging to the two States as had been during the late war deposited in different places within this State, on the sea coast, and not subsequently withdrawn therefrom, were assigned to Maine and included in the final discharge executed by the Adjutant General. They are however, comparatively of inconsiderable magnitude, and it is apprehended not in the best state of preservation.

Whether it will be best to erect a cheap building to contain all the military property, except the powder and fixed ammunition, or to continue the whole where it is at present deposited, if the buildings can be rented, is a question submitted entirely to the judgment of the Legislature.

In the year eighteen hundred and eight, Congress passed a law appropriating two hundred thousand dollars annually "for the purpose of providing arms and military equipments for the whole body of the Militia of the United States." Owing to circumstances not within the control of the War Department, no distribution of the arms procured under this appropriation has been made for the last six years. In reply to a letter addressed to the Secretary upon this subject, I am assured that it is probable an apportionment will be made within a few months. Our proportion of the arms, now to be distributed, will be about two thousand five hundred stands, which we may calculate upon receiving the present year.

ALBION K. PARRIS,

Council Chamber, January 16, 1823.

CHAPTER V.

Resolve granting a pension to David Sevey.

Resolved, That there be paid out of the Treasury of this State, to David Sevey, of Machias, three dollars a month, annually, for the term of three years, if he shall so long live, commencing on the seventeenth day of March next, as a pension, in consequence of a wound received in the late war, while performing duty in the Machias Artillery: And the Governor,