

MAINE STATE LEGISLATURE

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RESOLVES

OF THE

THIRTEENTH LEGISLATURE

OF THE

STATE OF MAINE,

PASSED AT THE SESSION

WHICH COMMENCED ON THE SECOND DAY OF JANUARY, AND ENDED ON
THE FOURTH DAY OF MARCH, ONE THOUSAND EIGHT
HUNDRED AND THIRTY-THREE.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

AUGUSTA:

I. BERRY & CO., PRINTERS TO THE STATE.

1833.

and St. Francis," as provides for the submission to the Legislature "for approval or rejection," of the agreement or treaty therein contemplated to be made by the Commissioners therein mentioned, be and the same is hereby repealed.

Resolved, That no arrangement, provisional agreement, or treaty, already made, or that may hereafter be made, under, or in pursuance of the Resolve to which this is additional, shall have any binding force, effect, or operation, until the same shall have been submitted to the people of this State, in their primary assemblies, and approved by a majority of their votes.

Chapter 97.

Resolve relative to a Lottery heretofore granted to encourage Steam Navigation in this State.

Approved March 4, 1833.

Whereas It is uncertain whether the sum authorized to be raised by said Lottery has or has not been already fully realized by the grantee of said Lottery and his assigns; and *whereas* it has been suggested that the grant of the right to raise money by said Lottery, has been forfeited by a breach of the condition of said grant; therefore,

Resolved, That the Governor, with advice of Council be authorized, if in their opinion it shall be advisable, to direct the Attorney General, to file and prosecute before the Supreme Judicial Court, a *Quo Warranto*, against the Managers of said Lottery, to ascertain by what authority they claim to raise further sums, under said grant, and also to apply to the Justices of said Court for an Injunction to stay the drawing of further classes in said Lottery until the decision of said Process.

To the Senate and House of Representatives:

The Secretary of State will lay before you the Report of Reuel Williams, Esq., the Commissioner of Public Buildings, together with his account for his services and disbursements, and the Report of a Committee of the Council thereon.

SAMUEL E. SMITH.

COUNCIL CHAMBER, }
February 15, 1833. }

STATE OF MAINE.

IN COUNCIL, February 14, 1833.

The special Committee to which was referred the report and account of Reuel Williams, Esq., Commissioner of Public Buildings, having carefully examined the same, Report: That they find said account well vouched and correctly cast.

The whole expenditure during the past year upon the buildings and grounds are found to be, exclusive of Commissioner's compensation,	18,098 28
Of which there remained in the hands of the Commissioner, as per former settlement a balance of	3,860 26
And the Commissioner has received for sales of articles, and for labor and rent of State grounds,	645 83
Leaving a balance due the Commissioner of	13,592 19
To which add for services of the Commissioner for 1832,	800 00
	<u>18,898 28</u>

Of the sum now due the Commissioner, there has been applied to finishing the house, preparing the grounds, erecting the stone walls, making the iron fences, &c. as provided for in the bond given to the State by individuals of Augusta,	11,466 75
And to alterations, additions and repairs, as directed by the Governor and Council,	2,125 44
Services of the Commissioner,	800 00
	<u>14,392 19</u>

The Committee have allowed in the above the sum of one hundred thirty nine dollars and sixty one cents for interest on moneys advanced by him; and the account is settled up to the first day of January last.

Which is respectfully submitted.

NATHANIEL CLARK, *per order.*

IN COUNCIL, February 14, 1833.

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

Attest, R. G. GREENE, *Secretary of State.*

A true Copy.

Attest, R. G. GREENE, *Secretary of State.*

STATE OF MAINE.

IN SENATE, February 22, 1833.

The Joint Standing Committee on Public Buildings, to whom were referred so much of the Governor's Message, as relates to the Public Buildings, a Communication from the Governor accompanying a report of the Council, who audited the accounts of Reuel Williams, Commissioner of Public Buildings, and the Report of the said Commissioner, having had the same under consideration, ask leave to Report.

In June in the year of our Lord one thousand eight hundred and twenty seven, the Governor and Council first held a session in the town of Augusta, and selected this elevated spot, on which to erect this noble and costly edifice. The lot was then conveyed to the State by a good and sufficient Deed, executed and delivered, and by them unanimously accepted. During that year the lot was fenced, and in part was ornamented with forest trees. The Legislature in the year 1828, authorized the Governor, with the advice of Council, to appoint a Commissioner of Public Buildings. The Commissioner was empowered and required to obtain plans and estimates of the probable expense of preparing the grounds, &c. of erecting and finishing the public buildings of durable materials upon the State lot in Augusta. Upon the plan and estimate being adopted by the Governor and Council, and upon their certifying the same to the Commissioner, the said Commissioner was empowered to "proceed and prepare the grounds, provide materials, and cause the building to be erected and finished conformably to the plan approved by the Governor and Council, subject however to such changes, modifications and alterations as in the progress of the work might be suggested and approved by the Governor and Council." Ten townships and half townships of land by the Legislature of 1828 were by that Legislature appropriated for the purpose of erecting and completing the public buildings, and the Land Agent was directed to sell them at vendue to the highest bidder and to pay the proceeds of the sales into the Treasury of the State. The sales of these lands brought into the Treasury, the sum of Sixty Thousand Two Hundred and Sixty Six Dollars and Eighty Cents. William King was in 1828 appointed the first Commissioner of Public Buildings; and during that year he expended thereupon the sum of \$1,999 35; and during the succeeding year expended thereon the sum of \$28,672 80. In the year 1830 William Clark received the appointment of Commissioner of Public Buildings and expended upon the same during that year the sum of \$56,237 41 inclusive of his commissions. In the year 1831 Reuel Williams was appointed to that office, who has since continued and officiated therein, and during that year laid out upon the public buildings and grounds,

the sum of \$27,896 73, and in the purchase of articles of furniture, for the respective offices, the sum of \$5,286 97. During the past year, the last mentioned Commissioner has expended, and mostly upon the fences, grounds and alteration of the dome, the sum of \$18,898 28. The whole amount of expenditures for the erection and finishing the public buildings, leveling the grounds and building the fences, and in the purchase of the furniture for rooms and offices, is \$138,991 34. Two or three hundred dollars will now complete the whole undertaking—level the grounds, and finish the beautifully curved elliptical fence about the yards. It is stated that the sales of surplus materials on hand will meet this expenditure. Of the expenditures of 1832, the sum of \$775 01 exclusive of sales of old copper, was paid out, for altering the Dome and painting it three times:—\$25 for removing stones, and making conductors on roof:—\$293 75 for making Engrossing Clerk's room and making Library room:—\$42 50 for making a counter in the Secretary's Office:—\$89 for finishing four safes and locks:—\$111 50 for painting the ceiling of the Senate Chamber:—\$12 75 for making repairs on pump:—\$39 92 for making and repairing numbers to the seats in the Representatives Hall, and painting spit boxes:—\$544 50 for extra on front gate, and gate way, and making drains from the house and culverts under the walls:—\$90 01 for small additions and alterations:—\$101 50 for furniture. During the year 1832 there has been received by the Commissioner for sales of articles, and for labor and rents of State grounds, the sum of \$645 83. In the year 1831 the Legislature appropriated the sum of \$25,000 to be laid out upon the public buildings, on condition that a sufficient bond in the penal sum of Fifty Thousand Dollars be given by the inhabitants of Augusta to the Treasurer of the State to secure the payment of all sums of money which should be required over and above the said sum of \$25,000 perfectly and entirely to complete and finish the public grounds and buildings: such bond was offered and accepted, a copy of which has been before us. On the settlement of the Commissioner's claims, by the Governor and Council on the first day of January last, there was in the hands of the Commissioner the sum of \$3,860 26, being the balance of the sum raised in 1831. Agreeably to the report of the Council bearing date February 14, 1833, the sum of \$11,466 75 was on the first day of January last past due the Commissioner for expenditures made in "finishing the house, preparing the grounds, erecting the stone walls, making the iron fences &c. as provided for in the bond given to the State by individuals of Augusta:" and \$2,925 44 for making alterations, additions, and repairs as directed by the Governor and Council, including the services of the Commissioner for that year. The whole amount received by William King for his services as Commissioner of Public Buildings from Oct. 10 1828 to March 1830 is \$1,700:—The amount received by Wil-

ham Clark for his services, as Commissioner from March 30 1830, to January 1 1831, is \$930. The amount paid Reuel Williams, including his services for the year 1832, is \$1600: amounting in the whole to \$4230. The first copping of the dome was ascertained by the Commissioner to be so imperfect and leaky, as to endanger the building, and require immediate repairs. No blame is attributed by him to the contractors, the labor apparently being performed in a good and workmanlike manner. It was deemed expedient to strip the dome, increase the pitch, and copper it anew: and although the undertaking was expensive, yet it has rewarded the State with a tight, safe and beautiful dome. The alteration of the front gate and gateway from the original plan, was advised and directed, that they should better conform with the architecture of the building. Being furnished with a building of as splendid workmanship and excellent materials, as any State in the Union can boast of, it is now incumbent upon us to preserve it, and beautify its yards and adjacent grounds. In duty to the citizens of this State who have contributed so largely to its erection, and in courtesy to strangers and visitors from other States, it is judged advisable that some suitable person or persons be employed to superintend the public buildings and grounds, and afford every facility to visitors, in viewing and examining our splendid Capitol. The grounds around the building, and more especially on the North and South of it, should be ornamented with trees—the whole sown into grass—some parts perhaps turfed—and frequent vigilance is required to prevent them from washing and gullyng. Constant employment may be furnished a Superintendent in alterations, improvements and repairs. To reimburse the moneys expended by the Commissioner, and to make provision for the employment of a Superintendent, your Committee recommend the passage of the accompanying Resolves.

JAIRUS S. KEITH, *Chairman.*

Chapter 98.

Resolves in favor of the Commissioner of Public Buildings, and to appoint a Superintendent of Public Buildings.

Approved March 4, 1833.

Resolved, That there be paid to Reuel Williams, Commissioner of Public Buildings, out of the Treasury of the State, the sum of Two Thousand One Hundred and

Twenty Five Dollars and Forty Four Cents in full for alterations, additions and repairs by him made in said building, as directed by the Governor and Council; the same to draw interest from the first day of January last past and payable at the pleasure of the Government.

Resolved, That there be paid to Reuel Williams, Commissioner of Public Buildings, out of the Treasury of the State, the sum of Eleven Thousand, Four Hundred and Sixty Six Dollars and Seventy Five Cents, with interest from the first day of January last past, to reimburse that sum by him expended in finishing the House, preparing the ground, erecting the stone walls, making the iron fences &c. as provided for in a bond given to the State by individuals of Augusta, the same made payable at the pleasure of the Government.

Resolved, That said Commissioner be allowed and paid from the Treasury of the State the further sum of Eight Hundred Dollars in full for all services by him hitherto rendered, in the discharge of the duties of said office.

Resolved, That the Governor with the advice of Council be and he hereby is authorized and required to appoint some suitable person to take charge of the Public Buildings, and the property in the Representatives Hall, Senate Chamber, and the several Committee rooms during the recess of the Legislature; whose duty it shall be to preserve from injury the public ground, and the property before mentioned—and daily to open and ventilate the several apartments in said buildings—and personally to attend at seasonable hours, all visitors who may wish to view the same.

Resolved, That the person so appointed shall give a bond to the State, in the sum of One Thousand Dollars, for the preservation of said property (a schedule of which shall be made and filed in the office of the Secretary of State) and [for] the faithful performance of his duty—and for his services, he shall receive a sum not exceeding Three Hundred Dollars to be allowed and paid by the Governor and Council.

Resolved, That the Bond to the Treasurer of the State dated March twenty sixth eighteen hundred and thirty one signed by Daniel Cony and others in the penal sum of Fifty Thousand Dollars conditioned to “pay any and all sums of money, which shall be necessary beyond the sum of Twenty Five Thousand Dollars appropriated by the Legislature” to complete and finish the public buildings and grounds at Augusta, according to the agreement and stip-

ulation in the same bond, is forfeited to the use of the State; and that the Treasurer of the State be, and he hereby is, requested forthwith to call on said obligors for payment.

Additional Roll of Accounts---No. 14.

The Committee on Accounts having examined the several accounts referred, now ask leave to present the following Report: That there is now due to the persons hereinafter mentioned the sums set to their names respectively, which when allowed and paid will be in full discharge of said accounts to the several dates therein named.

Which is respectfully submitted.

OLIVER FROST, *Per Order.*

AIDS-DE-CAMP TO MAJOR GENERALS.

Waterman William Jr. Aid and Orderly Officer 1st Div. 1832 30 00

AIDS-DE-CAMP TO BRIGADIER GENERALS.

Gardiner R. H.	Aid 1st Brig. 2d Div. from April 24 to June 29, 1832	5 50
Hoskins H. B.	“ “ “ “ “ “ Jan’y 1 to April 24, 1832	9 55
same	“ “ “ “ “ “ July 9 to August 25, 1832	3 75
Snell Joshua	“ 1st “ 8th “ “ 1832	30 00
		48 75

BRIGADE MAJORS AND INSPECTORS.

Nickerson B. F. Inspector 2d Brigade 2d Division 1832 30 00

ADJUTANTS OF REGIMENTS OF INFANTRY.

Brown William	Adj’t 2d Reg. 1st Brig. 7th Div.	1832 25 00
Hobbs Josiah	“ 4th “ 2d “ 4th “	1832 25 00
Hapgood Sprout	“ 3d “ 2d “ 6th “	1832 25 00
Rogers John	“ 2d “ 1st “ 4th “ from July 10, 1832	12 50
Jones Amos Jr.	“ 3d “ 2d “ 2d “	1832 25 00
		112 50

ADJUTANTS OF BATTALIONS OF ARTILLERY.

Lambe Samuel Adj’t Batt. Artillery 1st Brig. 7th Div. 1832 15 00

EXPENSES OF ARTILLERY, POWDER &c.

Hanley John Capt. Artillery, Bristol for horse hire, repairs &c. 30 00

MISCELLANEOUS ACCOUNTS.

Baker Thomas	for preparing State House for the Legislature and other expenses	13 12
Dewey William	for two shovels &c.	2 42