

MAINE STATE LEGISLATURE

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RESOLVES

OF THE

SIXTEENTH LEGISLATURE

OF THE

STATE OF MAINE,

PASSED AT THE SESSION

Which commenced on the sixth day of January, and ended on the fifth day of April,
one thousand eight hundred and thirty-six.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

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1836.

M E S S A G E
OF THE
GOVERNOR OF THE STATE OF MAINE,
TO
BOTH BRANCHES OF THE LEGISLATURE.

GENTLEMEN OF THE SENATE,
AND OF THE HOUSE OF REPRESENTATIVES:

In assembling to discharge the important duties assigned to us respectively by the people, let us be grateful to a beneficent Providence, by whom our State has been preserved during the year that has just closed, from any calamity or popular commotion.

Nothing has occurred, since the meeting of the last Legislature, to interrupt the increasing prosperity of the State; industry of every class has been in constant and unprecedented demand, and has received corresponding reward; the agriculturist has been most bountifully blessed, both in his seed time and in his harvest, and the commerce of our citizens has sustained its elevated character for successful enterprise upon every sea, under the watchful guardianship of the National Administration.

At such a juncture in our history as a State, and under circumstances so prosperous and full of pleasing promise in relation to the future, the demands of the public for general legislation are necessarily few, and such as do exist are happily of a character, calculated to produce, very little disputation or difference of opinion.

Among the subjects of this class, Agriculture holds a primary rank. It must at all periods present prominent claims upon the favorable consideration of the Legislative department of

Government. Agriculture lies at the foundation of all national wealth and strength—it is the parent of manufactures, the nurse of commerce, and the staff upon which all the arts and sciences lean for support. To encourage this necessary and advantageous pursuit of the citizen, by every provision calculated to elevate its character and extend its influence, is the obvious duty of the legislator and patriot, at all times and in every government. In our own State particularly, where so vast an extent of territory, well adapted to the purposes of the husbandman, lies unoccupied and unimproved, much may be done towards the increase of agricultural resources, by a liberal policy in legislation. To the actual settler, every facility which does not involve a positive expense to the public Treasury, ought to be extended. An abundant recompense for it will be found in the acquisition which it will secure to the population, and consequently to the aggregate wealth of the State.

An enlargement of the existing number of Agriculturists within a State, is also the most effectual method of preparing in time of peace for the exigencies of a state of war, a principle which enters into the policy of every prudent administration of government. In all ages, and in all countries in which civilization has made any progress, men identified with the soil, and having an actual interest in its riches and its resources, have invariably been found among the ablest in its defence. Various considerations combine to awaken in them a fervor of patriotism, and to induce a sincerity of purpose, which do not operate upon citizens, whose attachment to the soil is founded only in accidental or transitory circumstances.

Believing this subject to be of great and increasing importance to the prosperity of our State, it will give me pleasure, gentlemen, to co-operate with you in any course of measures which your wisdom may devise for its direct encouragement; and I cannot forbear to invite the exercise of the utmost liberality on your part, that may be thought consistent with your power as legislators.

A foundation may be laid for great increase of wealth in our State, by disseminating practical information upon the subject of cultivating the mulberry tree and the raising of silk worms for the manufacture of silk. It cannot be doubted, that for

these purposes, numerous advantages are possessed by our citizens. And in view of what is doing in other States of the Union in this important and growing branch of manufactures, it must be worthy of your consideration whether through the public munificence, though exercised upon comparatively a limited scale, an impulse may not be given to individual enterprise upon this subject, that will redound hereafter to your own honor as provident guardians of the public good, and to the incalculable benefit of the State at large.

The cultivation of Hemp is another branch of agricultural industry, which is commended to your consideration, as highly worthy of additional encouragement by the State. It is a product adapted to our soil and climate, to a degree unappreciated as yet, perhaps, by a majority of those who are most immediately interested in its improvement. It is of a nature to resist successfully the droughts and frosts, that so seriously effect many other vegetable productions on which the husbandman in this State has been accustomed to rely, as the principal reward of his industry. A practical illustration of the numerous advantages to be secured by the cultivation of Hemp, would be of direct value to the public as well as most satisfactory to the agriculturist. This may probably be attained to the full extent desired, by the institution of a limited system of bounties to the cultivator.

A geological survey of the State upon a basis commensurate with the magnitude and variety of its territory, and corresponding to the present auspicious condition of the public Treasury, is earnestly commended to your attention. It is an enterprise, that may rightfully claim the encouragement of every class of industry, as involving more or less of probable utility to each. It is intimately connected with the advancement of the arts and sciences, of agriculture, manufactures and commerce. Aside from the hidden treasures of the State, which a survey of the kind suggested, may develop, to recompense a hundred fold the expense of it, the incidental information relative to the topographical features of the State, which must accrue from the work, would be of lasting importance to the prosecution of subsequent works of internal improvement, particularly in the location of railroads and canals. Already several States have executed similar surveys within their

respective limits, and in no instance, it is believed, to the regret of any portion of their citizens. With the foresight and liberality becoming a great nation, possessed of a vast domain of uncertain value, the Federal Government has given us an example of this nature, which cannot fail, sooner or later, to be followed by every State in the Union. It is by the enlistment of science in this manner, with the means that government possesses, that the conveniences and wealth, which would otherwise be left to be disclosed to posterity by accident, can be secured and enjoyed by the present generation. In view of the wide and inviting field before us, which the territory of this State presents, and the known anxiety that prevails for information of this character lying beyond the reach of individual enterprise, I cannot conceive the policy of the measure suggested, to be at this day in any degree doubtful. Its expediency, however, involves a question, which is appropriately within your exclusive province to decide, and I invite your attention to it, under the full conviction, that you will duly appreciate its importance.

The means already in operation for the general diffusion of knowledge in the State, are both creditable and efficient. There is, however, at all times more to be apprehended from neglect in relation to this important subject by legislators, than from excess of encouragement. In this connexion I know of no measure more urgent or better calculated to secure permanent advantage to our common schools, than that which I have heretofore had occasion to present for the consideration of the Legislature. I allude to the making of additional provision for the education of school instructors. Little else is needed to render our system of primary schools as perfect as can be desired. I must however refer to the views presented upon this topic in a former message to the Legislature for the further illustration of it which I desire to place before you, only adding, that observation and reflection have since concurred to strengthen in my own mind the convictions there expressed.

If the Legislature, in the present flourishing state of our finances, should think favorably of extending a portion of the public bounty to the higher seminaries of learning, as contemplated by our Constitution, I would respectfully recommend, that some system be devised and adopted, by which regular and

just distribution may be made to the Institutions, having reference to the necessities and usefulness of each, and to the past appropriations, which several of them have received from the State. To ensure, however, correctness of legislation, permit me to suggest, that accurate returns should be required, annually, from each of these institutions, of the number taught, the several branches of study pursued, the amount annually paid for instruction, and any other items on which information may seem desirable.

I have the satisfaction to inform you, that the sum of twenty thousand dollars has been raised by individual donations, in aid of the establishment of an Insane Hospital. An eligible site upon the east bank of the Kennebec river in Augusta, has been purchased for this purpose, and a deed conveying the premises to the State, has been duly executed. It has not, however, as yet, been deemed expedient to appoint a Board of Commissioners, to superintend the erection of the buildings, as it is now, I believe, satisfactorily ascertained, that it would be more for the interest of the State, to entrust this duty to a single individual. If upon mature deliberation you should coincide in this opinion, I would respectfully suggest, whether further legislative action upon this subject may not be necessary.

Under the Resolve of the twenty fourth of March last, a sum not exceeding four thousand dollars was appropriated for the benevolent purpose of aiding our indigent blind, in procuring an education at the New England Asylum in Boston. In accordance with the provisions of this Resolve, seven blind persons from this State are now enjoying the benefits of this valuable institution. We have also at the American Asylum in Hartford, fourteen deaf and dumb pupils, supported wholly or in part, at the expense of the State.

By recurring to the proceedings of the last Legislature you will find, that a Resolve was passed, authorising the Governor with the advice of Council, to appoint Commissioners, to report a system of Prison Discipline for the State, together with the best location and most suitable construction of buildings for a new State Prison, the additional means of the State for erecting such buildings at the present location, with an estimate of the expense of completing the proposed establishment. In conformity to the authority vested in the Executive, the trust was confided to Wil-

liam D. Williamson, Nathaniel Clark and Joseph R. Abbot, Esquires, who have been assiduously engaged in the discharge of the duties devolving upon them by this appointment. The Report of the Commissioners will be laid before you at an early period of your session, agreeably to a provision of the Resolve under which they were appointed.

In pursuance of a Resolve of the last Legislature, "in relation to a Rail Road from some point on the Atlantic sea board to the City of Quebec," an application was made to the President of the United States, for the services of an Engineer, to aid in the contemplated survey. The request was promptly complied with, and the trust was confided by the Secretary at War to a gentleman in the service of the federal government of much practical skill, who devoted several months to a careful reconnoissance of different routes within this State. His Report has not as yet been received. I am informed, however, that it will shortly be ready to be submitted to your consideration.

The Commissioners appointed agreeably to the Resolve of the tenth of March last, to consult upon the same subject with the civil authorities of the Canadas, and others, have attended to the duty entrusted to them, and a copy of their Report is herewith laid before you.

A resolve having been passed by the last Legislature, constituting the Governor, the members of the Council, and the Land Agent a Board of Internal Improvements, they immediately organized themselves for the performance of the duties assigned to them by this Resolve. A competent Engineer was selected by the Board, who has been in active service since his appointment. His Surveys and Reports, as soon as received, will be submitted for the inspection and consideration of the Legislature.

The annual Report of the Adjutant General will be laid before you at an early day, and will make you acquainted with the present condition of our Militia. By the last returns it appears, that the numerical force of the Militia of this State as exhibited by the Muster Rolls was forty thousand eight hundred and twenty seven men.

There were forwarded to me from the War Department in the month of July last, ten hundred and ninety one stands of arms, and fourteen pieces of ordnance, with the necessary

military equipments, by virtue of an Act of Congress for arming the whole body of the Militia, passed April 23, 1808. They have been committed to the custody of the acting Quarter Master General, and are now subject to the disposition of the Legislature.

The Report of the Land Agent will exhibit in detail the concerns of that department for the past year. It will be laid before you by special Message.

It affords me pleasure to say to you, that the Baring and Houlton road has at length been completed, and that the Agent for superintending its construction has made a report of his doings to the office of the Secretary of State, agreeably to a provision of the Resolve upon this subject, of March 5, 1832.

I have received information from the Land Agent, that under a Resolve of the last Legislature "for the benefit of certain officers and soldiers of the Revolutionary War, and the widows of the deceased officers and soldiers," he has already issued two hundred and twenty seven certificates, entitling the holders to as many lots of land of two hundred acres each. This is the whole number of lots, which the townships appropriated for this purpose are estimated to contain, exclusive of reservations for public uses. Additional claims have been presented to the Land Agent, and by him approved. In order therefore to carry into full effect the design of the original Resolve, I would submit to your consideration the expediency of making some further appropriation to satisfy these claims.

It will be recollected that the Legislature of 1828 appropriated twenty townships of land to create a fund, the income of which was to be applied to the support of Primary Schools. These townships have been selected, and three of them have been lotted for the purpose of being sold during the current year. Some Legislative provision is necessary for the investment of this fund.

An enactment is also needed for the investment of the fund belonging to the Penobscot Tribe of Indians. This on the first day of the present month, amounted to sixty two thousand, seven hundred and thirty seven dollars, and twenty one cents,— fifty thousand dollars of this sum being the avails of four townships of land purchased of them by the State, and eight

thousand dollars received from individuals for land and timber belonging to this Tribe, with interest on the said sums. Two thousand dollars more are due from the same persons, which when received at the Treasury will be added to this fund.

I recommend, therefore, that a Board of Commissioners be established for the purpose of investing and managing these funds, conforming in substance to the mode proposed in the Report of the Treasurer of State, which will in due time be laid before you.

In connexion with this subject, I submit the propriety of causing the lands belonging to the Passamaquoddy Tribe of Indians (excepting a small lot in the town of Perry,) to be sold and the avails funded for their benefit. They are not wanted by the Indians for cultivation, and are greatly exposed to the inroads of trespassers, the more so on account of their proximity to a foreign State, into which offenders with their plunder may easily escape.

In relation to the North Eastern Boundary, I have received no other intelligence during the past year than that which has recently been made public, by the annual Message of the National Executive to Congress. It may with confidence be expected, that the good understanding now existing between the United States and Great Britain, alike honorable to both nations, will lead to such an adjustment of our border difficulties, as will receive the ratification of the people of this State.

It cannot have escaped your observation, that the Act passed at the last session of the Legislature, prohibiting the use and circulation of Bank bills of the denomination of one dollar, and of other denominations prospectively, has not been sufficient, unaided by auxiliary provisions, to effect the obvious design of the Legislature in its enactment. The experience of several States in the Union where for many years past, paper money of small denominations has been excluded from circulation, attests the wisdom of the theory upon which the Act in question was founded. But connected with its expediency is now combined a just vindication of the Legislative authority of the State, in favor of such additional enactments as shall be effectual, in the suppression of the prohibited classes of Bank bills. I shall cheerfully co-operate with you in any measures

you may deem calculated to effect the object in view, believing that the best interest of the public will be essentially promoted, by the complete execution of the policy, on which the before named Act is founded.

The condition of the Treasury is truly gratifying. The past year has brought much prosperity to the finances of the State. All our redeemable debt has been extinguished, and the whole funded debt now outstanding, amounts to but fifty five thousand dollars. The moneys received into the Treasury from all sources during the year, amount to three hundred and ten thousand, four hundred and fifty three dollars and twenty one cents. Of this sum one hundred and thirty three thousand, five hundred and sixty seven dollars and fifty five cents, were derived from the Land Department. This liberal contribution has arisen not so much from an excess in the quantity of land sold, as from an increase in the price. And here I cannot forego the remark, that the public domain is of incalculable value. If it be guarded with vigilance, and disposed of by slow degrees, the revenue to be derived from it, may ultimately be made to meet the ordinary expenses of our Government, and supply ample endowments to many of those benevolent Institutions for relieving the infirmities, or alleviating the sorrows of the unfortunate, and for advancing the interests of religion, science and literature, which more than commercial wealth or martial conquest evince the true elevation of a community.

The disbursements of the Treasury have been three hundred and four thousand, one hundred and eleven dollars, and thirty four cents. Of this sum, one hundred and forty eight thousand and twelve dollars and fifty three cents, have gone to reduce the principal and interest of the Public Debt. But notwithstanding the magnitude of this item, the resources of the Department yet exceed its liabilities.

In January last, the funded debt due from the State, amounted to one hundred and thirty four thousand four hundred and sixty six dollars and seventy five cents. In the early part of the year, additional sums were borrowed amounting to fifty nine thousand dollars. By the payment of one hundred and thirty eight thousand, four hundred and sixty six dollars and seventy five cents, the principal of these claims has been reduced to fifty five thousand dollars, as before named.

There has been paid for interest the sum of nine thousand, five hundred and forty five dollars and seventy eight cents, and the balance of cash now in the Tréasury, is six thousand three hundred and forty one dollars, and eighty seven cents.

Satisfactory as this exposition must be, it must be equally gratifying for you to know, that the public securities in the possession of the Land Agent, including a small amount of cash in his hands, constitute an amount of more than three hundred and seventy thousand dollars.

It is provided by the Constitution of the United States, that each State shall appoint Electors of President and Vice President in such manner as the Legislature thereof, may direct. An election of these officers will take place in the course of the current political year. It will therefore be incumbent upon you, at your present session, to prescribe the manner, in which the Electors on the part of this State shall be chosen.

As it will be necessary for me, during the Session, to communicate with you from time to time, by special Message, I will only add, that I shall zealously co-operate with you, in carrying into effect such measures as shall seem best calculated, to promote the essential interests of our constituents, and to strengthen and perpetuate the Union of the States.

ROBERT P. DUNLAP.

COUNCIL CHAMBER, }
Augusta, January, 1836. }