

MAINE STATE LEGISLATURE

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RESOLVES

OF THE

SEVENTEENTH LEGISLATURE

OF THE

STATE OF MAINE,

PASSED AT THE SESSION

WHICH COMMENCED ON THE FOURTH DAY OF JANUARY, AND ENDED ON THE THIRTIETH
DAY OF MARCH, IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT
HUNDRED AND THIRTY-SEVEN.

PUBLISHED AGREEABLY TO THE RESOLVE OF JUNE 28, 1820.

AUGUSTA:

SMITH & ROBINSON, PRINTERS TO THE STATE.

1837.

RESOLVED, That in addition to the suits of specimens ordered by a former Resolve, suits shall be collected for the following Institutions, viz:—One suit for the Maine Institute of Natural Sciences. One suit for the Maine Wesleyan Seminary. One suit for the Westbrook Seminary. One suit for the Parsonsfield Seminary. One suit for the Eastport Athenæum. One suit for the Bangor Mechanics' Association. One suit to the Teachers' Seminary at Gorham and one suit for the Maine Charitable Mechanic Association.

RESOLVED, That it shall be the duty of the Governor and Council to lay before the Legislature at its annual sessions a detailed account of the progress of the Survey, together with the expenditures in prosecuting the same.

Chapter 69.

Resolve for the preservation of the Military Road.

Approved March 30, 1837.

RESOLVED, That a sum not exceeding Eight Hundred Dollars be and hereby is appropriated for repairing that portion of the Military or Mars Hill Road, lying between the North line of the town of Lincoln, and the South line of the town of Linneus, to be expended under the direction of the Governor and Council.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
MARCH 29, 1837.

THE Joint Select Committee who had under consideration the Order relating to the expediency of calling the attention of Congress to the subject of fortifying our Maritime and Interior Frontier, have attended to that duty and ask leave to present the following REPORT:—

One object of the Federal compact is "to provide for the common defence and general welfare."

In accordance with these objects of the compact, the General Government has from time to time made liberal appropriations for fortifying and defending the several States, along our extended maritime frontier, West and South of the Western Boundary line of this State; East of that line, a mere trifle has, as yet, been appropriated for these objects.

Maine has a maritime frontier of about five hundred miles in extent, following the indentations of her shores, and our interior frontier bounding on New Brunswick on the East, and the Canadas on the North, of about six hundred miles in extent.

Considering this great extent of sea coast—her numerous excellent harbors—her noble rivers and great advantages for ship building and her proximity to the fishing grounds,—probably no State in the Union possesses the natural advantages for carrying on this branch of industry, that Maine does.

It is a fact worthy of consideration, that all maritime nations have looked to their fisheries as the nursery of hardy seamen for the merchant service, in time of peace, and for the Navy in time of war; and as a great question of national policy, (aside from the inducement to encourage this branch of business, as an unfailing source of natural wealth)—it is deemed worthy of the fostering care of all commercial nations.

Already the navigation of Maine is estimated at more than three hundred thousand tons—and exceeded by only two States in the Union, and her increase, annually, of tonnage, is greater than that of any other State.

The abundance of building materials, believed to be inexhaustable—her great conveniences for ship building along her extended sea coast—her numerous bays, rivers and harbors, render it highly probable that the day is not far distant when the maritime interests of Maine, will exceed that of any of her sister States. And if reliance can be placed upon the statements of a scientific Engineer of high respectability and standing, who has during the past year, under the direction of the Government of this State and our parent Commonwealth, made a Geological Survey of a portion of our State, it may be doubted whether the same extent of territory on the Continent, contains more real value, viewed in all its bearings—the facilities of quarrying, manufacturing, exporting, and its influence upon the great interests of the State and Nation,

than is contained in our inexhaustible quarries of Granite, Lime, Marble, Slate, &c.—mines and minerals—in which large and profitable investments are already made. Some of these branches of business have been carried on for many years, and others to a large extent are commencing under the most favorable auspices.

These, together with our agricultural, commercial and manufacturing interests; our immense forests of invaluable timber; with a water power of vast extent and value; giving us the means of laying the sea ports of the Union under a contribution for ages to come, and warranting the belief that our present shipping interest will be sustained and employed, and a great increase required.

About one third of the most valuable portion of our territory is claimed by Great Britain; and the history of this protracted controversy from its commencement to the present time, is such as to awaken general anxiety. We are admonished, by recent events, that we have not yet reached the termination of our toils and embarrassments; and they have awakened the painful apprehension that our just rights may not be secured by honorable negotiation or patient submission to unprovoked injuries. These considerations, in the opinion of your Committee, call loudly for the interposition of the General Government, and require at their hands all needful preparation for possible contingencies. The late Governor LINCOLN, nearly ten years since, called the attention of the Government to the importance of erecting a strong fortification in some eligible position on the confines of that portion of our territory, to which an adverse claim is set up by Great Britain. In the opinion of your Committee, the subject has lost none of its interest since that period, but on the contrary the events to which we have alluded give to it vastly augmented importance, and to our view irrespective of any conditions growing out of the present controversy. A strong fortification upon the North Eastern Boundary of the United States, situated far in the interior and upon the confines of a foreign country, and surrounded by millions of acres of fertile land, destined soon to be peopled with a numerous population of hardy yeomanry—is of high importance.

Our isolated situation, being the North Eastern Boundary of the Nation, with an interior frontier upwards of six hundred miles upon a foreign country, and a large proportion of our territory, lying between two Provinces of Great Britain, and so situated as to render it greatly to

the advantage of that nation to possess it—the inflexible determination, which she manifests to pursue the course, which interest dictates, should not be forgotten. The extent of our sea coast—the exposed situation of our sea-port towns—lying within a few hours sail of the British Naval Depot, in the neighborhood of Maine—the disastrous consequences of our defenceless situation during the last war—the great and increasing maritime interests which we have at stake, without one single point, where a ship if dependant upon the United States fortifications, would be safe from the attacks of a Frigate,—these, and the consideration that little comparatively has yet been done for Maine, seems to our view to constitute irresistible reasons why Maine should no longer be forgotten or neglected in the common defence of the country.

Through all the long protracted struggles, difficulties and embarrassments of our infant Republic, this portion of our Union has never been urgent or importunate in pressing its claims, but has submitted patiently to the force of circumstances, which rendered it necessary to defer them.

But in the present altered condition of the country; the national debt paid off; at a season of universal peace, and unexampled prosperity; with an overburthened treasury, and when it is deemed necessary to dispose of it, to resort to measures, which many eminent statesmen consider unwarranted by the Constitution, and which a great portion of the people of the Union consider of doubtful policy:—at such a period, and under such circumstances it is difficult to perceive the justice of longer withholding suitable appropriations for the defence of Maine; and to our view it can only be withheld, by doing violence to the principles of equal rights, and by neglecting a plain constitutional duty.

Your Committee, therefore, submit the following Resolutions.

STEPHEN C. FOSTER, *Chairman.*

Chapter 70.

Resolve relating to the fortification of frontier States.

Approved March 30, 1837.

RESOLVED, That the obligation of the Federal Government, under the Constitution, when it has the means to erect suitable fortifications for the defence of the frontier

of the States is a practical duty, not justly to be denied, evaded,—neglected or delayed.

RESOLVED, That our Senators in Congress be instructed and our Representatives requested, to use their influence to obtain liberal appropriations for the defence of Maine and the Union.

RESOLVED, That the Governor be requested to transmit copies of the above Report and Resolutions to the President and Vice President—the Secretaries of State, Navy and War and to each of our Senators and Representatives in Congress.

Chapter 71.

Resolve authorizing the appointment of a Clerk to assist the Commissioners in revising the Public Laws of this State.

Approved March 30, 1837.

WHEREAS, it is believed that the best interest of the public requires that every facility be rendered the Commissioners for revising the public laws of this State, in order that they may be able to prosecute the work with all reasonable despatch, and if practicable, to report the same to the next Legislature, therefore,

RESOLVED, That the Commissioners appointed under the Resolve of February 28th, 1837, be authorized to employ one Clerk to assist them in revising the Public Laws of this State, at a compensation not exceeding Two Dollars per day for the time actually employed, and the Governor is hereby authorized, with consent of Council, to adjust the accounts of such Clerk, for said service, and draw his warrants on the Treasurer, from time to time, for such sums as may be necessary to discharge the same.