

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES,

PASSED BY THE

TWENTIETH LEGISLATURE

OF THE

STATE OF MAINE,

JANUARY SESSION, 1840.

Published by the Secretary of State, agreeably to Resolves of June
28, 1820, and February 26, 1840.

AUGUSTA:

W^M. R. SMITH & Co., PRINTERS TO THE STATE.

1840.

RESOLVES
PASSED BY THE
LEGISLATURE OF MAINE.
1840.

[supplied from page 113 of volume]

ERRATA:

**The following leaf is
inserted because one or more pages
in this chapter have errors
noticed and corrected here.**

ERRATA.

- Page 2, eleventh line from the bottom, for "Nathan" read *Nahum*.
3, third line from the bottom, after the word "matters" insert *and things*.
6, at the end of chap. 6, for "January 27," read *January 29*.
15, at the end of chap. 17, for "February 18," read *February 19*.
22, chap. 23, sec. 3, sixth line, for "vehicle" read *vehicle*.
29, third line from the top, for "votes" read *voters*.
29, seventh line from the top, omit the word "by" before "law."
29, sec. 8, tenth line, for "estate" read *estates*.
31, chap. 50, sec. 1, fifth line, omit the word "other" before "refuse."
33, chap. 33, sec. 1, eleventh line, for "mast" read *masts*.
33, second line from the bottom, for "chair-" read *chain*.
47, fourth line from the bottom, for "Northam" read *Northane*.
48, third line from the top, for "Videto" read *Viddeto*.
51, twelfth line from the bottom, between "that" and "all" insert the word *in*.
52, in the enacting clause of chap. 53, for "entaced" read *enacted*.
67, fifteenth line from the bottom, for "thousand" read *thousands*.
68, twenty-third line from the top, for "annully" read *annually*.
111, ninth line from the top, for "such" read *said*.
113, chap. 1, fifth line, omit the word "the" before "advice."
115, fifth line from the bottom, for "certificate" read *certificates*.
122, in the title of chap. 21, for "Jordon," read *Jordan*.
188, eighth line from the bottom, before the word "person" insert *other*.
206, in the title of chap. 77, for "relating" read *relative*.
207, chap. 79, second and third lines, between the words "of" and "State" insert the word *the*.
224, chap. 93, twelfth line, for "relation" read *reference*.

Chapter 92.

Resolve providing for additional copies of Blank Books for taking the town valuations.

Sec'y of State to
furnish additional
valuation
books.

Resolved, That three additional copies of blank books for recording the town and State valuations, be furnished by the Secretary of State, to the several cities, towns and plantations within the State.

[*Approved March 18, 1840.*]

Chapter 93.

Resolves relating to the election of members of Congress from the State of New Jersey.

WHEREAS certain Resolutions of the Legislature of the State of New Jersey, have been submitted to the consideration of the Legislature of this State, by the Governor thereof, in accordance with the request therein contained, which Resolutions protest against, and condemn the recent exclusion, by the House of Representatives of the United States, of five persons claiming seats therein by virtue of a commission from the Governor of said New Jersey, authenticated by the great seal thereof; and whereas it is the duty of Maine to declare her opinion in relation to the subject matter of the Resolutions aforesaid, not only from the respect due to the Legislative authorities of a sister State, but because she apprehends the highest danger to the security and value of her own right of representation in the House aforesaid, if the extraordinary doctrine in the aforesaid Resolutions should become established in the practice of the federal government, and the elected Representatives of the people become thereby exposed to the degradation of contending for the rights of the popular voice, with persons, without other claim to act with them, than

the certificate of the State functionaries unsupported by, and in manifest contradiction to the popular suffrage thereof, therefore,

Resolved, That there is no other republican or constitutional basis for a claim to a seat in the House of Representatives of the United States than election thereto by a majority of the votes of the people, and that although the certificate of the State functionaries may be presumptive evidence of such election—it can never support claims when found to have been given in defiance of the clearly expressed will of the only sovereign power of the country, the people.

Resolved, That this Legislature highly approves the conduct of the House of Representatives in excluding therefrom, those individuals who presented no other evidence of their claimed rights, than the certificate of the Governor of New Jersey, which was found and admitted to have been given in total disregard of the decision of the people, while it deeply regrets that said House so long neglected to admit to seats therein those individuals who are found and admitted to have received a majority of the votes of the people of said State.

Resolved, That while the Legislature entertains all due respect for the Executive of said State of New Jersey and the *great seal* thereof, it regards the rights and voice of the people as paramount to all official forms however solemn and specious.

Resolved, That the democratic Representatives in Congress from this State have the unqualified approbation of this Legislature for their successful efforts in maintaining the great principles upon which the government of a free people is founded, that of never permitting the will of the majority to be defeated.

Resolved, That the Governor be requested to transmit a copy of the foregoing to each of our Sen-

Gov. to transmit
copies, &c.

ators and Representatives in Congress, and to the Governor of New Jersey.

[Approved March 18, 1840.]

Chapter 94.

Resolves relating to the Northeastern Boundary.

Resolved, That the patriotic enthusiasm with which several of our sister States the past year tendered us with their aid to repel a threatened foreign invasion, demand our grateful recollection—and whilst this spirit of self-sacrifice and self-devotion to the national honor pervades the Union, we cannot doubt, that the integrity of our territory will be preserved.

Resolved, That the promptness and unanimity with which the last Congress, at the call of this State, placed at the disposal of the President, the arms and treasures of the nation for our defence—the firmness of the Executive in sustaining the action of this State, and repelling the charge of an infraction of the arrangement made with the British Lieutenant Governor in March last, and charging back upon the British government the violation of that agreement—their decision in demanding the removal of the British troops now quartered upon the disputed territory as the only guaranty that they sincerely desire an amicable adjustment of the boundary question, afford us confident assurance that this State will not be compelled single handed to take up arms in defence of our territory and the national honor, and that the crisis is near when this question will be settled by the national government either by negotiation or by the ultimate resort.