

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES,

PASSED BY THE

TWENTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE,

JANUARY SESSION, 1841.

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

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AUGUSTA:  
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1841.

## MESSAGES OF GOVERNOR KENT.

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*To the Senate and House of Representatives :*

I herewith communicate for your consideration a copy of resolutions, passed by the Legislature of the State of Vermont, in relation to procuring "such an amendment to the Constitution of the United States as will restrict the eligibility of the President of the United States to a single term."

EDWARD KENT.

COUNCIL CHAMBER, }  
January 23, 1841. }

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*To the Senate and House of Representatives :*

I herewith transmit to you the Report of the Commissioners "appointed to inquire into and examine the doings and transactions of the several incorporated Banks in this State, and generally to ascertain the state and condition of the same."

EDWARD KENT.

COUNCIL CHAMBER, }  
January 23, 1841. }

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*To the Senate and House of Representatives :*

I herewith lay before you a copy of Resolutions passed by the General Assembly of the State of Indiana, in relation to procuring "such an amendment to the Constitution of the United States as will restrict the eligibility of the President of the United States to a single term."

EDWARD KENT.

COUNCIL CHAMBER, }  
Jan. 28, 1841. }

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*To the Senate and House of Representatives :*

I herewith transmit for your consideration a communication from the President of the New York Historical Society, re-

questing to be furnished with "one copy of all the laws, votes and reports, which may henceforth be published by order of the State."

The object of this Society seems to be to collect and preserve, for the benefit of themselves and the public, such political, statistical and other information as may be valuable for present and future reference.

Should there be a general compliance with this request, by the several States to whom the application is made, a mass of materials would thus be embodied and preserved, in the commercial emporium of the country, to which ready access could be had by those interested to consult them.

I commend the whole subject to your favorable regard, assuring you of my cordial cooperation, if you deem it compatible with the interests of the State to comply with the request of this long established and useful Society.

EDWARD KENT.

COUNCIL CHAMBER, }  
January 29, 1841. }

*To the Senate and House of Representatives :*

I herewith communicate, for your information, the Annual Report of the Attorney General for the last year, made to the Governor and Council by virtue of the 2d sec. of "An Act in addition to an Act respecting the offices and duties of the Attorney General and County Attorneys, passed March 23d, 1839.

EDWARD KENT.

COUNCIL CHAMBER, }  
Feb. 2, 1841. }

*To the Senate and House of Representatives :*

On the twenty-second day of January, the Bank Commissioners were directed by the Governor and Council to examine, forthwith, the Globe Bank, at Bangor, and the Frankfort Bank, at Frankfort. They have performed the duty promptly and faithfully, and I herewith communicate to you their Report. The facts detailed in the Report demand, and will, I am sure, receive your immediate and careful consideration. I cannot hesitate to renew the recommendations, on this subject, made in my Inaugural Address, and to express my firm conviction that prompt, decisive and efficient measures should be at once

adopted to prevent the recurrence of such transactions as are detailed in the accompanying Report.

In addition to the suggestion in the Report, I would recommend to your consideration the expediency of providing by law, that the Bank Commissioners be authorized, when, upon examination, they are satisfied that a Bank is insolvent, or in such a condition as to render its further continuance hazardous to the public, or that it has violated its charter and is proceeding in a manner that evinces recklessness or intended fraud and imposition—to apply forthwith to any Judge of the Supreme Court for a temporary injunction, to restrain such corporation from further proceedings until a full hearing can be had, with such further provisions in relation to the subject as may be necessary. The existing law, which authorizes the interference of individual bill-holders or creditors, after thirty days delay from the time of refusal to pay, is defective as a means of prompt and efficacious remedy for existing or threatened evils.

A similar examination of the Citizens' Bank, in Augusta, has been ordered, and is now in progress.

EDWARD KENT.

COUNCIL CHAMBER, }  
February 5th, 1841. }

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*To the Senate and House of Representatives :*

I herewith transmit the Report of the Bank Commissioners in relation to the "Citizens' Bank," in Augusta, which exhibits another instance of the virtual sale of the charter of a Bank, by our own citizens, to foreign purchasers, whose intentions in making the purchase we have no means of ascertaining, except from the conviction which every one must feel, that such men would not embark in the ordinary business of banking in this State for the benefit and accommodation of our own citizens and our State; and of whose pecuniary responsibility we have no means of judging, except from the fact that the prudent vendors did not rely upon the obligations of these men to remove the existing liabilities of the Bank and to pay them for the shares transferred, but took care to provide for both these objects from the best portion of the means of the institution.

Without impeaching the motives of those who have thus, in effect, transferred a charter granted by the Legislature with the implied if not express understanding that the institution should remain under the direction of responsible citizens of our own State, who were owners of its stock, I cannot hesitate to say,

that in my judgment, the credit and honor of the State at home and abroad, so far as its currency is concerned, demand immediate measures to stop this novel mode of barter and sale of our institutions. If no other course will effect this object, I recommend an immediate repeal of the charter of this and of all other Banks similarly situated.

I also transmit a communication from Daniel Pike, Esq. in relation to this subject.

EDWARD KENT.

COUNCIL CHAMBER, }  
February 8th, 1841. }

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*To the Senate and House of Representatives :*

In compliance with their request, I lay before you a Report and Resolutions of the General Assembly of the State of Alabama, relative to the "Georgia and Maine controversy."

EDWARD KENT.

COUNCIL CHAMBER, }  
February 12, 1841. }

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*To the Senate and House of Representatives :*

I herewith lay before you Joint Resolutions of the General Assembly of the State of Alabama, responsive to certain Resolutions of this State, in relation to the North-Eastern Boundary question.

EDWARD KENT.

COUNCIL CHAMBER, }  
February 12, 1841. }

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*To the Senate and House of Representatives :*

I herewith communicate, agreeably to their request, a Joint Report and Resolutions of the General Assembly of the State of Delaware, in relation to the Public Lands and the proceeds of the sales of the same.

EDWARD KENT.

COUNCIL CHAMBER, }  
February 12, 1841. }

*To the Senate and House of Representatives :*

Agreeably to the request of the Governor of Indiana, I herewith lay before you Joint Resolutions of the General Assembly of that State "relative to the election of President and Vice President of the United States."

EDWARD KENT.

COUNCIL CHAMBER, }  
February 12, 1841. }

*To the Senate and House of Representatives :*

I herewith transmit, for your consideration, the Report of William Willis, Esq. one of the Bank Commissioners, in relation to the condition of the "Washington County Bank," at Calais, made in pursuance of an order from the Governor and Council of the sixteenth instant. Having, in former communications, expressed my views upon the policy and expediency of taking decided and effectual measures to suppress and prevent evils threatened and endured, I can only, at this time, reiterate the recommendation, when submitting to you this new evidence of the necessity of such a course to preserve the credit of the State, and of solvent and properly managed institutions.

EDWARD KENT.

COUNCIL CHAMBER, }  
February 23, 1841. }

*To the Senate and House of Representatives :*

In compliance with a request of the Governor of Pennsylvania, I herewith lay before you "Resolutions relative to the Public Lands," passed by the General Assembly of that Commonwealth.

EDWARD KENT.

COUNCIL CHAMBER, }  
February 24, 1841. }

*To the Senate and House of Representatives :*

You will herewith receive "Resolutions in relation to an amendment of the Constitution of the United States," so as to restrict the eligibility of the President of the United States to a single term, passed by the General Assemblies of the Com-

monwealth of Kentucky and of the State of Delaware, with a request that they may be laid before you.

EDWARD KENT.

COUNCIL CHAMBER, }  
February 24, 1841. }

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*To the Senate and House of Representatives :*

I herewith communicate for your consideration the Report of the Bank Commissioners, relative to their examination of the Bank of Westbrook, made by order of the Executive in compliance with a request of the two Houses of the Legislature.

EDWARD KENT.

COUNCIL CHAMBER, }  
February 26, 1841. }

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*To the Senate and House of Representatives :*

The Governor, by advice of the Council, has caused the third Division of the Militia of Maine to be divided, and a new Division, denominated the ninth Division of the Militia of Maine, has been created, embracing the militia in the following towns, viz: Argyle, Bangor, Brewer, Bradford, Bradley, Burlington, Corinth, Charleston, Chester, Dexter, Exeter, Eddington, Enfield, Edinburg, Glenburn, Garland, Greenbush, Howland, Lee, Levant, Lincoln, Maxfield, Milford, Orono, Oldtown, Orrington, Passadumkeag, Springfield and Stetson, in the County of Penobscot; and Atkinson, Brownville, Dover, Foxcroft, Guilford, Milo, Sangerville and Sebec, in the County of Piscataquis; and Houlton, Hodgdon, Linneus and Weston, in the County of Aroostook. It therefore becomes your duty to elect a Major General for said division.

EDWARD KENT.

COUNCIL CHAMBER, }  
March 2, 1841. }

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*To the Senate and House of Representatives :*

In compliance with the request of the Executives of the respective States, I herewith lay before you a Report and "Joint Resolution on the distribution of the proceeds of the Public Lands," adopted by the General Assembly of the State



of Indiana ; also Resolutions passed by the Legislature of the State of New York, upon the same subject.

EDWARD KENT.

COUNCIL CHAMBER, }  
 March 11, 1841. }

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*To the Senate and House of Representatives:*

I herewith present, for your consideration, a Report and Resolutions, from the State of Maryland, in relation to the North-eastern Boundary.

EDWARD KENT.

COUNCIL CHAMBER, }  
 March 23, 1841. }

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*To the Senate and House of Representatives:*

I have received from the Governor of Massachusetts, a Report and "Resolves concerning the North-eastern Boundary," adopted by the Legislature of that Commonwealth, and herewith present them for your consideration.

EDWARD KENT.

COUNCIL CHAMBER, }  
 March 27, 1841. }

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*To the Senate and House of Representatives:*

Major General Jeremiah McIntire, of the First Division of the Militia of this State, has resigned his office, and his resignation has been accepted. A vacancy therefore exists in that office.

EDWARD KENT.

COUNCIL CHAMBER, }  
 April 6, 1841. }

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*Gentlemen of the Senate  
 and House of Representatives :*

Our illustrious fellow citizen, who had so recently been called by the people from his retirement, to assume the high responsibilities of President of these United States, has, by a sudden dispensation of Divine Providence, been removed from earthly honors and cares.

WILLIAM HENRY HARRISON died at Washington on the morning of the fourth instant. His mortal remains will mingle with the soil of the country he so gallantly defended in war, so ably, so honestly served in peace, and whose welfare was his last prayer in death, as it had been his first object in life. He has gone down to the grave, in the first days of his high magistracy, with unsullied fame and untarnished honor. A nation weeps over the loss of a devoted patriot and an honest man.

Whilst it becomes us to bow in humble submission to this afflictive decree of INFINITE WISDOM, and to ponder deeply upon the instability of all earthly honors, there is an impressive admonition to all of us, who have been intrusted by our fellow citizens with temporary power, so to discharge our duties and perform our trusts, that we may, like him for whom we now mourn, deserve the tribute which is only due to incorruptible honesty, unwavering fidelity, and disinterested patriotism.

The people of this State will doubtless expect from the authorities now assembled at the Capitol, some public expression of the sorrow which clouds every countenance, and saddens every heart. I submit to you to decide upon the mode of this expression, with the assurance of the sad satisfaction it will give me, to unite in any testimonial of our common grief, at this national calamity.

EDWARD KENT.

COUNCIL CHAMBER, }  
 April 8, 1841. }

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*To the Senate and House of Representatives :*

I herewith lay before you a copy of a communication from Samuel Bradley, Esq. declining to accept the office of Major General of the first Division of the Militia of this State. A vacancy therefore still exists in that office.

EDWARD KENT.

COUNCIL CHAMBER, }  
 April 14, 1841. }