

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ACTS AND RESOLVES

PASSED BY THE

EXTRA SESSION OF THE THIRTY-SECOND LEGISLATURE, 1853,

AND THE

THIRTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE,

1854.

~~~~~  
Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
Feb. 26, 1840, and March 16, 1842.  
~~~~~

Augusta:

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1854.

RESOLVES

OF THE

STATE OF MAINE.

1854.

hundred forty-nine, and being part of the land set off on execution against J. P. Hunter on the twentieth day of May in the year of our Lord one thousand eight hundred and fifty-two, and being the same land conveyed to said Mary A. Hunter by Charles Danforth on the nineteenth day of March in the year of our Lord one thousand eight hundred and fifty, as by said Danforth's deed is more fully described; *provided*, that the land agent shall be satisfied that said conveyance from said Danforth was for an adequate consideration and made for no purpose of defrauding the creditors of said J. P. Hunter.

Proviso.

[Approved April 17, 1854.]

STATE OF MAINE.

THE committee on judiciary, to whom was referred the petition of A. B. Thompson, late adjutant general, for balance of pay as quartermaster general, report the following statement, viz:

That said Thompson performed the duties of quartermaster general, in the years 1839 and 1840, "consequent upon the call of the militia into actual service, for the protection of the northeastern frontier," for the period of fourteen months and eight days, according to the official certificate of Governor Fairfield. That he claims pay therefor under the resolve of the state passed March 21, 1839, providing that "the militia of this state, when in actual service, shall receive the same pay and allowances, as are paid and allowed to the army of the United States." The original charge against the state by General Thompson for this service was \$2,955.93; and this amount was retained by him in rendering his account to the governor and council for settlement in 1840. This service has been assumed by the general government as having been rendered for the United States, and the state has been paid therefor.

The state not having allowed General Thompson, at the time the accounts were closed between him and the state, in 1841, the full amount charged by him for this service, there appeared on the books of the treasury, the sum of \$2,955.93 due from him to the state, until June, 1842, when the council ordered the full amount to be passed to his credit, and the books of the treasury balanced; said Thompson, on the same day, giving his bond to the state, conditional to refund to the state any portion of said sum which should not be allowed the state by the general government in the settlement of the claim of the state for expenditures in the protection of her territory.

CHAP. 148.

By the resolve of the legislature above referred to, the militia of this state were to receive the same pay and compensation as are allowed to the army of the United States.

By the act of congress entitled "An act to provide for the settlement of the claim of the State of Maine for services of her militia, approved June 13, 1842," the compensation allowed was that paid by the United States for similar services.

By a report of a select committee of the legislature of 1841, the claim of Mr. Thompson for compensation appears to have been examined, and a final settlement of his claim was postponed "to await the result of the claim now pending before congress."

Mr. Thompson was employed by the governor in 1842, to go to Washington, and give his personal attention to the claims then pending before a committee of congress, as appears by a letter from governor Fairfield, in which letter is the following: "As you probably have an interest in the allowance by the general government, *of that portion of our military* accounts which was for your services, and as I am confident that your personal attention to the matter at Washington would facilitate the settlement of the whole claim, it has occurred to me whether an arrangement might not be made at the joint expense of yourself and the state, for an agency which would prove to be mutually advantageous."

Upon this suggestion of the governor, Mr. Thompson repaired to Washington, the state paying his expenses, and he making no charge for thirty days of his services, and there remained until the bill for settlement of the claims, which passed, was agreed upon by the committee.

By a letter from honorable James B. Cahoon of Portland, who kept the books and accounts of the department, it appears that General Thompson was, in his opinion, to receive pay for services as quartermaster general, "whatever sum was allowed by the general government for that service."

By the report of S. L. Harris, page 87, agent to settle the claims of Maine against the general government under the treaty of Washington, it appears that there was allowed the state three thousand, seven hundred fifty-eight dollars and forty-nine cents, for the pay of A. B. Thompson as quartermaster general, from January 24, 1839, to December 31, 1839, of which sum \$1,992.53 had been paid by the state.

The following note appears in the margin in reference to the former sum:—

"This amount is increased by the substitution of a new account embracing allowances for servants and horses; also an additional account certified by the governor for three months pay, from 31st December, 1839, to 31st March, 1840."

J. L. CUTLER, *Chairman.*

Chapter 148.CHAP. 148.

Resolves in favor of A. B. Thompson and others.

Resolved, That the governor and council be and they hereby are authorized to cause to be paid to A. B. Thompson, late acting quartermaster general, the amount received by the state from the general government for services rendered by him in the years eighteen hundred thirty-nine and eighteen hundred forty, consequent upon the call of the militia into the service of the state in the year eighteen hundred thirty-nine, for the protection of her territory, beyond what has been paid him by the state, together with such amount of interest thereon as they may deem equitable and proper; deducting therefrom a fair proportion of the expense to the state for auditing and procuring the reimbursement of the money from the general government, and also deducting any other sums paid him by the state for his services in any and all capacities during said term, and deducting also any other sum or sums in any way relating thereto or which was paid by the state to clerks or for transportation or expenses or fuel and quarters or any other sums whatever, which in the opinion of the governor and council may be reasonable and just; and to draw warrants on the treasurer therefor.

A. B. Thompson,
in relation to
claims of.

Resolved, That the governor and council be further authorized to cause to be paid to the executive staff officers employed in the quartermaster, commissary, pay and subsistence departments called into active service as aforesaid, such sums respectively as the state has received of the general government for their services beyond the amount already paid them by the state, together with an equitable amount of interest thereon, making suitable deductions therefrom; and to draw warrants on the treasurer therefor.

Executive staff
officers, in
favor of.

Resolved, That the said Thompson and the several persons named in the preceding resolve, shall be limited to six months from the passage hereof for the presentations of their respective claims and the exhibition of the proofs thereof before the governor and council, and the adjudication or decision of the governor and council in respect to each of their claims shall be final, and in case said claims shall not be presented, and proofs thereof made, and a decision thereon had, in the manner and within the time aforesaid, the same shall be forever barred.

Claims, time for
presentation of
prescribed.

[Approved April 17, 1854.]