

MAINE STATE LEGISLATURE

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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.

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

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1854.

GOVERNOR CROSBY'S MESSAGES.

To the senate and house of representatives:

I herewith transmit the annual report of the bank commissioners, and of the trustees, steward and superintendent of the insane hospital.

WM. G. CROSBY.

COUNCIL CHAMBER, }
February 16, 1854. }

To the senate and house of representatives:

By a resolve approved March 30, 1853, the governor and council were directed to purchase of the city of Portland, the fee of the reform school farm, if the same could be purchased at a fair and reasonable price.

I herewith transmit copies of the correspondence had between the executive and the authorities of the city of Portland, from which it will appear that the object contemplated by the resolve referred to, cannot be accomplished without further legislation.

WM. G. CROSBY.

COUNCIL CHAMBER, }
February 24, 1854. }

To the senate and house of representatives:

I herewith lay before you for your consideration, a preamble and resolutions adopted by the general assembly of Pennsylvania, in relation to grants of land by the general government to soldiers of the war of eighteen hundred and twelve, and certain resolutions adopted by the legislature of the Commonwealth of Massachusetts, in relation to "cheap ocean postage."

WM. G. CROSBY.

COUNCIL CHAMBER, }
March 9, 1854. }

To the senate and house of representatives :

In compliance with the request contained in your joint order of the 27th ultimo, I herewith transmit a copy of the deed of conveyance referred to, from the Commonwealth of Massachusetts, to the State of Maine, together with a schedule of the notes assigned, and a copy of the assignment.

The originals were delivered to the treasurer of state at the time of the consummation of the contract, and are still in his possession. I beg leave to suggest the propriety of transferring them, by order of the legislature, to the land office.

WM. G. CROSBY.

COUNCIL CHAMBER, }
March 10, 1854. }

To the house of representatives :

I herewith return to the house, in which it originated, a bill, entitled "An act to amend an act entitled an act to amend the one hundred and twenty-fifth chapter of the revised statutes, approved April twentieth, eighteen hundred and fifty-two."

The operation of the bill, should it become a law, will be to render invalid mortgages of personal property heretofore executed and recorded in conformity to the requirements of existing laws. Believing that it would be unjust to defeat rights to property thus acquired, I cannot give to the bill my official approval.

For a similar reason, I also return to the house in which it originated, a bill entitled "An act concerning the transfer of bonds and other writings for deeds."

I fully recognize the right of the legislature to enact laws requiring that the assignment of bonds and contracts for the conveyance of real estate shall be recorded in the registry of deeds, although I am unable to discover the necessity for such legislation. To this, however, I take no exception so far as such legislation is to operate prospectively. But the second section of this bill requires that all assignments of bonds *heretofore* made, to be effectual against any person other than the assignor, his heirs, devisees, or persons having actual notice thereof, shall be so recorded within a specified time. Assignments of bonds heretofore made have been made in compliance with the requirements of existing laws. Under such assignments parties have acquired valuable rights. The bill under consideration assumes to annex new conditions which those parties may be unable to perform, the non-performance of which will render null and void contracts entered into in good faith and according to law, and to defeat titles acquired under those contracts.

I also return to the house in which it originated, a bill entitled "An act for the regulation of Intelligence Offices."

The bill by providing that no intelligence office shall be established or kept without a license therefor obtained from the mayor and aldermen of some city, by implication, at least, if not virtually, prohibits the keeping of such an office in any town in the state. Believing that such was not the intention of the legislature in passing the bill, I return it without my approval, that the error, if such it be, may be rectified.

WM. G. CROSBY.

COUNCIL CHAMBER, }
March 23, 1854. }

To the senate and house of representatives:

I have received a communication from the treasurer of state informing me that John Jewett, executor of the last will and testament of Isaac Sanford, late of Kennebec in the county of Kennebec, deceased, has paid into the treasury the sum of seven hundred dollars in compliance with a provision in said will, of which the following is a copy.

"I give, bequeath and devise unto the State Reform School recently established by the legislature and located in the county of Cumberland, designed for the reformation of juvenile offenders, the sum of seven hundred dollars, which sum I order and direct my executor to pay to whomsoever is authorized to receive the same sum, in six months after he shall assume his trust."

It remains for the legislature to make such disposition of the money received under the foregoing bequest as will best answer the object of the charitable donor. I beg leave to propose for your consideration that it be loaned permanently to the state, and the interest on the loan applied annually to the purchase of books for the use of the school.

WM. G. CROSBY.

COUNCIL CHAMBER, }
March 25, 1854. }

To the senate:

I herewith return to the branch of the legislature in which it originated, a bill entitled "An act additional to an act to prevent obstructions in Machias river."

By the provisions of this bill the owners, lessees, and agents of any mill engaged in the manufacture of lumber on the Machias river in the towns of Machias and Whitneyville, are made responsible not only

for their own acts and the acts of those in their employ or under their control, but also for the acts of *all other persons*. It does not accord with my ideas of justice to hold any man responsible for the acts of another over whom he has no control or with whom he is in nowise identified. However acceptable such legislation may be to those who are at the present time the parties in interest and most to be affected by its provisions, it should not be forgotten that in process of time their interest will pass into other hands. We are legislating for the future as well as the present.

For the foregoing reason I am compelled to withhold my approval of the bill.

WM. G. CROSBY.

COUNCIL CHAMBER, }
April 17, 1854. }

To the senate and house of representatives :

A vacancy exists in the office of major general of the fifth division of the militia of Maine, occasioned by the resignation of major general Barbour B. Porter. The duty of filling the vacancy devolves upon you.

WM. G. CROSBY.

COUNCIL CHAMBER, }
April 18, 1854. }