

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

THIRTY-EIGHTH LEGISLATURE

OF THE

STATE OF MAINE.

1859.

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

AUGUSTA:
STEVENS & SAYWARD, PRINTERS TO THE STATE.

1859.

RESOLVES

OF THE

STATE OF MAINE.

1859.

CHAP. 291. sum of four hundred dollars for building a bridge over the Passadumkeag river in township number one, north division, in the county of Penobscot, on the road from Lowell to near the mouth of Olaman stream in Greenbush, when said bridge is completed to the satisfaction of the land agent.

[Approved April 4, 1859.]

Chapter 291.

Resolves relating to slavery.

Resolved, That the institution of human slavery is at variance with the theory of our government, abhorrent to the common sentiment of mankind, and fraught with danger to all who come within the sphere of its influence; that the federal government possesses adequate power to inhibit its existence in the territories of the Union; that the constitutionality of this power has been settled by judicial construction, by contemporaneous exposition, and by repeated acts of legislation.

Resolved, That possessing the power thus to inhibit slavery on the national domain, it is the manifest duty of congress to exercise it; and in case of the refusal or neglect of congress to take such action it becomes the right and duty of the people of a territory to exclude slavery therefrom and to establish free institutions by the force of territorial legislation.

Resolved, That the new and startling dogma, endorsed by the national administration, that the constitution of the United States carries slavery into all the territories and guaranties its preservation and protection therein, is utterly repugnant to the feelings and long settled convictions of the American people; is in flat contravention of the spirit and letter of the constitution itself, and is a foul libel upon the memory of Washington and his co-patriots, who in founding our government, declared that its main objects were "to establish justice, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity."

Resolved, That the supreme court of the United States by the monstrous doctrines it has avowed on the Dred Scott decision, has forfeited all claim to the respect and confidence of the nation. The preservation of personal liberty and the general cause of truth and right demand therefore a reorganization of this tribunal, to the end that the free states may have a representation upon the bench pro-

portioned to their population and commensurate to the mighty interests which they have at stake.

Resolved, That in enunciating these principles the people of Maine are but reaffirming the views to which they have always adhered. They ask for no new interpretations of the constitution, but demand that it shall be construed and administered in the spirit in which it was formed. Attached to the Union by patriotic associations and the ties of commercial interest, the people of this state will be the last to adopt any course of action which will afford just cause for weakening or dissolving the bonds which unite them to their sister members of the confederacy.

[Approved April 4, 1859.]

Chapter 292.

Resolves to provide for a state valuation.

Resolved, That the governor is hereby authorized, with the advice and consent of the council, to appoint a commission, to consist of seven persons, one from each councilor district to prepare a full, just and equal valuation of the state, with an enumeration of all the polls subject to be taxed, as a basis of taxation for state purposes for the ensuing decade commencing with the year one thousand eight hundred and sixty.

Commissioners,
appointment
of.
— how select-
ed.

Resolved, That the commissioners thus chosen may hold a session at the capitol in Augusta on the tenth day of October next, first giving public and sufficient notice of the time and place of said meeting requiring the assessors or some one of them of each city, town and plantation to appear personally with, or to transmit to them on said day their several tax and valuation lists, and lists of taxable polls of their several cities, towns and plantations for the years eighteen hundred and fifty-seven, eighteen hundred and fifty-eight and eighteen hundred and fifty-nine, which lists shall be made out and verified under oath. And at any meeting of said board of commissioners, regularly and properly notified, a majority of the members thereof shall constitute a quorum, and said commissioners may appoint a chairman from their own number to preside over the sittings of the board, and also may choose a clerk, to keep a fair record of its proceedings.

Session of,
when and
where to be
holden.
— to give no-
tice.

Majority to
constitute a
quorum.
— may appoint
a chairman and
clerk.

Resolved, That if from any city, town or plantation no member of the board of assessors shall appear at the time and place fixed in

If assessors do
not appear, &c.