

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

112

PASSED BY THE

FORTIETH LEGISLATURE

OF THE

STATE OF MAINE.

1861.

Published by the Secretary of State, agreeably to Resolves of June 23, 1820,
February 26, 1840, and March 16, 1842.

AUGUSTA:
STEVENS & SAYWARD, PRINTERS TO THE STATE.
1861.

GOVERNOR WASHBURN'S MESSAGES.

To the Senate and House of Representatives :

I transmit to you concurrent resolutions of the State of New York, tendering aid to the President of the United States in support of the Constitution and Union.

COUNCIL CHAMBER, }
January 16, 1861. }

ISRAEL WASHBURN, JR.

To the Senate and House of Representatives :

I herewith communicate to the Legislature, " Joint Resolutions relative to the maintenance of the Constitution and the Union" adopted by the Legislature of Pennsylvania, January 24, 1861.

COUNCIL CHAMBER, }
January 30, 1861. }

ISRAEL WASHBURN, JR.

To the Senate and House of Representatives :

I herewith transmit resolutions adopted by the General Assembly of Virginia, January the 19th, 1861.

COUNCIL CHAMBER, }
January 28, 1861. }

ISRAEL WASHBURN, JR.

To the Senate and House of Representatives :

I herewith transmit to the Legislature a copy of resolves of the Legislature of the Commonwealth of Massachusetts, "tendering the aid of the Commonwealth to the President of the United States in enforcing the laws and preserving the Union."

EXECUTIVE DEPARTMENT, }
February 1, 1861. }

ISRAEL WASHBURN, JR.

To the Senate and House of Representatives :

I transmit to you herewith, joint resolutions of the Legislature of the State of Wisconsin, making provision for co-operating with the friends of the Union throughout the United States in enforcing the laws and upholding the authority of the federal government and in defence of the more perfect union which has conferred prosperity and happiness on the American people.

ISRAEL WASHBURN, JR.

EXECUTIVE DEPARTMENT, }
 February 2, 1861. }

To the Senate and House of Representatives :

I herewith transmit to the Legislature copies of the following resolutions :

Of the State of New York, appointing Commissioners to meet Commissioners from other States at Washington, on invitation of Virginia.

Of the General Assembly of the State of Indiana, responding to the invitation of Virginia to send Commissioners to Washington.

Of the Senate and General Assembly of the State of New Jersey in relation to the Union of the States.

Of the Legislature of the State of Minnesota on the state of the Union.

Of the General Assembly of the State of Tennessee, proposing amendments to the Constitution of the United States.

Of the General Assembly of the Commonwealth of Kentucky, appointing Commissioners to meet at the city of Washington, such Commissioners as may be appointed by other States on the invitation of Virginia; also resolutions of the same Commonwealth recommending a call for a Convention of the United States.

Of the General Assembly of the State of Tennessee, expressing the regret of the Legislature that the State of New York should have adopted resolutions tendering men and money to the President of the United States "to be used in coercing certain sovereign States of the South into obedience to the federal government."

Of the General Assembly of the State of Ohio, in reference to secession and other questions.

ISRAEL WASHBURN, JR.

EXECUTIVE DEPARTMENT, }
 Council Chamber, Feb. 12, 1861. }

To the Senate and House of Representatives :

I herewith transmit joint resolutions of the Legislature of the State of Michigan, on the state of the Union.

ISRAEL WASHBURN, JR.

COUNCIL CHAMBER, }
February 14, 1861. }

To the Senate and House of Representatives :

I transmit herewith, a communication from the Honorable Lot M. Morrill, "informing me that the delegation in Congress from this State, have caused their names to be enrolled in the Convention at Washington, to which they were designated as Commissioners," by a resolve of the Legislature.

ISRAEL WASHBURN, JR.

EXECUTIVE DEPARTMENT, }
Feb. 14, 1861. }

To the House of Representatives :

In obedience to the order of the House of Representatives, adopted on the fourteenth day of February instant, I herewith transmit two reports of the Commissioners appointed to settle with the late Treasurer, B. D. Peck, which I am advised are all that have been made on this subject.

ISRAEL WASHBURN, JR.

EXECUTIVE DEPARTMENT, }
Feb. 19, 1861. }

To the Senate and House of Representatives :

I herewith communicate to the Legislature, a joint resolution of the Legislature of the State of Texas, relative to coercion.

ISRAEL WASHBURN, JR.

EXECUTIVE DEPARTMENT, }
Council Chamber, Feb. 19, 1861. }

To the House of Representatives :

In compliance with an order of the House of Representatives passed on the 18th of February instant, I herewith transmit the deed referred to therein from the city of Portland to the State of

Maine conveying the site of the Reform School at Cape Elizabeth; also a copy of an order of the Council passed October 19, 1853, which I am informed, are all that appear on the records and files of the Secretary of State bearing upon the inquiries contained in the order of the House of Representatives.

It will be perceived from this statement that there is no occasion for the expression of an opinion on my part upon the question whether "if the Institution should be changed in its character, or abolished, the property would belong to the State or to the city of Portland," as the House will be in possession of all the facts in the case of which I have any knowledge.

ISRAEL WASHBURN, JR.

EXECUTIVE DEPARTMENT, }
Council Chamber, Feb. 20, 1861. }

To the Senate and House of Representatives:

I herewith transmit Joint Resolutions of the Illinois Legislature, requesting the Governor of that State to appoint Commissioners to the Convention now in session at Washington upon the invitation of the State of Virginia.

ISRAEL WASHBURN, JR.

EXECUTIVE DEPARTMENT, }
Council Chamber, Feb. 23, 1861. }

To the Senate and House of Representatives:

In compliance with your request I have the honor to transmit a copy of the Address delivered by me before the members of the Legislature and of the Executive Department of the State Government on the 22d of February instant.

ISRAEL WASHBURN, JR.

EXECUTIVE DEPARTMENT, }
Council Chamber, Feb. 25, 1861. }

To the Senate and House of Representatives:

I herewith transmit a Memorial of the Legislature of Kansas in reference to the destitution and suffering in that section of our country, which was communicated to me by the Hon. I. M. Beebe,

Governor of said Territory, with a request that I should cause it to be laid before you.

I would ask your early attention to the subject to which it relates.

ISRAEL WASHBURN, JR.

EXECUTIVE DEPARTMENT,
Council Chamber, Feb. 28, 1861. }

To the House of Representatives:

I herewith transmit to the House of Representatives, copies of all the acts and resolves of the Legislature relating to the appointment of a Commissioner (or agent) to prosecute the claims of the State of Maine against the general government bearing upon the question submitted to me by the order of the House passed February 26, 1861, of which I have any knowledge; also copies of the proceedings of the Governor and Council upon the same subject.

In addition to what appears in the copies of record herewith communicated, it is due to a full statement of the facts to say, that I am advised that at an informal meeting of the Council, on the 23d of November, 1860, a majority of the Council present supported and voted for an order which was to the effect that the vote of the 14th of March, 1860, consenting to the removal of George M. Weston from the office of Commissioner at Washington under the resolve of 1855, be reconsidered.

No vote upon this order was taken, as I am informed, at any regular meeting of the Council, or when the Governor was present, and there is no record of any action thereon. There has been no action by the Governor or Council for the current year upon this subject.

I have been informed, and I believe it to be true, that Mr. Weston is now acting, or claiming to act, at Washington, as agent of the State to prosecute its claims against the United States. He has no other authority to do so than is derived from the proceedings of the Legislature and of the Governor and Council already referred to.

The claims of this state against the United States, so far as I am informed, are as follows: for interest on the Massachusetts War Debt, the principal having already been paid. It is impossible for me to say what this claim will amount to if finally allowed, as the time from which the interest will be computed is uncertain.

Another claim is for lands set off for settlers, under the fourth

article of the Treaty of Washington, and for all expenses incurred by the State in setting off said lands.

The value of this claim is uncertain, for while the number of acres set off to the settlers under the treaty may be readily ascertained by reference to the reports of the Commissioners, I know of no data upon which to predicate an opinion as to the amount per acre that Congress would be disposed to allow for the land in the event of its recognition of the claim as valid and just.

There is also a claim for loss or spoliation of timber on the disputed territory, previous to the Treaty of Washington; but I have no means within my reach at this time of giving even an approximate estimate of its probable amount.

In addition to the foregoing, I have understood that the expenses of the extra session of the Legislature of 1842, are regarded as a fair and proper subject of claim against the United States.

I have no recollection or information of any other claim of this State against the general government, although there may be others.

ISRAEL WASHBURN, JR.

EXECUTIVE DEPARTMENT,
Council Chamber, March 1, 1861. }

To the Senate and House of Representatives:

I herewith transmit a letter from J. C. G. Kennedy, Esq., covering a tabular statement of the census of this State by counties, as appears by the returns of the census.

ISRAEL WASHBURN, JR.

EXECUTIVE DEPARTMENT,
Council Chamber, March 4, 1861. }