

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

FORTY-THIRD LEGISLATURE

OF THE

STATE OF MAINE.

1864.

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

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1864.

RESOLVES

OF THE

STATE OF MAINE.

1864.

Chapter 363.

Resolves asking the United States government to provide proper defences for the north-eastern frontier of Maine.

WHEREAS, it is made the duty of the federal government under the constitution of the United States to protect and preserve the integrity of the union and defend each state in the maintenance of its sovereignty over its lawful territory ; and

Preamble.

WHEREAS, the original boundary of Maine extended northward to the dividing ridge that separates the St. Lawrence waters from those of the St. John river, the title to which was clear and unquestionable ; and

WHEREAS, the United States government neglected and refused to maintain and enforce the rights of this state to the upper basin of the St. John river, permitting British troops to march across said territory in the war of eighteen hundred and twelve, and at the time of the Canadian rebellion in eighteen hundred and thirty-seven, and afterwards to hold military possession of the country ; and

WHEREAS, the State of Maine in eighteen hundred and thirty-eight and eighteen hundred and thirty-nine attempted to repossess herself of her lawful territory and to protect her soil from spoliation by provincial trespassers ; and

WHEREAS, the United States government interposed its paramount authority, calling on Maine to withdraw all armed forces detailed for the protection of its territory, and assumed the duty and insisted on its right to exclusive control over all matters of needful defence of the same ; and

WHEREAS, this duty of defending the territory of Maine was so imperfectly performed by the United States government, that the territory was stripped of its most valuable timber before Maine could get possession of what remained to her after the ratification of the treaty of Washington, whereby a just and valid claim now exists against the general government, which has been practically recognized by the federal authorities at Washington ; and

WHEREAS, the State of Maine is anxious to have a military railroad from Bangor to the St. John river, and has, by resolutions adopted by the legislature of Maine, approved January thirty-one, eighteen hundred and sixty-three, called upon the general government to carry out such a work, and this state is now ready to cooperate with the general government in affording aid to the parties who will undertake to build such a line of railway, and offers to assign its claims on the general government to aid said enterprise, and to render other and further aid thereto ; therefore,

Resolved, That Maine reiterates and renews her demands on the general government in the language of the resolves of the legisla-

Northeast
frontier, for the
defence of.

CHAP. 363. ture, approved by the governor January thirty-first, eighteen hundred and sixty-three, that Maine expects and earnestly demands "that measures be taken at once by the general government" for the protection of its northeast frontier; that "this can be accomplished only by a military railroad from Bangor to the St. John river."

Resolved, That the people of Maine, zealously attached to the principles of the constitution and loyal to the government of the United States, surrounded on three sides by the territory of a foreign power, its other side fronting the ocean, where it is at all times exposed to attack by a superior naval power, by force of its position of incalculable importance to, and steadily coveted by, the people of the British North American provinces, cannot fail to perceive their danger in case of war with any one of the great powers of Europe, and they appeal to congress for such aid and support as will enable them to protect their territory from foreign invasion, and secure them against further diminution of their ancient domain.

Resolved, That the government of the United States having forced a reluctant assent from the state of Maine to the treaty of Washington, by which treaty the most valuable portion of the territory of the United States for military purposes was surrendered to Great Britain, securing to her a military route in the St. John valley between Canada and New Brunswick, and the only adequate measure of compensation that can be awarded to Maine is the construction, by the federal government or through its aid, of a military railway from Bangor to the St. John river, as suggested in the resolutions of Maine of January thirty-first, eighteen hundred and sixty-three, that in order to secure this result the state releases and assigns to the European and North American Railway Company of Maine all claims on the federal government accruing prior to the year eighteen hundred and sixty, in case the United States government affords such aid to said railway company as will enable it to carry out its line of railway from the city of Bangor to the St. John river, or to such point in the northern part of Maine as may accomplish the objects and purposes sought for by the government of this state and of the United States.

Resolved, That the governor is authorized to prepare or cause to be prepared and printed such documents and evidence as may be needful to show the character, extent and value of the claims before mentioned.

Resolved, That the governor be requested to transmit these resolutions to the president of the United States and to each house of congress, and to the members of the senate and house from Maine.

Resolved, That our senators and representatives in congress be

requested and instructed to use their utmost efforts to secure a recognition of the claims of Maine and the application of the proceeds thereof to the uses and purposes above set forth.

CHAP. 364.

Approved March 25, 1864.

Chapter 364.

Resolve in favor of Eliakim Wescott.

Resolved, That there be paid to Eliakim Wescott from the treasury of the state, the sum of thirty dollars for expenses incurred during his sickness while in attendance as a member of the present legislature.

Eliakim
Wescott, in
favor of.

Approved March 25, 1864.

Chapter 365.

Resolves inviting the Commonwealth of Massachusetts to co-operate with Maine in extending aid to a military road from Bangor to the St. John river.

WHEREAS, by the act of separation of Maine from Massachusetts, approved June nineteenth, in the year of our Lord eighteen hundred and nineteen, the Commonwealth of Massachusetts retained one half of all the public lands lying within the then District of Maine, which had merely a nominal value, at the time Maine became an independent state, which lands from the care, oversight and guardianship of the same by the State of Maine, became of great value, from the proceeds of the sales of which, to individual purchasers large sums of money accrued to the treasury of Massachusetts, before the sale of her interests therein to the State of Maine; and

Preamble.

WHEREAS, the State of Maine did on the fifth day of October, in the year of our Lord eighteen hundred and fifty three, purchase all the remaining rights of the State of Massachusetts in and to the lands to her belonging, lying in the State of Maine, for the sum of one hundred and twelve thousand five hundred dollars in money and two hundred and fifty thousand dollars in five per cent. bonds of the State of Maine; and

WHEREAS, the people of the Commonwealth of Massachusetts, especially those of the eastern part of said state, and of the city of Boston, have a great, if not an equal interest with the people of Maine in the settlement of the northern, eastern and northeastern sections of Maine, and in the growth and prosperity of this state,