

State of Maine

1

Portland Wednesday May 31. 1820

This being the day designated by the Constitution of the State of Maine for the assembling of the first Legislature thereof, the following gentlemen being regularly returned as Senators appeared in the Senate Chamber at 11 o'clock A.M.

viz From the County of York

Hon. William Moody

" Josiah M. Peabody

" John M. Donald

From the County of Cumberland

Hon. Joseph C. Rogers

From the County of Lincoln

Hon. Nathaniel Green

From the County of Hancock

Hon. Andrew Wilkin

From the County of Washington

Hon. Jeremiah C. Brin

From the County of Kennebec

Hon. John Chandler

" Joshua Gage

" Timothy Barlett

From the County of Oxford

Hon. Samuel Smith

" James M. Ripley

From the County of Somerset

Hon. John Moore

" William Wadsworth

From the County of Penobscot

Hon. William D. Williamson

At 1/2 past eleven o'clock the President of the Convention accompanied by the Secretary & Treasurer, pro tempore, & attended by the Sheriff of Cumberland, ^{came into the Senate chamber} and the gentlemen afore named took and subscribed the oaths prescribed by the Constitution to qualify them to discharge the duties of their office.

The President of the Convention having called the Members of the Senate proceeded to the choice of a President, when Messrs. receiving, sorting & counting the votes they were found as follows viz. whole number of votes

How John Chandler had fourteen & was chosen

The Hon. Mr. Chandler addressed the Senate expressing his grateful sense of the honor conferred, and read & took the oath

Choice of Secretary The Senate then proceeded to the choice of a Secretary & upon receiving, sorting and counting the votes it appeared that Emerson, Herrick ^{Esq.} was unanimously chosen

Mr. Herrick being notified of his election appeared in the Senate & signed his acceptance of the office, & took & subscribed the oaths required by the Constitution to qualify him to discharge ^{his} duties

message The Hon. Mr. Williamson was charged with a message to the Hon. House to acquaint them that the Hon. John Chandler was chosen President & Emerson, Herrick ^{Esq.} Secretary of the Senate.

message sent down - The Hon. Mr. Moody was charged with a like message to the President of the Convention

Notes The Secretary of State presented same in & laid upon the table the returns of votes by the several Towns & Plantations in this State for Governor & Senators.

Resolved That the Hon. Messrs. Williamson, Senator, Hann, Ripley & Rogers be a committee to receive & examine the votes given in the several Towns & Plantations in this State for Senators and to report thereon, who appear to be elected agreeably to the Constitution and what discrepancies exist, and who are the constitutional candidates to fill the same.

Resolved That the Messrs. Moody, Gage, O'Brien & Green with such Com^{on} votes as the Hon. House may join be a committee to receive, sort & count the votes given in the several Towns & Plantations in this State for Governor

Sent down for concurrence.

Came up concurred & Messrs. Emery of Portland, Rose of Augusta, McArthur of Passumpsit, Abbott of Castine & Robbins of Green are joined

message came up - Col. Reed of Maldenborough came up with a message informing the Senate that the House of Representatives was

3

organized, I have chosen the Hon. Benjamin Ames Speaker and
James L. Child^{Esq} Clerk of the same.

The Legislature being organized the President of the Convention accompanied by the Treasurer & Secretary of State pro tem.
Legislature and attended by the Sheriff of Cumberland and also accompanied
attended by the two Branches of the Legislature proceeded to the Meeting
divine in the House of the First Parish in Portland, where the Throne of
Service Grace was addressed by the Rev.^d Mr. Nichols agreeably to the appointment
ment of the Convention which formed the Constitution of the State.
After which the Senate returned to the Senate Chamber & adjourned
until the afternoon.

Afternoon.
That according to adjournment, I adjourned until tomorrow morning at 9 o'clock.

4 In Senate Thursday Morning June 1. 1825

5

Present

Hon. John Chandler President

Hon. William Messey

Hon. Joshua Gage

" Josiah W. Leach

" Timothy Bartlett

" John Mc Donnell

" Samuel Fernal

" Joseph C. Hoxcroft

" James W. Ripley

" Nathaniel Green

" John Moore

" Andrew Mitham

" William Kendall

" Jeremiah O'Brien

" William L. Williamson

The committee appointed to receive & examine the returns of votes given in the several towns & plantations in this State for Senators &c. report, therefore, who appear to be elected agreeably to the Constitution & who vacancies exist & who are the candidates are directed to fill the same, made the following report viz.

Report

of

Committee

on votes of

Senators

The Committee of the Senate to whom was referred the certified votes for Senators in the several Counties in this State, have examined the returns from the towns & plantations and are leave to report the following facts & particulars:

In the County of York whole number of votes is 10,357.

Necessary to make a choice 1,721

William Messey Esq. has 2,714

Josiah W. Leach Esq. has 2,009

John Mc Donnell Esq. has 1,953 and

they are chosen.

In the County of Cumberland

The whole number of votes is 11,630.

Necessary to make a choice 1,939.

Joseph C. Hoxcroft Esq. has 3,112 and he

is chosen.

There are in this County, two vacancies to be filled by the Legislature; the candidates are Labrop Lewis Esq. who has 1,921 votes; Barnes Potter Esq. who has 1,646 votes; Richard T. Dunlap Esq. who has 1,241 votes.

5/ and Jonathan Page Esq who has 1038 votes, they having severally the greatest number of votes next after the afore named gentlemen elected.

In the County of Lincoln

The whole number of votes is 12199

Necessary to make a choice 2034

Nathaniel Green Esq has 2722

Erastus Hale Esq has 2072 and they

are chosen

and chosen In this county, there is one vacancy to be filled by the Legislature and the candidates are Benjamin Cushing Esq who has 1924 & Daniel Rose Esq who has 1847 votes, they having severally the greatest number of votes next after those elected.

The votes given in the Town of Mountville in this county, for Senators, viz, for Nathaniel Green 136; Daniel Rose 126; Edward Kilmoran 134 & Benjamin Cushing 13, the committee have rejected; because by the Declaration of John Smithhill the town-clerk, & Richard Small who acted as town-clerk pro-tempore, at the meeting & at the return made to the Secretary's office, it is proved that the said Richard Small was neither chosen by the inhabitants of the town nor sworn as clerk on that occasion. The return is also, informal as to the different persons named town clerks.

In the County of Hancock

The whole number of votes for Senators is 5288

Necessary to make a choice 1323

Andrew Witham Esq has 1833 & he is elected

Your committee find, that in this county there is one vacancy to be filled by the Legislature & that the candidates are George Wilney Esq who has 1286 votes and Abel W. Allen Esq who has 992 votes being the greatest number given for gentlemen next after the one elected

In the County of Washington

The whole number of votes is 1331

Necessary to make a choice 666

Jeremiah C. Brien Esq has 864 He is chosen.

In the County of Kennebeck
The whole number of votes for Senators is 10,013
Necessary to make a choice 1,670

John Chandler Esq has 2579
Joshua Gage Esq has 3409
Timothy Boutelle Esq has 2898 and they are
all chosen.

In the County of Oxford
Your Committee find the whole number of votes to be 4611
Necessary to make a choice " " 1154
Samuel Small Esq has 2232
James M. Phipps Esq has 2212 and they are
both chosen.

In the County of Somerset
The whole number of votes for Senators is 3610
Necessary to make a choice 903
John Moore Esq has 1436
William Kendall Esq has 1143 and they are both
chosen.

In the County of Penobscot
The whole number of votes is 1286
Necessary to make a choice 644
William D. Williams son Esq has 679 and he
is chosen.

Your Committee would further report that they
have rejected the return from Solon in the County
of Somerset because it states that the town
meeting at which the votes were given was
held on the 23rd day of April. The votes from Sid-
ney in the County of Kennebeck have been rejected,
because it appears by the return that the inhabitants of
that town assembled in town meeting balloted three

Rep
sion

several times in giving in their votes for three Senators,
and ~~the same names~~ are certified on each ballot.

The returns from Thompsons Pond Plantation in
the County of Cumberland, & Palmyra in the County of
Toungessee, state a certain ^{number of votes} without particular discrim-
ination, thus in the former are "for Lathrop Lewis, Archelaus
Lewis, Bancy Potter, seventeen" - in the latter, are "for John Moor
& William Kendall fourteen votes"; for Abel Wilson & James
Bowen twenty nine votes. The committee therefore have re-
jected these returns on account of their uncertainty.

The committee feel it their duty to state, that the
returns of votes from Falmouth in the County of Cumberland
and Friendship in the County of Lincoln certify the number of
votes given, in numerical figures in stead of words the committee
have accepted & counted them in the foregoing statement.

But they have rejected the return from Brookville in the
County of Hancock because it states the votes to be "for Abel W.
Atherton & Andrew Witham forty eight votes" & for George
Minner & Leonard Jarvis, six votes, without distinguishing the num-
ber for each of them severally.

The return from the plantation of Montville in the
County of Lincoln contains some information, as to the of-
ficers who acted officially in the meeting when the Senatorial
votes were given, but the return has not been rejected.

All which is respectfully submitted

William L. Williamson Chairman

Read & accepted & sent down

Hon. Mr. Tycroft was charged with a message to the
Hon. House to acquaint them that the Senate propose forming
a message a convention of the two branches of the Legislature in the
United States Representatives chamber this day at half past eleven o'clock
for the purpose of filling the vacancies at the Senate board
occasioned by the full number of Senators not having
been elected by the people in the Districts of Cumberland
Lincoln & Hancock & to request the concurrence
of the House therein.

8
Order to notify
Mr Foster
Ardena, that the Secretary of State pro tempore forthwith
notify Caratus Forte Esq, that he has been duly & constitutionally
elected by the people, a Senator for the County of
Lincoln & that he is requested, in his ability to attend &
aid the Senate in its charge of public business.

"The committee appointed to receive & examine
the returns of votes given in the several towns & plantations
for Governor, made the following report. viz.

Report of
Committee
on
Votes for
Governor
The committee of both Houses to whom was referred
the returns of votes for Governor, given in the several towns
& plantations within this State. - Have attended to that service
and are now respectfully to report - that they find the
whole number of votes given in the several towns & plantations
which have been duly returned to the office of Secretary of
State pro tem to be twenty two thousand nine hundred & four-
teen - Majority to a choice " 11,458" and
that the Hon. William King has 21,083 votes & he is
chosen.

And the committee further report, that they find
no return from the town of Greenwood in the County
of Weymouth -

All of which is submitted

Wm. Moody per Order "

Read & assented & put down for concurrence
Carried up concurred

Resolved, that the Hon. Wm. Moody & Messrs with
Committee such as the Hon. House may join be a committee to wait
to wait on our the Hon. William King & inform him that he has been
elected a Senator for the County of Lincoln & that he is requested, in his
ability to attend & aid the Senate in its charge of public business.
Read & assented & put down for concurrence. Carried up concurred
& Messrs C. many of Portland, Burgin of East -

herb, & Island of Woolwich are joined.

9

The Virgin came up with a message from the House
House to advise the Senate they concur in the time & place
assigned for forming a convention to fill the vacancies at
this board.

A letter was received from the Hon. Abner H. Smith
Treasurer of the State, enclosing a copy of Resolutions
passed by the late convention which framed the Constitution
of this State, relating to the settlement to be made with
the Treasurer, and declaring himself, not a candidate
for the office of Treasurer of the State.

Report of
Committee
to wait
on Gov.
elect
that the committee of both houses,
appointed to wait on the Hon. William King & inform him
that he has been elected agreeably to the provisions of the Constitu-
tion. ~~Spencer~~ of the State of Maine, reported
that the committee have performed that service & that the
Governor elect was pleased to say, that he would meet the
two houses in convention at one o'clock this day to be
qualified agreeably to the constitution to enter on the duties
of his office.

Convention
to fill
vacancies
in Senate
found as follows
Agreeably to assignment the two houses met in
convention to fill the vacancies at the Senate board
vacancies when the votes being received sorted & counted were

Viz For the District of Cumberland the number of
votes 155. Messrs for a choice 78.
& that the Hon. Barret Potter had 128
" Jonathan Page 104 & are
chosen.

For the District of Lincoln whose number 155
Messrs to a choice 78
& that the Hon Daniel Rose had 119 & is
chosen.

To the District of Hancock, whole number 137.
 necessary to achieve
 and that the Hon. George Ulmer has 138 & is chosen.

The business for which the convention was formed,
 being finished the two Houses separated.

July 20th 1840
 ordered to be notified the Hon. Barre Potter, Hon. Jonathan Page,
 Hon. Daniel Rose & the Hon. George Ulmer, that they
 have been constitutionally elected in convention of the
 two houses Senators of the State of Maine, & to request their
 immediate attendance to aid the Senate in their discharge
 of the public duty.

Message
 Mr. Atkinson came up with a message from the
 Hon. House to acquaint the Senate.

How Mr. Moody was charged with a message to
 the Hon. House to acquaint them that that the Senate pro-
 sent down having a convention of the two branches of the legislature,
 this day at 4 o'clock P.M. for the purpose of choosing
 seven Counsellors to advise the Governor in the ex-
 ecutive part of Government the ensuing year.

Message
 Mr. Atkinson came up with a message from the Hon.
 House to acquaint the Senate that they concurred in the time
 assigned for forming a convention for the purpose of electing
 seven counsellors to advise the Governor in the executive
 part of Government the ensuing year.

Agreeably to assignment, the two Houses met in conven-
 tion, when the Hon. William King, accompanied by the Treasurer &
 to qualify Secretary pro tempore of the State, and attended by the Sheriff
 Governor of Cumberland, and took & subscribed the oaths prescri-
 bed by the constitution to qualify him for discharging the
 duties of the office of Governor of the State of Maine. Whereupon

on proclamation was made by the Secretary of State pro-
tem, that William King Esq. is elected Governor of the
State of Maine and is now duly qualified to exercise
all the functions of that office, & all persons in the exercise
of public trusts, whether in a civil or military capacity,
and all the good people of the State are required to give
to his public acts & commands all due respect accordingly.

The business of the convention being finished, the two
houses separated.

Petition of Am. Sec. of the Gen. House of Representatives commit-
tee, transmitting the memorial of Geo. R. Freeman & others on the subject
of the betterment laws, to Messrs Emery of Portland, Smith
of Wiscasset, & White of Camden with such as the Senate may
give to consider & report, there came up for concurrence read
& concurred & Messrs. Williamson & Rogers are joined.

Adjourned till 4 o'clock P.M.

Thus according to adjournment

Ordered, on motion of the Hon. Mr. Moody, that the
Secretary of the Senate be authorized to procure some suitable
person as an assistant, the better to enable him to keep & re-
cord the records & proceedings of the Senate, during the present
session or until the further order thereof. Whereupon the Se-
cretary of the Senate appointed Rufus R. Goodnow, his Assistant.

Resolved, on motion of the Hon. Mr. Moody, that to-
morrow at 11 o'clock, be assigned for the choice of a Chaplain &
Chaplain that a nomination, in the mean time, be suspended.

Resolved, that the Hon. Messrs. Williamson & Moody
be a committee to report rules & orders for the
Senate.

Agreeably to assignment the two Houses met

in convention for the purpose of choosing seven coun-
sellors to advise the Governor in the executive ~~part~~

Convention of Government when the votes being received, sorted &
for Election counted are found to be as follows, viz.

of Counsellors

Whole number of ballots	151.
Necessary to a choice	76.
Isaac Land Esq. Grace	90
Mark Harris " "	150
Abiel Wood " "	79
Thos. Ellsbrown " "	115
William C. Whitney " "	146
William Webster " "	138
William Emerson	138 and are chosen.

The business of the convention being finished the two
houses separate

Ordered, that the Secretary of State procure, notify
the Hon. Isaac Lane Mark Harris, Abiel Wood, Thos. Ellsbrown,
Secretary William C. Whitney, William Webster, & William Emerson
ordered that they have been chosen Counsellors by joining ballots
to notify of the Senators & the Representatives in Convention agree-
Counsellors ably to the Constitution of the State to advise the Governor
elect. in the executive part of Government for the year ensu-
ing & to request their immediate attendance on the
duties of their office.

Voted that when the Senate adjourn they
adjourn to meet to-morrow at 9 o'clock A.M.

Adjourned.

In Senate, Friday Morning
June 2: 1825

13

Present

Hon. John Chandler President	
Hon. William Moody	Hon. Joshua Gage
" Josiah W. Seaver	" Sam ^l . Boutwell
" John M. Dowdell	" Sam ^l . Small
" Joseph C. Topcroft	" Jas M. Ripley
" Bath ^l . Green	" John Mook
" Andrew Witham	" William Williamson
" Jos ^{ph} . B. Brien	" Wm. D. Williamson

Ordered, that the Hon. Messrs. Moody, Gage & William-
son be a committee for the purpose of arranging the doings
of the members of this Board.

On Order of the Hon. House committing the petition
of Zachus Porter & others praying that Belford may be made
a half shire town, to Messrs. Moody, of Wells, Bachelde
& others of Union & Stone of Brunswick came up for concurrence
Read & concurred & the Hon. Messrs. Williamson & Witham
joined.

On Order of the Hon. House committing the petition
of Joseph Small & others, praying for the organization of
a new County to Messrs. Birnie of Rumford, Batch of
Libby & Lord of Gardiner came up for concurrence,
Read & concurred, & the Hon. Messrs. Boutwell &
Topcroft joined.

Mr. John Merrill was appointed by the Hon.
President Messenger to the Senate

Ordered that the Hon. Messrs. Williamson & Green
be a committee with such as the Hon. House may join to wait on the Governor & inform him that the two

Branches of the Legislature are proceeding on public business & are ready to receive any communication he may be pleased to make to them. Read & passed

Long down for concurrence. Came up concurred Messrs. Bragdon of York, Gardner of M. Yarmouth & Merrill of Woburn are joined.

An Order of the Hon. House committing the petitioners of Ezekiel Richardson & others, of Essex, ^{James Ward} & others, of feeling but John A. Chandler, of Essex, ^{Thomas & others} & others, of the County of Middlesex, ^{praying an amendment to the present law} of William White & others, to Messrs. Emery of Portland Committee of Council, Smith of Wiscasset, Atkinson of Prospect, & Myman of Bangor, with such as the Senate may join, came up for concurrence. Read & concurred & the Hon. Messrs. Williams & Foxcroft joined.

Report of ^{The Hon. Mr. Williams} of the committee appointed to wait on the Governor & inform him that to wait on the two branches of the Legislature are proceeding on public business and are ready to receive any communications he may be pleased to make to them, reported that the committee had attended to that service & that the Governor was pleased to say that he would make a communication, in writing, to the two Branches at half past 12 o'clock this day.

An order of the Hon. House committing the petitioners on petition of William Buckner & others, of Bucks, Buckner & the Subject others, of Joseph Sturges & others, of John Avery & others of Pittsfield of John Bailey & others, of Little Harbor & others and a law committee of Council, Colby & others praying an amendment to the betterment law, to the committee of similar subjects, came up for concurrence. Read and concurred, & Messrs. Williams & Foxcroft joined.

Ordered, that the Hon. Messrs. Williams and Foxcroft & others with such as the Hon.

Committee House may join be a Committee to consider the
on the sub expediency of appointing a Printer for the State, with
out of con have to report by resolve or otherwise. Read & sent
waiting with down for concurrence. Came up concurred and Messrs
Purcell Redington, of Vassaboro, Lord of Chesterfield & Bishop of
Gorham, joined.

The choice of Chaplain postponed till four o'clock this afternoon

The Hon. Mr. Ulmer appeared in the Senate Chamber
Mr. Ulmer and the Hon. Mr. Witham was requested to accompany him
to the president of the convention to take & subscribe the
oaths required by the constitution to qualify him for a seat
at this board.

qualified The Hon. Mr. Witham came in & informed the
Senate that he had accompanied the Hon. Mr. Ulmer to
the president of the convention, & that he is constitution-
ally qualified to take a seat at this board & the Hon. Gen-
thman took his seat accordingly.

An Order of the Hon. House committing the petition
Petitions of Mrs. Hanwood & others, of David G. Burr & others, of the Inhabit-
ants of the town of Lewiston, of the inhabitants of the town of
Bowdoin praying the creation of a new County & the
Remonstrance of the towns Freeport & Durham against the
creation of such County, to the Committee on the same
subject, came up for concurrence. ~ Read & concurred.
The Hon. Mr. ^{Wray}

Committee ^{Wray} Ordered that the Hon. Messrs. Williamson with
on Seal such as the Hon. House may join, be a committee to report
and devise a suitable Seal & Devise for the State of Maine - Sent
of the State down for concurrence - Came up concurred &
Messrs. Seaman of Falm, Ester of Westbrook & Plummer
ton of Harpswell, joined.

The Hon. Mr. Potter appeared in the Senate Chamber

and the Hon. Mr. Rogers was requested to accompany him to the President of the Convention to take & subscribe the oaths required by the constitution to qualify him to take a seat at this Board.

Mr Potter
qualified

The Hon Mr Rogers came in & reported, that he had attended the Hon. Mr. ^{Potter} to the President of the Convention to take & subscribe the oaths required by the constitution, to qualify him to take a seat at this Board, & that he has taken & subscribed the oaths required by the constitution & that he is qualified to take his seat at this Board, & the Hon. gentlemen took his seat accordingly.

Maine
Lit. & Theo.
Institution

The petition of Sylvanus Beerman & others a committee of the Maine Literary & Theological Institution, peace and education commenced to the Hon. Messrs Boutelle & Mr. Donnell with such as the Hon. House may join. Sent down for concurrence.

Came ~~up~~ commenced & Messrs Greenleaf of Portland, Mel-land of Say, & Comins of Machias joined.

Rules &
orders to
be printed

An motion of the Hon. Mr. Moody ordered, that the Secretary of this Board cause to be printed a sufficient number of the Rules & ^{Orders} ~~Resolutions~~ as reported by the committee for the use of the Senate, together with a list of the officers of the civil Government of the State & of the joint standing committees of the two branches of the Legislature, & of the standing committees of the Senate.

Maine
Legislation

An Order of the Hon. House appointing Messrs Bufford & Dearble, Atties of Lawford and Hale of Frankfort with such as the Hon. Senate may join a committee to take into consideration the expediency of adopting an uniform system or mode of spelling taxes in the State of Maine with leave to report by bill or otherwise, came up for concurrence - Read & concurred & the Hon. Messrs Potter & Gage joined.

At half past twelve o'clock the Secretary of State Protemore

^{to lay upon the table}
 came in, ~~with the following~~ Message from the Governor.
 Gentlemen of the Senate & of the
 House of Representatives

The political connexion, which had so long subsisted between Massachusetts and Maine being dissolved, it is a source of much satisfaction to reflect, that the measures, adopted for its accomplishment, have effected the object in the most friendly manner. A great and powerful Commonwealth voluntarily giving up her jurisdiction over a large portion of her citizens and territory, over whom she held an undisputed and rightful sovereignty: these citizens peaceably and quietly forming themselves into ^{a new} and Independent State, framing and adopting with an unexampled harmony and unanimity, a Constitution embracing all the essential principles of liberty and good government; these are events which constitute a memorable era in the History of our States - events, for which you no doubt, as well as our fellow citizens in general will acknowledge with gratitude that divine goodness which directs and controls the concerns of men.

The Act of Massachusetts assenting to the formation of the District of Maine into a separate and independent State, also provides for the division of the public property. Although a large majority of the legislative body which passed that act, was constituted of members from Massachusetts Proper, who thus had it in their power to dictate the terms; the principles of reason as settled by them are so equitable and just that they have received the general approbation. By this correct and wise course of policy, the executive and legislative departments of that government have laid the foundation of a lasting harmony between the two States.

Assembled for the purpose of performing the first acts of legislation, on you is devolved the arduous and important duty of devising and maturing, and perfecting a system of wise, equal and wholesome laws. Now is the responsibility and difficulty of your
 set

situations as members of the first Legislature diminished by the consideration, that the consequences, which may result from your deliberations, will have an important bearing on the generations which are to succeed you, as well as upon the ^{present} future character and standing of the State.

The establishment and organization of a Supreme judicial Court will require your early attention. As the security of the people, the uninterrupted enjoyment of individual rights, the protection of property and the harmony and peace of society, in a great measure depend upon the correct exposition and impartial administration of the law through the instrumentality of our Courts of justice; it is highly important to the people themselves, that such adequate compensation to our first judicial officers as shall command the services of men of unquestioned integrity, possessing the first intelligence and extensive legal attainments.

Connected with the establishment of our judicial system, there is a subject, which I submit to your consideration, with great diffidence. Our statutes which embrace, as is well known, but a small portion of our laws, are comprised in five or six large volumes. In many cases in consequence of explanatory additional, supplementary, and partially repealing acts, it has become difficult to ascertain what the law is. Under a government such as ours, a government of laws and not of men, it ought to be one of its first principles, that the laws should be simple and plain and easy to be understood. A new and revised code of Statute law therefore, it is believed, is exceedingly desirable, as it certainly is practicable. It also becomes an interesting question, whether it is not practicable as well as desirable to extend the revision still further. When the United States

assumed their independence, it became necessary for the several States, and Massachusetts among them, to adopt the then existing colonial statutes, together with the common law of Great Britain, embracing also a considerable portion of her statutes. This heterogeneous mass, with the statutes & judicial decisions of Massachusetts has been provisionally adopted by this State; in addition to which, we have those of the United States, the whole combined forming such a variety of laws, opinions, and judicial decisions, as to fill so many volumes, that few fortunes can purchase them and fewer capacities correctly understand them. A condensed, plain, perspicuous and well digested code therefore, embracing every branch of civil and criminal law as well as the forms of proceeding in the several Courts, would, it is believed, be a most invaluable acquisition to the citizens of this State. That the compilation and establishment of such a code is not altogether visionary is demonstrated by the fact, that such a code has not only been framed and established for itself, by a foreign nation in our own times, but is universally acknowledged to be one of the greatest national benefits ever conferred on any country in any age. If the making of such a code is ever practicable under a government constituted like ours, there can be no period more favorable to its accomplishment, than the present, when we are just commencing our political course as a new and independent State, and when so general a disposition prevails to harmonize in all measures calculated to promote the best interests of the community. Should the Legislature deem it expedient to adopt any measures preparatory to such a general revision of our laws, I would recommend that provision be made for establishing a Board of Jurisprudence to consist of men best qualified for the duties of such a station, with instructions to digest and prepare such a code and report the same to the Legislature.

The situation of our fellow citizens employed in agricultural pursuits, will not suffer in comparison with that of those of any other part of our country. It furnishes the

the most plenary evidence how advantageous this employment is to the people of our State. The encouragement which agriculture has received not only from Government, but from patriotic individuals and the consequent advances, which it has made afford the most satisfactory evidence of the importance of a continued and more particular attention to that interest. The propriety of encouraging our various agricultural societies at this time cannot be doubted. As the inhabitants of a good soil and healthy climate, we owe it to a bountiful providence to do all in our power to make it the residence of men alike prosperous and happy.

The manufacturing business of our country is at this time acquiring new energy. The capital now employed, though already large, will necessarily be increased; as this State furnishes an unusual number of sites, where water power can be applied with advantage. I suggest for your consideration whether there would not be a propriety and sound policy in exempting all such manufacturing establishments, as are or may be located within this State as far as the principles of the constitution will admit from every species of taxation for a considerable term of time. Some such encouragement the manufacturing interest at this time requires. If yielded, the State will no doubt find itself amply indemnified by the increase of capital and a large accession of respectable inhabitants.

The fisheries on our coast, bays, and rivers are so connected ^{to one} with the other, and are an interest so important to the people, that they will require your particular attention. The laws enacted for their regulation, differ so materially, that it may well be doubted, whether all the provisions are calculated to promote the public good and whether in some instances, the views of individuals and

ser-

sections of country have not been too much consulted.

The lands belonging to the State will also deserve your attention. Should a system be adopted for their management, calculated to prevent speculation, at the same time giving every encouragement to the ^{right} settler, the expectations of the best friends of Maine will be fully realized in an extended cultivation and in an increased number of inhabitants. The system which has hitherto been pursued, you will probably think has little to recommend it for further experiment. The inconveniencies and embarrassments, which the settlement, as well as the settlers themselves, have in many instances experienced from the large proprietors, will, it is presumed, long be remembered in order to be guarded against by future legislators. A part of the public lands is covered with lumber, which hereafter will be valuable; at the same time the land itself is not generally well calculated for settlement. The preservation of the timber, therefore, will be highly interesting to the State.

What progress has been made under the fifth article of the British treaty in settling the eastern boundary of the State against the Province of New Brunswick and the Northern boundary against that of ^{Upper} Canada, I am not able to inform you. As this State and Massachusetts have so deep an interest in the settlement of their boundaries, there would seem to have been a propriety in the agent appointed on the part of the United States being taken from one of these two States. But under existing circumstances, you will consider whether the interest of the State does not require from you the adoption of such arrangements, as are best calculated to afford the present agent such information in relation to this important subject, as the people in this State have in their power to give.

A revision of the Militia Law is rendered necessary with a view of conforming to the equitable provisions of the Constitution. Other improvements also, will no doubt suggest themselves. The peculiar situation of this State renders the most particular attention to the Militia necessary. Our future safety as well as the honor of the country requires it. And now that the service is to be performed equally by all, all will no doubt unite in rendering it highly honorable.

The

The arms received by the Commonwealth of Massachusetts from the United States, are to be divided between the two States, in proportion to the returns of the Militia according to which the arms were received. As an early application will be made for this States proportion, your attention to the subject, as well as to the necessary provision for their deposit and security at some convenient place is undoubted necessary.

According to the terms of the act relating to the Separation, one third of all such sums, as may be received from the United States on account of the claim of Massachusetts for expenses incurred for the defence of the State during the late war, is when received to be paid over to the State of Maine. Whatever difference of opinion may have existed in relation to the mode, there could be none as to the necessity of the expenditure incurred within this portion of the Commonwealth; as the most valuable part of this district was defended in consequence of it. My situation during the late war gave me an opportunity to be acquainted with the details of the service of most of the Militia within this section of the Commonwealth. They were ordered out only on necessary and proper occasions; they were discharged immediately on the enemies retiring. To the allowance of this claim the United States have interposed certain objections; but although the subject has been repeatedly presented to the consideration of Congress, no definite decision has been passed upon its merits. It is believed to be interesting to the United States as well as to Massachusetts and Maine, that you should adopt such measures in relation to it, as are best calculated to bring this claim to a speedy and equitable decision.

Having adverted to the defence of this part of the country during the late war, it would be a neglect of duty on my part, not to remind you that as there is no State in the Union whose inland frontier is more exposed, so there is none which has so extensive

and so exposed a Maritime frontier as Maine, by it while Military roads are making to aid the defence of some portions of our country, and bays, rivers and towns are forsaking for the defence of others, most of the garrisons and works within this State erected at considerable expense by the National Government are now without a single soldier to guard them, and for want of necessary attention rapidly falling into decay. It only requires that our situation should be properly represented and understood, that the procedure should be corrected and the desired effect produced.

The Commonwealth has stipulated to pay the State of Maine, thirty thousand dollars, for performing certain duties and obligations to the Indians within this State, provided the agent of the Indians and a release of that Commonwealth from all her engagements to them are just obtained. In recommending this subject to your consideration, I indulge the hope that such measures will be adopted, as while they are least expensive to the State, shall be best calculated to protect the rights, and to secure to this, the last remnant of the natives, residing among us, all that comfort which they are capable of enjoying.

The amount for travel and attendance of the members of the late Convention, and for incidental expenses was twenty one thousand one hundred and thirty one dollars. The sum received from the treasury of Massachusetts, as provided by the act relating to the Separation, was seven thousand, seven hundred and forty two dollars, leaving a balance of thirteen thousand three hundred and eighty nine dollars. To discharge this balance and other accruing expenses, the sum of fourteen thousand dollars were borrowed from the banks of the State, for the repayment of which it will be necessary for the Legislature to make provision.

The receipts into the treasury agreeable to our present system of revenue, will be from the State, on twenty eight thousand seven hundred and eighty six Dollars

dollars; from the Bank tax seventeen thousand and seven hundred dollars; from licences probably six thousand dollars to which add for the present year eight thousand dollars to be received from the treasury of Massachusetts amounting in the whole to sixty thousand four hundred and eighty six dollars. What is to be the amount of the expenditure of the State is by the people confided to you. It is very desirable that the receipts into the Treasury should exceed by a considerable amount the estimated expenditure in order that you may be enabled to endow our literary institutions, encourage agriculture and lay the foundation for such public roads, canals and other improvements as the general interest of the State may require. ~~The~~

The existing embarrassments in our circulating medium cannot it is believed affect our revenues. The alarm in relation to the country banks, which originated in the capital of Massachusetts, and unfortunately, extended itself into this State is fast subsiding; not however without having reduced three of our fifteen banks to the necessity of suspending specie payments. This course it is presumed was intended by those banks only as a temporary measure adopted to prevent improper sacrifices on their part, as well as to secure the holders of their paper against any eventual loss. The present situation of our monied concerns cannot be of long duration in a section of country possessing so many advantages. A return to prudent economical pursuits and habits of life for several years past on the part of our farmers has placed them in the most eligible situation. It is only necessary that the trading and mechanic portions of the community should imitate the example to derive equal benefits. The effect of such a course upon the prosperity, the morals, and the happiness of the people would soon become visible; confidence would be restored and specie would resume its place in the vaults of the banks.

Admitted into the Union as a constituent member of the Union American family, I need not remind you that

that the selection of two of our most distinguished citizens to represent this State in the Senate of the United States has become necessary. In making this important selection, I feel confident that the Legislature will look with a single eye to the honor and the best interests of the State.

The Constitution under which you are assembled, points out generally those duties, which it is necessary should be performed by the first Legislature. Having in conformity with the provision of that instrument suggested for your consideration such subjects as I consider deserving your attention, I request you, Gentlemen to be assured that nothing would afford me so much pleasure as concurring with you in all measures calculated to promote the general prosperity, so that our fellow citizens may view the present with satisfaction, and look forward with confidence to the future; and that the blessing of a wise and gracious Providence the Union of the States and the freedom and happiness of the people may be perpetual.

William King

Council Chamber

June 24. 1820

which was read & on motion of the Hon. Mr. Moody, ordered to lie on the table.

Adjourned till after noon

Afternoon

Met according to adjournment

Gove. Messrs. ordered that the Secretary of the Senate cause to be printed and printed for their use one hundred copies of the Message this day.
Read from the Governor.

Agreeably to assignment the Senate proceeded to the choice of chaplain when the votes being received sorted & chosen counted it appeared that the whole number of votes given in was Seventeen

Successors to a choir
Rev. G. Kellogg Grace 9
16 & was chosen

Committee ordered that that the Hon. Messrs. Foxcroft & McDonald to wait on the committee to wait on the Rev. gentleman and inform Mr. Kellogg of his election

The Hon. Mr. Moody was charged with a message to the Message Hall House to acquaint them that the Senate propose a convention sent down of the two branches of the Legislature tomorrow at 12 o'clock for the purpose of choosing a Treasurer & Secretary of State.

Adjourned till 9 o'clock tomorrow

In Senate

Saturday morning June 3. 1820

Present

Hon. John Chandler President	
Hon. William Moody	Hon. Joshua Gage
Isiah W. Seaver	Samuel Boutelle
John Mc Dougle	Samuel Paine
Joseph C. Topcroft	James W. Ripley
Nathaniel Green	John Moore
Andrew Witham	William Kendall
Jeremiah O'Brien	William D. Williamson
Geo. Munroe	Barret Potter

Mr. Burgee of Hartford came up with a message to acquaint the Senate that the House concurs in the proposed constitution this day at 12 o'clock for the purpose of choosing a treasurer & Secretary of State

The Hon. Mr. Moody of the committee appointed to arrange the Roll of of the Members at this Board submitted the following report viz

Hon. John Chandler President

Right

Left

1 Hon. George Munroe	Hon. William Moody
2 E. Baxter	Jonathan Pige
3 Joshua Gage	William D. Williamson
4 John W. Seaver	Samuel Paine
5 Barret Potter	Joseph C. Topcroft
6 Daniel Rice	William Kendall
7 James W. Ripley	John W. Dougle
8 Nathl Green	Andrew Witham
9 Timothy Boutelle	Jeremiah O'Brien
10 Isiah W. Seaver	

June 3. 1820 all which is respectfully committed

Wm. Moody Sec. pro

Read & Passed

Committee *Resolved* reported by a committee authorizing Hon.
 authorized Moody & Samuel Redington Esqs. to contract with some
 to contract person to do the necessary printing of the State for the ensuing
 with prin political year. Read & Passed sent down for concurrence,
 tu came up concurrence.

The following standing committees were appointed
 on the part of the Senate to be joined

On Turnpikes Bridges & Canals,	Suprs Almon & Small
" Banks & Banking	Moody & Wotton
" New Trials	Williamson & Boulet
" Public Lands	Steele & Heycroft
" Incorporation of Towns	Rose & Wendall
" Incorporation of Parishes & other religious Societies	Page & Small
" Accounts	Page & Peabody
" Applications for manufac turing companies	Moore & Green
" Applications of sick & wounded Soldiers	Almon & McDonald
" Fisheries	McDonald & O'Brien
" Ministerial Land	Phipps & Witham

Sent down to be joined
 came up concurred & the following members on the
 part of the House joined

On Canals, Turnpikes Roads & Bridges	Supr. Clapp of Portland
" Banks & Banking	" Allen, Sanford
" New Trials	" Weyman Canaan
" Banks & Banking	" Graham of Portland
" Banks & Banking	" Folger of Gorham
	" Hunt of Brunswick
	Emory of Portland
	Sprague of Hallowell
	" Wheeler, Canaan
	" Francis, Leeds
	" Merrill, Folsom
	" Turner, Turner

New Trials

Public Lands

on Incorporations of Towns

"Incorporation of Parishes &
other religious societies

"Accounts

"Applications on Manufac-
turing Companies

"Applications from sick &
wounded Soldiers

"Interior Duties

"Ministerial Landels

Mrs. Abbott of Easton

" M. Antine, Parsonsfield

" Waich, Newmarket

" Merrill of Newmarket

" Burnham, Limerick

" Dennison, Freeport

" Donnelly, of Hattery

" Howell, Brunswick

" Dixby, Cornville

Redington of Nahoboro

Feeling, Brunswick

Pollins, Southboro

Read of Lewiston

Chase, Livermore

Howard, Fitchburg

Burgin of Eastport Robinson of

New Castle, Spofford, Durham

Little Buckfield, Auburn, Alford

Wilson of Bingham

Barnard, Newmarket

Hooper, Parris

Petition

of W. Stinson

An Order of the House remitting the petition of Wm. and others, Farmers & others praying for the creation of a new County, to the committee on the subject, who have other petitions on the same subject under consideration, came up for concurrence, - Read & concurred.

Petition of Geo

Rogers & al.

committed

The petition of George Rogers & others on the same subject, read & referred to the same committee. Sent down for concurrence, committed came up concurred.

Resolved that the Hon. Messrs. Potter, Moody & McDonald be a committee to consider the subject of the Committee bond required by the constitution to be given to the Treasurer of the State & prescribe the sum for which it shall be given, the place where it shall be kept for safe keeping & what measures shall be provided in case of vacancy in that office by death or otherwise, or in case of failure of

^{Suprs Potter, Haven & Small, be}
 Ordered that a committee to consider the expediency
 of requiring such officers who have heretofore given bonds to
 the Treasurer of the Commonwealth of Massachusetts, now in
 subject office & who may be continued in office to give bonds as soon
 as practicable to the Treasurer of the State, & to prescribe the mode
 in which such bonds & others that shall be required to be given to the
 Treasurer of the State, hereafter appointed to office, shall be
 approved, & to report by bill or otherwise.

Comm. on bills Suprs. Moody, Tootle, Williamsen, Small & Pease appointed a
 in 2^d reading committee on bills in the second reading.

on engrossed bills Suprs. Whinn, Foxcroft, Bawdett, Northam Pease &
 Donata appointed a committee on Engrossed
 bills Billy

Ordered that the Messengers of the Senate, as soon as may
 be cause the seats of the Members of this board to be numbered
 numbered & suitable locks to be put on all the drawers of the Senate Board.

Additional Resolved from the Hon. House authorizing additional terms
 of C.C.C.P. of the C.C.C. that in the several counties within this State came
 up for concurrence, & Read & concurred with one amendment
 sent down for concurrence

Ordered that Suprs. Moody, Potter & Gage be a com-
 mittee to consider ^{frank} what alterations may be found nec-
 in S. Board copy to be made in the Senate Board

Agreeably to assignment the two Branches of
 the Legislature met in convention for the purpose
 of choosing a Treasurer & Secretary of State, when upon
 receiving, sorting & counting the votes ^{for Secretary of State} they were found
 as follows: whole number of votes given in was 151
 necessary to a choice 76
 Asher Wren Esqr had 149 & was chosen

On receiving, sorting, & counting the votes
for Treasurer, the whole number of votes given in was 157
Stephen A. Achorn 79
Joseph C. Boyd Esq. Had 110 & was chosen

The business of the being completed the two branches
separated

Secret. to be notified

Ordered that the Secretary of State pro tem. notify
Jos. C. Boyd Esq. that he has been elected by the
two Branches of the Legislature, agreeably to the
provisions of the constitution, Treasurer of the State
of Maine

Secretary of State
is notified

Ordered that the Secretary of the Senate no-
tify Asker Warr Esq. that he has been elected by
the two Branches of the Legislature, agreeably to the
provisions of the constitution Secretary of State
of the State of Maine

Adjourned till 10 o'clock on Monday-