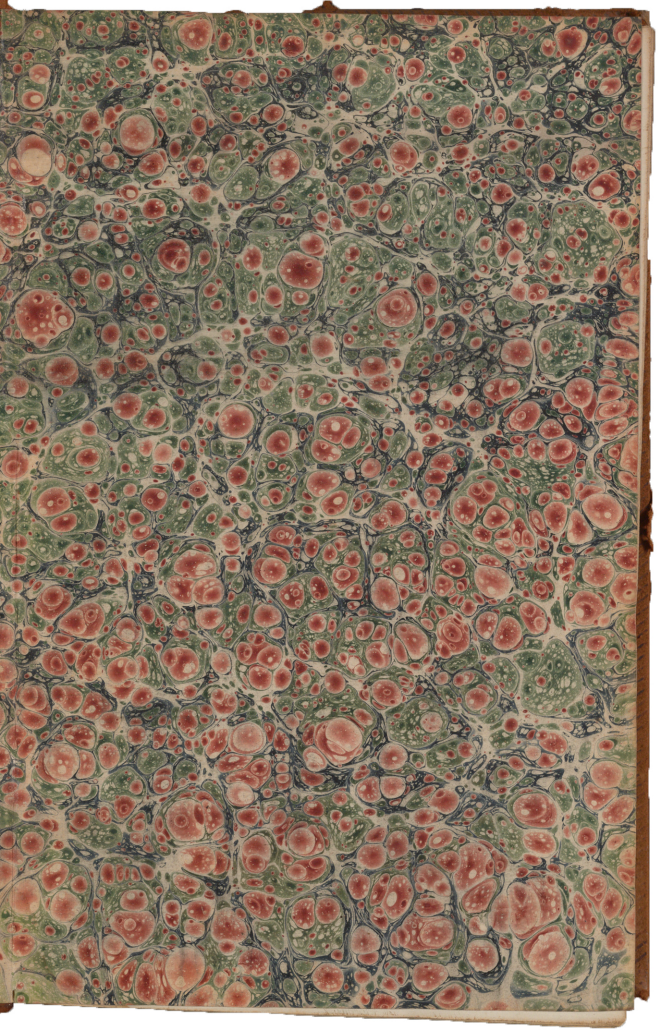

Journal
of the
Senate
of the
State of Maine

at the session
held at
Portland
commencing on the First Wednesday
in January (it being the Sixth day of said
Month) Anno Domini
1830
and ending on the nineteenth day of March
following.

State of Maine

In Senate.

Mr Kingsbery, from the Select Committee appointed on the 28th January 1830 "to arrange and prepare to be recorded the proceedings of the Senate up to the time a Secretary pro tem was elected, that the same may be recorded by the Secretary" reported the proceedings of the Senate to Wednesday, 13th January 1830, as follows; viz:

See Journal of the Senate Pages 34.256.

Portland January 6th 1830

This being the day designated by the Constitution of this State for the meeting of the Legislature, the following Gentlemen, having been elected Senators by the People and summoned by the Acting Governor and the Council, appeared in the Senate Chamber viz:

Messrs.	Robert P. Dunlap.	of Cumberland
	John L. Megquier.	
	Theodore Ingalls.	
Messrs.	Syms Gardiner.	of Lincoln.
	Ebenezer Hilton.	
	Halsey Healey.	
	James Drummond.	
Messrs.	Joshua Hall.	of Hancock.
	Charles Hutchings jr.	
Messrs.	Sanford Kingsbery	of Kennebec.
	Elijah Morse.	
	Asher Minds.	
Messrs.	James Steele.	of Oxford.
	Daniel Hutchinson.	
Mr.	Ebenezer T. Phelps	of Somerset.
Mr.	Thomas Davee	of Penobscot.

The Members elect were called to order by Mr Steele.

Message to the acting Gov.t Council, informing them of a Quorum.

Mr Megquier was charged with a Message to the Acting Governor and the Council, that a Quorum of the Members elect of the Senate were present and ready to be qualified. by the Message. The Acting Governor replied that he would communicate an answer

The Senate then adjourned to Two o'clock in the afternoon.

Afternoon.

Message from Acting Gov. in answer.

An Message was received from the Acting Governor, that he, with the Council, would meet the Senators elect, in the Senate Chamber, forthwith, to qualify them by administering to them the Constitutional oaths.

Members of the Senate qualified.

The President of the Senate of 1820, now exercising the Office of Governor, accompanied by the Council, met the Senators elect, in the Senate Chamber, and the Senators elect took and subscribed the oaths of office before the Acting Governor and Council.

The acting Governor and Council then retired.

Committee to receive, sort & count votes for President.

On motion; Ordered, that Messrs. Gardner, Megquier and Dawes be a Committee to receive, sort and count the votes for a President of the Senate: and having attended to that duty they reported,

1st. Ballot.

that the whole number given was Sixteen.
Necessary to a choice ---- Nine.
that Robert P. Dunlap has Seven
Sanford Kingsbery ---- Seven,
John L. Megquier ---- One.
Ebenezer T. Phelps ---- One.
No choice.

2d. Ballot.

The whole number of votes was Sixteen.
Necessary to a choice ..... Nine.
Robert P. Dunlap had ... Seven.
Sanford Kingsbery .... Seven.
Ebenezer T. Phelps .... One.
James Clark ..... One.
No choice.

3d Ballot.

The whole number of votes was Sixteen.
Necessary to a choice .. Nine.
Robert P. Dunlap had Seven.
Sanford Kingsbery .... Seven.
John L. Meguier ..... One.
Syms Gardner ..... One.
No choice.

2d & 3d. Ballots.

4th Ballot

The whole number of votes was Sixteen.
Necessary to a choice .... Nine.
Robert P. Dunlap had ... Seven.
Sanford Kingsbery .... Seven.
Syms Gardner ..... One.
Theodore Ingalls ..... One.
No choice.

5th Ballot

The whole number of votes was Sixteen.
Necessary to a choice .... Nine.
Robert P. Dunlap had ... Seven.
Sanford Kingsbery .... Seven,
James Drummond .... One.
John L. Meguier ..... one,
No choice.

4th & 5th. Ballots.

6th. Ballot

The whole number of votes was Sixteen
Necessary to a choice .... Nine.
Robert P. Dunlap has ... Seven.
Sanford Kingsbery .... Seven.
Halsey Healey ..... One.
Daniel Hutchinson .... One.
No choice.

6th. Ballot

The Senate adjourned.

Thursday Seventh day of January 1830.

The Senate met according to adjournment, and proceeded to ballot for a President.

The same Committee who had been appointed for the purpose reported, that on the Seventh Ballot,

7th Ballot

The whole number of votes was Sixteen.

Necessary to a choice	Nine.
Robert P. Dunlap had	Seven.
Sanford Hingsbery	Seven.
Charles Hutchings Jr	One
Ebenezer S. Phelps	one
No choice	

8th Ballot.

The whole number of votes was Sixteen.

Necessary to a choice	Nine.
Robert P. Dunlap had	Seven.
Sanford Hingsbery	Seven.
Ebenezer S. Phelps	one.
James Steele	One.
No choice.	

7th & 8th Ballots.

9th Ballot

The whole number of votes was Sixteen.

Necessary to a choice	Nine.
Robert P. Dunlap had	Seven
Sanford Hingsbery	Seven
Ebenezer S. Phelps	One.
Thomas Dawe	One.
No choice	

10th Ballot.

The whole number of votes was Sixteen.

Necessary to a choice	Nine.
Robert P. Dunlap had	Seven.
Sanford Hingsbery	Seven.
Syms Jouanel	One.
James Hale	One,
No choice.	

9th & 10th Ballots.

The Senate adjourned.

Afternoon.

The Senate met according to adjournment, and proceeded to ballot for a President: the same Committee reported that on the Eleventh Ballot,

11th & 12th Ballots.

12th Ballot.

The whole number of votes was Sixteen.

Necessary to a choice	Nine.
Robert P. Dunlap had	Seven.
Sanford Hingsbery	Seven
Ebenezer Hitten	One.
Daniel Hutchinson	One
No choice.	

The whole number of votes was Sixteen.

Necessary to a choice	Nine.
Robert P. Dunlap had	Seven.
Sanford Hingsbery	Seven
Joshua Hall	One,
James Drummond	One,
No choice.	

Mr Phelps moved that the returns of votes for Senators be examined and the motion was negatived.

The Senate adjourned.

Friday 8th January 1830.

The Senate met according to adjournment, and proceeded to ballot for a President, the same Committee reported that on the

13th Ballot,		14th Ballot,		13th & 14th Ballots.
The whole number of votes was Sixteen.		The whole number of votes was Sixteen.		
Necessary to a choice	Nine	Necessary to a choice	Nine	
Robert P. Dunlap had	Seven	Robert P. Dunlap had	Seven	
Sanford Kingsbery	Seven	Sanford Kingsbery	Seven	
Syms Gardner	One	Ebenezer F. Phelps	One	
Thomas Davee	One	Theodore Ingalls	One	
No choice.		No choice.		

15th Ballot,		16th Ballot,		15th & 16th Ballots.
The whole number of votes was Sixteen.		The whole number of votes was Sixteen.		
Necessary to a choice	Nine	Necessary to a choice	Nine	
Robert P. Dunlap had	Seven	Robert P. Dunlap had	Seven	
Sanford Kingsbery	Seven	Sanford Kingsbery	Seven	
Daniel Hutchinson	One	Ebenezer F. Phelps	One	
James Drummond	One	James Veale	One	
No choice.		No choice.		

The Senate adjourned.

Afternoon.

The Senate met according to adjournment, and proceeded to ballot for a President, reports the same Committee reported that on the

17th Ballot		18th Ballot		17th & 18th Ballots.
The whole number of votes was Sixteen.		The whole number of votes was Sixteen.		
Necessary to a choice	Nine	Necessary to a choice	Nine	
Robert P. Dunlap had	Seven	Robert P. Dunlap had	Seven	
Sanford Kingsbery	Seven	Sanford Kingsbery	Seven	
James Drummond	One	Ebenezer F. Phelps	One	
James Veale	One	Joshua Hall	One	
No choice		No choice.		

19th Ballot.

The whole number of votes was Sixteen.
Necessary to a choice — Nine.
Robert P. Dunlap had — Seven
Sanford Kingsbery — Seven
Ebenezer S. Phelps — One.
John L. Megquier — One.
No choice.

20th Ballot.

The whole number of votes was Sixteen.
Necessary to a choice — Nine.
Robert P. Dunlap had — Seven.
Sanford Kingsbery — Seven
Ebenezer S. Phelps — One
Charles Hutchings Jr. — One.
No choice.

19th & 20th. Ballots.

21st. Ballot.

21st Ballot.

The whole number of votes was Sixteen.
Necessary to a choice — Nine.
Robert P. Dunlap had — Seven.
Sanford Kingsbery — Seven.
Ebenezer S. Phelps — One.
Thomas Dawes — One.
No choice.

Motion to elect Secretary.

Mr Drummond moved that the Senate proceed to the choice of a Secretary, and the motion was negatived.

Mr Healey renewed the motion last made by Mr Drummond and the same was negatived.

Motion to elect Messenger.

A motion was submitted to choose a Messenger and it was negatived.

motion to examine returns of votes for Senators.

Mr Drummond moved that the Senate resolve itself into a Committee of the whole for the purpose of examining the returns of votes for Senators, and the motion was negatived.

The Senate adjourned.

Saturday 9th January 1830.

The Senate met according to adjournment and proceeded to ballot for a President; The same Committee reported that on the

22d & 23d Ballots,

22d Ballot,

The whole number of votes was Sixteen.
Necessary to a choice — Nine.
Robert P. Dunlap had — Seven
Sanford Kingsbery — Seven
Theodore Ingalls — One.
Elijah Morse — One.
No choice.

23d Ballot,

The whole number of votes was Sixteen.
Necessary to a choice — Nine.
Robert P. Dunlap had — Seven.
Sanford Kingsbery — Seven
Asher Hines — One.
Charles Hutchings Jr. — One
No choice.

24th Ballot

The whole number of votes was Sixteen.
Necessary to a choice — Nine.
Robert P. Dunlap had Six.
Sanford Kingsbery — Eight.
Daniel Hutchinson — One
James Drummond — One.

No choice.

Mr Phelps moved that a Committee be appointed to ascertain what Members were elected, how many deficiencies existed and who are the Constitutional Candidates to supply such deficiencies, and the motion was negatived. Motion for Com.e to ascertain what members are elected &c.

25th Ballot.

The whole number of votes was Sixteen.
Necessary to a choice — Nine. 25th. Ballot.
Robert P. Dunlap had — Seven.
Sanford Kingsbery — Seven.
James Drummond — One.
Thomas Dewey — One.

No choice.

The Senate adjourned.

Monday 11th January 1830

The Senate met according to adjournment and proceeded to ballot for President: the same Committee reported that on the

26th Ballot
The whole number of votes was Sixteen.
Necessary to a choice — Nine
Robert P. Dunlap had — Seven.
Sanford Kingsbery — Seven.
Ebenezer J. Phelps — One.
Theodore Ingalls — One

No choice

27th Ballot
The whole number of votes was Sixteen.
Necessary to a choice — Nine.
Robert P. Dunlap had — Seven.
Sanford Kingsbery — Seven.
Ebenezer J. Phelps — One.
James Steele — One

No choice.

26th & 27th. Ballot

28th Ballot

The whole number of votes was Sixteen.
Necessary to a choice — Nine.
Robert P. Dunlap had — Seven.
Sanford Kingsbery — Seven
Lyons Gardner — One
Charles Hutchings Jr. — One
No choice.

29th Ballot.

The whole number of votes was Sixteen.
Necessary to a choice — Nine.
Robert P. Dunlap had — Seven.
Sanford Kingsbery — Seven
James Steele — One.
James Drummond — One.
No choice.

28th & 29th Ballot.

30th & 31st Ballots.

30th Ballot.		31st Ballot.	
The whole number of votes was Sixteen.		The whole number of votes was Sixteen.	
Necessary to a choice	Nine.	Necessary to a choice	Nine.
Robert P. Dunlap had	Seven	Robert P. Dunlap had	Seven.
Sanford Kingsbery	Seven	Sanford Kingsbery	Seven.
James Drummond	One.	James Steele	One.
Thomas Dasse	One.	Halsey Healey	One.
No choice.		No choice.	

The Senate adjourned.

Afternoon.

The Senate met according to adjournment, and proceeded to ballot for a President; the same Committee reported that on the

32d & 33d Ballots.

32d Ballot		33d Ballot,	
The whole number of votes was Sixteen.		The whole number of votes was Sixteen.	
Necessary to a choice	Nine.	Necessary to a choice	Nine.
Robert P. Dunlap had	Seven.	Robert P. Dunlap had	Seven
Sanford Kingsbery	Seven.	Sanford Kingsbery	Seven
Ebenezer Hilton	One	James Drummond	One
Joshua Healy	One	James Steele	One
No choice.		No choice.	

34th & 35th Ballots,

34th Ballot,		35th Ballot,	
The whole number of votes was Sixteen.		The whole number of votes was Sixteen.	
Necessary to a choice	Nine.	Necessary to a choice	Nine.
Robert P. Dunlap had	Seven	Robert P. Dunlap had	Seven
Sanford Kingsbery	Seven.	Sanford Kingsbery	Seven
Thomas Dasse	One.	James Drummond	One
Ebenezer F. Fhelps	One	Theodore Ingalls	One
No choice.		No choice.	

36th & 37th Ballots,

36th Ballot,		37th Ballot,	
The whole number of votes was Sixteen.		The whole number of votes was Sixteen.	
Necessary to a choice	Nine.	Necessary to a choice	Nine.
Robert P. Dunlap had	Seven	Robert P. Dunlap had	Seven
Sanford Kingsbery	Seven	Sanford Kingsbery	Seven
Ebenezer F. Phelps	One	James Drummond	One
Theodore Ingalls	One	Charles Hutchings Jr.	One
No choice.		No choice.	

The Senate adjourned.

Tuesday 12th January 1830.

The Senate met according to adjournment and proceeded to ballot for a President; the same Committee reported that on the

38th Ballot — 39th Ballot — 38th & 39th Ballots.

The whole number of votes was	Sixteen.	The whole number of votes was Sixteen.
Necessary to a choice	Nine.	Necessary to a choice — Nine.
Robert P. Dunlap had	Seven.	Robert P. Dunlap had Seven.
Sanford Kingsbury had	Seven.	Sanford Kingsbury — Seven
Lyons Gardner	One	Ebenezer F. Phelps — One.
Thomas Dawes	One	James Hall — One.
No choice.		No choice.

40th Ballot — 41st Ballot — 40th & 41st Ballots.

The whole number of votes was	Sixteen.	The whole number of votes was Sixteen.
Necessary to a choice	Nine.	Necessary to a choice — Nine.
Robert P. Dunlap had	Seven.	Robert P. Dunlap had Seven.
Sanford Kingsbury	Seven.	Sanford Kingsbury — Seven.
Joshua Hall	One.	James Hall — One.
Halsey Healey	One.	Ebenezer Hilton — One.
No choice.		No choice.

42d Ballot — 42d. Ballot.

The whole number of votes was	Sixteen.
Necessary to a choice	Nine.
Robert P. Dunlap had	Seven.
Sanford Kingsbury	Seven.
Daniel Hutchinson	One.
Elijah Morse	One.
No choice.	

The Senate adjourned.

Afternoon. The Senate met according to adjournment, and proceeded to ballot for a President. The same Committee reported that on the

43d Ballot — 44th Ballot — 43d & 44th Ballot.

The whole number of votes was	Sixteen.	The whole number of votes was Sixteen.
Necessary to a choice	Nine.	Necessary to a choice — Nine.
Robert P. Dunlap had	Seven.	Robert P. Dunlap had Seven.
Sanford Kingsbury	Seven.	Sanford Kingsbury — Seven.
Thomas Dawes	One.	Daniel Hutchinson — One.
Asher Hinds	One.	James Drummond — One.
No choice.		No choice.

	45th Ballot.	46th Ballot.
	The whole number of votes was Sixteen.	The whole number of votes was Sixteen.
45th & 46th Ballots.	Necessary to a choice ... Nine.	Necessary to a choice ... Nine.
	Robert P. Dunlap had ... Seven.	Robert P. Dunlap had ... Seven.
	Sanford Kingsbery ... Seven.	Sanford Kingsbery ... Seven.
	Joshua Hall ... One.	Daniel Hutchinson ... One.
	Ebenezer S. Phelps ... One.	Ebenezer S. Phelps ... One.
	No choice.	No choice.

The Senate adjourned.

Wednesday 13th January 1830. The Senate met according to adjournment, and proceeded to ballot for a President. The same Committee reported that on the

	47th Ballot.	48th Ballot.
47th & 48th Ballots.	The whole number of votes was Sixteen.	The whole number of votes was Sixteen.
	Necessary to a choice ... Nine.	Necessary to a choice ... Nine.
	Robert P. Dunlap had ... Seven.	Robert P. Dunlap had ... Seven.
	Sanford Kingsbery ... Seven.	Sanford Kingsbery ... Seven.
	James Drummond ... One.	Hedsey Healey ... One.
	James Steele ... One.	John L. Meguier ... One.
	No choice.	No choice.

Mr Kingsbery moved that the Senate proceed to the choice of a Secretary pro tem. and the motion was negatived.

motion to elect Sec. pro tem.

The Senate adjourned.

Afternoon. The Senate met according to adjournment, and proceeded to ballot for a President. The same Committee reported that on the

	49th Ballot.	50th Ballot.
49th & 50th Ballots.	The whole number of votes was Sixteen.	The whole number of votes was Fifteen.
	Necessary to a choice ... Nine.	Necessary to a choice ... Eight.
	Robert P. Dunlap had ... Seven.	Robert P. Dunlap had ... Six.
	Sanford Kingsbery ... Seven.	Joshua Hall ... Eight.
	James Steele ... One.	James Steele ... One.
	Ebenezer S. Phelps ... One.	and One Blank.
	No choice.	Thereupon

President Elected.

the Hon. Joshua Hall was declared to have been elected President of the Senate; and he signified his acceptance of the office and took the chair.

Attest Edward Hannegan Secretary

On motion by Mr Kingsbery, a Committee consisting of Messrs Gardner, Maguire and Davee was appointed to receive, sort and count the votes for a Secretary, the Committee having attended to that service Reported, — Committee to receive sort & count votes for Secretary.

That the whole number of votes was — "Sixteen";
Necessary to a choice — "Nine"
That John A. Chandler had — Eight — 1st. Ballot.
" Carleton Dole — Eight

No choice.

2d. Ballot;

The whole number of votes was "Sixteen" — 2d. Ballot.
Necessary to a choice — "Nine"
John A. Chandler had — Eight

No choice.

3d. Ballot;

The whole number of votes was "Sixteen" — 3d Ballot.
Necessary to a choice — "Nine"
John A. Chandler had — Eight
Carleton Dole — Six
Samuel K. Gilman — Two

No choice.

4th. Ballot;

The whole number of votes was "Sixteen" — 4th. Ballot
Necessary to a choice — "Nine"
John A. Chandler had — Eight
Carleton Dole — Seven
Samuel K. Gilman — One

No choice.

5th. Ballot.

The whole number of votes was "Sixteen" — 5th. Ballot.
Necessary to a choice — "Nine"
John A. Chandler had — Eight
Carleton Dole — Eight

No choice.

6th. Ballot.

6th Ballot.

The whole number of votes was "Sixteen"
Necessary to a choice - - - - - "Nine"
John A. Chandler had - - - Eight
Carleton Dole - - - - - - - Eight.

No choice.

The Senate adjourned.

The foregoing Pages, to wit: the Eleventh and Twelfth Pages, contain are a correct Journal of the proceedings of the Senate for the time therein specified.

Attest -

Sam'l A. Ladd Secretary pro tem.

The Senate met according to adjournment, and proceeded to ballot for Secretary; the Committee who had been appointed for that purpose, reported:

That the whole number of votes was	"Sixteen"	7th. Ballot
Necessary to a choice	"Nine"	
John A. Chandler had	Eight	
Carleton Dole	Eight	

No choice.

8th ballot;

The whole number of votes was	"Sixteen"	8th. Ballot.
Necessary to a choice	"Nine"	
Carleton Dole had	Eight	
Edward Kavanagh	Eight	

No choice.

9th ballot;

The whole number of votes was	"Sixteen"	9th. Ballot.
Necessary to a choice	"Nine"	
Carleton Dole had	Eight	
Edward Kavanagh	Eight	

No choice

10th ballot

The whole number of votes was	"Sixteen"	10th. Ballot.
Necessary to a choice	"Nine"	
Edward Kavanagh had	Ten	
Carleton Dole	Six	

Whereupon Edward Kavanagh was declared duly elected Secretary of the Senate. — Secretary elected.

On motion by Mr Kingsbery, Mr Dunlap was appointed to notify Mr Kavanagh of his election. — Sec. to be notified

The Senate being informed that Mr Kavanagh was not in Town, on motion by Mr Ingalls, it was ordered, that the Senate proceed to the choice of a — Motion to elect a Sec. pro. tem.

Secretary pro tem.

S. S. Ladd elected Sec. pro. tem & qualified.

On motion by Mr Kingsbury, the Senate voted to choose a Secretary pro tem. by nomination; whereupon Samuel G. Ladd was chosen and signified his acceptance, and took and subscribed the oaths required by the Constitution to qualify him to discharge the duties of that Office, before Horatio Southgate Esq. thereunto duly authorized by Sedimus potestatem, in presence of the Senate.

Sec. pro. tem. to notify the House that the Senate are organized.

On motion by Mr Kingsbury, Ordered, that the Secretary pro tem. notify the House of Representatives, that the Senate have duly organized by the choice of Joshua Hall for President, — of Edward Kavanagh for Secretary, and of Samuel G. Ladd for Secretary pro tem. and the Message was delivered accordingly -

Message to the Gov. & Council.

Mr Megquier was charged with a similar Message to the Governor and Council.

Order relative to Messages between the two Houses.

On motion, Ordered; that all Messages between the two Houses of the Legislature be transmitted by the Secretary of the Senate and the Clerk of the House of Representatives, and that all papers be transmitted by them or their Assistants -

Sent down for concurrence. Concurred.

Motion to elect Messenger.

On motion by Mr Kingsbury, Ordered, that the Senate now proceed to the choice of a Messenger.

1st. Ballot

A Committee appointed to receive, sort and count the votes for a Messenger, reported; That the whole number of votes was "Sixteen" Necessary to a choice - - - - - "Nine"

Samuel Haines had — Eight
Charles Morris — Seven
John Merrill — One

No choice.

2d. Ballot;

The whole number of votes was "Sixteen" — 2d. Ballot.
Necessary to a choice — "Nine"
Samuel Haines had — Twelve
Charles Morris — Four

Whereupon Samuel Haines was declared to have been duly elected. — Messenger elected.

On motion by Mr. Dunlap; Ordered, that the Rules and Orders of the last Senate be adopted for the government of the present, until others shall be adopted. — Rules & Orders adopted.

On motion by Mr. Phelps; Ordered, that tomorrow at eleven o'clock in the forenoon be assigned as the time, at which the Senate will come to the choice of a Chaplain; and that in the mean time a list of nominations be prepared by the Secretary pro tem. — Motion to elect a Chaplain.

Ordered, that Messrs. Dunlap, Hinds and Steele be a Committee to draft Rules and Orders for the government of the Senate during the continuance of the present Legislature. — Committee to draft Rules & Orders.

The Senate adjourned.

Afternoon.

The Senate met according to adjournment.

On motion by Mr. Davee; Ordered, that the times to which the Senate will adjourn daily, be ten o'clock in the morning, and three o'clock in the afternoon, — Order relative to adjournments.

except on Saturdays, when the adjournment shall be to the following Monday, at eleven o'clock in the forenoon, until otherwise ordered.

Committee to examine the returns of votes for Senators.

On motion by Mr Phelps; Ordered, that Messrs. Dunlap, Hilton, Hutchinson, Ingalls, Healey and Hutchings be a Committee to examine the returns of votes from the several Towns and Plantations in the State for Senators, ascertain who are elected, what number of vacancies exist, and who are the Constitutional Candidates to fill said vacancies.

Remonstrance of Inhts. of Waterborough

Remonstrance of Inhabitants of Waterborough against the proceedings of said Town was read and referred to the Committee appointed to examine the returns of votes for Senators &c.

Committee to examine the returns of votes for Governor.

Ordered; that Messrs. Meggquier, Gardner and Dowee, with such as the House may join, be a Committee to examine the returns of Votes for Governor and make a report thereon. Sent down for concurrence. The House concurred, and Messrs. Boutelle, Norton, Bonney, Shaw and Smith of Newfield, were joined on the part of the House.

The Senate adjourned.

attest

Sam.l E Ladd Secretary pro tem.

Friday 15th January 1830

The Senate met according to adjournment.

Remonstrance of Daniel Smith and others of the Town of Waterboro', against the legality of the votes given, in said Town, for Governor, Senators &c, came up for consideration; it was read and referred to the Committee to whom were referred the returns of votes for Governor, in concurrence. — Remonstance of D. Smith & others.

On motion by Mr Meggquier, the vote of yesterday assigning eleven o'clock this day, for the choice of Chaplain, was reconsidered. — Time to choose a Chaplain.

On motion by Mr Gardner; Ordered, that the Senate now proceed to the choice of a Chaplain.

The Committee appointed to receive, sort and count the votes given for a Chaplain, reported; — 1st. Ballot

That the whole number of votes was "Sixteen"
Necessary to a choice — "Nine"
Stephen Lovell had — Six
Elijah Kellogg — Four
Ichabod Nichols — Three
William J. Rees — Two
Samuel Rand — One
No choice.

2d. ballot;

The whole number of votes was "Sixteen" — 2d. Ballot
Necessary to a choice — "Nine"
Stephen Lovell had — Nine
Elijah Kellogg — Four
Ichabod Nichols — Two
William J. Rees — One

Whereupon the Rev. S. Lovell was declared to be elected. — Chaplain elected.

On motion by Mr Healey; Ordered, that the President notify the Rev.d Mr Lowell of his election.

On motion by Mr Hilton; ordered, that when the Senate adjourns, they adjourn to Monday at eleven o'clock A.M.

The Senate adjourned.

attest

Sam.l G. Ladd Secretary pro tem.

Monday 18th January 1830.

The Senate met according to adjournment.

Edward Kavanagh appeared, & signified his acceptance of the office of Secretary of the Senate, and took and subscribed the oaths required by the Constitution, to qualify him to discharge the duties of said office, before Horatio Southgate Esq, thereunto duly authorized by Dedimus potestatem. Secretary appeared & qualified.

Remonstrance of George Smith, Town Clerk of Readfield, against the legality of the votes given in said Town for Governor, was read and referred to the Committee who have under consideration the votes for Governor &c, in concurrence with the House. Remonstrance of G. Smith.

The Senate adjourned.

Afternoon.

The Senate met according to adjournment.

Mr Dunlap from the Committee appointed to draft Rules and Orders for the government of the Senate, made a Report, which, on motion by Mr Phelps, reported, was ordered to lie on the table. Rules & orders reported.

The Senate adjourned.

Attest

Edward Kavanagh

Secretary.

Tuesday 19th January 1830

The Senate met according to adjournment.

Summons to issue to Orlando Bagley.

On motion by Mr Dunlap; Ordered, that a Summons under the Seal of the Senate, with the testa of the President and attestation of the Secretary, issue to Orlando Bagley, of Waterboro, in the County of York, to appear forthwith before the Committee of the Senate who have been appointed to examine the returns of votes from the several Towns and Plantations in the State for Senators: and such summons was accordingly issued.

Secretary to appoint an assistant.

Mr Ingalls introduced an order authorising the Secretary to appoint an Assistant, which on motion by Mr Kingsbery was laid on the table.

Motion relative to Rules & Orders.

On motion by Mr Dunlap, the Senate took up the consideration of the report of the Committee appointed to draft Rules and Orders for the government of the Senate; and it was ordered that when the Question on the adoption of the twenty first Rule is taken, it be taken by yeas and nays. After further consideration thereof

The Senate adjourned.

Afternoon.

The Senate met according to adjournment.

Rules and Orders amended & adopted.

The Senate resumed the consideration of the Rules and Orders reported by their Committee. Mr Phelps moved to amend the twenty first Rule, by inserting in the third line, after the word Chair, the words

during his absence, and the amendments were adopted. The Rules and orders reported by the Committee were then adopted as amended. (The Senate dispensed with their vote of the forenoon to take the Yeas and Nays on the adoption of the 21st Rule.)

Mr Meggnier from the Committee appointed to examine the returns of votes for Governor, made a report which on motion by Mr Dunlap was laid on the table; and on motion by Mr Kingsbury three hundred copies of said report were ordered to be printed for the use of the Members of the Legislature.

Report on returns of votes for Governor.

See Appendix Page 1

The Senate adjourned.

Attest

Edward Kavanagh
Secretary

Wednesday 20th January 1830

The Senate met according to adjournment.

Order to consider the Report of Com. on votes for Governor.

On motion by Mr Dunlap; Ordered, that tomorrow morning at ten o'clock be assigned for the consideration of the report of the Committee on the returns of Votes for Governor.

On motion by Mr Kingsbery; Ordered, that when the Senate adjourn, they adjourn to tomorrow morning at ten o'clock.

Assistant Secretary appointed.

On motion by Mr Kingsbery, the order authorising the Secretary to engage an Assistant, was taken up and passed, and Mr Thomas G. Sewell was appointed in pursuance of the authority given by this order.

The Senate adjourned.

Attest

Edward Kavanagh
Secretary.

Thursday 21st January 1830

The Senate met according to adjournment.

On motion by Mr Garaner, the Senate took up the consideration of the report of the Committee on the Gubernatorial vote.

Mr Meggivier moved that the said report be amended by adding the vote of the Town of Hermon as allowed, and the Question on the adoption of this amendment was, on motion by Mr Ingalls, ordered to be taken by yeas and nays. After debate on the proposed amendment, it was

Motion to amend the Report of Committee on returns of votes for Governor

Ordered, That the Secretary

Ordered, that when the Senate adjourns they adjourn to tomorrow morning at ten o'clock, and

The Senate adjourned.

Attest

Edward Kavanagh

Secretary

Friday 22d January 1830.

The Senate met according to adjournment.

The Senate resumed the consideration of the amendament of the report of the Committee on the Gubernatorial votes, proposed yesterday by Mr Meggnier, and after debate the question "Will the Senate adopt the proposed amendment" was decided in the negative as follows:

Yeas & Nays on Mr Meggnier amendment.

Yeas:

Messrs. Davee, Dunlap, Hall, Hutchinson, Hutchings, Ingalls, Meggnier and Steele ——— 8

Nays

Messrs. Drummond, Gardiner, Healey, Hilton, Hinds, Kingsbery, Morse and Phelps — 8

Motion on acceptance to be taken by Yeas & Nays.

On motion by Mr Hilton, ordered, that, when the question on the acceptance of the report of the Committee on the Gubernatorial votes is taken, it be taken by yeas and nays.

Motion to amend further

Mr Meggnier moved that the same report be amended by adding to the list and counting the Two votes which appear by the return from the Town of Kittery to have been given, but which were not allowed by the Committee.

question on the amendment to be taken by Yeas & Nays.

On motion by Mr Dunlap; Ordered, that when the question on this amendament is taken, it be taken by yeas and nays; and after debate, the question "Will the Senate adopt the proposed amendament" was decided in the affirmative as follows;

Yeas.

Yeas

Messrs. Davee, Dunlap, Hall, Healey, Hutchinson, Hutchings, Ingalls, Kingsbery, Meggnier & Steele 10

Nays.

Messrs. Drummond, Gardner, Hilton, Hinds, Morse and Phelps — 6

Nays

Mr Dawes moved to amend the same report, by adding to the list reported, and counting the Seventeen votes given which do not designate the Persons for whom they were given.

Mr Dawes proposed an amendment.

On motion by Mr Hinds; Ordered, that when the question on this amendment is taken, it be taken by yeas & nays: and after debate, the question "will the Senate accept the proposed amendment" was decided in the negative as follows;

question to be taken by Yeas & Nays.

Yeas.

Yeas.

Messrs. Dawes, Dunlap, Hall, Hutchinson, Hutchings, Ingalls, Meggnier & Steele — 8

Nays.

Nays.

Messrs. Drummond, Gardner, Healey, Hilton, Hinds, Kingsbery, Morse & Phelps — 8

The Senate adjourned.

Afternoon.

The Senate met according to adjournment.

The Senate resumed the consideration of the report of the Committee on the Gubernatorial votes.

Mr Meggnier moved to amend the report, by adding to the list and counting the votes of Plantation No. 33 in Washington County.

Mr Meggniers amendment.

On motion by Mr Hutchings; Ordered that when the question on the proposed amendment is taken, it be taken by yeas and nays; and after debate the question

to be taken by Yeas & Nays.

"Will the Senate adopt the proposed amendament" was decided in the affirmative as follows:

Yeas.

Yeas.

Messrs. Dawe, Drummond, Dunlap, Hall, Hutchinson, Hutchings, Ingalls, Meggues and Steele — 9

Nays.

Nays.

Messrs. Gardner, Healey, Hillen, Hines, Kingsbery, Morse & Phelps — 7

Mr Dunlaps amendment.

Mr Dunlap moved that the report be further amended by adding to the list and counting the votes of the Town of Baileyville; and before the motion was considered

The Senate adjourned.

Attest

Edward Kavanagh

Secretary.

Saturday 23d January 1830

The Senate met according to adjournment.

Mr Kingsbery called for the order of the day and the call was sustained.

Mr Dunlap moved that the report of the Committee on the Gubernatorial votes be committed to a Select Committee of the Senate, for the purpose of receiving additional evidence in regard to the return of votes from the Town of Baileyville, and the question, on motion by Mr Megquier being ordered to be taken by yeas and nays, was decided in the negative as follows; — Motion that the Report be commited to a Select Committee

Yeas

Messrs. Dawes, Dunlap, Hall, Hutchinson, Hutchings, Ingalls, Megquier & Steele — 8 — Yeas

Nays

Messrs. Drummond, Gardner, Healey, Hillon, Hines, Kingsbery, Morse and Phelps — 8 — Nays.

Mr Megquier moved that the Chairman of the Committee having under consideration the returns of votes for Senators be permitted to read to this Board the return of votes from Baileyville for Senators, now in his possession, as evidence to ascertain who are the Selectmen and Town Clerk of said Town; and the question on agreeing to this motion, being, on motion by Mr Megquier, ordered to be taken by yeas and nays, was decided in the negative as follows; — Motion on the return of votes from Baileyville for Senators.

Yeas

Messrs. Dawes, Dunlap, Hall, Hutchinson, Hutchings, Ingalls, Megquier & Steele — 8 — Yeas.

Nays

Messrs. Drummond, Gardner, Healey, Hillon, Hines, Kingsbery, Morse & Phelps — 8 — Nays.

Question on the Baileyville votes

The question on the adoption of the amendment of the report, by adding to the list and counting the votes of the Town of Baileyville, on motion by Mr Dunlap, being ordered to be taken by yeas & nays, was decided in the negative as follows;

Yeas.

Yeas. Messrs. Dawes, Dunlap, Hall, Hutchinson, Hutchings, Ingalls, Meggquier & Steele ——— 8

Nays.

Nays Messrs. Drummond, Garaner, Healey, Hilton, Hinds, Kingsbery, Morse & Phelps ——— 8

Question on the Report of the Committee on Gubernatorial votes as amended

The question now recurring on the acceptance of the report of the Committee on the Gubernatorial votes as amended; after debate and during the pendency of that question, Mr Kingsbery moved that when the Senate adjourn, they adjourn to three o'clock this afternoon, and his motion was negatived; afterwards the question "will the Senate accept the report as amended" was decided in the negative as follows;

Yeas.

Yeas. Messrs. Drummond, Garaner, Healey, Hilton, Hinds, Kingsbery, Morse & Phelps ——— 8

Nays.

Nays. Messrs. Dawes, Dunlap, Hall, Hutchinson, Hutchings, Ingalls, Meggquier & Steele ——— 8

Sent down for concurrence.

The Senate adjourned.

Attest

Edwards Kavanagh
Secretary.

Monday 25th January 1830.

The Senate met according to adjournment.

On motion by Mr Kingsbery; Ordered, that when the Senate adjourn they adjourn to ten o'clock to-morrow morning.

The Senate adjourned.

Attest

Edward Kavanagh
Secretary.

Tuesday 26th January 1830

The Senate met according to adjournment.

On motion by Mr Kingsbery,

The Senate adjourned.

Afternoon.

The Senate met according to adjournment.

Report on the returns for Senators.

Mr Dunlap from the Committee appointed to examine the returns of votes from the several Towns and Plantations in the State for Senators, ascertain who are elected, what number of vacancies exist, and who are the Constitutional Candidates, made a Report thereon. (a full vote vacancies)

See Appendix Page V.

Report accepted in part.

On motion by Mr Kingsbery the question on the acceptance of said report was divided, and on motion by the same Gentleman, so much of said Report as relates to the election of Senators for the Districts of Cumberland, Lincoln, Kennebec, Oxford, Somerset, Penobscot, Hancock and Waldo was accepted.

Motion relative to Mr Pike.

Mr Meggrier moved that so much of the same report as declares Benjamin Pike elected one of the Senators for the District of York be accepted, and after debate, before the question was taken.

The Senate adjourned.

Attest

Edward Kavanagh
Secretary

Wednesday 27th January 1830

The Senate met according to adjournment.

Mr Phelps called for the order of the day, and the call was sustained.

Mr Meggnier withdrew his motion last submitted in the afternoon Sepion of yesterday, and moved that so much of the report of the Committee on the votes of returns of for Senators as above Benjamin Pike a seat at this Board be rejected, and this question, on motion by Mr Steele, being ordered to be taken by yeas and nays was decided as follows; — Another motion relative to Mr Pike.

Yeas

Messrs. Drummond, Garaner, Healey, Hilton, Hinds, Kingsbery, Morse & Phelps — 8 — Yeas.

Nays

Messrs. Dance, Dunlap, Hall, Hutchinson, Hutchings, Ingalls, Meggnier and Steele — 8 — Nays.

This last vote was reconsidered, because, as it was alledged, the question was put in words not used by the Mover. — vote reconsidered

Mr Meggnier then renewed his motion. An appeal was made to the Chair "whether the motion of Mr Meggnier was in order" The Chair decided that the motion of Mr Meggnier was in order. An appeal was then made to the Senate from the decision of the Chair, and the question "Shall the Chair be sustained in his decision" which was ordered to be taken by yeas and nays, was decided as follows; — Motion relative to order.

Yeas

Messrs. Dance, Dunlap, Hall, Hutchinson, Hutchings, Ingalls, Meggnier and Steele — 8 — yeas.

Nays.

Nays. Messrs. Drummond, Garaner, Healey, Hilton, Hinds, Kingsbery, Morse and Phelps ——— 8

Motion to accept the report as to Mr Usher.

Mr Kingsbery moved that so much of the Report of the Committee as relates to the election of Abijah Usher Jr be accepted: and this question, on motion by Mr Kingsbery, being ordered to be taken by yeas and nays, was decided as follows;

Yeas

Yeas. Messrs. Drummond, Garaner, Healey, Hilton, Hinds, Kingsbery, Morse and Phelps ——— 8

Nays.

Nays. Messrs. Dana, Dunlap, Hall, Hutchinson, Hutchings, Ingalls, Meggnier and Steele ——— 8

Motion to accept the report as to Mr Pike.

Mr Hilton moved that so much of the report of the Committee as relates to the election of Benjamin Pike be accepted: before a decision was had on this motion.

The Senate adjourned

Afternoon.

The Senate met according to adjournment

The Senate resumed the consideration of the motion submitted in the forenoon by Mr Hilton; and after debate, the question, on motion by Mr Meggnier, being ordered to be taken by yeas and nays, was decided in the negative as follows;

Yeas.

Yeas. Messrs. Dana, Dunlap, Hall, Hutchinson, Hutchings, Ingalls, Meggnier and Steele ——— 8

Nays.

Nays. Messrs. Drummond, Garaner, Healey, Hilton, Hinds, Kingsbery, Morse and Phelps ——— 8

Mr Drummond moved that so much of the report of the Committee aforesaid as relates to the District of Washington be accepted. — Motion to accept as to Washington

Mr Meggier then moved that so much of the report of the Committee as has not been accepted, be committed to a Select Committee of the Senate, and the motion was negatived. — Motion to commit to Select Committee.

The last mentioned Gentleman then moved that so much of said report as relates to the District of Washington be committed to a Select Committee, and the motion was negatived. — same as to Washington

The Question then recurring on the motion made by Mr Drummond, and that question, on motion by Mr Healey, being ordered to be taken by yeas and nays, was decided in the negative as follows;

Yeas.

Messrs. Drummond, Gardner, Healey, Hilton, Himes, Kingsbury, Morse and Phelps ——— 8 — Yeas.

Nays.

Messrs. Dana, Dunlap, Hall, Hutchinson, Hutchings, Ingalls, Meggier and Steele ——— 8 — Nays.

The Senate adjourned.

Attest

Edward Kavanagh
Secretary.

Thursday 28th January 1830

The Senate met according to adjournment.

Committee to arrange & prepare to be recorded proceedings.

On motion by Mr Kingsbury; ordered, that Messrs. Kingsbery and Meggvier be a Committee to arrange and prepare to be recorded the proceedings of this Board up to the time a Secretary pro tem. was elected, that the same may be recorded by the Secretary.

Pet. of William Larrabee & als.

Orders of the House of Representatives that the Senate be requested to take from their files and send down the Petitions of William Larrabee and others, and of John Cole and others, were severally read and request granted.

Motion proposing a Convention

Mr Phelps moved an order that a Message be sent to the House of Representatives proposing a Convention of the two Houses tomorrow at eleven o'clock, A. M. for the purpose of filling vacancies in the Senate.

appeal.

This motion on appeal made, was decided by the Chair to be out of order.

decided in the negative

On an appeal moved from the decision of the Chair, the question "is the decision of the Chair incorrect" which, on motion by Mr Meggvier, was ordered to be taken by yeas and nays, was decided in the negative, as follows;

Yeas.

Yeas. Messrs. Drummond, Garaner, Healey, Hilton, Hinds, Kingsbery, Morse and Phelps ——— 8

Nays.

Nays. Messrs. Dewey, Dunlap, Hall, Hutchinson, Hutchings, Ingalls, Meggvier and Steele ——— 8

Petitions referred.

Petitions of the Select[illegible] of Houlton for a road from Houlton;

" — of a Committee of the Town of Pittsfield for assistance to repair Gibbey's Briage.

" — of Caleb Williams & others for authority to erect a Bridge across the Kennebec River between the Towns of Emden & Solon.

" — of Joseph Tewall and others in relation to a Bridge across Merry meeting Bay.

" — of Elphalet Perkins & others for leave to build a Bridge across the Kennebec River.

Joint Standing

Were severally read and referred to the Committee on Turnpikes, Bridges & Canals, in concurrence.

" — of Andrew Gray & others Inhabitants of Sedgewick, to be set off and annexed to the Town of Penobscot

" — of John Grindle & others to be set off from Sedgewick to Bluehill.

" — of a Committee of the Town of Frankfort for a division of said Town.

" — of George Lerenond & others of Hope to be set off and annexed to Union.

" — of Ephraim Quin & others of Hermon to be set off and annexed to the Town of Hermdon

" — of Joseph Hacker to be set off from Palermo and annexed to China.

" — of Joseph Barker & others that part of Cornville may be annexed to Athens.

" — of Nathaniel Malbon of Cornville praying to be annexed to Milburn.

" — of Joshua Young Jr of Starks to be set off to Mercer.

" — of Elisha Boswell, Agent of Shapleigh, for a division of said Town.

" — of Elijah Wood & others for the annexation of a part of the territory of Hartland to the Town of St Albans

" — of Elisha Clark & others to be set off from Jefferson and annexed to the Town of Newcastle.

Joint Standing

Were severally read and referred to the Committee on the incorporation of Towns in, concurrence.

Petitions of Alfred Farnum & others for the annexation of a part of Denmark to Tebago.

" of Henry Campbell & others of No. 3 Old Indian Purchase to be incorporated as a Town by the name of Argyle.

" of Nathaniel Hoyt & others to be annexed to the County of Penobscot and set off from Hancock.

" of Nathan Cutler & others for a law uniting a School District in New Vineyard with one in Industry.

" of John Chute & others of Otisfield and other Towns to be set off from said Towns and incorporated ~~into~~ as a Town.

" of Thubael Dixon & others to be set off from the Town of Pittsfield and annexed to the Town of Clinton.

Remonstances referred.

Remonstrances of Daniel Morgan jr & others against the Petitions of Andrew Gray and others, & of John Grindle & others to be set off from Skowhegan.

" of William Fitch, Agent of the Town of Tebago against the Petition of John Chute & others.

" In behalf of the Town of Raymond against the same.

" of Selectmen of Harrison against the same,

" of Thomas Perley and others against the same,

" of Roland Holden & others, a Committee of the Town of Pittsfield against the same.

Were severally read and referred to the Joint Standing Committee on the Incorporation of Towns in concurrence.

Petitions referred.

Petitions of the Selectmen of Abbot for a donation,

" of Isaac Johnson & others of Matinicus Island for compensation,

were severally read and referred to the Joint Standing Committee on claims, in concurrence.

Petitions of Samuel Sylvester & others that some further provision be made to secure Owners of Mill logs & timber from depredation.

(Also) Petitions of Samuel Wheeler & others to change the Terms of the Courts of Common Pleas in Washington County.

" — of Daniel Merrill on the subject of Ministers being obliged to take an oath in order to be qualified to Solemnize marriages.

" — of Ira Blanchard & others on the subject of the Militia Laws.

" — of Daniel Thurlow & others of Orotch Island that the School money be expended on said Island.

" — of the Selectmen of Portland for an alteration in the law relating to Retailers & Victuallers,

" — of David Ridley & others of Somerset & Penobscot for an act to exempt certain articles from attachment.

" — of the Selectmen of Abbot for an act to make valid certain proceedings of said Town.

" — of Cyrus Hall & Josiah Bop for release from Costs.

" — of the Cumberland & Oxford Canal Corporation for the exclusive right to navigate by steam the Sebago Pond.

Petitions referred.

were severally read and referred to the joint Standing Committee on the Judiciary, in concurrence.

Petition of Thomas P. Nelson for a Ferry Company, came up, referred to the Joint Standing Committee on the Judiciary; it was read and the Senate nonconcurred the House in their reference, and referred the Petition to the joint Standing Committee on Turnpikes, Bridges & Canals. Sent down for concurrence.

Concurred.

The Senate adjourned.

Afternoon.

The Senate met according to adjournment.

Petition of Selectmen of Atkinson for grant of Land

received by the Legislature -

Petitions referred. also/ Petition of James Power & others of Abbot for alteration in the Law relating to the erection of Bridges, so that those of a certain length shall be built at the expense of the County -

" — of Martin Kinsley & others of Hamden to be incorporated as a Mutual Fire Insurance Company -

" — of Sabes Dagget & others of Houlton for repeal of Law relating to attachment of property

order relative to S. J. C. in Lincoln Co. Order from the House of Representatives that the Committee on the Judiciary be instructed to report a Resolve altering the time of the commencement of the Fall Term of the Supreme Judicial Court, in the County of Lincoln, from the third to the second Tuesday of September

Were severally read and referred to the Joint Standing Committee on the Judiciary, in concurrence -

Petitions referred. Petitions of Mark White & others, Inhabitants of Gorham & Standish to be set off from said Towns and incorporated as a Town by the name of ——

" — of Adam Weed of Thorndike to be annexed to the Town of Knox.

" — of Thomas Mitchell & others of Starrington to be set off and annexed to the Town of Addison -

Remonstrances referred. Remonstrances of William Harris & others of Gorham and Standish against the Petition of Mark White & others -

" — of Selectmen of Thorndike against the Petition of Adam Weed

Were severally read and referred to the Joint Standing Committee on the Incorporation of Towns, in concurrence

Petitions referred. Petitions of Joseph Stwall & others of Farmington relating to fish in Sandy River,

" of Selectmen of Warren for alterations in the Law relating to the taking of fish in said Town

were severally read and referred to the Joint Standing Committee on Salt & Fisheries, in concurrence.

Petitions in behalf of the Portland Bank for a modification of the Law regulating Banks &c. Petitions referred.

" — in behalf of the Winthrop Bank for further time to close their concerns.

were severally read and referred to the Joint Standing Committee on Banks & Banking, in concurrence.

Petitions of John Pitts & others of Belgrade for the incorporation of an Academy in said Town

" of Jeage Reed & others to be incorporated as the "Read School-fund Association,"

" of John Moor & others for a grant to Anson Academy

were severally read and referred to the Joint Standing Committee on Literature and Literary Institutions, in concurrence.

Petitions of Sylvanus Dunham for compensation for an injury sustained by him while performing military duty.

" of David Dewey for relief

were severally read and referred to the Joint Standing Committee On applications from sick and wounded Soldiers, in concurrence.

Petitions of Samuel Carter & others of Carter's Island to be exempted from performance of military duty,

" of Jeremiah Bartlett Jr, Capt. of Infantry in Monroe, for an act to enable him to call out said Company,

" of Josiah B. Hadley & others, of Mount-Desert and Eden, praying to be formed into a Separate Battallion to be reviewed on the Island

" of Stephen Chase & others, for a Law prohibiting the distribution of ardent spirits to Soldiers on days of training.

were severally read and referred to the Joint Standing

Committee on the Militia and military affairs in concurrence.

Petitions referred.

Petitions of the Trustees of the ministerial fund in the Town of Bridgeton for further powers -

" — of Solomon Thurston & others of Vinalhaven to be incorporated as owners of a Meeting House with power to tax Pews.

were severally read and referred to the Joint Standing Committee on the Incorporation of Parishes, in concurrence -

Petition of Nehemiah Leavitt for a grant of a Township of Land on certain conditions,

was read and referred to the Joint Standing Committee on State Lands, in concurrence.

Petitions of Seth Soule & others to be set off from Avon and annexed to New Portland -

" — of John C. Jordan & others to be incorporated as a Town by the name of Hanover -

" — of James B. Doyle & others of Houlton & Hodgson Plantations for an Act of Incorporation as a Town by the name of Houlton.

" — of Inhabitants of Fryeburg Academy Grants to be incorporated as a Town.

Remonstrances referred.

Remonstrances of Elisha Goodwin & others against the Petition of John C. Jordan & others,

" — of Jonah Dunn & others against the Petition of James B. Doyle & others -

" — of John Nevins & others against the Petition of Elijah Rossa Jr & others -

" — of a Committee of the Town of Conville against the Petition of Nath.l Malbon -

" — of Daniel Somes & others against the Incorporation of Cranberry Isles, Suttons & Bakers Islands -

were severally read and referred to the Joint Standing Committee on the Incorporation of Towns in concurrence -

The Senate adjourned

Attest

Edward Kavanagh
Secretary.

Friday 29th January 1830

The Senate met according to adjournment,
and, on motion,

The Senate adjourned.

Afternoon.

The Senate met according to adjournment.

On motion by Mr Drummond; ordered, that the Chaplain be permitted to furnish a substitute at this Board, whenever he can not conveniently attend himself. — Chaplain to furnish substitute.

Petition of Robert Peters & others to be set off from Topsham to Bowdoinham, — Petition & Remonstrance Referred.
Remonstrance of Bailey Pierce & others Inhabitants of Brunswick against a division of said Town.
Were severally read and referred to the Joint Standing Committee on the Incorporation of Towns. Sent down for concurrence. Concurred.

Ordered, that when the Senate adjourn they adjourn to Monday next at twelve o'clock (Noon)

The Senate adjourned.

Attest

Edward Kavanagh
Secretary.

Monday 1st February 1830.

Petitions referred

The Senate met according to adjournment.

Petitions of John Bodwell & others of Shapleigh for a division of said Town -

" — of Selectmen of Paxton that certain land be taken from Jay & annexed to Paxton -

" — of Alger Chase & others Inhabitants of No. 3 for an act of Incorporation.

Remonstances referred.

Remonstrances of Levi Sargeant & others, Inhabitants of the Town of Harrington, against the Petition & of other Inhabitants of said Town to be set off to Addison -

" — of Themes Waterman & others, against the Petition of Henry Campbell & others for the Incorporation of Argyle.

Memorial

Memorial of John Bodwell & others on the subject of the proposed division of the Town of Shapleigh,

were severally read and referred to the Joint Standing Committee on the Incorporation of Towns, in concurrence.

Petitions referred.

Petitions of John Chandler, for expiration of Seizure of Land in Boothbay, to the United States -

" — of Jones Dyer & others in relation to the Small Slabs in Schoodic River

Remonstrance referred.

Remonstrance of James Gower & others of Abbot against the Petition of the Selectmen of Abbot,

were severally read and referred to the Joint Standing Committee on the Judiciary, in concurrence.

Petitions referred.

Petition of William D. Williamson & others, Inhabitants of the County of Penobscot, in relation to the Mattanawcook Road - was read and referred to the Joint Standing Committee on Turnpikes, Bridges and Canals, in concurrence.

Petition of George Chilcot & others, Inhabitants

of Gouldsboro', that the Inhabitants of Iron-bound Islands may be exempted from Military duty, was read and referred to the Joint Standing Committee on the Militia and Military affairs, in concurrence. — Petitions referred

Petitions of Thomas H. Norcross, of Jackson, for further compensation for an injury sustained by him while doing military duty -

" — of James Pomroy, of Standish, for an increase of pension -

were severally read and referred to the Joint Standing Committee on Applications from Sick & wounded Soldiers, in concurrence.

Memorial of John Day & others, of Strong, in relation to fish in Sandy River, was read and referred to the Joint Standing Committee on Interior Fisheries, in concurrence. — Memorial.

Petition of Enoch Adams & others, of Andover, for the Incorporation of an Academy, in Andover, in the County of Oxford, was read and referred to the Joint Standing Committee on Literature and Literary Institutions, in concurrence. — Petitions referred.

Remonstrance of David Oakes, of Clamon, against the Petition of Jacob C. Rogers, was read and referred to the Joint Standing Committee on Claims, in concurrence. — Remonstrance referred.

Petition of Jones Dyer Jr, of Calais, for leave to receive pay for timber cut on certain lands by him purchased of the State, was read and referred to the Joint Standing Committee on State Lands, in concurrence. — Petition referred.

A Communication from Reuel Williams by enclosing an account of his doings, and a Statement of services rendered in the action of Joel Miller, Trustees of the Mariners Church in Portland, was read and referred to the Joint Standing Committee on Accounts, in concurrence. — Communication from Reuel Williams.

Petition of Adam Wilson & others, for an Act incorporating them by the name of the Baptist — Petition of A. Wilson & al.

Convention, with powers similar to those granted to the Maine Baptist Missionary Society, by act of 8th Feby 1833, was read and referred to the Joint Standing Committee on the Incorporation of Parishes. Sent down for concurrence.

Concurred.

Petition of S. Hardy & als.

An Order from the House of Representatives requesting the Senate to take from their files and send down the Petition of Sullivan Hardy & others was read and request granted.

Message fm House

The Clerk of the House of Representatives delivered a written Message from that House, which on motion, was ordered to lie on the Table.

The Senate adjourned.

Afternoon.

The Senate met according to adjournment

Petition of H. Hazeltine & als.

Petition of Harry Hazeltine & others of Waldo County, praying for a revision of the act regulating the fees of Courts and for the abolition of the Court of Common Pleas, was read and referred to the Joint Standing Committee on the Judiciary. Sent down for concurrence.

Concurred.

Mr. Meggquier had leave to read and lay on the table the following Resolve;

Resolve on Senatorial Returns.

Resolved, that all votes, upon the report of the Committee appointed to examine the returns of votes for Senators, be so far reconsidered, as to accept all that part of said report which has not been accepted. The Question on passing this Resolve, on motion by Mr Dawes, being ordered to be taken by yeas & nays, was decided in the negative as follows;

Yeas.

Yeas. Messrs. Dawes, Dunlap, Hall, Hutchinson, Hutchings,

Ingalls, Meggnier and Steele ——— 8

Nays.

Messrs. Drummond, Garvan, Healey, Hilton, Hinds, Kingsbury, Morse & Phelps ——— 8

Nays.

Mr Meggnier moved that all that part of the report of the Committee appointed to examine the returns of votes for Senators, which has not been accepted, be recommitted to the same Committee.

motion to recommit Report of Senatorial returns.

The Question on this motion being ordered to be taken by Yeas and Nays, was decided in the negative as follows;

Yeas -

Messrs Davis, Dunlap, Hall, Hutchinson, Hutchings, Ingalls, Meggnier & Steele ——— 8

Yeas

Nays -

Messrs. Drummond, Garvan, Healey, Hilton, Hinds, Kingsbury, Morse & Phelps ——— 8

Nays.

Mr Meggnier moved that the written Message received from the House of Representatives in the forenoon Session of this day and laid on the table, be now taken up and read, and on motion by the same Gentleman, Ordered, that the question on this motion be taken by yeas and nays -

Message from House read.

After debate, and before the question was taken

The Senate adjourned.

Attest

Edward Kavanagh

Secretary -

Tuesday 2d February 1830.

The Senate met according to adjournment.

Mr Dunlap moved an order as follows.

Preamble. Whereas the Senate has ~~not as yet~~ determined ~~& disposed of~~ the deficiencies that exist at the Senate Board, nor the Constitutional Candidates to supply the same, if any exist; and whereas the Senate has not as yet concurred the House of Representatives in their proposition for a Convention for the purpose of supplying deficiencies at the Senate Board. It is therefore

Order requesting Justices of Sup. Jud. Court to give their opinion on questions. Ordered, that the Justices of the Supreme Judicial Court be requested to give their opinion on the following questions; viz:

1st Can a Convention of the Members of the Senate and House of Representatives be constitutionally formed for supplying deficiencies in the Senate, without a concurrence of the two Branches of the Legislature?

2d Can such a Convention, formed without the concurrence of the Senate and which does not contain a majority of such Senators as are elected, proceed to supply deficiencies, before the Senate has ascertained the deficiencies that exist at that Board, and designated the Constitutional Candidates to supply said deficiencies?

Mr Kingsbery moved that said Order be referred to a Select Committee of the Senate, and the question on his motion, being ordered to be taken by Yeas and Nays, was decided in the negative as follows:

Yeas.

Messrs Drummond, Gardiner, Healey, Hilton, Minot, Kingsbery, Morse & Phelps ——— 8

Nays.

Messrs Davee, Dunlap, Hall, Hutchinson, Hutchings, Ingalls, Meggrier & Steele ——— 8

Mr Krigsbery moved that the order lie on the table, and the motion was negatived.

motion to postpone

Mr Gardner moved that the further consideration of the order be postponed till half past three o'clock this afternoon, and the motion was negatived.

motion to adjourn

Mr Krigsbery moved that the Senate now adjourn, and the question on this motion, being ordered to be taken by yeas and nays, was decided in the negative as follows;

Yeas.

yeas. Messrs. Drummond, Gardner, Healey, Sidton, Hines, Krigsbery, Morse & Phelps ——— 8

Nays.

Nays. Messrs. Davis, Dunlap, Hall, Hutchinson, Hutchings, Ingalls, Mcguire & Steele ——— 8

Mr Phelps communication

Mr Phelps had leave to read and lay on the table a Communication Signed by himself and seven other Members of the Senate - See Journal: Page 75 and Appendix: Page XVI.

Message to nonconcur the House in proposed Convention.

On motion by Mr Mcguire; Ordered, that a Message be sent to the House of Representatives, that the Senate nonconcur the House of Representatives in their proposition to meet in Convention this day at eleven o'clock A. M. for the purpose of filling deficiencies in the Senate, for the following reasons;

1st Because the Senate have not determined what deficiencies exist in the Senate.

2d Because the Senate have not ascertained who are the Constitutional Candidates to fill such deficiencies, if any exist.

But the Senate will communicate with the House of Representatives, as soon as deficiencies are determined, and the Constitutional Candidates ascertained, proposing a Convention of the Members of the two Houses, for the

purpose of filling such deficiencies. And the Message was delivered accordingly by the Secretary.

The Senate resumed the consideration of the order first moved by Mr Dunlap, in the forenoon Session, and passed the same.

Mr Meggueir moved the following Preamble and Order.

Mr Meggueirs Preamble & Order.

Whereas a part of the Members of the Senate have withdrawn from the Senate, without the consent of the Senate, for the avowed purpose of meeting the Members of the House of Representatives in Convention to fill deficiencies in the Senate, which have not been ascertained by the Senate, and when the Constitutional Candidates have not been designated by the Senate for filling deficiencies, if any exist, and without the concurrence of the Senate to such Convention; and Whereas such a procedure is unwarranted by the Constitution and any election made by such convention is void and can give no right to any Individual, so elected, to a seat in the Senate, or to take part in the acts of the Senate; it being the exclusive right of the Senate alone to judge of the elections and qualifications of its own Members, and the Senate being therefore the only Constitutional Tribunal to decide upon the legality or illegality of the returns of votes for Senators, therefore

Ordered, that a Message be sent to the Acting Governor and Council, that they may have notice, that the Senate have not concurred in the election of any Persons to fill any deficiency which may exist in the Senate.

The above was read and passed, and the Message was delivered accordingly by the Secretary, on Wednesday morning. On motion,

Message dld by Secretary.

Ordered, that when the Senate adjourn, they adjourn to ten o'clock tomorrow morning.

(40) Assistant Sec. appointed.

Mr Charles Watenhouse was this day appointed Assistant Secretary of the Senate, in room of Thomas G. Jewett.

The Senate adjourned.

Attest

Edward Kavanagh

Secretary.

Wednesday 3d February 1830

The Senate met according to adjournment.

Petitions of a Committee of Bremen praying for a share of the fish privilege in Bristol. Petitions referred.

" — of Selectmen of Alna, in behalf of said Town, for the opening of fishways in Sheepscot River.

were severally read and referred to the Joint Standing Committee on Interior Fisheries, in Concurrence.

Petition of Henry Stephenson & others, a Committee of the Union Society in Portland, to confirm their doings was read and referred to the Joint Standing Committee on the Judiciary, in concurrence.

Petitions of Elijah A. Bussel & others, of Pittsfield, to be annexed to the Town of Canaan.

" of Inhabitants of the Town of Hartland, to annex a small gore of land from the Town of St Albans to the Town of Hartland.

Remonstrance of the Selectmen of Pittsfield against the Petition of Elijah A. Bussel & others. Remonstrance referred.

were severally read and referred to the Joint Standing Committee on the Incorporation of Towns, in Concurrence.

Mr Kingsbury, from the Committee appointed to report the proceedings of the Senate up to the time of Secretary, pro tem. was chosen &c, made a Report which on motion was ordered to lie on the table. Report of proceedings of Senate.

The Senate adjourned.

Afternoon —

The Senate met according to adjournment.

Edward Ruffell Esq, Secretary of State, came in

Mr Usher introduced as Senator by Sec. of State

and announced that Abijah Usher Esq. had been elected by a Convention of Members of the House of Representatives and of Members of the Senate elect, a Member of the Senate for the District of York, and that he had taken and subscribed the oaths of Office before the Acting Governor and Council; and he then introduced the said Abijah Usher Esq to the Senate.

motion relative to vacant seats

Mr Kingsbury moved an Order, that the Secretary of the Senate be directed to furnish ballots corresponding with those numbered on the vacant seats, and that the Member of this Board from the District of York, draw one of said ballots which shall designate the seat to be taken by him.

to be taken by Yeas & Nays.

On motion by Mr Dearce the question on the passage of this order was ordered to be taken by yeas & Nays; and upon the question was taken

The Senate adjourned.

Attest

Edward Cavanagh
Secretary.

Thursday 4th February 1830 -

The Senate met according to adjournment -

Edward Ruffell Esq, Secretary of State, came in and stated, that in obedience to an order of the Convention of Members of the House of Representatives and of Members of the Senate elect held on Tuesday last, he now announced that Nathan D. Appleton had been elected, by said Convention, a Member of the Senate for the District of York, to supply a deficiency in that District, and that he had taken and subscribed the oaths of office before the Acting Governor and Council; and that, in further obedience to the orders of said Convention, he now introduced the said Nathan D. Appleton to the Senate. Mr Appleton introduced as Senator by the Sec. of State.

Afterwards -

Edward Ruffell Esq, Secretary of State, again came in and stated, that in obedience to an order of a Convention of Members of the House of Representatives, and of Members of the Senate elect held on Tuesday last, he now announced that John Bodwell had been elected, by said Convention, a Member of the Senate for the District of York, to supply a deficiency in that District, and that he had taken and subscribed the oaths of office before the Acting Governor and Council, and that, in further obedience to the order of said Convention, he then introduced the said John Bodwell, to the Senate. Mr Bodwell introduced as Senator by the Sec. of State

The Senate resumed the consideration of the order yesterday offered by Mr Kingsbury, and after debate the Yeas and Nays were taken of the following Gentlemen.

Yeas -

Messrs. Drummond, Gardner, Healey, Hilton, Hinds, Yeas.

Kingsbury, Morse & Phelps — 8

Nays

Nays. Messrs. Dawes, Dunlap, Hall, Hutchinson, Hutchings, Ingalls, Meguier and Steele — 8

Mr Appleton claimed the right to have his vote recorded

The name of Nathan D. Appleton not having been called, this Gentleman, before the vote taken as above was declared, claimed the right of having his vote recorded in the affirmative: after debate thereon

The Senate adjourned

Afternoon.

The Senate met according to adjournment.

The Senate resumed the consideration of the claim of Nathan D. Appleton to be allowed his vote, on the question last submitted in the forenoon session. The President decided that his claim was not in order

claim decided not in order

Appeal. Mr Kingsbury appealed from the decision of the Chair, and before the question on this appeal was taken

The Senate adjourned.

Attest

Edward Kavanagh

Secretary.

Friday 5th February 1836.

The Senate met according to adjournment.

The Senate resumed the consideration of the question on the appeal made yesterday, by Mr Kingsbery, from the decision of the President. — Appeal under consideration

Mr Kingsbery moved that the question on his appeal aforesaid be put in the following words "Shall the opinion of the Chair stand as the judgement of the Senate". — motion on appeal.

The motion of Mr Kingsbery was decided to be out of order, by the President, who then declared that the question taken in the forenoon Syphon of yesterday, by yeas and nays, was decided in the negative. — motion decided out of order

On motion by Mr Kingsbery, Ordered, that Messrs. Kingsbery, Meggueier & Phelps be a Committee to investigate the subject alluded to in debate yesterday in relation to threats and anonymous letters received by a Member of this Board, with power to send for Persons. — Com. to investigate the subject of threats &c.

Order of the House of Representatives, requesting the Senate to take from their files of the last year, and send down the Petition of Joseph Whitney and others, was read and request granted. — Pet. of Joseph Whitney &als.

Ordered, the House of Representatives that the Committee on the Judiciary be instructed to inquire into the expediency of authorising School Districts to raise money for the support of Schools, in addition to the amount raised and assessed by the Towns in which they are situated. — Committee on School Dists raising money.

Also, that the same Committee be instructed to inquire into the expediency of providing by Law, in cases of Mortgages of Real Estate, for securing to Creditors by attachment or otherwise, a lien on the Mortgagee's interest — Committee on Mortgaged Real Estate.

in real estate, or claims against the Mortgagee.

Order relative to Highways

Also) That the same Committee be instructed to inquire into the expediency of so far amending the Laws respecting Highways, that Courts of Sessions may be authorized to cause a part of the expense for building and repairing highways through incorporated Plantations, to be paid by the County, whenever it shall be deemed reasonable and proper

Order relative to Engineemen &c.

Also) That the same Committee be directed to inquire whether any alterations are necessary in the Law passed March 1831, entitled "An act respecting Engineemen, Fire Engines and the extinguishment of Fires," with leave to report by Bill or otherwise

Were severally read and concurred.

Petitions referred.

Petitions of Jacob Temple & others, that Bartholomew B. Bois may receive compensation for certain services performed.

" — of Robert Newsom, for aid in consequence of misfortune.

Were severally read and referred to the Joint standing Committee on Claims, in concurrence.

Petition of the President, Directors and Company of the Canal Bank, for alteration in the charter of said Bank, also that provision may be made for repayment of certain monies paid into the Treasury of the State, was read and referred to the Joint standing Committee on Banks & Banking in concurrence.

Petitions of Anson G. Chandler, for a grant of money to the Calais Artillery Company, was read and referred to the Joint standing Committee on the Militia and Military affairs, in concurrence.

" of Samuel P. Cook & others, for an extension of time to perform settling duties, was read and

referred to the Joint standing Committee on State Lands, in concurrence.

Petitions of Selectmen of Geary for a Committee to establish the line between said Town and the Town of Winthrop, was read and referred to the Joint Standing Committee on the Judiciary, in concurrence. Petitions referred.

" — of John Jenkins & others, praying to be relieved from Highway taxes, was read and referred to the Joint standing Committee on Turnpikes, Bridges and Canals, in concurrence.

" — of Ephraim Bachelder & others, for an Academy and grant of Land, was read and referred to the Joint standing Committee on Literature and Literary Institutions, in concurrence.

The Senate adjourned.

Afternoon.

The Senate met according to adjournment.

Edward Ruffell Esq, Secretary of State came in and laid on the table the following written communication from the Hon. Nathan Cutler, Acting Governor of the State. Communication from the Acting Governor.

Council Chamber
Portland February 8th 1830

Sir

Having exercised the Executive duties of the State since the decease of the late Governor, under that provision of the Constitution which provides, that when the office of Governor shall become vacant by death &c "the President of the Senate shall exercise the office of Governor until another Governor shall be qualified," and doubts having arisen as to what construction should be put on that provision, I requested the opinion of the Justices of the

Supreme Judicial Court, as to the question, "on whom the Executive duties devolve under existing circumstances"; and whether upon the present or late President of the Senate. Until their opinions should be obtained, the convictions of my own mind confirmed by the opinions of many Citizens, eminent for their wisdom and candor, led me to consider it my duty to continue hitherto to exercise the office, "until another Governor should be qualified", especially as that course appeared to conform to the usage hitherto obtained of the Governor holding over into the second year, for the purpose of administering the Constitutional oaths to Members of the Legislature; and I have limited my exercise of the office, since the organization of the Senate, to the performance of that official duty. I have this day received a letter from the Hon. Nathan Weston, one of those Justices, informing me, that two of the Justices are of opinion that the exercise of the office now devolves upon the present President of the Senate, and that he himself has not concurred in that opinion. However my own mind may now be on that subject, my respect for the opinion of a majority of the Justices, and a desire to remove any difficulties which may arise in the mind of any one respecting it, I hereby resign the trust which devolved on me at the decease of Governor Lincoln.

(Signed) Nathan Cutler.

To the Hon. Joshua Hall
President of the Senate.

After the Communication had been read the Hon. Joshua Hall, President of the Senate, read the following written address.

Senate Chamber 5th February 1830

President's address.

Gentlemen of the Senate.

Having received a communication

from the Hon. Nathan Cutler, informing me that he has this day resigned the Executive trust, which devolved upon him, on the death of the late Governor Lincoln, and the office of Governor becoming thereby vacant; it now becomes my duty to assume that trust, and for that purpose to retire from this Board, my duties as President of the Senate being thereby suspended. In doing so I take leave to remark, that that construction of the Constitution, by virtue of which that Gentleman has hitherto exercised the office, has my full acquiescence, my confidence in its correctness having been the result of inquiry and reflection.

suspending his office.

(signed) Joshua Hall
President

On motion by Mr Kingsbury; Ordered, that a Message be sent to inform the Executive Council, that the Hon. Joshua Hall will forthwith repair to the Chamber of the Executive Council, for the purpose of entering on his discharge of his duties as Acting Governor, until another Governor shall be qualified. The Message was delivered accordingly.

Message to the Council that the President will act as Governor.

On motion by Mr Kingsbury; Ordered, that Mr Dunlap be a Committee to attend the Hon. Joshua Hall to the Chamber of the Executive Council, and Mr Dunlap afterwards reported that he had attended to that Service.

Committee to wait on the President.

On motion by Mr Gardner; the Secretary of the Senate took the Chair vacated by the absence of the Hon. Joshua Hall.

Sec. took the Chair.

On motion by Mr Meggnier; Ordered, that Messrs. Ingalls, Gardner & Steele be a Committee to receive, sort and count the votes for a President pro tem.

Afterwards, Mr Ingalls from said Committee

Com. to receive sort & count the votes for Presidt. pro. tem.

reported that the whole number of votes given for a President pro tem. was - - - - - - Eighteen
Necessary to a choice - - - - - - Ten
Sanford Kingsbury had - - - - - - Ten
Robert P. Dunlap - - - - - - - Six
John L. Megquier - - - - - - - One
James Drummond - - - - - - - One

Question as to the right of the York Senators to vote.

Mr Ingalls, before declaring the number of votes for each Person balloted for, remarked that there were Eighteen votes given, including the three votes given by the Gentlemen from York District, viz: Messrs Appleton, Bradbury and Usher, whose right to vote had not yet been recognised; and the question "Shall the votes of those Gentlemen be received and counted" was decided by yeas and nays in the affirmative as follows:

Yeas-

Yeas. Messrs- Drummond, Garcelon, Healey, Hilton, Hinds, Kingsbury, Morse & Phelps - - - 8

Nays-

Nays. Messrs- Dawes, Dunlap, Hutchinson, Hutchings, Ingalls, Megquier & Steele - - - 7

Mr Kingsbury elected President pro tem.

Mr Kingsbery was thereupon declared elected President of the Senate pro tem: He signified his acceptance of the office and took the Chair.

Pres. pro tem. excused from serving on Com.

The President pro tem. by his request, was discharged from serving on the Committee, a Member of which he was this day appointed, and Mr Appleton was appointed in his room.

Message sent to the House of the election of Pres. pro tem.

On motion by Mr Phelps; Ordered, that a Message be sent to the House & Governor and Council informing them that the Hon. Sanford Kingsbery had been elected President pro tem. of the Senate; and the Message was delivered accordingly.

On motion by Mr Dunlap a similar Message

was delivered to the House of Representatives.

On motion by Mr Phelps; Ordered, that Messrs. Usher, Boswell and Appleton, Senators from the District of York, be permitted to retain the seats which they have severally taken; and the question on the passage of this order having been ordered to be taken by yeas and nays, was decided in the affirmative as follows: — Order relative to seats of the York members.

Yeas.

Messrs. Drummond, Gardner, Healey, Hilton, Hinds, Kingsbury, Morse & Phelps — — — 8 — Yeas.

Nays-

Messrs. Davee, Dunlap, Hutchinson, Hutchings, Ingalls, Meggnier & Steele — — — 7 — Nays.

The Report of the Joint Committee appointed to examine the returns of votes for Governor, came from the House of Representatives, the House having adopted the amendments proposed by the Senate, and accepted the Report as amended, they nonconcurring the Senate in their vote refusing it acceptance. — Report of Com. on returns of votes for Gov. accepted by the House.

The question "Will the Senate recede from their vote whereby they refused acceptance of the Report, and concur the House in accepting the same as amended" being on motion by Mr Davee, ordered to be taken by yeas and nays, was decided in the affirmative as follows: — Report accepted by Senate

Yeas-

Messrs. Appleton, Boswell, Drummond, Gardner, Healey, Hilton, Hinds, Kingsbury, Morse, Phelps & Usher — 11 — yeas.

Nays-

Messrs. Davee, Dunlap, Hutchinson, Hutchings, Ingalls, Meggnier & Steele — — — — — — — 7 — Nays.

On motion by Mr Gardner; Ordered, that Messrs. Phelps, Dunlap & Gardner, with such as the

Committee to inform the Gov. of his election

House may join, be a Committee to inform Jonathan G. Hunton Esq. that he is duly elected to the office of — Governor of the State of Maine, for the current political year, and that the two Branches of the Legislature are ready to convene in the Representatives Chamber, that in their presence he may take and subscribe the oaths of office required by the Constitution, and to receive any communication he may make to them.

The Senate adjourned.

Attest

Edward Kavanagh

Secretary.

Saturday 6th February 1830

The Senate met according to adjournment

The Senate excused Mr Dunlap, at his request, from serving on the Committee to wait on Jonathan G. Hamilton Esq to inform him of his election &c, and Mr Morse was appointed in his room. The order was then sent down for concurrence, ~~and~~ Concurred and Messrs Seamman of Saco, Swan of Portland, Howard of Bowdinfield, Hoyt of Readfield & Knowlton of Montville were joined on the part of the House. — Mr Dunlap excused — committee Mr Morse appointed

Memorial of Moses Greenleaf, asking relief from expenses incurred in the preparation and publication of the Statistical views and Map of Maine, was read and referred to Messrs. Megquier & Appleton, with such as the House may join: Sent down for concurrence. Concurred & Messrs Kent of Bangor, White of Monmouth, & Seamman of Saco were joined on the part of the House. — Memorial of Moses Greenleaf.

On motion by Mr Phelps; Ordered, that the Secretary of State be requested to furnish copies of the questions propounded to the Supreme Judicial Court by the Acting Governor on the 23d Ult. and by the Council on the 25th Ult. with copies of the opinions of the Court in answer thereto. — Sec. of State to furnish copies of questions to S. J. C.

Orders of the House of Representatives that the Committee on the Judiciary be instructed to inquire into the expediency of Justices of the Court of Sessions being authorized to grant certain sums of money to Towns for building and repairing Roads that are located by said Counties, to be drawn out of the Treasury of their respective Counties.

(Also) That the same Committee be instructed to inquire — Order relative to Highways.

Order relative to Jailer.

into the expediency of passing a Law providing for the appointment of a Jailer in the vacancy of that office, and during the vacancy of the office of Sheriff.

Order relative to removal of Prisoners from Penobscot to Waldo.

(Also) That the same Committee be instructed to inquire into the expediency of authorizing in certain cases, under the Order of two Justices of the Peace and Quorum, the removal of Prisoners, for a limited time, from the Jail in the County of Penobscot to the Jail in the County of Waldo, at the expense of said County of Penobscot and with the consent of the Court of Sessions of the County of Waldo.

Executors. administrators

(Also) That the same Committee be instructed to inquire into the expediency of fixing by law the compensation to be allowed to Executors, Administrators and Witnesses in the Probate Court.

Were severally read and concurred.

Petitions referred.

Petitions of Mark Mason & others, to be incorporated as an Aqueduct Company, was read and referred to the Joint Standing Committee on the Judiciary, in Concurrence.

" — of Jeremiah Bradbury & others, Trustees of Alfred Academy, for aid, was read & referred to the Joint Standing Committee on Literature and Literary Institutions, in concurrence.

" — of Inhabitants of Bremen, to set off Johnston's Island from Waldoborough and annex the same to Bremen, was read and referred to the Joint Standing Committee on the Incorporation of Towns, in concurrence.

" — of Nathaniel L. Sargent, for a continuance of his Pension, was read and referred to the Joint Standing Committee on Applications from Sick and Wounded Soldiers, in concurrence.

The Senate adjourned

Attest

Edward Kavanagh
Secretary.

Monday 8th February 1830

The Senate met according to adjournment.

Mr Phelps moved the following order & Preamble.

State of Maine

In Senate, February 8th 1830.

Mr Phelps Preamble & order.

Whereas, on the first day of February Inst. a Message was communicated by the House of Representatives to the Senate, requesting such Senators as had been elected to meet the Members of the House of Representatives, in the Hall of the House of Representatives, on the second Inst. at 11 o'clock in the fore noon, and elect by joint Ballot the number of Senators required: and whereas Eight of the Senators elected in compliance with such request and in conformity with the requirements of the Constitution at the time assigned, repaired to the Hall of the House of Representatives, and there met the Members of the House of Representatives, and in conjunction with them, proceeded to elect Three Senators to supply the vacancies in the Senatorial District of York, and one Senator to supply the vacancy in the Senatorial District of Washington; therefore, Ordered, that said Four Senators were duly and constitutionally elected to fill vacancies existing, and that the Three first above named, having been qualified, are entitled to seats at this Board, and to all the rights and privileges of Senators elected by the People.

to lie on the table.

Mr Ingalls moved that the aforesaid Preamble and order lie on the table; and the question on this motion by the Magician being ordered to be taken by yeas and nays, was decided in the negative as follows;

Yeas

yeas. Messrs. Davee, Dunlap, Hutchinson, Hutchings,

Ingalls, Meggvier & Steele — 7

Nays.

Nays.

Messrs. Drummond, Gardner, Healey, Hilton, Hinds, Kingsbery, Morse & Phelps — 8

Messrs. Appleton, Bodwell and Usher were excused from voting on this question.

Mr Meggvier moved to commit the Preamble and order of previous to a Select Committee of the Senate, and the question on motion by Mr Ingalls, being ordered to be taken by yeas and nays, was decided in the negative, as follows; motion to commit

Yeas

Yeas.

Messrs. Dana, Dunlap, Hutchinson, Hutchings, Ingalls, Meggvier & Steele — 7

Nays

Nays.

Messrs. Drummond, Gardner, Healey, Hilton, Hinds, Kingsbery, Morse & Phelps — 8

Mr Hutchinson moved that the same be postponed indefinitely, and the motion was negatived.

Mr Meggvier moved that the further consideration of the same be postponed to Wednesday next at eleven o'clock A.M. (but before the question was put,) motion to postpone.

A Message was delivered from the House of Representatives by James L. Child, their Clerk, proposing a Convention of both Houses of the Legislature, in the Representatives Chamber, at eleven o'clock tomorrow morning, for the purpose of electing Seven Councillors to advise the Governor, in the Executive Department of the Government, and a Secretary and Treasurer of State, for the current political year; and requesting the concurrence of the Senate. Message from House proposing Convention to elect Councillors.

The Senate adjourned.

Afternoon.

The Senate met according to adjournment.

The Senate resumed the consideration of the motion last submitted by Mr Meggison, in the forenoon sederia, and the same was negatived.

Motion to amend the Preamble

Mr Meggison moves to amend the Preamble to the order by inserting after the word "required" the words "which proposed Convention was never agreed to by the vote of the Senate", and the question on this amendment being ordered to be taken by yeas & nays was decided in the negative as follows;

Yeas.

Yeas. Messrs. Dance, Dunlap, Hutchinson, Hutchings, Ingalls, Meggison & Steele ——— 7

Nays.

Nays. Messrs. Drummond, Gardner, Healey, Hilton, Hinds, Kingsbury, Morse & Phelps ——— 8

motion to amend order.

Mr Meggison moves to amend the order by striking out the Preamble; decided in the negative.

The Question on passing the order, on motion by Mr Dunlap, being ordered to be taken by yeas and nays, was decided in the affirmative, as follows;

Yeas.

Yeas. Messrs. Drummond, Gardner, Healey, Hilton, Hinds, Kingsbury, Morse & Phelps ——— 8

Nays,

Nays. Messrs. Dance, Dunlap, Hutchinson, Hutchings, Ingalls,

On motion by Mr Drummond; Ordered, that a Message be sent to the House of Representatives, informing them that the Senate concur in forming a Convention at eleven o'clock A.M. tomorrow, for the purpose of electing Seven Councillors to assist the Governor in the Executive Department of Government; and a Secretary and Treasurer of the State, for the current political year.

(The Message was delivered accordingly, on Tuesday morning, by the Secretary of the Senate)

Message to the House concurring in Convention.

Mr Meggnier had leave to read and lay on the table a Protest signed by himself and Six other Members of the Senate, and it was Ordered that said Protest be entered on the Journal of the Senate.

See Appendix Page IX.

Order to enter Mr Meggnier's Protest on the Journals.

Mr Hillon moved the following Preamble and Order;

In Senate 8th February 1830

Whereas on the 2d day of February 1833 certain orders and votes were passed at this Board, after a Protest signed by Eight Senators "against the right of Joshua Hale to preside and vote and act at the Senate Board, believing such a course to be incompatible with the provisions of the Constitution", which orders, votes and proceedings were entered on the Journal of the Senate, when there was not a Constitutional Quorum of the Senate present, there being but Seven Senators and the President present; and as said orders, votes and proceedings were improperly entered on the Journal, therefore

Mr Hillon's Preamble & Order.

Ordered That the following orders, votes & proceedings entered on the journal of the Senate be expunged.

Viz: On motion by Mr Meggnier, Ordered, that a Message be sent to the House of Representatives, that the Senate concur the House of Representatives in their proposition to

Order to expunge Mr Meggnier's motion & order relative to a Convention.

meet in Convention this day, at Eleven o'clock A.M. for the purpose of filling deficiencies in the Senate, for the following reasons.

1st Because the Senate have not ascertained what deficiencies exist in the Senate.

2d Because the Senate have not ascertained who are the Constitutional Candidates to fill such deficiencies, if any exist.

But the Senate will communicate with the House of Representatives as soon as deficiencies are ascertained and the Constitutional Candidates ascertained, proposing a Convention of the Members of the two Houses for the purpose of filling such deficiencies.

And this Message was delivered accordingly by the Secretary of the Senate.

The Senate resumed the consideration of the order first offered by Mr Dunlap on this forenoon, & pending & passed the same

Mr Meggier moved the following Preamble and Order—

In Senate 23 February 1830

Mr Meggier's Preamble & order relative Convention to fill vacancies

Whereas a part of the Members of the Senate have withdrawn from the Senate Board, without the consent of the Senate, for the avowed purpose of meeting the Members of the House of Representatives in convention to fill deficiencies in the Senate, which have not been ascertained by the Senate, and when the Constitutional Candidates have not been designated by the Senate for filling deficiencies, if any exist, and without the concurrence of the Senate to such Convention; and Whereas such a procedure is unwarranted by the Constitution, and any election made by such Convention is void and can give no right to any individual so elected to a seat in the Senate, or to take part in the acts of the Senate; it being the exclusive right of the Senate alone to judge

of the elections and qualifications of its own Members, and the Senate being therefore the only Constitutional Tribunal to decide upon the legality or illegality of the returns of votes for Senators; therefore, Ordered, that a Message be sent to the Acting Governor and Council, that they may have notice that the Senate have not concurred in the election of any Persons to fill any deficiency which may exist at the Senate Board. The above Preamble and order were read and passed; and the Message was delivered accordingly, on Wednesday morning.

Mr Meggivier moved that the said Order be committed to a Select Committee and the motion was negatived. — Motion to commit.

The same Gentleman moved that it lie on the table and the motion was negatived. — to lie on table

The same Gentleman moved that Thursday next, at eleven o'clock, be assigned for the consideration of said order, and the motion was negatived. — time to consider same.

The same Gentleman moved that tomorrow afternoon at 3 o'clock be assigned for the consideration of said Order, and the motion was negatived. — same

The same Gentleman moved that Wednesday next at 3 o'clock be assigned for the consideration of said order and the motion was negatived. — same

The question on the passage of the order, on motion by Mr Meggivier, being ordered to be taken by yeas and nays, was decided in the affirmative as follows;

Yeas.

Messrs. Appleton, Boducell, Drummond, Gardner, Healey, Hilton, Hines, Knights, Morse, Phelps & Usher — 11 — Yeas.

Nays.

Nays.

Messrs. Davee, Dunlap, Hutchinson, Hutchings, Ingalls, Maguire and Stith ——— 7

The Senate adjourned.

Attest

Edward Kavanagh

Secretary.

Tuesday 9th February 1830

The Senate met according to adjournment.

On motion by Mr Hinds; Ordered, that the proceedings of the Convention for the choice of Senators to fill the vacancies in the Senate be entered on the journal of the Senate, and on motion by Mr Ingalls, the order was laid on the table. — Order that the proceedings of the Convention be entered on Journal.

See Appendix Page XXX

On motion by Mr Phelps; Ordered, that the Secretary of the Senate be required to furnish attested copies from the Journal of the Senate, when requested by any Member of the Board. — Order that Secr. furnish Copies.

A Communication from the Secretary of State, with accompanying documents, relating to returns of Sheriffs Registers of Deeds, and Clerks of Judicial Courts, came from the House referred to a Select Committee consisting of Messrs. Pond of Bucksport, Smith of Noblesborough and Shapleigh of Berwick; it was read and referred in concurrence to Messrs Meggrier, and Hinds, on the part of the Senate. — Returns from Sheriffs, Clerks & Registers of Deeds.

On motion by Mr Phelps; Ordered, that five hundred copies of the opinions of the Justices of the Supreme Judicial Court, in answer to questions propounded to them by the late Acting Governor and by the Council, and called for by an order of the Senate on the 6th day of February Inst. be printed for the use of the Members of the Legislature. — Order to print opinions of the Jus. of the Sup. Jud. Court.

On motion by Mr Meggrier; Ordered, that the Standing Committee on the Judiciary be instructed to consider the expediency of, passing a Law to change the punishment of death in certain crimes, now made capital by the Laws of this State, to punishment by imprisonment for life: or if such Laws is deemed — Standing Order relative to changing punishment of death.

Independent, to provide for the execution of Persons Sentenced to suffer death in the Prison, where they may be confined, instead of executing them in public as is now the practice. Sent down for concurrence. Concurred.

Order relative to Debtors to the State.

Ordered of the House of Representatives; That the Committee on the Judiciary be instructed to inquire into the expediency of authorising the Attorney General, or some other public Officer, to discharge Persons from imprisonment who stand committed on Writs or Executions in favor of the State; and also the expediency of providing by Law for notice on some public Officer of the intention of such Debtor to take the Poor Debtors Oath: and also the expediency of authorising the proper Officers to compound with or discharge Debtors to the State, when the interest of the State requires it.

Order relative to taking the Censors.

(also) That the same Committee be instructed to inquire into the expediency of providing by Law for the taking of the Censors of the Inhabitants of this State by the Selectmen of Towns and Plantations, or otherwise, preparatory to a new apportionment of Representatives in this House).

Were severally read and concurred.

Order relative to amending Militia Law.

(also) That the Committee on the Militia and Military afairs be instructed to inquire into the expediency of amending the Militia Laws, so as to make it the duty of Commanding Officers of Independent Companies, in case of enlistment, to give notice thereof to the Commanding Officers of the Standing Companies within whose limits such enlistments shall have been made.

Reviews & Inspection.

(also) That the same Committee be instructed to inquire into the expediency of doing away all General Reviews and all Company trainings, except the annual Inspection.

Were severally read and concurred.

Petitions of Benjamin Cole, to set off Lot No 23 from Litchfield to Wales. Petitions referred.

" of John Frees & others, of Township No 2, for the Incorporation of Williamson.

" R. K. Page & others, for the incorporation of a part of the Town of Hallowell as a new Town, by the name of Hallowell-Port.

Remonstrances of John Davis & others, against the Petition of R. K. Page & others. Remonstrances referred.

" of Nathaniel Green & others, a Committee of the Town of Topsham, against the Petition of Robert Patten & others, were severally read and referred to the Joint Standing Committee on the Incorporation of Towns, in concurrence.

Petition of William Vance, in relation to the Houlton road. Petitions referred.

" of Edward Smith, for leave to the Land Agent to convey certain land.

" of Jacob O. Rogers, for a Resolve to authorize the Lands Agent to pay certain money to him.

" of Samuel Smith & others, praying that certain monies which they have paid to the Land Agent may be refunded to them, were severally read and referred to the Joint Standing Committee on State Lands, in concurrence.

" of George P. Richardson & others, for a revision of the Laws relating to the laying out of Roads.

" of Michael Wood & others, for a Law offering a bounty on Crows, were severally read and referred to the Joint Standing Committee on the Judiciary, in concurrence.

" of Daniel Merrill & others, for a revision of the Militia Laws &c

" of Asa Stevens & others, that Persons doing Military duty may be exempted from paying Poll taxes, were severally read and referred to the Joint Standing Committee on the Militia & Military affairs, in concurrence.

(75)

Petitions referred.

Petition of Proprietors of Canton Bridge, for an extension of time for erecting said Bridge, was read and referred to the Joint Standing Committee on Turnpikes, Bridges and Canals, in concurrence.

Petitions of Trustees of the Methodist Society, in Portland, for an enlargement of their Board, was read and referred to the Joint Standing Committee on the Incorporation of Parishes, in concurrence.

" " of Kilborn & Robinson & others, for a Horse ferry in Hallowell.

" " of Directors of Lewiston Bridge, praying for a Law restraining People on Horseback & in carriages from riding over said Bridge at a greater rate than a foot pace.

" " of George D. Richardson, for the exclusive right to navigate the Androscoggin with Horse power.

" " of James B. Fiske & others, for a Boom Corporation, came from the House severally referred to the Joint Standing Committee on the Judiciary; the Senate non-concurred the House in their references of said Petitions and referred the same severally to the Joint Standing Committee on Turnpikes, Bridges and Canals; Sent down for concurrence. The House receded & Concurred.

Petition of Ephraim Thompson & others, that part of their Canal be set off from Porter and annexed to Benson-field, was read and referred to the Joint Standing Committee on the Incorporation of Towns: Sent down for Concurrence. Concurred.

Order to enter Mr Phelps Protest on Journal.

On motion by Mr Phelps; Ordered, that the Protest signed by himself and seven other Members of the Senate, which on the 2d day of February was ordered to lie on the table, be now entered on the Journal of the Senate.

See Appendix Page XVI.

In pursuance of assignment, the Senate proceeded

to the Chamber of the House of Representatives, for the purpose of forming a Convention for the election of seven Councellors to advise the Governor in the Executive Department of the Government, and for Secretary and Treasurer of State, for the current political year. — Convention to elect Councillors, Sec. of State & Treasurer.

The President pro tem. of the Senate assumed the Chair in Convention

On motion,

Messrs. Ingalls of Cumberland, Healey of Lincoln, Swan of Portland, White of Monmouth & Seamman of Saco were appointed a Committee to receive sort and count the votes for Seven Councillors. — Com. to receive, sort & count votes for Councillors.

On motion by Mr. Clark of Hallowell; Ordered, that the Ballots for Councillors contain the names of the Seven Councillors voted for. — Order ballots contain names of seven.

Mr. Smith of Nobleborough moved the following order;

Whereas Nathan D. Appleton, Abijah Usher & and John Bodwell appear in this Convention, claiming to act therein as Senators for the County of York; and Whereas said Appleton, Bodwell and Usher have not been duly and constitutionally elected as such; therefor, Ordered, that the Committee which are or may be appointed to receive, sort and count the votes given in this Convention, be instructed not to receive ballots from the said Appleton, Bodwell and Usher. — Motion to exclude the York Senators from voting in Convention.

After debate thereon and before the business of the Convention was accomplished, it was, on motion, Ordered, that when the Convention separates it separate to meet again this afternoon at 3 o'clock — order relative to separation.

The Convention then separated.

The Senate returned to their Chamber and then Adjourned —

Afternoon.

The Senate met according to adjournment.

At 3 o'clock agreeably to the order of the Convention, the Senate proceeded to the Representatives' Chamber for the purpose of reassembling in Convention.

The President of the Senate pro tem. resumed the Chair in Convention.

Mr Smith's motion decided out of Order.

The Chairman decided that the motion submitted by Mr Smith, of Noblborough, in the forenoon session was out of order.

Appeal moved.

Mr Megquier moved an appeal from the decision of the Chairman, upon that question; thereupon,

Question

The Question "Shall the decision of the Chair stand as the judgement of the Convention" which, on motion by Mr Dunlap, was ordered to be taken by yeas and nays, was, after debate, decided in the affirmative as follows:

Yeas

Yeas.

Messrs. Appleton, Boxwell, Drummond, Gardner, Healey, Hilton, Jones, Morse, Phelps and usher of the Senate, and Messrs. Goodenow, Hapleigh, Dishon, Bourne, Stone, Hill, Sandborne, Jamaliel C. Smith, Goodwin, Seamans of Saco, Powers, Gilman, Curtis, Willet, Wells, Sylvester, of Minot, Johnson, Mitchell, Blake, Adams, of Portland, Swan, Dodge, Waterman, Magoun, Sagues, Mc Rown, Baxter, Ewell, Trask, John Smith, Gibbs, Myrick, Hatch, Perkins, Shaw of Wiscasset, Patterson of Warren, Miller, Pegsley, Pond, Walker, Johnson of Deer Isle, Chamberlain, Allen of Penguin, Crabtree, Freeman, Hamlin, Folsom, Mowry, Butterfield, Swan, Weeks, Ames, French, Adams of Gardiner, Clark of Hallowell, Mc Gaffey,

Sceaman of Pittston, Spaulding, Hoyt, Merrill, Robinson, Bowtelle, Morse, Wood, Charles, Barrell, Parsons, Caldwell, Norton, Allen of Fairfield, Bartlett, Thurston, Searle, Hutchings, Gratton, Kent, Clark of Lovant, Fowler, Of the House — 87

Nays—

Messrs. Dawes, Dunlap, Hutchinson, Hutchings, Ingalls, Nays.
Mcguier and Steele of the Senate—and Messrs. Norgwood, Spinney, Bradbury, Wentworth, Clark of Lemington, Lord, Hezar, Goodwin, Chase, Larabee, Rideout, Wheeler, Mabury, Shout, Morrell, Mann, Latham, Hinchfield, Waterman, Swan, Fogg, Shaw of Standish, Bishop, Thomas of Limington, Leuran, Smith of Poplsboro, Watts, Buggles, Lermond, Andrews, Thomas of Eden, Burnham, Chandler, Farnsworth, Johnson of Farmington, Howard of Leeds, White, Brigham, Frost, Howard of Brownfield, Hutchinson, Burnard, Tobin, Small, Perry, Cole, Howe, Nevers, Bonney, Bean, Bartlett of Sanford, Patterson of Strong, Bartlett of Portland, Kelsey, Emery, Looney, Richardson, Rowe, Goddard, Deaston, Snow, Giddens, Leuran of Lincolnville, Lambert, Knowlton, Alden, Sweets, Cass, Small, of the House — 76

Mr Dunlap had leave to read and lay on the table a Protest signed by himself and other Members of the Convention, and it was Ordered that the same be entered on the Journals of the Convention. Mr Dunlaps Protest ordered on journal.

See Appendix Page XVII

The Committee appointed to receive, sort and count the votes given for seven Councillors, after having attended to that service, reported: Committee Report.

That the whole number of votes given was One hundred & Sixty
Necessary to a Choice — Eighty one.
That Elisha Allen had — Eighty three.
David Crowell — Eighty one.
Samuel Paine — Eighty five.
Otis Little — Eighty two.
John Burgin — Eighty four.

Daniel Steward Jr ---- Eighty seven.
David Dunlap ------ Seventy six.
Isaac Lane ------ Seventy four.
Allen H. Cobb ------ Seventy four.
Benjamin Riggs ------ Seventy four.
Joseph Southwick ------ Seventy three.
John A. Smith ------ Seventy three.
Ralph C. Johnson ------ Seventy five.
Charles Peary ------ Seventy five
Phineas Varnum ------ Seven.
Joshua W. Hathaway ---- Five.
Parker McCobb ------ Three.
Nathaniel Hobbs ------ Three.
Schabod Bucknam ---- Three.
Drummond Farnsworth -- Two.
Caleb Emery ------ One.
Edward Butler ------ Two.

Councillers elected.

Thereupon Elisha Allen, David Crowell, Samuel Paine, Otis Little, John Burgin and Daniel Steward Jr, were declared duly elected Councillors to advise the Governor in the Executive Department during the current political year.

On motion,

Committee to receive sort & count votes for Sec. of State.

Messrs. Mugginy of Cumberland, Phelps of Somerset, Clark of Hancock, Howard of Penobscot and Hunt of Bangor were appointed a Committee to receive, sort and count the votes for a Secretary of State; and after having attended to that service, Mr Mugginy from said Committee reported;

That the whole number of votes given was One hundred fifty nine
Necessary to a Choice ------ Eighty.
That Edward Russell had --- Eighty four.
Roscoe G. Greene ------ Seventy four.
Elias Thomas ------ One.

E. Russell elected.

Thereupon Edward Russell was declared duly elected

Secretary of State, for the current political year.

On motion,

Committee to receive, sort & count votes for Treasurer.

Messrs. Drummond of Lincoln, State of Oxford, Adams of Gardiner, Cole of Paris, and Clark of Levant were appointed a Committee to receive, sort and count the votes for a Treasurer of the State: and after having attended to that service, Mr. Drummond from said Committee, reported,

That the whole number of votes given was One hundred & Eighty two.

Necessary to a choice ——— Eighty two.

That Elias Thomas had ——— Eighty seven.

Mark Harris ——— Seventy five.

Thereupon, Elias Thomas was declared duly elected Treasurer of the State, for the current political year.

On motion,

Ordered, That when the Convention separates, it separate to meet again tomorrow morning at eleven o'clock; and the Convention then separated.

The Senate then withdrew to their Chamber and then adjourned.

Attest

Edward Kavanagh

Secretary.

Petition of John Gilmore.

In the forenoon session of this day, An order of the House of Representatives, that the Senate be requested to take from their files and send down the Petition of John Gilmore, was read and request granted.

This Order has been omitted to be inserted in its proper place. attest. Edward Kavanagh

Secretary.

Wednesday 10th February 1830.

The Senate met according to adjournment.

Order that Sec. of State notify Councillors

On motion by Mr Appleton; Ordered, that the Secretary of State be directed to notify Elisha Allen, David Bowdle, Lemuel Paine, Otis Leale, John Burgin, & Daniel Steward R., Esquires, that they have been duly elected by joint ballot of the Senators and House of Representatives in Convention assembled, Councillors, to advise the Governor in the Executive part of Government for the current political year; and to request their immediate attendance. Sent down for concurrence. Concurred.

Sec. of Senate notify Sec. of State.

On motion by Mr Phelps; Ordered, that the Secretary of the Senate notify Edward Kupsell Esq that he has been duly elected Secretary of State, by both Branches of the Legislature in Convention assembled, for the current political year - and the notice was delivered accordingly by the Secretary -

Sec. of State to notify the Treasurer

On motion by Mr Hilton; Ordered, that the Secretary of State be instructed to notify Elias Thomas Esq, that he has been duly elected Treasurer of State, for the present political year. Sent down for concurrence. Concurred.

Pet. of Joseph Trewogy & als.

Petition of Joseph Trewogy & others, praying that monies by them paid to the Land Agents, for the purchase of land, may be refunded, and their notes cancelled, was read and referred to the Joint Standing Committee on State Lands. Sent down for concurrence. Concurred.

Mr Healey had leave of absence,

Ordered, that Halsey Healey have leave of absence for a few days.

Mr. Phelps, from the Committee appointed to

wait on Jonathan G. Hunton Esq to inform him of his election, as Governor of the State of Maine, for the current political year, reported: that they had attended to that service, and that he returned for answer, that he accepted the office, would meet both Branches of the Legislature this day, at twelve o'clock, in the Hall of the House of Representatives, and that he would communicate with both Branches of the Legislature by Message.

Committee to wait on the Governor. Report.

On motion by Mr Phelps; Ordered, that a Message be sent to the House of Representatives proposing a Convention of both Houses of the Legislature this day in the Hall of the House of Representatives, this day at twelve o'clock, Noon, for the purpose of administering the oaths of Office, required by the Constitution, to Jonathan G. Hunton Esq, Governor elect, and of receiving any communication he may be pleased to make; and to request the concurrence of the House therein. And the Message was delivered accordingly by the Secretary.

Message to Have proposing a convention to qualify the Governor.

A Message was received from the House of Representatives, by James L. Child, their Clerk, informing the Senate, that the House concur the Senate in their proposition for a Convention of both Branches of the Legislature, in the Hall of the House of Representatives, this day at twelve o'clock (Noon), for the purpose of administering the oaths required by the Constitution to Jonathan G. Hunton Esq. Governor elect.

Message from the House in reply.

Agreeably to the order passed in Convention, in the afternoon of yesterday, the Senate proceeded to the Hall of the House of Representatives, at eleven o'clock A. M. and reassembled in Convention, for the purpose of electing one Councillor to supply the deficiency in the District of Cumberland.

Convention to elect one Councillor.

The President pro tem. of the Senate assumed the Chair.

Com. to receive sort & count votes for Councillor.

The same Committee which was yesterday appointed for the purpose, On motion, proceeded to receive, sort and Count the votes given for a Councillor for the District of Cumberland.

And Mr Ingalls from said Committee reported that the whole number of votes was One hundred & fifty nine.

Necessary to a choice ..... Eighty.

1st. Ballot

That Allen H. Cobb had ..... Seventy three
David Dunlap ..... Sixty Six
Phinehas Varnum ..... Eighteen.
Noah Hinkley ..... One
Boardman Johnson ..... One

No choice

2d. Ballot.

2d. Ballot

The whole number of votes given was One hundred & Sixty.

Necessary to a choice ..... Eighty one.
Allen H. Cobb had ..... Seventy Seven.
Phinehas Varnum ..... Fifty eight.
David Dunlap ..... Twenty four.
Boardman Johnson ..... One

No choice.

3d. Ballot.

3d. Ballot

The whole number of votes given was One hundred & Sixty one

Necessary to a choice ..... Eighty one.
Phinehas Varnum had ..... Eighty three.
Allen H. Cobb ..... Seventy eight

P. Varnum elected.

Phinehas Varnum was then declared duly elected a Councillor to advise the Governor in the Executive Department of Government, during the current political year.

The Convention then separated, and the Senate returned to their Chamber.

On motion by Mr Drummond; Ordered,

Ordered, that the Secretary of State be requested to inform Phinehas Varnum Esq. that he has been duly elected a Councillor to advise the Governor in the Executive Department of the Government, during the current political year, and to request his immediate attendance. Sent down for Concurrence. Concurred. — Phinehas Varnum elected. Sec. of State to notify Councillor elect.

A communication from the Secretary of State, with accompanying documents, relating to the return of Sefe Robinson Esq. Sheriff of the County of Kennebec, came from the House referred to a Select Committee consisting of Messrs. Pond of Bucksport, Smith of Hobbsborough and Shapleigh of Berwick; it was read and referred, in concurrence, to Messrs. Meggnier & Sirds of the Senate. — Return of Sheriff of Kennebec.

Agreeably to assignment the Senate proceeded to the Hall of the House of Representatives, and assembled in Convention, at twelve o'clock. — Convention to qualify the Governor.

The President pro tem. of the Senate took the Chair.

Jonathan G. Hunton Esq. Governor elect, came in, attended by the Council, and upon the President pro tem. of the Senate, in the presence of both Houses of the Legislature, took and subscribed the oaths required by the Constitution to qualify him to enter upon the discharge of his Official duties. — Governor qualified in Convention.

The Secretary of State then made Proclamation, that Jonathan G. Hunton Esquire, is Governor and Commander in Chief of the State of Maine, for the current political year, and that he is to be respected and obeyed accordingly. — Proclamation of the Sec. of State.

The Convention then separated, and the Senate returned to their Chamber.

Communication from Chf Justice of Sup. Jud. Court.

The President pro tem. read a Communication from the Hon. Prentiss Mellen, Chief Justice of the Supreme Judicial Court, declining to give his opinion on the questions propounded to him and his Associates, by the Order of the Senate of 27th February Inst. and assigning as a reason for this declining the order of the Senate of 8th February Inst. touching the order aforesaid of the 22d Instant.

Hon. Joshua Hall resumed the Chair.

The Hon. Joshua Hall, President of the Senate, having vacated the Executive Chair, came in and resumed the Chair of the Senate.

Message from the Governor.

The Secretary of State came in and laid on the table a written Message from the Governor, with accompanying Documents: and on motion by Mr Meggues the Message was read and ordered to lie on the table.

See Appendix Page XVI

Order to print Gov. Message

On motion by Mr Phelps; Ordered that two hundred copies of the Governor's Message be printed for the use of the Senate.

On motion by Mr Meggues; Ordered, that when the Senate adjourn, they adjourn to ten o'clock tomorrow morning.

The Senate adjourned.

Attest

Edward Kavanagh
Secretary

Thursday 11th February 1830.

The Senate met according to adjournment.

A Communication from Edward Russell Esq. signifying his acceptance of the office of Secretary of State, for the current political year, was received, read and sent down. — E. Russell acceptance as Sec. of State.

Edward Russell Esq, Secretary of State, came in and stated, that in obedience to an order of a Convention of Members of the House of Representatives and of Members of the Senate elect, held on Tuesday the 2d Inst. he now announced that Obadiah Hill had been elected by said Convention a Member of the Senate, for the District of Washington, to supply a deficiency in that District, and that he had taken and subscribed the oaths of office before the Governor and Council, and that in further obedience to the order of said Convention he now introduced said Obadiah Hill to the Senate. — Sec. of State introduced Mr Hill as Senator for Washington District.

On motion by Mr Kingsbury; Ordered that when the Senate adjourn they adjourn to five o'clock this afternoon.

The Senate adjourned.

Afternoon.

Mr Dunlap moved the following Preamble and Resolution.

Whereas on the fifth day of February Inst. the Hon. Joshua Hall, President of the Senate, then exercising the office of Governor of this State, did propound to the Judges of the Supreme Judicial Court, under the provisions of — Mr Dunlap's Preamble and Resolution, relative to questions propounded to Jus. of S. J. C.

the Constitution the following Questions; viz:

1st Can such a Convention of Members of the Senate and House of Representatives be constitutionally formed, for supplying deficiencies in the Senate, without the concurrence of the two Branches of the Legislature.

2d Can such a Convention formed, without the concurrence of the Senate and which does not contain a majority of such Senators as are elected, proceed to supply deficiencies, before the Senate has ascertained the deficiencies that exist in the Senate and designated the Constitutional Candidates to supply said deficiencies? And can any other Body, under the Constitution, other than the Senate designate the Constitutional Candidates to supply such deficiencies?

And Whereas two of said Justices, to wit: Prentiss Mellen and Albion K. Parris, being a majority of the Justices of said Court, have delivered their written opinion to the said Joshua Hall, that a Convention can not be constitutionally formed for supplying deficiencies in the Senate, without the Concurrence of the two Branches of the Legislature, and that such Convention formed without the concurrence of the Senate, and which does not contain a majority of such Senators as are elected, can not proceed to supply deficiencies before the Senate has ascertained the deficiencies that exist in the Senate and designated the Constitutional Candidates to supply said deficiencies, and that no other Body, under the Constitution, other than the Senate, can designate the Constitutional Candidates to supply such deficiencies, when a Quorum of the Senate has been elected and a Senate has been duly organised; and Whereas the Senate which was duly organised by the election of a Quorum of the number of Senators required by the Constitution, and by the choice of a President on the thirteenth and of a Secretary on the fourteenth day of January 1830, has never determined the deficiencies which exist in that Branch of the Legis-

-latures, and has never by any vote determined and decided who are the Constitutional Candidates from whom any deficiencies in the Senate, which may exist, ought to be supplied, and has never by any vote of the Senate, as organized, concurred with the House of Representatives in the formation of any Convention of the Members of the two Houses of the Legislature for the purpose of supplying deficiencies in the Senate, and no Convention was ever formed for the purpose aforesaid by the concurrence of the two Houses of the Legislature: and Whereas certain Persons, to wit: Nathan D. Appleton, John Boswell and Abijah Usher Jr and Obadiah Hill have appeared in the Senate and have claimed a right to sit and act as Members of the Senate, by virtue of an election by a Convention holden on the Second day of February instant, composed of the Members of the House of Representatives and eight of the Members of the Senate elected by the People, being less than a majority of such Senators as are elected, and formed without the Concurrence or consent of the Senate duly organized as aforesaid;

Therefore Resolved, that the said Nathan D. Appleton, John Boswell, Abijah Usher Jr and Obadiah Hill have not been Constitutionally elected Senators and are not entitled to seats at the Senate Board.

The Letters of the two Justices mentioned in the Preamble to this Resolution, containing their written opinion were severally read.

Mr Kingsbery moved that the above Preamble and Resolve lie on the table, and the question being ordered to be taken by yeas and nays, was declared by the President to have been decided in the negative as follows; Preamble & Resolve lie on the table.

Yeas

Messrs. Drummond, Gardner, Hilton, Sinds, Kingsbery, Morse & Phelps — — — — — — — 7 Yeas.

Nays

Messrs. Davee, Dunlap, Stull, Hutchinson, Hutchings, Ingalls, Meggison and Steele — — — — — — — — — — 8 Nays.

motion to consider

Mr Kingsbury then moved that Monday next at eleven o'clock, be assigned for the consideration of said Resolve; and the motion was negatived.

Question

The question on passing said Resolve, being on motion by Mr Garanor ordered to be taken by yeas and nays, was declared by the President to have been decided in the Affirmative as follows;

Yeas.

Yeas

Messrs. Dorcy, Dunlap, Hall, Hutchinson, Hutchings, Ingalls, Meguier & Steele ——— 8

Nays.

Nays.

Messrs. Drummond, Gardner, Hilton, Hinas, Morse and Phelps ——— 6

Motion to commit Senatorial Returns to a Select Com.

Mr Meguier moved the following order.

Ordered, That the Report of the Committee appointed to examine the returns of votes for Senators be committed to a Select Committee to consider and report upon so much of the subject thing as relates to the elections of Senators by the People in the Senatorial Districts of York and Washington.

time assigned

Mr Garanor moved that tomorrow morning be assigned for the consideration of this order: and the question, on this motion, being ordered to be taken by yeas and nays, on motion by Mr Hinas, was decided in the negative as follows;

Yeas.

Yeas.

Messrs. Drummond, Hilton, Hinas & Morse — 4

Nays.

Nays.

Messrs. Dorcy, Dunlap, Gardner, Hall, Hutchinson, Hutchings, Ingalls, Meguier & Steele — 9

time to consider

Mr Hilton moved that tomorrow morning, at ten o'clock, be assigned for the consideration of this order, and the question on this motion being ordered to be taken

by yeas and nays was decided in the negative as follows:

Yeas.

Mssrs. Drummond, Gardner, Hilton, Hinds & Morse — 5 — Yeas.

Nays -

Mssrs. Dearce, Dunlap, Hall, Hutchinson, Hutchings, Ingalls, Meggnier & Steele — 8 — Nays.

Mr Hinds moved that the Order be postponed indefinitely and the question on his motion, being ordered to be taken by Yeas & nays was decided in the negative as follows; — motion to postpone indefinitely.

Yeas.

Mssrs. Drummond, Gardner, Hilton, Hinds & Morse — 5 — Yeas.

Nays -

Mssrs. Dearce, Dunlap, Hall, Hutchinson, Hutchings, Ingalls, Meggnier & Steele — 8 — Nays.

The question on passing the said order was then taken and declared by the President in the affirmative, Mssrs. Meggnier, Steele and Ingalls were then appointed a said Committee in said order provided for — committee on said order.

The Senate adjourned.

Attest -

Edward Kavanagh

Secretary -

Friday 12th February 1830.

The Senators present were called to order at the hour to which the Senate had adjourned.

Order relative to absent members.

On motion by Mr Huguier; Ordered, that the Messenger be directed to call during the recess at noon, on the Members of the Senate who have absented themselves, this morning, from their seats and inform them that the Senate has been without a Quorum and request their attendance at the afternoon session.

The Senators present then adjourned.

Messenger's statement relative to the absent members.

Afternoon. The Senators present were called to order by the President. The Messenger stated to the Senate, that he had called at the Boarding Houses of the five Members of the Senate who were absent from the forenoon session, and that he had not found any of them to whom he could communicate the request of the Senate.

Order relative to absent members.

On motion by Mr Darcey; Ordered, Whereas certain Members of this Board have absented themselves from the Senate without leave first had and obtained; & Whereas a Quorum of the Senate is not now present and the public business of the State is thereby much retarded, and the wheels of Government stopped; therefore Ordered, that the Messenger of the Senate be directed to request the immediate attendance at this Board of Messrs. Phelps, Gardner, Drummond, Moses & Hinds, to aid in the discharge of public business: and that a copy of this order signed by the President and attested by the Secretary

be delivered in hand to each of said Gentlemen, at least their respective Boarding houses by the Messenger of the Senate.

An order of the House of Representatives, passed in that House, on this day, requesting the Senate to inform the House why the Joint standing Committees appointed on the part of the House, and sent up for concurrence, had not been joined on the part of the Senate, was read and thereupon,

Order relative to Joint standing Committees.

Mr Meggison moved the following Order, that in answer to the order of the House of Representatives requesting to be informed "Why the Senate Joint standing Committees appointed on the part of the House and sent up for concurrence, have not been joined by the Senate" a message be sent to the House of Representatives, that the deficiencies in the Senate have not been determined, nor the Constitutional Candidates ascertained and designated for filling any deficiencies existing in the Senate; and that this Branch of the Legislature is now unable to transact business, several of its Members having absented themselves from the Senate, without leave, so that a Quorum is not present.

Message to the House relative to Joint standing Committees.

On motion by Mr Hilton the above order was laid on the table.

The Senators present then

Adjourned.

Attest

Edward Kavanagh
Secretary.

Saturday 13th February 1836

The Senators present were called to order by the President, at the hour appointed for the meeting of the Senate.

Messenger's statement in relation to absent members

The Messenger states that in obedience to the order of yesterday, he has proceeded to the Boarding Houses of the several Members of the Senate therein named; and that being unable to meet any of said Gentlemen, he has left certified copies of said notes at their respective Boarding Houses aforesaid.

Message from Governor.

The Secretary of State came in and delivered a written Message from the Governor, which was ordered to lie on the table, there not being a Quorum of the Senate present.

Relative to absent members

Mr Steele moved the following Order:

Whereas the Convention on the 2d Inst. which undertook to supply deficiencies in the Senate by election was (as appears by the unanimous opinion of the Justices of the Supreme Judicial Court) illegal and unconstitutional; and said elections wholly void; and Whereas the right and duty of the Senate of judging of the elections and qualifications of its Members, of determining on deficiencies and on the Candidates to supply them has not been fully exercised: and Whereas, pending an inquiry into the election and qualifications of Members of the Senate, preparatory to proceeding in the business of Legislation, so great a number of the Senators have absented themselves from the Senate as to leave less than a Quorum for doing business; and all suitable means having been adopted to procure said Absentees to attend the sittings of the Senate, but hitherto without success; and it not appearing probable that further exertions will be any more successful: and Whereas the Legislature has been nearly six weeks in session, at great expense to the People of this

State, without being able to perform any Constitutional Legislative acts; and notwithstanding there is some important business affecting Individuals as well as the Public, which requires Legislative attention, and which ought not to be neglected: Yet as there does not appear to be any prospect of meeting a Quorum of the Senate to attend at the Senate board; Therefore to avoid the expense of a longer and unavailing attempt to proceed in the public business,

Ordered, that the concurrence of the House of Representatives be requested in a proposition to adjourn without day, at as early a period as shall appear compatible with the publick interests.

On motion by Mr Hilton the Order aforesaid was laid on the table. laid on table.

Afterwards, on motion by Mr Hutchings, the Order was taken up, considered and the question on its passage, on motion by Mr Stilton, being ordered to be taken by yeas and Nays, was decided as follows:

Yeas.

Messrs. Bowen, Dunlap, Hall, Hutchinson, Hutchings, Ingalls, Nuggent & Wells — 8 Yeas.

Nays.

Messrs. Hilton & Stone — 2 Nays.

The names of Messrs. Drummond, Gorham, Hinds and Phelps were called on this question and they were not Absent members present. Thereupon it was ordered, that an entry be made called. on the Journal, that the said Gentlemen were absent without leave: and it was further ordered, that an entry be made on the Journal, that Mr Kingsbery was absent by leave of the Senate. The above order was sent down for concurrence.

On motion;

Ordered that when the Senate adjourn they adjourn to two o'clock this afternoon.

On motion;

Ordered, that the Messenger by himself or his Assistant, in the recess, notify Messrs. Drummond, Gorham, absent members. Messenger to notify absent members.

Hinds and Phelps, that there was not a Quorum of the Senate present at this forenoon session, and request their attendance this afternoon.

The Senators present then adjourned.

Afternoon.

A Quorum of the Senate was not present.

The Senators present adjourned.

Attest

Edward Lavanagh
Secretary.

Monday — February 15th — 1830.

The Senate met according to adjournment.

Mr Healey appeared and resumed his seat. — Mr Healey appeared.

Order of the House of Representatives, that the Committee on the Judiciary be instructed to enquire into the expediency of repealing so much of an Act passed 3d March 1829, entitled "An Act making provision for the organization of Corporations" as is contained in the "proviso" of said act; was read and concurred. — Order relative to organization of Corporations.

(Also) an Order requesting the Senate to take from their files of last year and send down the petition of the Inhabitants of the Town of Fryeburg, was read and request granted. — Pet. of Inhs. of Fryeburg.

Petitions of Joseph Whitney & others, for further time to finish a Sluice way on the Schoodic River. — Petitions reserved.

" — of L. M. Parker & others, for sale of land, part of the estate of E. Lincoln.

" — of William Battle & John Hanly, that certain doings of theirs may be made valid.

" — of George M. Chase, for admission as an Attorney at Law; were severally read and referred to the Joint Standing Committee on the Judiciary, in concurrence.

Petitions of Daniel Holt & others, Inhabitants of the Counties of Kennebec & Somerset, praying that a Law may be passed prohibiting the use of narrow rimmed wheels on our public Roads.

" — of John Gilmore & others, for authority to erect Locks on Eastern River in the County of Hancock.

" — of William Lord & others, praying for —

Remonstrance of Daniel Evans.

authority to straighten the Mousam River. and
Remonstrance of Daniel Evans against the Petition of Kilborne G. Robinson & others —
were severally read and referred to the Joint Standing Committee on Turnpikes, Bridges & Canals, in concurrence.

Petitions referred.

Petitions of Joseph Young, for money due to him for services as an Officer upon Executions in favor of the State.
" — of Nathaniel Felton, for relief in consequence of a wound received by him in the performance of official duty.
" — of Josiah Crosby, praying compensation for certain services.
were severally read and referred to the Joint Standing Committee on Claims in concurrence.
Petitions of Henry Milliken of Searsbro', to be annexed to Vassalboro.
" — of John Webber & others of Shapleigh to be incorporated into a separate Town.
" — of Amasa Lapley 2nd of Vienna, to be annexed to Waterville.
were severally read and referred to the Joint Standing Committee on the Incorporation of Towns, in concurrence.
Petitions of John A. Hyde & others, to be incorporated as a Fishing Company.
" — of Selectmen of Whitefield, in relation to the fisheries in the Sheepscot River.
were severally read and referred to the Joint Standing Committee on Interior Fisheries, in concurrence.
Petitions of James Crosby & others, for a Bank at Bangor.
" — of Kennebunk Bank, for reduction of Capital Stock,
were severally read and referred to the Joint Standing Committee on Banks & Banking, in concurrence.
Petition of George Sawtell, praying for a Pension by reason of wounds received when on military duty,
was read and referred to the Joint Standing Committee on applications from sick & wounded Soldiers, in concurrence.

Petition of Andrew Bradford & others, in behalf of the Eastport Washington Artillery Company, for a grant of four hundred dollars to build a Gun-House, was read and referred to the Joint Standing Committee on the Militia and Military affairs, for concurrence. Petitions referred.

Petition of Libbeus Bailey & others, that the name of the first Evangelical Congregational Society may be changed to the Central Congregational Society of Eastport, was read and referred to the Joint Standing Committee on the Incorporation of Parishes, for concurrence.

Petition of Nathaniel Frost & others, for an allowance for deficiency in Land purchased of the State, was read and referred to the Joint Standing Committee on State Lands, for concurrence.

Petition of Nathan Hills & others, for a grant for loss sustained in fulfilling a contract with the Warden of the State Prison, came from the House referred to the Joint Standing Committee on Claims for concurrence. It was read, and the Senate nonconcurred the House in their reference, and referred the same to the Joint Standing Committee on the State Prison. Sent down for concurrence.

The House receded & Concurred.

On motion by Mr Muggridge; Ordered, that the Committee on the Judiciary be instructed to inquire whether any further alteration should be made by Law, in relation to foreign attachment, Sent down for concurrence. Order relative to foreign attachment.

Concurred.

On motion by the same Gentleman, Ordered, that the same Committee be instructed to consider whether any further provision of Law is necessary in relation to actions upon any penal Bonds or Penal sums for the performance of any Covenants or Agreements. Sent down for concurrence. Order relative to Bonds, Covenants & Agreements.

Concurred.

On motion by Mr Phelps; Ordered, that the

Order relative to Criers of Courts

same Committee be directed to inquire into the expediency of abolishing the office of Crier of the Courts; and of inquiring the Clerks of said Courts and the Sheriff to perform the duties now performed by the Crier without any addition to their present compensation, under the direction of the Court. Sent down for concurrence. Concurred.

The Senate adjourned.

Afternoon -

The Senate met according to adjournment.

Joint standing Committees appointed.

The following "Joint Standing Committees" having been appointed on the part of the House and Sent up for concurrence, were joined on the part of the Senate as follows;

Committee on Judiciary.

On the Judiciary.

Of the Senate.	Of the House.
Messrs. Kingsbery.	Messrs. Boutelle, of Waterville.
Dimlap.	Ruggles, of Thomaston.
Mugquier.	Clark, of Hallowell.
	Smith, of Robbinsborough.
	Kent, of Bangor.

Committee on Literature &c.

On Literature and Literary Institutions

Messrs Mugquier.	Messrs. Bourke, of Kennebunk.
Hines.	Shaw, of Wiscasset.
	Cole, of Paris.

Committee on Incorporation of Towns.

On the Incorporation of Towns.

Messrs. Garaner.	Messrs. Small, of Jay.
Davee.	Rideout, of Cumberland.
Hines.	Bowers, of Sanaford.
	Butterfield, of W. Machia.
	Chamberlain, of Ellsworth.

On State Lands.

Committee on State Lands.

Mssrs. Phelps. Steele. Garaner.

Mssrs. Pond, of Buckspot. Kelsey, of Guilford. Hubbard, of Brownfield. Seammon, of Pittston. Mr. Yaffy, of Mt. Vernon.

On Banks and Banking

Committee on Banks and Banking.

Mssrs. Dunlap. Kingsbury.

Mssrs. Swan, of Portland. Mowry, of Eastport. Gilman, of Wells.

On the State Prison.

Committee on State Prison.

Mssrs. Ingalls. Drummond.

Mssrs. Seammon, of Saco. Sewall, of Edgecomb. Clark, of Limington.

On Turnpikes, Bridges and Canals.

Committee on Turnpikes, Bridges and Canals.

Mssrs. Drummond. Morse.

Mssrs. Adams, of Caraner. Johnson, of Farmington. Allen, of Fairfield.

On the Incorporation of Parishes.

Committee on Incorporation of Parishes.

Mssrs. Hutchinson. Sealey.

Mssrs. Mitchell, of N. Yarmouth. Baxter, of Bristol. Knowlton, of Montville.

On Manufactures.

Committee on Manufactures.

Mssrs. Phelps. Steele.

Mssrs. Hamlin, of Columbia. Bartlett, of Harmony. Farnsworth, of Pennyville.

On the Militia and Military affairs.

Committee on Militia &c.

Mssrs. Steele. Hilton.

Mssrs. Emery, of Hampden. Parsons, of Norway. Perkins, of Topsham.

On Interior Fisheries.

Committee on Interior Fisheries.

Mssrs. Hutchings. Hines.

Mssrs. McHown, of Boothbay. Snow, of Frankfort. Johnson, of Deer-Isle.

Com. on applications from Soldiers

On applications from Sick and Wounded Soldiers.

Messrs. Ingalls. Messrs. Myrick, of Newcastle.
Morse. Wells, of Freeport.
Waterman, of Windham.

Com. on accounts

On Accounts.

Messrs. Dance. Messrs. Robinson, of Vassalboro.
Hilton. Burrill, of Livermore.
Mann, of Durham.

Com. on Claims.

On Claims.

Messrs. Hutchinson. Messrs. Smith, of Newfield.
Phelps. Morse, of Wilton.
Nevens, of Sweden.

Order relative to Equity powers of the Supr. Jud. Court.

On motion by Mr Meguire; Ordered, that the Committee on the Judiciary be instructed to inquire whether any further equity powers ought to be given to the Supreme Judicial Court in cases of fraud, trust; accident and mistake, when there is not a plain, adequate and sufficient remedy by the rules of the common Law. Sent down for concurrence.

Concurred.

The Senate adjourned.

Attest

Edward Kavanagh
Secretary.

The Senate met according to adjournment.

Order of the House of Representatives, That so much of the Governor's Message as relates to the establishment of an Insane Hospital be referred to a Select Committee, to be joined by the Senate, and appointing Messrs. Waterman of Windham, Blake of Oldfield and Burnham of Orland on the part of the House, was read and concurred and Messrs. Morse and Hersey were joined on the part of the Senate. — Order relative to Insane Hospital.

That so much as relates to Agriculture and Agricultural Societies be referred to a Select Committee, to be joined by the Senate, and appointing Messrs. Pond of Buckspt, Weeks of China, Goodwin of South Berwick, Clerk of Levant and Hutchings of New Portland on the part of the House: was read and the Senate concurred and Messrs. Phelps, Drummond and Sinds were joined, on the part of the Senate. — Order relative to Agriculture &c

That so much as relates to making a provision for a general Valuation and a Census be referred to a Select Committee, to be joined by the Senate, and appointing Messrs Morton of Canaan, Hamlin of Columbia, Bartlett of Garland, Sagues of Bowdoinham and Shaw of Standish on the part of the House, was read and concurred, and Messrs. Ingalls, Clark and Dana were joined, on the part of the Senate. — Order relative to Valuation & Census.

That so much as relates to the Militia be referred to the Joint Standing Committee on the Militia and Military affairs, was read and concurred. — Order relative to Militia.

That so much as relates to the affairs of the State Prison be referred to the Joint Standing Committee on the State Prison, was read and concurred: — Order relative to State Prison.

That so much as relates to the Public Lands be referred to the Joint Standing Committee on State Lands, was read and concurred: — Order relative to Public Lands.

Order relative to Canada Road.

That so much as relates to the Canada Road be referred to a Select Committee, to be joined by the Senate, and appointing Messrs. Shaw of Wiscasset Gilman of Wells and Thurston of Madison, on the part of the House, was read and concurred and Messrs. Hutchinson & Dawes were joined, on the part of the Senate:

Order relative to Mattanawcook Road.

That so much as relates to the Mattanawcook Road be referred to a Select Committee to be joined by the Senate, and appointing Messrs. Chandler of Calais, Fowler of Orrington & Sylvester of Harpswell, on the part of the House, was read & concurred, and Messrs. Hilton and Meggison were joined, on the part of the Senate:

Order relative to Baring & Houlton Road.

That so much as relates to the Road from Baring to Houlton be referred to the Joint Standing Committee on State Lands, was read and concurred:

Order relative to Greenleaf, Map.

That so much as relates to the Map and Statistical view of the State be referred to the Joint Standing Committee on Literature and Literary Institutions, was read and concurred:

Order relative to N. E. Boundary.

That so much as relates to the North Eastern Boundary be referred to a Select Committee to be joined by the Senate, and appointing Messrs. Freeman of Chesterfield, Sanborne of Limerick, Rowe of Belfast, Morrill of Sidney and Herrav of Parsonsfield, on the part of the House, was read and concurred, and Messrs. Kingsbury, Gardner and Hutchings were joined, on the part of the Senate:

Order relative to Penobscot Indians

That so much as relates to the Penobscot Indians and negociations with them be referred to the Joint Standing Committee on State Lands, was read and concurred:

Order relative to Massachusetts Claims.

That so much as relates to the Massachusetts claim be referred to a Select Committee, to be joined by the Senate, and appointing Messrs. Clark of Hallowell, Smith of Noblebrough, Willet of Bridgeton, Boage of Portland & Johnson of Farmington, on the part of the

House, was read and concurred, and Messrs. Meggquier, Steele and Drummond were joined, on the part of the Senate.

That so much as relates to communications from the Executives of other States be referred to a Select Committee to be joined by the Senate, and appointing Messrs. Benatte of Waterville, Kent of Bangor & Cutts of Prospect on the part of the House, was read and concurred and Messrs. Dunlap & Hinds were joined, on the part of the Senate. Order relative to communications from Executives of other States.

That so much as relates to Fines, Forfeitures and Bills of cost be referred to the Joint Standing Committee on the Judiciary, was read and concurred. Order relative to Fines, Costs &c.

Petition of Joseph Ludwig & others, that certain doings of theirs may be made valid, was read and referred to the Joint Standing Committee on the Judiciary, in concurrence. Petitions referred.

" — of William Pike, for leave to collect the pay for certain timber cut on land purchased of the State, was read and referred to the Joint Standing Committee on State Lands in concurrence.

" — of Jonathan S. Tallman, of Dresden, to be annexed to the Town of Richmond;

(also) Remonstrance of Ambrose Howard & others, against the Petition of Ruthergrd Drummond & others, were severally read and referred to the Joint Standing Committee on the Incorporation of Towns, in concurrence. Remonstrance referred.

On motion by Mr Meggquier, the Petition of the Inhabitants of Thompson Pond Plantation was taken from the files, and referred to the Joint Standing Committee on the Incorporation of Towns. Sent down for concurrence. Pet. of Inhts of Thompson Pond Planta.

Concurred.

On motion by Mr Phelps, the Petition of David H. Patterson was taken from the files, read and referred to the Joint Standing Committee on Turnpikes, Bridges Pet. of David H. Patterson & als.

and Canals. Sent down for concurrence. Concurred.

Order relative to expenditures on the State House at Augusta.

On motion by Mr Hinds; Ordered, that a Select Committee of three, with such as the House may join, be appointed and instructed to inquire what amount has been expended upon the State House, at Augusta, what progress has been made therein; what appropriation will be necessary to continue the work, in what manner it is expedient that such appropriation shall be made; and whether the whole expense of the Buildings will exceed the estimate heretofore made of Eighty Thousand dollars; with leave to report by Bill or otherwise: And Messrs. Hinds, Dunlap and Hilton were appointed of that Committee on the part of the Senate. Sent down for concurrence: Concurred, and Messrs. Severance of Augusta, Norton of Canaan, Curtis of Brunswick, Bouney of Turner and Lord of Lebanon were joined on the part of the House.

On motion by Mr Jarvis; Ordered, that when the Senate adjourn, they adjourn to ten o'clock tomorrow morning.

Message to the House proposing Convention to qualify Councillors

On motion by Mr Hilton, a Message was sent to the House of Representatives proposing a Convention of both Houses of the Legislature, in the Representatives Chamber, tomorrow morning at eleven o'clock, for the purpose of qualifying such Councillors elect as may have signified their acceptance of that trust, and to request the concurrence of the House thereon.

Bill in add. to C. & C. Canal Corporation.

A Bill from the House entitled "An act in addition to an act to establish the Cumberland and Oxford Canal Corporation" was read once and Thursday next at eleven o'clock A. M. was assigned for the second reading, and in the mean time it was committed to Messrs. Huggins, Dunlap and Hilton.

The Senate adjourned.

Attest

Edward Kavanagh

Secretary.

Wednesday 17th February 1830.

The Senate met according to adjournment.

The President announced the following Committees.

Committee on Bills in 2d. reading.

On Bills in the Second Reading.

Mssrs. Dunlop. Phelps. Hines.
Kingsbery. Steele. Hutchinson.
Maguire. Gardner. Drummond.

Committee on Engrossed Bills.

On Engrossed Bills.

Mssrs. Ingalls. Morse. Healey.
Hutchinson. Gardner.
Phelps. Drummond.

Order relative to Ferries.

On motion by Mr Healey; Ordered, that the Joint Standing Committee on the Judiciary be instructed to inquire into the expediency of making any alteration in an Act entitled "An act regulating Ferries." Sent down for concurrence. Concurred.

Message from the House concurring in proposition for a Convention.

A message was delivered from the House of Representatives, by James L. Child, their Clerk, informing the Senate that the House had voted to concur the Senate in their proposition made yesterday, for a Convention of both Houses of the Legislature, this day at eleven o'clock A. M. for the purpose of qualifying such Councillors elect as have signified their acceptance of that office.

Order relative to Draftsman.

On motion by Mr Drummond; Ordered, that Messrs. Drummond and Gardner be a Committee, with such as the House may join, to contract with some suitable Person to perform the duty of drafting and copying Bills &c for the Members of the Legislature. Sent down for concurrence. Concurred and Messrs. Shapleigh, Frank & Howard of Leeds were joined by the Hon.

Written Communications were received from Lemuel Paine, David Crowell, Daniel Steward Jr & Phinehas Varnum, Commissioners elect, signifying their acceptance of that office, and from Councillor Cummins stating that they were ready to take and subscribe the oaths necessary to qualify them to discharge the duties thereof. They were severally read and sent down. Communication accepting.

On motion by Mr Dewey; Ordered, that the Joint Standing Committee on the Judiciary be instructed to inquire into the expediency of so far modifying "An act to provide for the sale and distribution of Ministerial and School Lands" passed 12th February 1824 - that the annual rents & profits of Lands granted and reserved for the use of the Ministry, and the interest accruing from monies arising from the sale of the same, may by a vote of Towns, be appropriated for the maintenance and suppot of Schools therein. Sent down for concurrence - Concurred. Order relative to Ministerial & School Lands.

Order of the House of Representatives,

That the Senate be requested to take from their files and send down the Petitions of John Drummond & others and of John Stockbridge & others, was read and negatived granted. Pet. of J. Drummond & als. & J. Stockbridge & als.

(Also) That the Committee on the Judiciary be instructed to inquire what alterations are necessary to be made in the "Act regulating elections" with leave to report by Bill or otherwise; Order relative to Elections.

(Also) That the same Committee be instructed to inquire into the expediency of making the Laws exempting Swine from attachment more explicit; Order relative to exempting Swine from attachment.

were severally read and Concurred.

On motion by Mr Megquier; Ordered, that the Secretary cause two hundred copies of the Rules and Orders of the Senate to be printed for the use of the Members. Order to print Rules & Orders.

Petitions referred.

Petitions of Inhabitants of Buxton and Hollis.

" —— of Joseph Whitney & others, were severally taken from the files, read and referred to the Joint Standing Committee on Turnpikes, Bridges and Canals. Sent down for concurrence.

Concurred.

Order relative to Fish in Dennys River &c.

An order of the last Legislature, that the Committee on Interior Fisheries take into consideration what alterations are necessary respecting the act passed 3d February 1824 entitled "An act to prevent the destruction of Fish called Salmon & Alewives in Dennys River and Pennimaquam, in the County of Washington, was taken from the files, read and with the accompanying papers referred to the Joint Standing Committee on Interior Fisheries. Sent down for concurrence. Concurred.

Petitions referred.

Petition of David Springer & others was taken from the files, read and referred to the Joint Standing Committee on Interior Fisheries. Sent down for concurrence.

Concurred.

Petition of Inhabitants of Fryeburg, that the Statute relating to the method of laying out and making provision for the repair of Highways may be repealed, was read and referred to the Joint Standing Committee on Turnpikes, Bridges & Canals, in concurrence.

Petitions of Penobscot Indians for leave to sell two Townships of Land.

" —— of the same for leave to sell all their timber at one sale – were severally read and referred to the Joint Standing Committee on State Lands, in concurrence.

" —— of John Dickerson, Judge of Probate for the County of Washington, was read and referred to the Joint Standing Committee on the Judiciary, in concurrence.

" —— Samuel P. Dutton & others for an act of

- Incorporation as a Literary Club, was read and referred to the Joint Standing Committee on Literature and Literary Institutions, in concurrence. Petitions referred.

Petition of Thomas Smiley & others to be annexed to the Town of Clinton, was read and referred to the Joint Standing Committee on the Incorporation of Towns. Sent down for concurrence.

Concurred.

" — of Daniel J. Perley for allowance for attending a destitute Family, as a Physician, out of the limits of any Incorporated Place, was read and referred to the Joint Standing Committee on Claims, in concurrence.

" — of Hugh M. Boyenton for compensation for loss and injury sustained while on military duty, was read and referred to the Joint Standing Committee on Applications from sick and wounded Soldiers, in concurrence.

Mr Meguier, from the Joint Standing Committee on the Judiciary, on the Petition of the Cumberland and Oxford Canal Corporation praying for the exclusive right of navigating by Steam the Sabago Pond, asked leave to be discharged from the further consideration thereof, and recommended that the same be referred to the Joint Standing Committee on Turnpikes, Bridges and Canals. The Report was read and accepted. Sent down for concurrence. Rel. of C. & O. C. Corporation, referred to Com. on Turnpikes, Bridges &c.

Concurred.

The same Gentleman, from the same Committee, to whom was referred an order of the 5th Inst. instructing said Committee "to inquire into the expediency of providing by Law for the taking of the Censuses of the Inhabitants of this State &c. asked to be discharged from the further consideration thereof, the same subject having been referred to a special Joint Committee of the Senate and House of Representatives. The Report was read and Subject of taking Census referred to special Joint Committee.

accepted. Sent down for concurrence.

Concurred.

Convention to qual. Mf Counsellors.

Agreeably to assignment the two Houses of the Legislature met in Convention, when Samuel Paine, David Crowell, Daniel Steward jr. and Pinckas Varnum, Councillors elect, came in and before the President of the Senate, in presence of both Houses of the Legislature, took and subscribed the oaths required by the Constitution to qualify them to enter upon the discharge of their official duties.

The Convention then separated, and the Senate returned to their Chamber.

Bill respecting Winthrop Bank.

Mr Dunlap, from the Committee on Banks and Banking, on the Petition of the Directors of the Winthrop Bank, reported a Bill entitled "An act additional act respecting the Winthrop Bank" which was read 1st 2d and 3d times and passed to be Engrossed. Sent down for concurrence.

Resolve in favor of Edward Smith.

Mr Phelps, from the Joint Standing Committee on State Lands, on the Petition of Edward Smith, reported a Resolve entitled "Resolve in favor of Edward Smith" which was read 1st and 2d times and passed to be Engrossed. Sent down for concurrence.

Leave for Bills on Petitions.

Mr Gardner, from the Joint Standing Committee on the Incorporation of Towns,

On the Petitions

of Seth Soule and others,

" Elijah A. Burrel & others,

" Alfred Farnham & others,

" Aulger Chase & others,

reported that the said Petitioners severally have leave to bring in a Bill. The reports were read and accepted.

Sent down for concurrence. Concurred.

The Same Gentleman, from the same Committee, on the Petitions of Notice ordered on Petitions.

Ephraim Dunn & others,

& George Germond & others,

reported an Order of Notice on each of said Petitions.

The Reports were read and accepted.

Sent down for concurrence. Concurred.

Mr Phelps, from the Joint Standing Committee on State Lands on the Petition of Columbus Dunn & others reported a Bill entitled "An act in favor of the Settlers on Townships numbered Ten and Eleven" which was read once and tomorrow at eleven o'clock A. M. was assigned for the second reading. Bill in favor of Settlers on No. 10 and 11.

Mr Hutchinson, from the Joint Standing Committee on the Incorporation of Parishes, on the Petition of the Trustees of the Ministerial fund in the Town of Bridgeton reported a Bill entitled "An act to extend the powers of the Trustees of the Ministerial funds in Bridgeton" which was read once and tomorrow at eleven o'clock A. M. was assigned for the second reading. Bill to extend powers of Trustees of Ministerial funds in Bridgeton.

On motion Ordered that when the Senate adjourn they adjourn to 9 o'clock tomorrow A. M. The Senate adjourned.

Attest

Edward Kavanagh

Secretary

Thursday 18th February 1830.

The Senate met according to adjournment.

Petitions referred.

Petitions of Inhabitants of Cumberland, for relief.

" ___ of William Homer, for a repeal of that part of the Law relating to Primary Schools, which authorizes the School Committee to remove Instructors, were severally read and referred to the Joint standing Committee on the Judiciary, in concurrence.

" ___ of D. Marshall & others, for a change of the name of the Wapatmough Bank, was read and referred to the Joint standing Committee on Banks and Banking, in concurrence.

Remonstrances referred.

Remonstrances of Thomas Smith & others, against the Petition of William Larrabee,

" ___ of Enos Greely & others, against the Petition of Joseph Hacker,

" ___ of Roland Holden & others against the Petition of William Maxfield & others, were severally read and referred to the Joint standing Committee on the Incorporation of Towns, in concurrence.

Mr Little's acceptance as Councillor.

A written communication from Otis Little, Councillor elect, signifying his acceptance of that Office, and that he was ready to take and subscribe the oaths necessary to qualify him to discharge the duties thereof, was read and sent down.

Order relative to unsettled accounts.

On motion by Mr Phelps; Ordered, that the accounts which remain unsettled with the Governor and Council previous to January 1829: and the Accounts of balances of old appropriations unexpended 1st January 1830, communicated with the Governor's Message, be referred to Messrs. Phelps and Davee, with such as the House may join. Sent down for concurrence. Concurred,

and Messrs. Crabtree of Vinalhaven, Gibbets of Lisbon, and Richardson of Appleton were joined, on the part of the House.

Mr Gardiner, from the Joint Standing Committee on the Incorporation of Towns, on the Petitions of

Samuel Merrill & others,
Adam Weed,
John Preese & others,
Mark White & others,

reported that the said Petitioners have leave severally, to withdraw their Petitions. The Reports were read and accepted. Sent down for concurrence. Concurred. — Leave to withdraw Petitions.

The same Gentleman, from the same Committee, on the Petitions of

Elisha Clark & others,
Joshua Young Jr,
Nathaniel Hoyt & others,
Jonathan T. Tallman & others,
Benjamin Cole,

reported an Order of notice on each of said Petitions, severally, returnable to the next Legislature. The Reports were read and accepted. Sent down for concurrence. Concurred, except as to the Petition of Nath'l Hoyt. — Notice ordered on Petitions.

The same Gentleman, from the same Committee, on the Petitions of

Andrew Gray & others,
& John Grindle,

reported, on each of said Petitions, a Reference thereof to the next Legislature. The reports were read and accepted. Sent down for concurrence. Concurred. — Petitions referred.

Mr Ringsbery, from the Joint Standing Committee on the Judiciary, on the Petitions of

Selectmen of Abbot,
Davis Ridley & others
& William Battie & other

— Leave to withdraw Petitions

reported that the Petitioners have leave, severally, to withdraw their Petitions. The Reports were read and accepted. Sent down for concurrence. Concurred.

Pet. of Joseph Whitney.

The same Gentleman, from the same Committee, on the Petition of Joseph Whitney, reported that the same be referred to the Joint Standing Committee on Turnpikes, Bridges & Canals. The report was read and accepted. Sent down for concurrence. Concurred.

Pet. of Inh^t. of Kennebec & Somerset.

Mr. Drummond, from the Joint Standing Committee on Turnpikes, Bridges & Canals, on the Petition of Inhabitants of the Counties of Kennebec and Somerset, reported that the Petitioners have leave to withdraw their Petition. The report was read and accepted. Sent down for concurrence. Concurred.

Bill to incorp. Carritunk Bridge.

The same Gentleman, from the same Committee, on the Petition of Caleb Williams & others, reported a Bill entitled "An act to incorporate the Proprietors of Carritunk Bridge" which was read 3^d^ first and second times and passed to be Engrossed. Sent down for concurrence.

Bill to incorp. Madison Bridge.

The same Gentleman, from the same Committee, on the Petition of David H. Patterson & others, reported a Bill entitled "An act to incorporate the Proprietors of Madison Bridge" which was read 3^d^ first and second times and passed to be Engrossed. Sent down for concurrence.

Bill to encourage destruction of Crows.

Mr. Kingsbery, from the Joint Standing Committee on the Judiciary, on the Petition of Michael Woodward & others, reported a Bill entitled "An act to encourage the destruction of Crows" which was read 3^d^ first and second times, and passed to be Engrossed. Sent down for concurrence.

Mr. Dunlap, from the Committee on Banks and Banking, on the Petition of the President, Directors and Company of the Canal Bank, reported a Resolve entitled "Resolve in favor of the President, Directors & Company of the Canal Bank" which was read once and Friday next at eleven o'clock A. M. was assigned for the 2d Reading. — Resolve in favor of P. D. & Co. of the Canal Bank.

Mr. Ingalls, from the Joint Standing Committee on applications from sick and wounded Soldiers, on the Petition of David Searey, reported a Resolve entitled "Resolve granting a pension to David Searey" which was once and Friday next at eleven o'clock A. M. was assigned for the 2d Reading. — Resolve granting a pension to David Searey.

The same Gentleman, from the same Committee, on the Petition of N. L. Ingersoll, reported a Resolve entitled "Resolve in favor of N. L. Ingersoll" which was read the first time and Friday next at eleven o'clock A. M. was assigned for the second reading. — Resolve in favor of N. L. Ingersoll.

The same Gentleman, from the same Committee, on the Petition of James Pomroy, reported a Resolve entitled "Resolve granting a pension to James Pomroy, which was read the first time and Friday next at eleven o'clock A. M. was assigned for the second reading. — Resolve granting a pension to James Pomroy.

Mr. Phelps, from the Joint Standing Committee on State Lands, on the Petition of Jones Dyer, reported a Resolve entitled "Resolve in favor of Jones Dyer" which was read the first time and Friday next at ten o'clock A. M. was assigned for the second reading. — Resolve in favor of Jones Dyer.

The Bill entitled "An act in addition to an act to establish the Cumberland and Oxford Canal Corporation" was read the second time, amended and on motion, ordered to lie on the table. — Bill add. to act to establish C. & O. C. Corporation.

Bill, to extend the powers of Trustees of Ministerial funds in Bridgeton.

The Bill entitled "An act to extend the powers of the Trustees of the ministerial funds in Bridgeton" was read the second time and recommitted to the Standing Committee on Bills in the second reading.

Bill. Settlers on No. 10. & 11.

The Bill entitled "An act in favor of the Settlers on Townships numbered Ten and Eleven" was read the second time and passed to be Engrossed. Sent down for concurrence.

Bill, in add. to act to incorp. the Canal Bank.

The Bill entitled "An act in addition to an Act to incorporate the Canal Bank" was read the first time and Friday next at ten o'clock a.m. was assigned for the second reading.

Message to House proposing Convention to qualify Councillors.

On motion by Mr Hillman, a Message was sent to the House of Representatives proposing a Convention of both Houses of the Legislature, in the Representatives' Chamber tomorrow morning at eleven o'clock, for the purpose of qualifying such Councillors elect as may have signified their acceptance of that office: and to request the concurrence of the House therein.

On motion by Mr Kingsbury; Ordered, that when the Senate adjourn they adjourn to ten o'clock tomorrow morning.

The Senate adjourned.

Attest

Edward Kavanagh
Secretary

Friday 19th February 1830

The Senate met according to adjournment

A Message was delivered from the House of Representatives by James L. Child, their Clerk, informing the Senate, that the House had concurred the Senate in their proposition made yesterday for a Convention of both Houses of the Legislature this day at eleven o'clock A.M. for the purpose of qualifying such Councillors elect as have signified their acceptance of that office. — Message from House, concurring in proposition for a Convention to qualify Councillors.

Written communications were received from Elisha Allen, and John Burgin, Councillors elect, signifying their acceptance of that office and that they were ready to take and subscribe the oaths necessary to qualify them to discharge the duties thereof; and the same were read and sent down. — Councillors acceptance.

Order of the House of Representatives, that the Joint standing Committee on the Judiciary be instructed to inquire whether any alterations are necessary in the existing Laws relative to the power of Courts in entering up judgements on general verdicts, was read and concurred. — Order relative to Courts entering up Judgments.

(Also) That the Senate be requested to take from their files and send down the Petition of Seward Porter, was read and request granted. — Petition of Seward Porter.

Mr Ruggles, from the Joint standing Committee on the Judiciary, on the Petitions of

L. M. Parker & others,
Mark Mason & others,
Jabez Dagget & others,
& Ira Blanchard & others,

reported that the Petitioners have leave, severally, to — Leave to withdraw on Petitions.

withdraw their Petitions. The Reports were read and accepted. Sent down for concurrence. Concurred.

Order relative to School Districts.

The same Gentleman, from the same Committee, on the Order authorizing School Districts to raise money in addition to the Town taxes, reported that it is inexpedient to legislate further upon the subject. The Report was read and accepted. Sent down for concurrence. Concurred.

Notice ordered on Pet. of Inhts. of York Co.

Mr Drummond, from the Joint Standing Committee on Turnpikes, Bridges & Canals, on the Petition of Inhabitants of the County of York, reported an Order of notice. The Report was read and accepted. Sent down for concurrence. Concurred.

Leave to withdraw Pet. of Inhts. of Sewall's Island

The same Gentleman, from the same Committee, on the Petition of Inhabitants of Sewall's Island, reported that the Petitioners have leave to withdraw their Petition. The Report was read and accepted. Sent down for concurrence. Concurred.

Pet. of D. C. Jordan & als. referred.

Mr Gardner, from the Joint Standing Committee on the Incorporation of Towns, on the Petition of John C. Jordan & others, reported that the Petition be referred to the next Legislature. The Report was read and accepted. Sent down for concurrence. Concurred.

Pet. of Robert Newsom.

Mr Hutchinson, from the Joint Standing Committee on Claims, on the Petition of Robert Newsom, reported that the Petitioner have leave to withdraw his Petition. The Report was read and accepted. Sent down for concurrence. Concurred.

Pet. of Inhts. of Penobscot Co.

Mr Drummond, from the Joint Standing Committee on Turnpikes, Bridges and Canals, on the Petition of Inhabitants of the County of Penobscot, praying that means be used for the improvement of the Mattanawcook Road,

requested that the Committee be discharged from the further consideration of said Petition, and that the same be referred to the Joint Committee who have under consideration so much of the Governor's address as relates to the Mattanawcook Road. The Report was read and accepted. Sent down for concurrence.

Concurred.

Mr Hutchinson, from the Joint Standing Committee on the Incorporation of Parishes, on the Petition of Libbeus Bailey & others, reported that the Petitioners have leave to bring in a Bill. The Report was read and accepted. Sent down for concurrence. — Pet. of Libbeus Bailey & als.

Order of the House of Representatives, that the Joint Standing Committee on the Judiciary be instructed to inquire into the expediency of exempting from attachment to a certain extent, the life right of a Husband in his Wife's Real Estate, was read and concurred. — Order relative attachment of Husbands right in wifes Real estate.

(also) That the Senate be requested to take from their files and send down the Petition of Manasseh Lawrence & others, was read and request granted. — Pet. of Manasseh Lawrence & als.

(also) That the Order passed 28th June 1820 requiring that "in future all Bills be engrossed without leaving any space or vacancy between the Sections thereof, and that the title be endorsed on the back of the Bill" be hereby rescinded, was read and concurred. — Order relating to manner of Engrossing.

Petition of Stephen Peabody, for license to run a Horse or Steam Ferry-Boat between Bucksport village and Bucksport, was read and referred to the Joint Standing Committee on Turnpikes, Bridges and Canals, in concurrence. — Pet. of Stephen Peabody

Agreeably to assignment, the two Houses met in Convention, when Otis Little, Elisha Allen and John Burgin, Counsellors elect, came in and before the President of the Senate, in presence of both Houses of the Legislature, — Convention to qualify Councillors.

took and subscribed the oaths required by the Constitution to qualify them to enter upon the discharge of their official duties.

The Convention then separated, and the Senate returned to their Chamber.

Petitions referred.

Petition of M. Hopper, for alteration in the Law regulating divorce, was read and referred to the Joint Standing Committee on the Judiciary, in concurrence.

" ___ of Selectmen of Clinton, was, on motion, taken from the files, read and referred to the Joint Standing Committee on Interior Fisheries. Sent down for concurrence. Concurred.

" ___ of Samuel Winter & others that the Court of Sessions may be authorized to lay out a road over the tide waters of New-Meadows River, was, on motion, taken from the files, read and referred to the Joint Standing Committee on the Judiciary. Sent down for concurrence. Concurred.

Communication from Governor referred to Com. on Militia &c

A written Communication from the Governor, which was received, on the 18th day of February inst. 1841 read and, together with the accompanying papers, referred to the Joint Standing Committee on the Militia and Military affairs. Sent down for concurrence. Concurred.

Resolve in favor of E. L. Smith

The "Resolve in favor of Edward L. Smith" came from House recommitted to the same Committee who reported it: The Senate recedes from the vote whereby they passed the same to be engrossed so far as to concur the House in their recommitment.

Resolve for the benefit of Isaac Tolman &als.

The Joint standing Committee on Claims, on the Petition of Isaac Tolman & others, reported a Resolve entitled "Resolve for the benefit of Isaac Tolman and others" which was read the first time, and tomorrow at 10 o'clock A. M.

was assigned for the second reading.

Mr Phelps, from the Joint Standing Committee on State Lands, on the Petitions of the Penobscot Indians, reported a Resolve entitled "Resolve authorizing the Penobscot Indians to sell two Townships of land and pine timber" which was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading. — Resolve relative to land & timber of Penobscot Indians.

The Resolves entitled,
"Resolve in favor of N. L. Ingersoll."
"Resolve granting a pension to James Pomroy"
"Resolve granting a pension to David Seavy"
"Resolve in favor of the President, Directors and Company of the Canal Bank"
were severally read the second time and passed to be Engrossed, Sent down for concurrence. Concurred. — Resolves in favor of N. L. Ingersoll. " James Pomroy. " David Seavy. " P. D. & Co. Canal Bank.

The Resolve entitled,
"Resolve in favor of Jones Dyer" was read the second time and committed to Messrs. Megquier, Hilton and Hines. — Resolve in favor of Jones Dyer.

Mr Hutchinson, from the Joint Standing Committee on Claims, on the Petition of Joseph Young, reported a Resolve entitled "Resolve in favor of Joseph Young" which was read the first time and on motion, ordered to lie on the table. — Resolve in favor of Joseph Young.

Mr Dunlap, from the Joint Standing Committee on Banks and Banking, on the Petition of the Stock-holders of the Bank of Portland, reported a Bill entitled "An act in addition to an act to incorporate the President Directors and Company of the Bank of Portland" which was read the first time, and tomorrow at ten o'clock A. M. was assigned for the second reading. — Bill, add to act to incap. P. D. & Co. of Bank of Portland.

The Bill entitled "An act in addition to an act — Canal Bank.

to incorporate the Canal Bank" was read the second time and passed to be Engrossed. Sent down for concurrence.

Bill altering the fall term of S.J.C. in Lincoln Co.

A Bill from the House then reported from the Joint Standing Committee on the Judiciary, entitled "An act altering the time of the fall term of the Supreme Judicial Court in the County of Lincoln" was read the first time and tomorrow at ten o'clock A.M. was assigned for the second reading.

Bill, to incorp. the Maine Baptist Convention.

Mr Hutchinson from the Joint Standing Committee on the Incorporation of Parishes, on the Petition of Adam Wilson et al, reported a Bill entitled "An act to incorporate the Maine Baptist Convention" which was read the first time and tomorrow at ten o'clock A.M. was assigned for the second reading.

Order relative to Social, Military & Law Libraries

Order of the House of Representatives that the Joint Standing Committee on Literature and Literary Institutions be directed to inquire what alterations are necessary in the Law of 27th January 1821 providing for the management of Social, Military and Law Libraries, was read and concurred.

Order relative to Innholders, Retailers &c.

(Also) That the Joint Standing Committee on the Judiciary take into consideration the expediency of altering the Law for the "Regulation of Innholders, Retailers and Common Victuallers" passed 3d March 1829 - was read and concurred.

Order relative to Fish in Penobscot Bay and River,

(Also) That the Joint Standing Committee on Interior Fisheries be instructed to inquire into the expediency of so altering the Fish Law in relation to Penobscot Bay and River, as that Fish may be taken five days in each week, was read and Concurred.

Pet. of Inh't of South Berwick.

(Also) That the Senate be requested to take from their files and send down the Petition of sundry Inhabitants of South Berwick, was read and request granted.

Petition of John Drummond & others, was read and referred to the Joint Standing Committee on Turnpikes, Bridges and Canals, in concurrence. Petitions referred.

Petition of Enoch Spaulding & others, for a new Town from a part of Mount-Desert,

" " of I. G. Bowen, for a new Town from the same,

" " of I. Gilmore of Frankfort to be annexed to Swanville,

" " Isaac Billings & others, to be set off part of Brooksville to Sedgewick,

Remonstrance of John A. Redman & others, against the Petition of I. Billings & others, Remonstrances referred.

" " of a Committee of the Town of Brooksville, against the Petition of the same, were severally read and referred to the Joint Standing Committee on the Incorporation of Towns, in concurrence.

Petition of Roscoe G. Greene, for leave to practise as an Attorney, Petitions referred.

" " of Jacob Sherburne, for a further provision in the act regulating divorces, were severally read and referred to the Joint Standing Committee on the Judiciary, in concurrence.

Petition of the first School District in Bucksport, for a Law authorising them to raise money to ring a Meeting House Bell, was read and referred to the Joint Standing Committee on the Judiciary, in concurrence.

Petition of Jacob McGarr, for an appropriation for the Mattanawcook Road, was read and referred to the Committee who have under consideration so much of the Governor's Message as relates to the Mattanawcook Road, in concurrence.

Petition of I. B. Harvey & others, for aid in making a Road, was read and referred to the Joint Standing Committee on State Lands, in concurrence.

Pet. of N. Hoyt & als.

The Report of the Joint Standing Committee on the Incorporation of Towns, on the Petition of Nath.l Hoyt & others, came from the House amended: The Senate receaid from their former vote whereby they accepted said Report, adopted the amendment proposed by the House and accepted the same as amended, in concurrence.

Report relative to Draftsman.

Mr Drummond from the Joint Committee appointed to contract with some suitable Person to draft and copy Bills made a Report which was read and accepted. Sent down for concurrence.

On motion by Mr Davee; Ordered that when the Senate adjourn they adjourn to tomorrow morning at ten o' clock.

The Senate adjourned.

Attest

Edward Kavanagh

Secretary.

Saturday 20th February 1830.

The Senate met according to adjournment.

Petition of the Maine Wesleyan Seminary, praying for pecuniary aid, was read and referred to the Joint standing Committee on Literature and Literary Institutions; Sent down for concurrence. Concurred. — Pet. of Maine Wesleyan Seminary

Order of the House of Representatives, that the joint Standing Committee on the Judiciary be instructed to inquire as to the expediency of modifying or repealing a part of the 2d Section of an act entitled "An act to establish a Court of Common Pleas": and also as to the expediency of repealing the 2d Section of "An act additional to an act for the settlement of certain equitable claims arising in real actions" was read and concurred. — Order relative to act to establish a C. C. P. and Real Actions.

(Also) That the same Committee be instructed to inquire into the expediency of an alteration in the First Section of the Law entitled "An act regulating Towns and Town Meetings and the choice of Town Officers" passed 19th March 1821, so far as to allow any Person 21 years of age and upwards, to vote in Town or Plantation affairs, whether he has been taxed for his Poll, or any estate in said Town or Plantation or not, provided he has resided therein one year next preceding his voting and been liable to be taxed, was read and concurred. — Order relating to Towns & Town Meetings

(Also) That the Joint standing Committee on Lumpikes, Bridges and Canals be instructed to inquire into the expediency of passing a Law for the preservation of Ticonic Bridge, was read and concurred. — Order relating to the preservation of Ticonic Bridge

(Also) That the Senate be requested to take from their files and send down the Petition of the Selectmen of Palermo and China, was read and request granted. — Pet. of Selectmen of Palermo.

Petition of Winthrop B. Norton & others, to annex — Pet. of W. B. Norton & als.

States Land de to Penob,

Pet. of E. R. Smart

also of Ephraim R. Smart, for a new Town by the name of Maine-Port, to be taken from the Town of Prospect,

Remonstrances referred.

Remonstrance of a Committee of Belfast, against the Petition of Mark Blaisdell & others,

" " of Charles Groom & others, against the Petition of the same,

" " of Henry Staples, against the division of the Town of Prospect, were severally read and referred to the Joint Standing Committee on the Incorporation of Towns, in concurrence.

Petition of Trus. of Dearborn Academy.

Petition of the Trustees of Dearborn Academy, for aid, was, on motion, taken from the files and referred to the Joint Standing Committee on Literature and Literary Institutions. Sent down for concurrence. Concurred.

Leave to withdraw on Petitions of A. Stevens & als. S. Chase & als. J. B. Hadley & als.

Mr Steele, from the Joint Standing Committee on the Militia and Military affairs, on the Petitions of

Asa Stevens & others,

Stephen Chase & others,

Josiah B. Hadley & others,

reported that the Petitioners have leave, severally, to withdraw their Petitions. The Reports were read and accepted. Sent down for concurrence. Concurred.

Report relating to Militia Returns

The same Gentleman, from the same Committee, on the order respecting Military returns, reported that it is inexpedient to legislate upon the subject. The Report was read and accepted. Sent down for concurrence. Concurred.

Leave to withdraw on Pet. of Inhs. of Atkinson.

Mr Ringsbery, from the Joint Standing Committee on the Judiciary, on the Petition of the Inhabitants of the Town of Atkinson, in the County of Penobscot, praying for a grant of Land reserved by the Legislature, reported that the Petitioners have leave to withdraw their Petition. The

Report was read and accepted. Sent down for concurrence.

Concurred.

The same Gentleman, from the same Committee, on the Petition of Harry Hazeltine and others, reported that the Petition be referred to the next Legislature. The Report was read and accepted. Sent down for concurrence. Pet. of Harry Hazeltine & als.

Concurred.

Mr Garanes, from the Joint Standing Committee on the Incorporation of Towns, on the Petition of Nathaniel Malborn, reported that the Petition be referred to the next Legislature. The Report was read and accepted. Sent down for concurrence. Pet. of N. Malborn

Concurred.

The same Gentleman, from the same Committee, on the Petition of Nathan Cutler & others, reported that the Petitioners have leave to withdraw their Petition. The Report was read and accepted. Sent down for concurrence. Pet. of N. Cutler & al.

Concurred.

Petition of the Inhabitants of Gouldsborough, and a Report of the Committee of the House thereon, were read and referred to the Committee that may be appointed on the State valuation, in concurrence. Pet. of Inhs. of Gouldsborough.

Petition of the Inhabitants of Patricktown Plantation, and a Report of a Committee of the House thereon, were read and referred to the Joint standing Committee on the Judiciary, Plantation in concurrence. Pet. of Inhs. of Patricktown Plantation

A Report made in the House, from the Joint standing Committee on Applications from sick and wounded Soldiers, on the Petition of Sylvanus Dunham, that the Petitioner have leave to withdraw his Petition, was read and accepted, in concurrence. Pet. of S. Dunham

A Report made in the House, from the same Committee, on the Petition of Thomas H. Norcross, that the Petitioner have leave to withdraw his Petition, was read and Pet. of T. H. Norcross

accepted, in concurrence.

Report of Com. to survey line between Hollis & Waterborough.

A Report of the Committee, under the Resolve of 28th January 1829, appointed to survey and mark the line between the Towns of Hollis and Waterborough, was read and referred to the Joint Standing Committee on the Incorporation of Towns, in concurrence.

Report relative to Draftsman.

The Report of the Joint Committee appointed to contract with a Person to draft Bills &c came up recommitted to the same Committee, ~~who~~ for concurrence; the Senate concurred.

Pet. of D. Marshall & als. leave to withdraw.

Mr. Dunlap, from the Joint Standing Committee on Banks and Banking, on the Petition of D. Marshall & others, reported that the Petitioners have leave to withdraw their Petition. The Report was read and accepted. Sent down for concurrence. Concurred.

Resolve in favor of N. Leavitt

Mr. Phelps, from the Joint Standing Committee on State Lands, on the Petition of Nehemiah Leavitt, reported a Resolve entitled "Resolve in favor of Nehemiah Leavitt" which was read 1st time and Monday next at eleven o'clock a.m. was assigned for the second reading.

Resolve in favor of L. Smith & als. S. Treworgy & als.

A Resolve from the House, entitled "Resolve in favor of Lemuel Smith & others and Joseph Treworgy & others," reported in the House by the Joint Standing Committee on State Lands, on the Petitions of Lemuel Smith & others and of Joseph Treworgy & others, came up: it was read 1st time and Monday next at eleven o'clock a.m. was assigned for the second reading.

Bill to set off S. Dixon & al.

Mr. Gardner, from the Joint Standing Committee on the Incorporation of Towns, on the Petition of Shubael

Dix and Alexander Potter, reported a Bill entitled "An act to set off Shubael Dix and another from Pittsfield to Clinton" which was read the first time and Monday next at eleven o'clock a.m. was assigned for the second reading. — Bill from Pittsfield to Clinton.

The same Gentleman, from the same Committee, on the Petition of Sullivan Hardy & others, reported a Bill entitled "An act to set off Johnston's Island from Waldsborough to Bremen" which was read the first time and Monday next at eleven o'clock a.m. was assigned for the second reading. — Bill, to set off Johnson's Island from Waldsborough to Bremen.

Mr Dunlap, from the Joint Standing Committee on Banks and Banking, on the Petition of the Stockholders of the Kennebunk Bank, reported a Bill entitled "An act authorising a reduction of the Capital Stock of the Kennebunk Bank" which was read the first time and Monday next at eleven o'clock a.m. was assigned for the second reading. — Bill authorizing a reduction of Capital Stock of Kennebunk Bank.

The same Gentleman, from the same Committee, on the Petition of James Crosby & others, reported a Bill entitled "An act to incorporate the Commercial Bank at Bangor" which was read the first time and Monday next at eleven o'clock A. M. was assigned for the second reading. — Bill, to incorp. Commercial Bank at Bangor.

A Bill from the House entitled "An act to incorporate the Hampden Mutual Fire Insurance Company" reported in the House by the Joint Standing Committee on the Judiciary, on the petition of Martin Kinsley & others, came from the House papers to be engrossed as amended: it was read for concurrence the first time, the amendments proposed by the House were adopted, and Monday next at eleven o'clock A. M. was assigned for the second reading. — Bill, to incorp. Hampden M. F. I. Co.

Bill, for the preservation of Lewiston Bridge.

Mr Drummond, from the Joint Standing Committee on Turnpikes, Bridges and Canals on the Petition of the Directors of Lewiston Bridge, reported a Bill entitled "An act for the preservation of Lewiston Bridge" which was read the first time and Monday next at eleven o'clock A. M. was assigned for the second reading.

Bill to remove Prisoner from Penobscot jail to Waldo.

A Bill from the House entitled "An act to authorise the removal of Prisoners from the jail in the County of Penobscot to the Jail in the County of Waldo" reported in the House from the Joint Standing Committee on the Judiciary, came up, passed to be engrossed, for concurrence: it was read the first time and Monday next at eleven o'clock A. M. was assigned for the second reading.

Bill, to alter the Jail term of S. J. C. Lincoln Co.

The Bill entitled "An act altering the time of the Jail term of the Supreme Judicial Court in the County of Lincoln" was read the second time and passed to be Engrossed, in concurrence.

Bill, to incorp. Maine Baptist Convention.

The Bill entitled "An act to incorporate the Maine Baptist Convention" was read the second time and passed to be Engrossed. Sent down for concurrence. Concurred.

Bill Ministerial Fund in Bridgeton.

The Bill entitled "An act to extend the powers of the Trustees of the Ministerial funds in Bridgeton" was read the second time and passed to be Engrossed. Sent down for concurrence.

Resolve in favor of Jones Dyer. I. Tolman Sals.

The "Resolves entitled,
"Resolve in favor of Jones Dyer",
"Resolve for the benefit of Isaac Tolman & others",
were severally read the second time and passed to be Engrossed. Sent down for concurrence. Concurred.

A Resolve from the House entitled "Resolve laying a tax on the several Counties in this State" laying County Tax.
which, having passed to be Engrossed in the House, came up for concurrence, was read the first time and, on motion, was ordered to lie on the table.

Mr Mugquier, from the Joint Standing Committee on the Judiciary, reported a Bill entitled "An act further to regulate the proceedings and Jurisdiction of the Courts of Probate" which, on motion, was ordered to lie on the table: and it was further ordered that Three hundred copies of the Bill be printed for the use of Members of the Legislature. Bill to regulate Courts of Probate.

The Resolve entitled "Resolve authorizing the Penobscot Indians to sell two Townships of Land and pine timber" was read the second time, an on motion, committed to Messrs. Mugquier, Kingsbury & Phelps, who reported the same with an amendment: the proposed amendment was adopted and the Resolve was then passed to be Engrossed as amended. Sent down for concurrence. Resolve for the Penobscot Indians to sell Land & timber.

Mr. Phelps, from the Committee to whom was referred the Resolve entitled "Resolve in favor of Edward Smith" reported the same without amendment: the said Resolve then passed to be engrossed. Sent down for concurrence. Concurred. Resolve in favor of Edward Smith.

The Bill entitled "An act in addition to an Act to incorporate the President, Directors and Company of the Bank of Portland" was read the second time and passed to be Engrossed, Sent down for concurrence. Concurred. Bill, add. to incorp the P. D. & Co. of the Bank of Portland.

The Bill entitled "An Act in addition to Bill, add. to act to

establish C. & C. Corporation.

an act to establish the Cumberland and Oxford Canal Corporation" was read the second time and passed to be Engrossed, as amended. Sent down for Concurrence.

Concurred

The Senate adjourned.

Attest

Edward Kavanagh

Secretary

Monday 22d. February 1830

The Senate met according to adjournment.

Petition of Seward Porter and Henry Babb, for the exclusive privilege of navigating Sebago Pond by steam, — Ptd. & S. Porter &al.

Remonstrance of Proprietors of Sebasticook Bridge, against the Petition of John Drummond & others, were severally read and referred to the Joint Standing Committee on Turnpikes, Bridges and Canals, in concurrence. — Remonstrance of Propr. of Sebasticook Bridge.

Petitions of John P. Hubbard & others, Inhabitants of South Berwick, for an alteration of the Law regulating the taking of Fish in the Piscataqua River, — Petitions referred.

" — of Pelatiah Leach & others, that certain restrictions on taking Fish may be repealed, were severally read and referred to the Joint Standing Committee on Interior Fisheries, in concurrence.

Petitions of Nathaniel Davis, for a sum sufficient to indemnify Nathaniel Spencer for injury done to his horse at a Regimental Muster, was, on motion, taken from the files, read and referred to the Joint Standing Committee on Claims. Sent down for concurrence. — Concurred.

" — of Manasseh Lawrence, with the Remonstrance of the Selectmen of Canton, was read and referred to the Joint Standing Committee on the Incorporation of Towns, in concurrence.

" — of Thomas T. Stone, that the use of distilled spirits may be prohibited at any Military review or training and on days of election, was read and referred to the Joint Standing Committee on the Militia and Military affairs, in concurrence.

Petitions referred.

Petitions of Edward Russell, Administrator on the estate of Thomas De Carteret, for leave to sell real estate, was read and referred to the Joint Standing Committee on the Judiciary, in concurrence.

" of George Downs & others, for a Bank at Calais, was read and referred to the Joint Standing Committee on Banks and Banking, in concurrence.

" of Simon Dearborn and others, Trustees of the Monmouth Academy for aid in connecting with said Institution a Department for the instruction of Females, was, on motion, taken from the files, read and referred to the Joint Standing Committee on Literature and Literary Institutions. Sent down for concurrence. Concurred.

Communication from Governor relative Massachusetts Claim.

The Secretary of State came in and laid on the table a written communication from the Governor, inclosing a letter from the Secretary of State of Massachusetts, with a copy of a Report and Resolves relating to the Massachusetts Claim on the General Government: the communication was read and referred with the accompanying documents to the Joint Committee to whom was referred so much of the Governor's Message as relates to the Massachusetts claim. Sent down for concurrence. Concurred.

Pet. of J. Whitney &c.

Mr Drummond, from the Joint Standing Committee on Turnpikes, Bridges and Canals, on the Petition of Joseph Whitney & others, praying to be incorporated by the name of the Schodaic Log Company, reports that the Petitioners have leave to withdraw their Petition. The Report was read and accepted. Sent down for concurrence. Concurred.

The same Gentleman, from the same Committee, on the Petition of Joseph Whitney & others, praying that their act of Incorporation may be extended two years to enable them to accomplish a Sluice way, reported that the Petitioners have leave to withdraw their Petition. The Report was read and accepted. Sent down for concurrence. Concurred. — Pet. of J. Whitney & al.

Mr. Hutchinson, from the Joint Standing Committee on Claims, on the Petition of Daniel S. Perley, made a Report which, on motion, was ordered to lie on the table. — Pet. of D. S. Perley

The same Gentleman, from the same Committee, on the Petition of the Selectmen of Abbot, reported that the Petitioners have leave to withdraw their Petition. The Report was read and accepted. Sent down for concurrence. Concurred. — Pet. of Selectmen of Abbot.

The same Gentleman, from the same Committee, on the Petition of Josiah Crosby & others, reported "that the Petitioners have leave to bring in a Resolve": the Report was read and amended by striking out the words "bring in a Resolve" and inserting in lieu thereof the words "withdraw their Petition", and then accepted as amended. Sent down for concurrence. — Pet. of Josiah Crosby & als.

The same Gentleman, from the same Committee, on the Remonstrance of David Oakes against the Petition of Jacob A. Rogers, reported that the Committee be discharged from the further consideration thereof, and that the same be referred to the Joint Standing Committee on State Lands. The Report was read and accepted. Sent down for concurrence. Concurred. — Remonstrance of D. Oakes. Pet. of J. A. Rogers.

Mr. Gardner, from the Joint Standing Committee on the Incorporation of Towns, on the Petition of David Mc. Keene & others, reported an order of notice returnable — Pet. of David Mc. Keene & als.

to the next Legislature. The report was read and accepted. Sent down for concurrence. Concurred.

Pet. of J. Billings & als.

The same Gentleman, from the same Committee, on the Petition of Isaac Billings & others, reported that the Petitioners have leave to withdraw their Petition. The Report was read and accepted. Sent down for concurrence. Concurred.

communication relative to Canada Road.

A written communication from the Governor transmitting a copy of the report of the Agents appointed to open the Canada Road, came from the House referred to the Joint Committee to whom was referred so much of the Governor's Message as relates to the Canada Road. The Communication was read and referred in concurrence.

Bill to incap. the Freeport Fishing Company.

Mr Hutchings, from the Joint Standing Committee on Interior Fisheries, on the Petition of John A. Hyde, reported a Bill entitled "An act to incorporate the Freeport Fishing Company" which was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading.

Bill. ad. to incap. Propr. of Canton Point Bridge.

Mr Drummond, from the Joint Standing Committee on Ferryfikes, Bridges and Canals, on the Petition of the Proprietors of Canton Point Bridge, reported a Bill entitled "An additional act to incorporate the Proprietors of Canton Point Bridge" which was read the first time and tomorrow at ten o'clock A.M. was assigned for the second reading.

Bill to annex part of Anson to New Portland.

Mr Gardner, from the Joint Standing Committee on the Incorporation of Towns, on the Petition of Seth Soule & others reported a Bill entitled "An act to annex a part of the Town of Anson to New Portland" which

was read the first and second times and passed to be Engrossed. Sent down for concurrence. Concurred.

The Bill entitled "An act to set off Johnstons Island from Waldoborough to Bremen" was read the Second time and passed to be Engrossed. Sent down for concurrence. Concurred. — Bill. Johnsons Island to Bremen.

The Bill entitled "An act to set off Thubael Dixon & Alexander Pitts from Pittsfield to Clinton" was read the second time and passed to be Engrossed, as amended. Sent down for concurrence. Concurred. — Bill. to set off T. Dixon & A. Pitts from Pittsfield to Clinton.

The Bill entitled "An act to authorise the reduction of the capital stock of the Kennebunk Bank" was read the second time and passed to be Engrossed. Sent down for concurrence. — Bill. to reduce stock of Kennebunk Bank.

The Bill entitled "An act to authorise the removal of Prisoners from the Jail in the County of Penobscot to the Jail in the County of Waldo" was read the Second time and passed to be Engrossed, as amended, in concurrence. — Bill. to remove Prisoners from Jail in Penobscot to Waldo.

The Bill entitled "An act to incorporate the Hamden Mutual Fire Insurance Company" was read the Second time and passed to be Engrossed, as amended, in concurrence. — Bill. to incorp. Hamden M. F. Ins. Company.

The Resolve entitled "Resolve in favor of Lemuel Smith & others and of Joseph Treworgy & others" was read the second time and passed to be Engrossed, as amended, in concurrence. — Resolve in favor of L. Smith & als. & J. Treworgy & als.

The Resolve entitled "Resolve in favor of Nehemiah Leavitt" was read the Second time and was, on motion, ordered to lie on the table. — Resolve in favor of N. Leavitt

A Resolve entitled "Resolve in favor of William — Resolve in favor of

William Pike.

Pike" was read, amended and passed to be Engrossed, Sent down for concurrence.

Bill. to incorp. the Commercial Bank

Mr Hinds, from the Standing Committee on Bills in the second reading, reported "the Bill entitled "An act to incorporate the Commercial Bank at Bangor" with amendments and the Report and Bill were, on motion, ordered to lie on the table.

Bill. to preserve Lewiston Bridge

The Bill entitled "An act for the preservation of Lewiston Bridge" was read the second time and, on motion, recommitted to the Joint Standing Committee on Turnpikes, Bridges and Canals, with instructions to report a general Law in relation to toll Bridges, embracing the provisions of this Bill. Sent down for concurrence. Concurred.

On motion by Mr Kingsbery, Ordered that when the Senate adjourn, they adjourn to tomorrow morning at ten o'clock

The Senate adjourned.

Attest

Edward Kavanagh

Secretary

Tuesday 23d. February 1830.

The Senate met according to adjournment.

Mr. Steele, from the Joint Standing Committee on the Militia and Military affairs, on the Petition of Thomas P. Stone & others, reported that the Petitioners have leave to withdraw their Petition. The Report was read and accepted. Sent down for concurrence. Concurred. Pet. of T. P. Stone & als.

Mr. Hutchings, from the Joint Standing Committee on Interior Fisheries, on the Petitions of Selectmen of Alna, & Selectmen of Warren, reported an order of notice on each severally. The Reports were read and accepted. Sent down for concurrence. Concurred. Notice ordered on Petitions of Selectmen of Alna & " Warren.

The same Gentleman, from the same Committee, on the Petition of a Committee of Bremen, reported that the Petitioners have leave to withdraw their Petition. The Report was read and accepted. Sent down for concurrence. Concurred. Pet. of Committee of Bremen.

Mr. Kingsbury, from the Joint Standing Committee on the Judiciary, on the Petition of Daniel Merrill, reported that the Petitioner have leave to withdraw his Petition. The Report was read and accepted. Sent down for concurrence. Concurred. Pet. of Daniel Merrill

The same Gentleman, from the same Committee, on the Order of 9th February 1830 in relation to the expediency of changing the punishment of certain crimes, reported that it is inexpedient to legislate on the subject. The Report was read and accepted. Sent down for concurrence. Concurred. Report of Com. on changing the punishment of crimes.

Report of Committee relative to Crier of Courts.

The same Gentleman, from the same Committee, on the order of 15th February 1830, in relation to the expediency of abolishing the office of Crier of Courts, reported that it is inexpedient to legislate on the subject. The Report was read and accepted. Sent down for concurrence.

Concurred.

Bill. add. on Salaries of Judges & Registers of Probate.

The same Gentleman, from the same Committee, on the Petition of John Dickerson, reported a Bill entitled "An additional act respecting Salaries of Judges and Registers of Probate" which was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading.

Bill. add. for regulating Ferries.

The same Gentleman, from the same Committee on the order of 17th February 1830, in relation to an alteration in the "Act regulating Ferries", reported a Bill entitled "An additional act for regulating Ferries" which was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading.

Notice ordered on Petitions of J. Hacker & E. Thompson &c.

Mr Garvin, from the Joint Standing Committee on the Incorporation of Towns, on the Petitions of Joseph Hacker, & Ephraim Thompson & others, reported an order of notice on each severally. The Reports were read and accepted. Sent down for concurrence.

Concurred.

Bill. to incorp. Town of Argyle.

The same Gentleman, from the same Committee on the Petition of Henry Campbell & others, reported a Bill entitled "An act to incorporate the Town of Argyle" which was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading.

The same Gentleman, from the same Committee on the Petition of Manasseh Lawrence & others, reported

a Bill entitled "An act to set off part of the Town of Canton to the Town of Jay" which was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading. Bill to set off part of Canton to Jay.

Mr Hutchings, from the Joint Standing Committee on Interior Fisheries, on the Petition of Joseph Sewall and others, in relation to fish in Sandy River, reported that the Petitioners have leave to withdraw their Petition. The Report was read and accepted. Sent down for concurrence. Concurred. Pet. of Joseph Sewall & als.

Mr Drummond, from the Joint Standing Committee on Turnpikes, Bridges & Canals, on the Petition of Joseph Sewall and others for a Lottery for the benefit of Merry-meeting Bridge, reported that the Petitioners have leave to withdraw their Petition. The report was read and accepted. Sent down for concurrence. Pet. of Joseph Sewall & als.

The same Gentleman, from the same Committee on the Petition of John Drummond & others, reported that the same be referred to the next Legislature. The report was read and accepted. Sent down for concurrence. Concurred. Pet. of John Drummond & als.

The same Gentleman, from the same Committee on the Petition of George F. Richardson, reported a Bill entitled "An act to authorize George F. Richardson exclusively to navigate the Androscoggin River with Horse-Boats" which was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading. Bill authorizing George F. Richardson.

The same Gentleman, from the Joint Standing Committee on the State Prison, on the Petition of Nathan Hill & others, reported that the Petitioners have leave to withdraw their Petition. The Report was read & accepted. Sent down for concurrence. Concurred. Pet. of Nathan Hill & als.

Resolve in favor of N. Leavitt.

The "Resolve in favor of Nehemiah Leavitt" was taken up, considered and passed to be Engrossed. Sent down for concurrence. Concurred.

Communication Report of Land Agent.

Edward Russell Esq; Secretary of State, came in and laid on the table a written communication from the Governor, transmitting a copy of the Report of the Land Agent for the year 1829 with accompanying papers: also a copy of the Land agents account settled by the Governor and Council on the 29th Inst. The communication was read and with the accompanying Documents was referred to the Joint Standing Committee on State Lands. Sent down for concurrence. Concurred.

Order relative to adjournment

On motion by Mr Kingsbery; Ordered that the times to which the Senate shall adjourn daily be half past nine o'clock in the morning, except on Mondays, when the adjournment shall be to eleven o'clock in the forenoon of that day, until otherwise ordered.

Communication Report of Agent on Mattanawcook Road.

A written Communication from the Governor, in answer to Orders of the House of Representatives, was received from the House, transmitting the Report of the Agent appointed to superintend the construction of the Mattanawcook Road, during the last year, with a copy of his accounts settled with the Council. Also the doings of the Governor and Council in relation to the Public Buildings on 22d June 1829, and a Communication from the Hon. William King, Commissioner of the Public Buildings, dated 29th October last, and an account of Warrants drawn on the Treasurer under the authority of the "Resolve for providing Public Buildings for the use of the State":

Relative to the Public Buildings

And so much of said Communication as relates to the Mattanawcook Road was, with the

accompanying Documents in relation thereto, referred to the Joint Committee who already have that subject under consideration, in concurrence: referred.

And so much of said Communication as relates to the Public Buildings was, with the accompanying Documents in relation thereto, referred to the Joint Committee who already have that subject under consideration, in concurrence. referred.

Petitions of a Committee of the Town of Winaham, in relation to the Court of Sessions. Petitions referred.

" — of Moses Little & others, Inhabitants of the Town of Winaham, to incorporate the Winaham Aqueduct Company, were severally read and referred to the Joint Standing Committee on the Judiciary, in concurrence.

A Bill entitled "An act establishing the Town line between Bristol and Bremen" came from the House referred to the Joint Standing Committee on the Incorporation of Towns, and the Senate concurred. Bill—line between Bristol & Bremen.

Petition of the Selectmen of the Towns of China and Palermo, was read and referred to the Joint Standing Committee on the Incorporation of Towns, in concurrence. Pet. of China & Palermo.

Petition of Orlando Bagley, to be paid his fees as witness before a Committee of the Legislature, was read and referred to the Joint Standing Committee on Claims, in concurrence. Pet. of Orlando Bagley.

On motion by Mr Megquier, Ordered, that the Joint Standing Committee on the Judiciary be instructed to inquire whether any further provision is necessary in relation to the Municipal Court for the Town of Portland. Sent down for concurrence. Concurred. Order relative to Municipal Court of Portland.

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Motion relating to receiving Petitions

Mr Hilton moved the following Order; Ordered that no Petitions be received at this Board from and after Thursday next, during this Session of the Legislature: And, on motion, the above Order was laid on the table.

Bill to incorp. Madison Bridge

The Bill entitled "An act to incorporate the Proprietors of Madison Bridge" came from the House amended and passed to be engrossed as thus amended, for concurrence. The Senate receded from their former vote so far as to adopt the amendments proposed by the House, and then passed the same to be Engrossed, as amended in concurrence.

Bill. to incorp.

The Bill entitled "an act to incorporate the Proprietas of Carritunk Bridge" came from the House amended and passed to be Engrossed as thus amended, for concurrence. The Senate receded from their former vote so far as to adopt the amendments proposed by the House, and then passed the same to be Engrossed as amended, in concurrence.

Bill. Commercial Bank.

The Bill entitled "An act to incorporate the Commercial Bank at Bangor" was read the second time and passed to be Engrossed as amended. Sent down for concurrence.

Bill Canton Point Bridge.

The Bill entitled "An additional act to incorporate the Proprietors of Canton Point Bridge" was read the second time and passed to be Engrossed. Sent down for concurrence. Concurred.

Bill. to change name of Evan. Con.l Church & Society in Eastport

The Bill entitled "An act to change the name of the first Evangelical Congregational Church and Society in Eastport" reported in the House from the Joint Standing Committee on the Incorporation of Parishes, came up passed to be Engrossed, for concurrence: it was read the first time and tomorrow at ten o'clock am. was assigned for the second reading.

The Bill entitled "An act in addition to an act to incorporate the Canal Bank" came up amended and passed to be engrossed as thus amended, for concurrence. The Senate receded from their former vote so far as to adopt the amendments proposed by the House and then passed the same to be engrossed as thus amended, in concurrence. Bill. ad. to incorp. the Canal Bank.

Mr Muggridge, from the Joint Committee, on the Memorial of Moses Greenleaf, reported a Resolve entitled "Resolve in favor of Moses Greenleaf" which was read the first time and Thursday next at ten o'clock A. M. was assigned for the second reading. Resolve in favor of Moses Greenleaf.

The Senate adjourned.

Attest

Edward Kavanagh

Secretary

Wednesday 24th February 1830

The Senate met according to adjournment.

Bill. line between Bristol & Bremen.

Mr Gardner, from the Joint standing Committee on the Incorporation of Towns, on the Report of the Committee appointed to run the line between the Towns of Bristol and Bremen, reported a Bill entitled "An act establishing the line between Bristol and Bremen" which was read the first time and second times and passed to be Engrossed. Sent down for concurrence.

Bill, add. relating to Divorces.

Mr Kingsbury, from the Joint standing Committee on the Judiciary, on the Petition of Hannah Hopper and also of Jacob Shreburne, reported a Bill entitled "An additional act regulating divorces" which was read the first and second times and passed to be Engrossed. Sent down for concurrence.

Concurred.

Bill. 1st. School District in Bucksport.

The same Gentleman, from the same Committee, on the Petition of the First School District in Bucksport, reported a Bill intitled "An act to authorise the first School District in Bucksport to raise money for defraying the expense of ringing a Meeting House Bell" which was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading.

Bill add. relating to Highways.

The same Gentleman, from the same Committee, on the Petition of George F. Richardson & others, and of the Inhabitants of the Town of Windham, reported a Bill entitled "An act additional to an act directing the method of laying out and making provision for the repair and amendment of Highways" which was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading.

The same Gentleman, from the same Committee, on the Petition of Joseph Ludwig & others, reported that the Petitioners have leave to withdraw their Petition. The Report was read and accepted. Sent down for concurrence. Concurred. — Pet. of Joseph Ludwig & als.

The same Gentleman, from the same Committee on an order directing said Committee to inquire into the expediency of repealing the Proviso in the Act passed 3d March 1829 entitled "An act making provision for the organization of Corporations", reported that it is inexpedient to legislate upon that subject. The Report was read and accepted. Sent down for concurrence. Concurred. — Report relating to the organization of Corporations.

Mr Meggier, from the same Committee, on an order of 15th February 1830 instructing said Committee to consider whether any further equity powers ought to be given to the Supreme Judicial Court in cases of partition, reported a Bill entitled "An act additional to an act giving remedies in Equity" which was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading. — Bill. add. giving remedies in Equity.

The same Gentleman, from the same Committee on an order of 15th February 1830 instructing said Committee to consider whether any further provision of Law is necessary in relation to actions upon any penal Bonds, reported a Bill entitled "An act additional to an act regulating Judicial process and proceedings" which was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading. — Bill. add. regulating Judicial process & proceedings - - -

The same Gentleman, from the same Committee on an order of 15th February 1830 instructing said Committee to consider whether any further provision should be made by Law in relation to Foreign attachment, reported a Bill — Bill. add. relative to Foreign attachment.

entitled "An act additional to an act concerning foreign Attachments" which was read the first time and tomorrow at ten o'clock A.M. assigned for the second reading.

Resolve relating to aid for making Road in Penobscot County.

Mr Phelps, from the Joint Standing Committee on State Lands, on the Petition of S. B. Harvey & others, reported a Resolve entitled "Resolve directing the Land Agent to inquire into and report upon the expediency of granting aid for making a Road in Penobscot County" which was read the first time and second times and passed to be Engrossed. Sent down for concurrence.

Concurred

Bill to authorize G. F. Richardson to navigate the Androscoggin River

The Bill entitled "An act to authorize George F. Richardson exclusively to navigate the Androscoggin River with Horse-Boats" was read the second time and, on motion, was ordered to lie on the table.

Bill, Judges & Registers of Probate.

The Bill entitled "An additional act respecting Salaries of Judges and Registers of Probate" was read the second time and, on motion, was ordered to lie on the table.

Bill, to set off part of Canton to Jay.

The Bill entitled "An act to set off part of the Town of Canton to the Town of Jay" was read the second time and, on motion, was ordered to lie on the table.

Notice ordered on Petitions of T. Smiley & als. J. Barker & als.

Mr Gardner, from the Joint Standing Committee on the Incorporation of Towns, on the Petitions of

Thomas Smiley & others,

& Joseph Barker & others,

reported an order of notice on each severally. The Reports were read and accepted. Sent down for concurrence.

Concurred.

Notice ordered on Pet. of William Lord & als.

Mr Drummond, from the Joint Standing Committee on Turnpikes, Bridges & Canals, on the Petition of William Lord and others, reported an order of notice. The Report was

read and accepted. Sent down for concurrence.

Concurred.

Mr Hutchinson, from the Joint Standing Committee on Claims, on the Petition of Nathaniel Tilton, reported that the Petitioner have leave to withdraw his Petition. The Report was read and accepted. Sent down for concurrence. Rep. of Nath. Tilton.

Concurred.

The same Gentleman, from the same Committee, on the Petition of Bartholomew B. Bois, reported that the same be referred to the next Legislature. The Report was read and accepted. Sent down for concurrence. Rep. of B. B. Bois referred.

Concurred.

The Bill entitled "An additional act for regulating Ferries" was read the second time and passed to be Engrossed as amended. Sent down for concurrence. Bill add. regulating Ferries.

Mr Steele, from the Joint Standing Committee on the Militia and Military Affairs, on the Petitions of Samuel Carter & others, & George Chilcot & others, reported that the Petitioners have leave, severally, to withdraw their Petitions. The Reports were read and accepted. Sent down for concurrence. Petitions of S. Carter & als. G. Chilcot & als.

Concurred.

The same Gentleman, from the same Committee, on the Petitions of Anson G. Chandler, & Amariu Bradford & others, reported on each of said Petitions that it is inexpedient to legislate upon the subject matter thereof. The Reports were read and accepted. Sent down for concurrence. Petitions of A. G. Chandler A. Bradford & als

Concurred.

The same Gentleman, from the same Committee, on the Petition of Daniel Merrill & others, reported that the same be referred to the next Legislature. The Report was read and accepted. Sent down for concurrence. Concurred. Pet. of Daniel Merrill & als.

Report relative to notice to Commanding Officers of Companies.

The same Gentleman, from the same Committee, on the Order to inquire into the expediency of amending the laws so as to make the Commanding Officers of Independent Companies give notice to the Commanding Officers of Standing Companies of any enlistments &c. reported that it is inexpedient to legislate on that subject, at the present time. The Report was read and accepted. Sent down for concurrence.

Concurred.

Bill to establish the Bath Ferry Comp'y.

Mr Drummond, from the Joint Standing Committee on Surnpikes, Bridges and Canals, on the Petition of Thomas P. Watson, reported a Bill entitled "An act to establish the Bath Ferry Company" which was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading.

Bill relating to taking Fish in Penobscot Bay & River.

Mr Hutchings, from the Joint Standing Committee on Interior Fisheries, on the Petition of Obediah Leach & others, that the time for taking fish in the Penobscot may be extended River also on an order of 18th Inst. on the same subject, reported a Bill entitled "An act in addition to the several acts for the preservation of fish in Penobscot River and Bay and the several Streams that empty into the same" which was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading.

Bill to incorp. the Freeport Fishing Comp'y.

The Bill entitled "An act to incorporate the Freeport fishing Company" was read the second time and passed to be Engrossed. Sent down for concurrence.

Resolve making appropriation for the warden of the State Prison.

Mr Ingalls, from the Joint Standing Committee on the State Prison, on the annual Report of the Warden of the State Prison, reported a Resolve entitled "Resolve making an appropriation for the Warden of the State Prison" which was read the first time, and tomorrow at ten o'clock A. M. was assigned for the second reading.

The same Gentleman, from the same Committee, on the report of the Warden of prison, further reported a Resolve entitled "Resolve relative to the State Prison" which was read the first time and tomorrow at ten o'clock a.m. was assigned for the second reading. Resolve relative to the State Prison.

The Bill entitled "An act to incorporate the Town of Argyle" was read the second time and, on motion, was ordered to lie on the table. Bill to incorp. the town of Argyle.

On motion by Mr Hilton; Ordered, that the Joint standing Committee on the Militia and Military affairs be instructed to inquire into the expediency of authorizing any two Members of a Court Martial to hold a Court. Sent down for concurrence. Order relative to Courts Martial.

Concurred.

Order of the House of Representatives, that the Joint Standing Committee on the Judiciary be instructed to inquire into the expediency of passing a Law regulating the flowing of Meadow Lands owned in common by several Individuals; Order relating to flowing Meadow Lands.

(Also) that the same Committee be instructed to inquire into the expediency of passing a Law giving reasonable notice to Members Elect of the House of Representatives of an intention to contest their election; Order relating to contested Elections.

(also) that the same Committee be instructed to inquire into the expediency of providing by Law to dispense with the attendance of female witnesses in Court and taking their Depositions, except in criminal cases; Order relating to Female Witnesses.

were severally read and concurred.

(Also) that the Joint Standing Committee on Literature and Literary Institutions be instructed to inquire into the expediency of altering the Laws relating to the mode of calling District School Meetings, was read and concurred, Order relating to calling School Dist. Meetings.

(also) that the Senate be requested to take from

Pet of A Bagley

their files and send down the Petition of Abner Bagley and others, was read and report granted.

Committee to settle with the State Treasurer.

(Also) that Messrs. Swan of Portland, Clark of Livingston and Miller of Waldoborough be a Committee with such as the Senate may join, to examine & settle the accounts of Elias Thomas Esq, Treasurer of the State for the last political year, was read and concurred, and Messrs Dunlap and Phelps were joined, on the part of the Senate.

Bill altering the time of holding C.C.P. in Washington County.

A Bill from the House, entitled "An act altering the times of holding the Court of Common Pleas in the County of Washington", reported in the House from the Joint Standing Committee on the Judiciary, came up recommitted to the same Committee who reported it, for concurrence: The Bill was read and the Senate concurred.

Notice ordered on Pet. of the Selectmen of Whitefield.

Mr Hutchings, from the Joint Standing Committee on Interior Fisheries, on the Petition of the Selectmen of Whitefield, reported an order of notice: the Report was read and accepted. Sent down for concurrence.

Concurred.

Remonstrance of Waterborough

Remonstrance of a Committee of the Town of Waterboro' against establishing the dividing line between said Town and the Town of Hollis, was read and referred to the Joint Standing Committee on the Incorporation of Towns, in concurrence.

Report of the Warden of the States Prison

A Report of the Warden of the State Prison was read and referred to the Joint Standing Committee on the State Prison, in concurrence.

Report of the Commissioners to settle with Land Agents

Edward Russell Esq, Secretary of State, came in and laid on the table a written Communication from the Governor transmitting a communication from the Chairman of the Committee appointed by the Resolve of 3d March

1829 entitled "Resolve appointing Commissioners to settle with certain Land Agents;" which was read and agreed, with the accompanying Documents, to the Joint Standing Committee on State Lands. Sent down for concurrence.

Concurred.

Mr Phelps had leave to read and lay on the table a Resolve entitled "Resolve in favor of Carey, Lea and Carey," which was read the first and second times and passed to be Engrossed. Sent down for concurrence. — Resolve in favor of Carey, Lea & Carey.

Concurred.

The Resolve entitled "Resolve authorising the Penobscot Indians to sell two Townships of Land and pine timber" came from the House amended, and passed to be Engrossed as amended: the Senate receded from their former vote so far as to adopt the amendments proposed by the House, and then passed the said Resolve to be Engrossed as amended, in concurrence. — Resolve for Penobscot Indians to sell land & pine timber.

The Resolve entitled "Resolve in favor of N. L. Ingersol" came up indefinitely postponed for concurrence; and, on motion, it was ordered to lie on the table. — Resolve in favor of N. L. Ingersol.

The Bill entitled "An act to change the name of the first Evangelical Congregational Church and Society in Eastport" was read the second time, amended and passed to be Engrossed, as amended. Sent down for concurrence. — Bill. change name of E. C. Church & Society in Eastport.

The Bill entitled "An act to extend the powers of the Trustees of the Ministerial funds in Bridgeton" came from the House of Representatives recommitted to the same Committee who reported it, for concurrence: the Senate receded from their former vote and concurred the House in their reference of the same. — Bill relating to Ministerial fund in Bridgton.

The Senate adjourned.

Attest Edward Kavanagh
Secretary

Thursday 25th February 1830.

The Senate met according to adjournment.

Order to print Land Agents Report.

On motion by Mr Phelps; Ordered, that three hundred copies of the Land Agents Report, with the accompanying papers, be printed for the use of the Legislature.

Pet. of E. Perkins & als. recommitted.

The Senate received from the vote whereby they accepted the report of the Committee on the Petition of Elphalet Perkins & others, and recommitted the said Petition, to the same Committee. Sent down for concurrence.

Concurred.

Bill relating to Engine-men. Fire Engines & Fires.

Mr Meggier, from the Joint Standing Committee on the Judiciary, on an order of 4th February 1830 instructing said Committee to inquire whether any alterations are necessary in the Law passed March 1821 entitled "An act respecting Engine-men, Fire-Engines and the extinguishment of fires" reported a Bill entitled "An additional act respecting Engine-men, fire-engines and the extinguishment of fire" which was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading.

Bill Bath Ferry Company

The Bill entitled "An act to establish the Bath Ferry Company" was read the second time and, on motion, was ordered to lie on the table.

Bill add Judicial proceedings

The Bill entitled "An act additional to an act regulating Judicial proceedings" was read the second time and passed to be Engrossed. Sent down for concurrence.

Bill Remedies in Equity.

The Bill entitled "An act additional to an act giving remedies in Equity" was read the second time and

prepar to be Engrossed. Sent down for concurrence.

Concurred.

The Bill intitled "An act in addition to the several acts for the preservation of fish in Penobscot River and Bay and the several streams that empty into the same" was read the second time and passed to be Engrossed. Sent down for concurrence. Bill. Fish in Penobscot Bay & River.

Mr Kingsbery, from the Joint Standing Committee on the Judiciary, on the Petitions of

David Thurlo & others,
Henry Stephenson & others,
Moses Little & others,
Cyrus Hall & Josiah Bof,
William Buxton & others,

reported that the Petitioners have leave severally to withdraw their Petitions. The Reports were severally read and accepted. Sent down for concurrence. Petitions leave to withdraw D. Thurlo & als. H. Stevenson & als. M. Little & als. C. Hall & al. W. Buxton & al.

Concurred.

The same Gentleman, from the same Committee on an order of 20th February 1830 instructing said Committee to Towns, to inquire into the expediency of altering the Law regulating Town Meetings & reported that it is inexpedient to Legislate upon the subject. The Report was read and accepted. Sent down for concurrence. Order relating to Town Meetings &c.

Concurred.

The same Gentleman, from the same Committee on an order of 17th February 1830 in regard to the expediency of altering an act intitled "An act to provide for the sale & distribution of Ministerial and School Lands" passed 12th February 1824, reported that it is inexpedient to legislate upon the subject. The report was read and accepted. Sent down for concurrence. Report relating to Ministerial & School Lands.

Concurred.

The same Gentleman, from the same Committee on an order of 18th February 1830 ins regard to the Report relating to Right of Husband

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in wifes Real Estate.

propriety of exempting from attachment to a certain amount the life right of a Husband in his Wife's Real Estate, reported that it is inexpedient to legislate upon the subject. The Report was read and accepted. Sent down for concurrence.

Concurred.

Resolve - line between Gray & Windham.

The same Gentleman, from the same Committee, on the Petition of the Selectmen of Gray, reported a Resolve entitled "Resolve appointing a Committee to establish the line between the Towns of Gray & Windham", which was read the first and second times and passed to be Engrossed. Sent down for concurrence.

Resolve on Pet of S. Winter & als

The same Gentleman, from the same Committee on the Petition of Samuel Winter & others, reported a Resolve entitled "Resolve on the Petition of Samuel Winter & others" which was read once and referred to the next Legislature. Sent down for concurrence.

Resolve - Roads & Bridges in Abbot.

The same Gentleman, from the same Committee on the Petition of James Grover & others, reported a Resolve entitled "Resolve respecting roads & Bridges in the Town of Abbot" which was read the first time, and ordered to lie on the table.

Bill. Fish in Denny River & Pinnaquan.

Mr Hutchings, from the Joint standing Committee on Inland Fisheries, on an order of 13th January 1830, respecting the destruction of fish in Denny's River &c, reported a Bill entitled "An additional act to prevent the destruction fish called Salmon, and Alewives in Denny's River and Pinnaquan, in the County of Washington" which was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading.

Bill to annex Thompson Pond.

Mr Garvace, from the Joint standing Committee on the Incorporation of Towns, on the Petition of

William Maxwell & others, reported a Bill entitled "An act to annex Thompson Pond Plantation to the Towns of Otisfield & Poland" which was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading. Plantation to Otisfield & Poland.

Mr Hutchinson, from the Joint standing Committee on Claims, on the Petitions of Orlando Bagley and of J. W. Brewster, reported a Resolve entitled "Resolve in favor of Orlando Bagley" which was read and the first time and tomorrow at ten o'clock A. M. was assigned for the second reading. The same Gentleman also reported a Resolve entitled "Resolve in favor of J. W. Brewster" which was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading. Resolve in favor of O. Bagley.

Mr Kingsbery, from the Joint standing Committee on the Judiciary, to whom was referred re-nomination the Bill reported on the Petition of Samuel Wheeler & others, reported that the same be referred to the next Legislature. The report was read and accepted. Sent down for concurrence. Concurred. Pet. of Sam. Wheeler &als referred.

The Resolve entitled "Resolve relative to the State Prison" was read the second time and passed to be Engrossed. Sent down for concurrence. Concurred. Resolve relative to State Prison.

A Resolve on the Memorial of William D. Williamson, in relation to the History of Maine, taken from the files of the House of Representatives, came up referred to the Joint standing Committee on Literature and Literary Institutions. for concurrence. The Memorial was read and the Senate concurred. Resolve on the Memorial of W. D. Williamson

Orders of the House of Representatives That the Joint standing Committee on the Judiciary Order relating to Imprisonment

for Debt. be instructed to inquire into the expediency of so altering or amending the Law as to abolish imprisonment for debt:

Order relating to Records of Justices of the Peace. (Also) That the same Committee be instructed to inquire into the expediency of repealing or altering "An act making further provision concerning Records of Justices of the Peace";

Order relating to Poor Debtors. (Also) That the same Committee be instructed to inquire into the expediency of amending the Laws relative to Persons committed to Prison in cases where no provision exists authorising such Persons to take the Poor Debtor's oath;

Were severally read and concurred.

Papers relating to division of Shapleigh. Pet. of S. Pearson & als. " N. Smith & als. (Also) Ordered, That the House that the Senate be requested to take from their files and send down the "papers relating to the division of the Town of Shapleigh"; also the Petition of Samuel Pearson & others; also the Petition of Nathaniel Smith & others; which was read and accepted & granted.

Order relating to business & a Recess. Order of the House of Representatives that Messrs. Boutelle of Waterville, Smith of Hobbborough and Pond of Bucksport, with such as the Senate may join, be a Committee to ascertain and report what business is before the Legislature which is necessary to be done this session, and at what time a recess may be had, was read and concurred, and Messrs. Meggquier and Kingsbery were joined on the part of the Senate.

Bill to authorize G. F. Richardson to navigate the Androscoggin River. The Bill entitled "An act to authorize George F. Richardson exclusively to navigate the Androscoggin River with Horse-Boats" was taken up and committed to Messrs. Meggquier, Phelps and Kingsbery.

Resolve making appropriation The Resolve entitled "Resolve making an appropriation for the Wardens of the State Prison" was

read the second time, amended and passed to be Engrossed as amended. Sent down for concurrence. for the Warden of State Prison.

Concurred.

The Resolve entitled "Resolve in favor of Moses Greenleaf" was read the second time, amended and passed to be Engrossed as amended. Sent down for concurrence. Resolve in favor of M. Greenleaf.

Petitions of Joseph Hosk Bridge & others, for leave to build a Bridge, was read and referred to the Joint Standing Committee on Turnpikes, Bridges and Canals, in concurrence. Petitions referred.

" — of John Emery & others, to be incorporated as a Company for the purpose of manufacturing Leather, came up referred to the Joint standing Committee on the Judiciary, for concurrence. The Senate non concurred the House in their reference, and referred the same to the Joint Standing Committee on Manufactures. Sent down for concurrence. Concurred.

" — of Charles O. Emerson, Agent of the First Parish in York, for leave to sell Lands, was read and referred to the Joint Standing Committee on the Incorporation of Parishes, in concurrence.

" — of Moses Tabor & others, to be incorporated for the purpose of erecting Machinery for dressing hemp, was read and referred to the Joint Committee who have under consideration so much of the Governor's Message as relates to Agriculture, in concurrence.

The Bill entitled "An act authorising the reduction of the Capital Stock of the Kennebunk Bank" came up recommitted to the Joint standing Committee on Banks and Banking, for concurrence: the Senate receded from their former vote and concurred the House in their reference. Bill, to reduce the Capital Stock of Kennebunk Bank.

The Report of the Joint standing Committee

Pet. of the Profs of Merry-meeting Bridge.

on Turnpikes, Bridges and Canals, on the Petition of the Proprietors of the Merry meeting Bridge, giving the Petitioners leave to withdraw their Petition, came up recommitted to the same Committee, for concurrence. The Senate receded from their former vote accepting said Report, and concurred the House.

Bill add. foreign attachment.

The Bill entitled "An act additional to an Act concerning foreign attachment" was read the second time and, on motion, was ordered to lie on the table.

Mr Steele, from the Joint Standing Committee on the Militia and Military affairs, to whom was referred the Communication of the Governor respecting the Militia reported the following Resolves; to wit:

Resolve respecty Musical Instruments

"Resolves respecting musical instruments" which was read the first time and tomorrow at ten o'clock A.M. was assigned for the second reading:

Resolve relating to Infantry Tactics

(Also) "Resolves authorising the Adjutant General to distribute copies of the Abstract of Infantry tactics and system of exercise and instruction of field Artillery" which was read and passed to be Engrossed. Sent down for concurrence.

Concurred.

Bill to authorize 1st School Dis. in Bucksport to raise money.

The Bill entitled "An act to authorise the first School District in Bucksport to raise money for defraying the expense of ringing a Meeting-House Bell" was read the second time and was refused a passage.

The Senate adjourned.

Attest

Edward Kavanagh
Secretary

Friday 26th February 1830

The Senate met according to adjournment.

Mr Meggnier, from the Select Committee to whom was referred the Bill entitled "An act to authorize George F. Richardson exclusively to navigate the Androscoggin River with Horse Boats," reported the same with an amendment, which the Senate adopted: the Bill was then read and passed to be Engrossed, as amended. Sent down for concurrence. — Bill to authorize G. F. Richardson to navigate the Androscoggin River.

Concurred.

Accounts of John G. Deane, — Accts J. G. Deane
David Oakes, — " D. Oakes
Ichabod Bucknam & others, — " I. Bucknam & als
& of Nathaniel Boynton, — " N. Boynton,

were severally referred to the Joint Standing Committee on claims, in concurrence.

Petition of Abner Bagley & others was read and referred to the Joint Standing Committee on the Judiciary, in concurrence. — Petitions referred.

" — — of Ezra Dean & others praying for an act of incorporation, was read and referred to the Joint Standing Committee on Manufactures, in concurrence.

" — — of Obadiah Hill and others praying that the name of the Town of West Machias be changed, was read and referred to the Joint Standing Committee on the Incorporation of Towns, in concurrence.

" — of Charles Harding of Portland for Unity, was read and referred to the Joint Standing Committee on State Lands, in concurrence.

Bill. add. respecting Innholders, Retailers & Victuallers,

A Bill from the House entitled "An additional act respecting Innholders, Retailers and Common Victuallers" came up referred to the Joint Standing Committee on the Judiciary, with instructions to incorporate its provisions into a general Bill relating to Innholders, Retailers and Common Victuallers, the subject matter thereof being now before said Committee. The Senate said Bill was read and referred, in concurrence.

Bill to incorp. the town of Acton.

Mr Gardner, from the Joint Standing Committee on the Incorporation of Towns, on the Petition of John Bodwell & others, reported a Bill entitled "An act to incorporate the Town of Acton" which was read the first and second times and passed to be Engrossed. Sent down for concurrence.

Bill to annex part of Topsham to Brunswick

The same Gentleman, from the same Committee on the Petition of Robert Patten & others, reported a Bill entitled "An act to annex a part of the Town of Topsham to the Town of Brunswick" which was read the first time and tomorrow at ten o'clock A.M. was assigned for the second reading.

Petition of J. Gilmore,

Mr Drummond, from the Joint Standing Committee on Turnpikes, Bridges & Canals, on the Petition of John Gilmore, reported that the Petitioner have leave to withdraw his Petition: the Report was read and accepted. Sent down for concurrence.

Concurred.

Notice ordered Pet. of E. Perkins & Inh's of York,

The same Gentleman, from the same Committee on the Petition of Ephraim Perkins & others, Inhabitants of the County of York, reported an order of notice. The Report was read and accepted. Sent down for concurrence.

Concurred.

Mr Kingsbury, from the Joint Standing Com=

mittee on the Judiciary, on an order instructing them to inquire into the expediency of allowing the interest of Mortgagees in Real Estate to be subject to attachment, reported that it is inexpedient to legislate upon the subject. The Report was read and accepted. Sent down for concurrence.

Concurred.

The same Gentleman, from the same Committee on an order of 3d. February 1830 on the expediency of pro- viding by Law to dispense with the attendance of female witnesses at Court &c, reported that it is inexpedient to legislate upon the subject. The Report was read and accepted. Sent down for concurrence. Report relative to Female Witnesses

Concurred.

The Resolve entitled "Resolve respecting Musical Instruments" was read the second time and passed to be Engrossed. Sent down for concurrence. Resolve respecting Musical Instruments.

Concurred.

The Bill entitled "An act to annex Thompson Pond Plantation to the Towns of Otisfield and Poland" was read the second time and passed to be Engrossed. Sent down for concurrence. Bill to annex Thompson Pond to Otisfield & Poland.

Concurred.

The Resolve entitled "Resolve in favor of Orlando Bagley" was read the second time and passed to be Engrossed. Sent down for concurrence. Resolve in favor of O. Bagley.

The Resolve entitled "Resolve in favor of Joseph Young" was taken up, read the second time and passed to be Engrossed. Sent down for concurrence Resolve in favor of Joseph Young.

The Bill entitled "An additional act respecting salaries of Judges and Registers of Probate" was taken up, read the second time and passed to be Engrossed. Sent down for concurrence. Bill. add. salaries of Judges & Regrs of Probate

Mr Drummond, from the Joint Standing

Bill to presewe Toll Bridges

Committee on Turnpikes, Bridges and Canals, on the order instructing said Committee to report a general Law, in relation to Toll-Bridges, reported a Bill entitled "An act for the preservation of Toll Bridges" which was read the first and second times, amended, and passed to be Engrossed. Sent down for concurrence.

Concurred.

Resolve to distribute Greenleaf's Maps &c.

Mr Meguier, from the Joint Standing Committee on Literature and Literary Institutions, to whom was referred so much of the Governor's Message as relates to the Maps and Statistical view of Maine, reported a Resolve entitled "Resolve to distribute Greenleaf's Maps and Statistical view of Maine" which was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading.

Pet. of E. Adams & als. leave to withdraw

The same Gentleman, from the same Committee, on the Petition of Enoch Adams & others, reported that the Petitioners have leave to withdraw their Petition. The Report was read and accepted. Sent down for concurrence.

Concurred.

Pet. of G. Read & als

The same Gentleman, from the same Committee on the Petitions of George Read and others, reported that the Petitioners have leave to withdraw their Petitions. The report was read and accepted. Sent down for concurrence.

Concurred.

Pet. of Trustees of Dearborn Academy.

The same Gentleman, from the same Committee, on the Petition of the Trustees of Dearborn Academy, reported that the Petitioners have leave to withdraw their Petition. The report was read and accepted. Sent down for concurrence.

Concurred.

Bill in favor of Settlers into No. 9 & 11.

The Bill entitled "an act in favor of the Settlers on Townships numbered Ten and Eleven," came up

having in the House, passed to be Engrossed, as amended. The Senate receded from their former vote so far as to adopt the amendment proposed by the House, and passed the same to be Engrossed as amended, in concurrence.

The Bill entitled "An act to establish the Bath Ferry Company" was taken up, amended, and the same passed to be Engrossed as amended. Sent down for concurrence. Bill-Bath Ferry Company

Concurred.

The Bill entitled "An additional act to prevent the destruction of Fish called Salmon and Alewives in Dennys River and Pennamaquan, in the County of Washington" was read the second time and passed to be Engrossed. Sent down for concurrence. Bill add. Fish in Dennys River & Pennamaquan

Concurred.

The Resolve entitled "Resolve in favor of J. W. Brewster" was read the second time and passed to be Engrossed. Sent down for concurrence. Resolve in favor of J. W. Brewster

The Resolve entitled "Resolve in favor of William Pike" came up, having in the House, passed to be Engrossed as amended. The Senate receded from their former vote so far as to adopt the amendment proposed by the House, and passed the same to be Engrossed as amended, in concurrence. Resolve in favor of William Pike

The Bill entitled "An additional act respecting Engine men, Fire-Engines and the extinguishment of fires" was read the second time and passed to be Engrossed. Sent down for concurrence. Bill add. Engine men &c.

A Bill (from the House) entitled "An act to cede to the United States the Jurisdiction of a certain tract of Land in the Town of Boothbay" having in the House, passed to be Engrossed, came up for concurrence: it was read the first time and on motion, committed to Messrs. Drummond, Hines and Dance. Bill to cede to the U. S. the Juris. of Land in Boothbay

Bill to incorporate the Cumberland Glass Manufactory

A Bill from the House entitled "An act to incorporate the Cumberland glass manufactory" having, in the House, passed to be Engrossed, came up for concurrence: it was read the first time, and, on motion, committed to Messrs. Dunlap, Kingsbury and Megquier.

Bill to prevent the destruction of Moose, Deer &c.

A Bill from the House entitled "An act to prevent the destruction of Moose, Deer and Carraboo", having in the House, passed to be Engrossed, came up for concurrence: it was read the first time and, on motion, committed to Messrs. Dane, Hilton & Ingalls.

Bill to annex part of Denmark to Sebago.

The Bill entitled "An act to annex part of the Town of Denmark to the Town of Sebago" reported by the Joint Standing Committee on the Incorporation of Towns, on the Petition of Alfred Farnham & others, was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading.

Resolve for opening & clearing Mattawamkeook Road.

The Joint Select Committee to whom were referred that part of the Governor's Message which relates to the Mattawamkeook Road, and the Petitions of Jacob B. Sparr & others and of William D. Williamson & others; also the report of Nehemiah Pierce Esq. appointed by the Governor and Council, under a Resolve, of February 1829, an Agent to open said road, —— reported a Resolve entitled "Resolve for opening and clearing a Road from Township No 2 - ola Indian purchase, on the East side of Penobscot River to Mattawamkeag Stream" which was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading.

Report relating to Highways.

A report made in the House from the Joint Standing Committee on the Judiciary, on the Orders of 4th and 5th February Inst. directing said Committee

"to inquire into the expediency of amending the Laws respecting Highways," stating that legislation on the subject is inexpedient, came up accepted, for concurrence. The Report was read and the Senate concurred.

A Report made in the House from the same Committee on the Petition of William Homer & others, giving the Petitioners leave to withdraw their Petition, came up accepted, for concurrence. The Report was read and the Senate concurred. Pet. of William Homer & als.

Mr Hutchinson, from the Joint Standing Committee on the Incorporation of Parishes, to whom was committed a Bill entitled "An act to extend the powers of the Trustees of the Ministerial fund in Bridgton" reported the same without amendment, and the said Bill then passed to be Engrossed as amended. Sent down for concurrence. Concurred. Bill to extend the powers of the Trustees of Ministerial fund in Bridgton.

The Bill entitled "An act to incorporate the Town of Blanchard" reported by the Joint Standing Committee on the Incorporation of Towns, on the Petition of Aulger Chase & others, was read the first time and, on motion, was ordered to lie on the table. Bill to incorporate the town of Blanchard.

A Bill from the House entitled "An act to set off a tract of land from Pittsfield and annex the same to Canaan" reported from the Joint Standing Committee on the Incorporation of Towns, on the Petition of Elijah A. Bussell & others, came up, having passed to be Engrossed, for concurrence: it was read the first time and tomorrow at ten o'clock A.M. was assigned for the second reading. Bill to set off land from Pittsfield to Canaan.

Mr Hinds, from the Joint Select Committee appointed to inquire into the expenditures on the Public Buildings at Augusta, reported three several Resolves marked A.B.C. which were read the first time, and Tuesday next at ten o'clock A.M. was assigned for the second reading. Resolves relating to the Public Buildings. ordered to be printed.

On motion by Mr Ingalls; Ordered that Three hundred copies of said Report and Resolves cause be printed for the use of the Legislature.

Resolve in favor of S. Sawtell.

A Resolve from the House, entitled "Resolve in favor of George Sawtell" reported by the Joint standing Committee on Applications from sick and wounded Soldiers, came up, having passed to be Engrossed, for concurrence: it was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading.

Pet. of S. Homans and others of Howland.

Petition of Samuel Homans, and Petition of the Inhabitants of Hallowell were severally taken from the files of the Senate, read and referred to the Joint Standing Committee on Smelt ing Fisheries. Sent down for concurrence.

Concurred.

Pet. of B. Tripp & als.

Petition of Benjamin Tripp & others was taken from the files of the Senate, read and referred to the Joint standing Committee on the Incorporation of Towns. Sent down for concurrence.

Concurred.

Order to print Documents relating to Baring & Houlton Road.

Orders of the House of Representatives that two hundred copies of the Documents accompanying the Governor's Message relating to the Road from Baring to Houlton be printed for the use of the Legislature:

Sec. of state to furnish copies of agents' acct on Canada Road.

Also, That the Secretary of State be requested to furnish the Committee on the Canada Road with copies of the Agents accounts,

were severally read and concurred.

Resolve in favor of N. L. Ingersol

The Resolve entitled "Resolve in favor of N. L. Ingersol, came from the House indefinitely postponed, for concurrence. The Senate nonconcurred the House and adhered to their vote whereby they had passed the same to Engrossed. Sent down for concurrence.

Mr Evans, from the Joint standing Committee

on Literature and Literary Institutions, on the Petition of John Pitts & others, reported a Bill entitled "An act to incorporate the Titcomb Belgrade Academy" which was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading.

Bill to incorporate Titcomb Belgrade Academy

The Senate adjourned.

Attest

Edward Kavanagh

Secretary

Saturday 27th February 1830.

The Senate met according to adjournment.

Petitions referred.

Petition of Canton Point Bridge Corporation, for a Lottery to aid in the erection of said Bridge,

" — of John Barstow & others for a Lottery to build a pre-Bridge over Sandy River, were severally read and referred to the Joint Standing Committee on Turnpikes Bridges and Canals, in concurrence.

" — of Reuben Buck & others, for a division of the Town of Shapleigh, was read and referred to the Joint Standing Committee on the Incorporation of Towns, in concurrence.

" — of William R. Kendall & others, for a Law establishing the fees for culling and packing Mackerel, was read and referred to the Joint Standing Committee on the Judiciary, in concurrence.

" — of Ebenezer Hascles 3d, for compensation for certain services, was read and referred to the Joint Standing Committee on Claims, in concurrence.

" — of Edward Southwick & others, to be incorporated as a Leather Manufacturing Company, was read and referred to the Joint Standing Committee on Manufactures, in concurrence.

" — of J. R. Abbot & others for a repeal of the Law relating to Fish in the Kennebeck River,

" — of Jacob Southwick, on the same subject,

" — of Ambrose Howard & others, on the same subject, were severally read and referred to the Joint Standing Committee on Interior Fisheries, in concurrence.

Order of the House of Representatives that the Joint Standing Committee on the Judiciary be instructed to inquire into the expediency of altering, amending or extending the provisions of an act entitled "An act respecting lost goods and Stray Beasts" passed 27th January 1821, was read and concurred. — Order respecting lost goods & Stray Beasts.

Order of the House of Representatives, that the Senate be requested to take from their files and send down the Petition of Seth Spring, was read and request granted. — Pet. of S. Spring.

Mr Hutchinson, from the Joint Standing Committee on the Incorporation of Parishes, on the Petition of the Trustees of the Methodist Society in Portland, reported a Bill entitled "An additional Act to incorporate the Trustees of the Methodist Society in Portland" which was read the first and second times and passed to be Engrossed. Sent down for concurrence. — Bill to incorporate Trustees of Methodist Society in Portland.

Concurred.

The same Gentleman, from the same Committee, on the Petition of Charles O. Emerson, reported an order of notice; the Report was read and accepted. Sent down for concurrence. — Notice on Pet. of C. O. Emerson.

Concurred.

Mr Megquier, from the Joint Standing Committee on Literature and Literary Institutions, on the Petition of the Trustees of the Maine Wesleyan Seminary, reported a Resolve entitled "Resolve in favor of the Maine Wesleyan Seminary" which was read the first time and Monday next at eleven o'clock A. M. was assigned for the second reading. — Resolve in favor of the Maine Wes. Seminary.

Mr Hutchinson, from the Joint Standing Committee on the Incorporation of Parishes, on the Petition of Solomon Thurston & others, reported that the Petitioners have leave to withdraw their Petition. The Report was read and accepted. Sent down for concurrence. — Petition of S. Thurston & als.

Concurred.

Order relating to Parishes &c.

On motion by Mr Meggquier; Ordered, that the Joint Standing Committee on the Judiciary be instructed to inquire whether any further provisions of Law are necessary for the regulation of Parishes and religious Societies. Sent down for concurrence.

Concurred.

Resolve for opening &c. Mattanawcook Road.

The Resolve entitled "An additional Resolve for opening and clearing a Road from Township number Two, old Indian purchase, on the East side of Penobscot River, to Mattanawcook Stream" was read the second time and passed to be Engrossed. Sent down for concurrence.

Pet. of J. Chute & als

Mr Gardner, from the Joint Standing Committee on the Incorporation of Towns, on the Petition of John Chute & others, reported a reference of the same to the next Legislature. The report was read and accepted. Sent down for concurrence.

Concurred.

Report relative to flowing of Meadow Lands.

Mr Kingsbury, from the Joint Standing Committee on the Judiciary, on an order of 23d February instructing said Committee to consider the expediency of passing a Law regulating the flowing of Meadow Lands owned in common, reported that it is inexpedient to legislate upon the subject: the report was read and accepted. Sent down for concurrence.

Concurred.

Resolve for the admission of R. G. Greene.

The same Gentleman, from the same Committee on the Petition of Roscoe G. Green, reported a Resolve entitled "Resolve for the admission of Roscoe G. Greene to practise Law in the Court of Common Pleas, and for other purposes" which was read the first and second times and passed to be Engrossed. Sent down for concurrence.

Resolve in relation to unexpended balances.

Mr Phelps, from the Joint Select Committee to whom were referred the documents on the subject, reported a Resolve entitled "Resolve in relation to the unexpended

balances of certain appropriations" which was read the first time and Monday next at eleven o'clock A. M. was assigned for the second reading.

The Resolve entitled "Resolve to distribute Greenleaf's Maps and Statistical view of Maine" was read the second time and passed to be Engrossed. Sent down for concurrence. Resolve to distribute Greenleaf's Maps &c.

Concurred.

The Bill entitled "An act to annex part of the Town of Denmark to the Town of Sebago" was read the second time and passed to be Engrossed. Sent down for concurrence. Bill to annex part of Denmark to Sebago—

Concurred.

Mr Kingsbury, from the Joint Standing Committee on the Judiciary, on an order of 24th February 1836 instructing said Committee to inquire into the expediency of so altering or amending the Laws as to abolish imprisonment for debt, reported that it is inexpedient to legislate upon the subject at this late period of the Session. The report was read and accepted. Sent down for concurrence. Report relating to imprisonment for Debt.

Concurred.

The same Gentleman, from the same Committee on the Petition of Jones Dyer & others, reported a Bill entitled "An act to prevent the filling up and obstruction of Schoodic River" which was read the first time and, on motion, ordered to lie on the table. Bill, to prevent obstructions of Schoodic River &c.

The same Gentleman, from the same Committee on an order instructing said Committee to inquire into the expediency of passing a Law giving reasonable notice to Members-Elect of the House of Representatives of an intention to contest their election, reported a Bill entitled "An act requiring notice to be given in cases of contested elections" which was read the first time and, on motion, ordered to lie on the table. Bill requiring notice in contested Elections

Bill to incorp. the Prop's of Bangor Pier Corporation.

Mr Drummond, from the Joint Standing Committee on Turnpikes, Bridges and Canals, on the Petition of James B. Fisk & others, reported a Bill entitled "An act to incorporate the Proprietors of the Bangor Pier Corporation" which was read the first time and Monday next at eleven o'clock A. M. was assigned for the second reading.

Bill, add. to exempt certain goods from attachment &c.

A Bill from the House entitled "An act additional to an act to exempt certain goods and chattels from attachment and execution and from distress for taxes", reported in the House from the Joint standing Committee on the Judiciary, came up recommitted to the same Committee, for concurrence. The said Bill was read and the Senate concurred the House in their reference.

Bill to set off land from Pittsfield to Canaan.

The Bill entitled "An act to set off a tract of land from Pittsfield and annex the same to Canaan" was read the second time, amended and passed to be Engrossed as amended. Sent down for concurrence.

Concurred.

Bill, add. regulating office of Sheriffs and Constables

The Bill entitled "An act additional to an act defining the powers & duties and regulating the office of Sheriffs and Constables" came up amended, for concurrence: the amendments proposed by the House were adopted, the Bill was further amended by the Senate and then passed to be ~~so~~ Engrossed as ~~so~~ amended. Sent down for concurrence.

Concurred.

Bill to reduce the Capital stock of Kennebunk Banks.

Mr Dunlap, from the Joint standing Committee on Banks and Banking, to whom was recommitted the Bill entitled "An act authorising the reduction of the capital stock of the Kennebunk Bank" reported the same in a new Draft. The Senate adopted the New Draft in room of the original Bill, and the same passed to be Engrossed. Sent down for concurrence.

Concurred.

A Bill from the House entitled "An act for the

relief of Debtors to the State" reported in the House from the Joint Standing Committee on the Judiciary, came up, having passed to be Engrossed, for concurrence it was read the first time and Monday next at eleven o'clock A.M. was assigned for the second reading.

Bill for relief of Debtors to the State.

The Bill entitled "An additional act for regulating ferries" came up, amended, for concurrence. The Senate receded from their former vote, adopted the amendment proposed by the House and passed the same to be Engrossed as thus amended, in concurrence.

Bill, add. for regulating Ferries.

An Bill from the House entitled "An act additional to an act to secure to Owners their property in Logs, Masts, Spars and other Lumber in certain cases" reported from the Joint Standing Committee on the Judiciary, came up, having passed to be Engrossed, for concurrence: it was read the first time and Monday next at eleven o'clock A. M. was assigned for the second reading.

Bill, Logs, Masts & Spars.

The Resolve entitled "Resolve in favor of Geage Sawtell" was read the second time and passed to be Engrossed, in concurrence.

Resolve in favor of G. Sawtell.

Mr Dunlap, from the Select Committee to whom was referred the Bill from the House entitled "An act to incorporate the Cumberland glass manufacturing Company" reported the same without amendment: it was read the second time and passed to be Engrossed, in concurrence.

Bill to incorp. the Cumberland Glass Manufac turing Company.

Mr Drummond from the Joint Standing Committee on Turnpikes, Bridges and Canals, on the Petition of Kilborn G. Robinson & others, reported a Bill entitled "An act to establish the Hallowell Ferry Company" which was read the first time, and Monday next at eleven o'clock.

Bill to establish the Hallowell Ferry Company.

(177) A. M. was assigned for the second reading.

Bill. Topsham to Bowdoinham. The Bill entitled "An act to annex a part of the Town of Topsham to the Town of Bowdoinham" was read the second time, and, on motion, it was ordered to lie on the table.

Bill to incorp. Titcomb, Belgrade Academy. The Bill entitled "An act to incorporate the Titcomb Belgrade Academy" was read the second time and, on motion, it was ordered to lie on the table.

Bill. line between Bristol & Bremen. The Bill entitled "An act establishing the Town line between Bristol and Bremen" came up, amended, for concurrence. The Senate receded from their former vote so far as to adopt the amendment proposed by the House, and the said Bill then passed to be Engrossed as thus amended, in concurrence.

Bill. add. Cumberland & Oxford Canal Corporation. The Bill entitled "An act in addition to an act to establish the Cumberland and Oxford Canal Corporation" which has passed both Houses to be Engrossed, in concurrence, was brought to the Senate by Mr. Child, Clerk of the House of Representatives, with a Message informing the Senate, that the House had reconsidered their vote whereby they had passed said Bill to be Engrossed, and had accepted amendments to the same as on sheet annexed thereto, and had ordered the same to be reengrossed as thus amended, requesting the concurrence of the Senate therein. Thereupon the Senate reconsidered their former vote and committed the said Bill with the proposed amendments to Messrs. Ringsbey, Morse & Ingalls.

Afterwards,

Mr. Ringsbey, from the select Committee last mentioned, reported the said last mentioned Bill with an amendment to the amendments proposed by the House;

the amendments proposed by the House with the amendment reported by the Committee were then adopted, and the said Bill then passed to be Reengrossed, as thus amended. Sent down for concurrence.

Concurred.

The Senate adjourned.

Attest

Edward Kavanagh

Secretary

Monday 1st March 1830.

The Senate met according to adjournment.

Resolve relative to unexpended balances.

The Resolve entitled "Resolve in relation to the unexpended balances of certain appropriations" was read the second time and passed to be Engrossed. Sent down for concurrence.

Concurred.

Pet. of E. K. Smart.

Mr Gardner, from the Joint Standing Committee on the Incorporation of Towns, on the Petition of E. K. Smart & others, reported that the same be referred to the next Legislature. The Report was read and accepted. Sent down for concurrence.

Concurred.

Pet. of R. Drummond & als.

The same Gentleman, from the same Committee, on the Petition of Ruthorford Drummond & others, reported that the Petitioners have leave to withdraw their Petition. The Report was read and accepted. Sent down for concurrence.

Concurred.

Bill to establish the Hallowell Ferry Company.

The Bill entitled "An act to establish the Hallowell Ferry Company" was read the second time and passed to be Engrossed. Sent down for concurrence.

Concurred.

Bill Bangor Pier Corporation

The Bill entitled "An act to incorporate the Proprietors of the Bangor Pier Corporation" was read the second time and passed to be Engrossed. Sent down for concurrence.

Concurred.

Bill Logs Masts & Spars.

from the House

The Bill entitled "An act additional to an act to secure to Owners their property in logs, masts, spars, and other timber," reported in the House from the Joint Standing Committee on the Judiciary, came up, having passed to be Engrossed, for concurrence: it was read the ~~first~~ second time and passed

to be Engrossed, in concurrence.

Afterwards -

The Senate reconsidered their last vote and recommitted the said last mentioned Bill to the Committee who reported it. Sent down for concurrence. Concurred. Bill recommitted.

The Bill entitled "An act for the relief of Debtors to the State" was read the second time and passed to be Engrossed in concurrence. Bill for relief of Debtors to State.

The Resolve entitled "Resolve in favor of the Maine Wesleyan Seminary" was read the second time and passed to be Engrossed. Sent down for concurrence. Resolve in favor of Maine Wesleyan Seminary.

Petition of Benjamin Ross & others in relation to the support of Schools, Petitions referred.

" — of Nathaniel Mitchell & others, of Portland, that the Selectmen may be authorised to appoint a Hydraulion Company,

" — of the Inhabitants of School District No 15 in Freeport, that their doings may be made valid, were severally read and referred to the Joint Standing Committee on the Judiciary, in concurrence.

" — of William Kibbe for a grant of land

" — of Elizabeth Pettingall for relief in a case of purchase of States land, were severally read and referred to the Joint Standing Committee on State Lands, in concurrence.

" — of a Committee of the Inhabitants of Brunswick praying that the Towns west of the Kennebec River, in the County of Lincoln be set off from said County and together with such Towns in the Kennebec and Cumberland as the Legislature may

Petitions referred.

direct, be incorporated as a New County.

" ——— of the Selectmen of Lisbon for a new County, were severally read and referred to the Joint Standing Committee on the Incorporation of Towns, in concurrence.

" ——— of the Selectmen of the Town of Calais, for an alteration in the Law regulating the Herring fishery, was read and referred to the Joint Standing Committee on Interior Fisheries, in concurrence.

Resolve Roads & Bridges in Abbot.

The Resolve entitled "Resolve respecting Roads and Bridges in the Town of Abbot" was read the second time and, on motion, was ordered to lie on the table.

Bill, Vassalborough Hemp manufactury -

Mr Phelps, from the Joint select Committee on so much of the Governor's Message as relates to Agriculture and Agricultural Societies, to whom was referred the Petition of Moses Taber & others, reported a Bill entitled "An act to incorporate the Vassalborough hemp-manufacturing Company" which was read the first time, and tomorrow at ten o'clock A. M. was assigned for the second reading.

Pet. of E. Russell.

A Report from the Joint Standing Committee on the Judiciary, made in the House, on the Petition of Edward Russell, giving the Petitioner leave to withdraw his Petition, came up, accepted, for concurrence: the Report was read and the Senate concurred.

Pet. of Assessors of Houlton & als.

Mr Drummond, from the Joint Standing Committee on Turnpikes, Bridges and Canals, on the Petition of the Assessors of Houlton and others, reported that the said Committee be discharged from the further consideration thereof, and that the same be referred to the Joint Standing Committee on State Lands. The Report was read and accepted. Sent down for concurrence.

Concurred.

The Bill intitled "An additional act respecting salaries of Judges and Registers of Probate" came from the House, indefinitely postponed, for concurrence. The Senate nonconcurred the House in their vote, and adhered to their former vote, passing the same to be Engrossed. Sent down for concurrence. Bill Judges & Registers of Probate Salaries.

The Report of the Joint Select Committee appointed to contract with some suitable Person to draft Bills and Resolves, to whom was recommitted the Report which they made on the 19th day of February last, came up, indefinitely postponed, for concurrence. The Report was read and the Senate concurred. Report relative to Draftsman.

The report made in the House from the Joint Standing Committee on Turnpikes, Bridges and Canals, on the Petition of William Lord & others, came up amended so as to give the Petitioners leave to bring in a Bill. The Senate receded from their former vote, accepted the amendment proposed by the House, and accepted the said Report as amended in concurrence. Pet. of W. Lord & als.

The Senate adjourned.

Attest

Edward Kavanagh
Secretary

Tuesday 2d March 1830.

The Senate met according to adjournment.

Pet. of R.H. Gardiner referred.

Petition of R. H. Gardiner, in behalf of the Visitors of the Gardiner Lyceum, praying that a less number than is now necessary by Law may constitute a Quorum, was read and referred to the Joint Standing Committee on Literature and Literary Institutions, sent down for concurrence. Concurred.

Mr Meggiver, from the Select Committee appointed on the eleventh day of February last, for that purpose, made the following Report:

State of Maine.

In Senate 2d March 1830.

Report of Committee on the Senatorial returns from York & Washington.

The Select Committee to whom was committed the Report of the Committee appointed to examine the returns of votes for Senators, to consider and report upon the so much of the subject thereof as relates to the elections of Senators by the People in the Senatorial Districts of York and Washington, have attended to that service and report:

That in the District of York the whole number of votes duly returned is Seven thousand and fifty six votes: necessary to a choice Three thousand five hundred and twenty nine votes: Benjamin Pike has Three thousand five hundred and twenty nine, and Abijah Usher Jr has Three thousand five hundred and thirty, and they are severally elected.

In this District there is one deficiency and Moses Sweat has Three thousand five hundred and twenty eight votes and James Goodwin has Three thousand five hundred and twenty four; and said Sweat and Goodwin are the two highest Candidates among the Persons voted for and not elected, and they are the

Constitutional Candidates from whom said deficiency ought ~~not~~ to be supplied.

And in the District of Washington the whole number of votes is Seventeen hundred and twenty Seven: necessary to constitute an election Eight hundred and Sixty four: Charles Peavy has Eight hundred and forty one votes, and Obadiah Hill has Eight hundred and forty eight votes: and said Peavy and Hill are the two highest Candidates among the Persons voted for and not elected, and they are the Constitutional Candidates from whom said deficiency ought to be supplied.

Mr Kingsbury moved that the question on the acceptance of said report be divided and that so much thereof as declares Abijah Usher ~~d~~ to have been elected by the People be accepted: Mr Dunlap moved to amend the motion made by Mr Kingsbury by inserting therein the name of Benjamen Pike also: motion to divide the question.

After debate,

On motion by Mr Dunlap; Ordered that when the Senate adjourn, they adjourn to three o'clock this afternoon.

The Senate adjourned.

Afternoon.

The Senate met according to adjournment.

The Senate resumed the consideration of the amendment proposed by Mr Dunlap to the motion submitted in the forenoon sesion by Mr Kingsbury, and the question thereon, on motion by Mr Ingalls, being ordered to be taken by yeas and nays, was decided in the negative as follows;

Yeas.

Yeas — Messrs. Davee, Dunlap, Hall, Hutchinson, Hutchings, Ingalls, Meggnier & Steele ____ 8

Nays.

Nays — Messrs. Drummond, Garana, Healey, Hilton, Hinds, Kingsbery, Morse and Phelps ____ 8

Question on accepting Report — The Question then recurring on accepting so much of the report as declares Abijah Osher jr elected, as moved by Mr Kingsbery in the forenoon sitting and that question on motion by Mr Osher being ordered to be taken by Yeas and nays, was decided in the negative as follows;

Yeas.

Yeas. — Messrs. Drummond, Gardner, Healey, Hilton, Hinds, Kingsbery, Morse and Phelps ____ 8

Nays.

Nays. — Messrs. Davee, Dunlap, Hall, Hutchinson, Hutchings, Ingalls, Meggnier & Steele ____ 8

motion as to B. Pike. — Mr Meggnier then moved that so much of said report as declares Benjamin Pike elected be accepted, and the question thereon being ordered to be taken by yeas and nays, was decided in the negative as follows;

Yeas.

Yeas. — Messrs. Davee, Dunlap, Hall, Hutchinson, Hutchings, Ingalls, Meggnier & Steele ____ 8

Nays.

Nays. — Messrs. Drummond, Gardner, Healey, Hilton, Hinds, Kingsbery, Morse & Phelps ____ 8

The Senate adjourned.

Attest

Edward Kavanagh
Secretary

Wednesday 3d March 1830.

The Senate met according to adjournment.

Bill, establishing fees for cutting &c - Mackerel.

Mr Kingsbury, from the Joint Standing Committee on the Judiciary, on the Petition of William R. Kendall & others, reported a Bill entitled "An act establishing the fees for cutting and packing mackerel" which was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading.

Bagley's Resolve in favor of D. Bagley. Resolve in favor of J. W. A. Brewster

The Resolve entitled "Resolve in favor of Orlando Bagley and the Resolve entitled "Resolve in favor of J. W. A. Brewster came up agreeably to the Joint Standing Committee on Accounts, for concurrence: The Senate receded from their former votes and concurred the House in their agreence.

Mr Dunlap moved that the Report made yesterday by Mr Huggins be accepted;

and after debate thereon, on motion by Mr Fuller, Ordered, that the further consideration of said report be postponed to ten o'clock tomorrow morning.

Bill to establish the Buckport & Prospect Ferry Company.

Mr Drummond, from the Joint Standing Committee on Turnpikes, Bridges and Canals, on the Petition of Stephen Peabody & others, reported a Bill entitled "An act to establish the Bucksport and Prospect Ferry Company" which was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading.

Bill to incorporate the Maine Leather Comp'y.

Mr Phelps, from the Joint Standing Committee on Manufactures, on the Petition of Edward Southwick & others, reported a Bill entitled "An act to incorporate the Maine Leather Manufactory" which was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading.

Petitions of A. Bagley & als. B. Ross & als. Inhs. of School Dis. No. 15. in Freepat

Mr. Kingsbury, from the Joint standing Committee on the Judiciary, on the Petitions of

Abner Bagley & others,

Benjamin Ross & others,

and Inhabitants of School District No. 15 in Freepat,

reported that the said Petitioners have leave, severally, to withdraw their Petitions. The Reports were read and accepted. Sent down for concurrence.

Concurred.

Bill, add. to act to establish a Court of C. P.

A Bill from the House, entitled "An act additional to an act to establish a Court of Common Pleas", reported from the Joint standing Committee on the Judiciary, came up, having passed to be Engrossed, for concurrence. It was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading.

Bill, incorporate Bangor Literary Club.

A Bill from the House, entitled "An act to incorporate the Bangor Literary Club", reported from the Joint standing Committee on Literature and Literary Institutions, came up, having passed to be Engrossed, for concurrence. It was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading.

Petitions of E. Pettingill C. Harding.

Mr. Phelps, from the Joint standing Committee on State Lands, on the Petitions of

Elephalet Pettingill

& Charles Harding,

reported that the Petitioners have leave severally to withdraw their Petitions. The Reports were read and accepted. Sent down for concurrence.

Concurred.

Bill to take Census.

Mr. Ingalls, from the Joint select Committee to whom was referred so much of the Governor's Message as relates to the taking of a general valuation and Census, reported a Bill entitled "An act to ascertain the number and description of Persons within this

State", which was read the first time and Friday next at ten o'clock A. M. was assigned for the second reading.

Mr Gardner, from the Joint Standing Committee on the Incorporation of Towns, on the Petition of Obadiah Giles & others, reported a Bill entitled "An act to change the name of West Machias", which was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading. — Bill to change name of West Machias.

The same Gentleman, from the same Committee on the Petition of Enoch Spurling & others, reported a Bill entitled "An act to divide the Town of Mount Desert and incorporate the Town of Cranberry Isles" which was read the first time and Friday next at ten o'clock A. M. was assigned for the second reading. — Bill, to incorp. town of Cranberry Isles &c.

The same Gentleman, from the same Committee to whom was referred the report of the Committee appointed by a Resolve of the Legislature of the State, passed on the 28th day of January A.D. 1829, to ascertain, survey and mark the dividing line between the Towns of Hollis and Waterborough in the County of York, made a report which, on motion, was ordered to lie on the table. — Report on Dividing line between Hollis & Waterborough.

The same Gentleman, from the same Committee on the Petitions of

Elijah Wood & others,

& The Inhabitants of Hartland,

reported that the Petitioners have leave, severally, to withdraw their Petitions. The Reports were read and accepted. Sent down for concurrence. — Petitions of E. Wood & others & Inhb. of Hartland

Concurred.

The Senate so far recede from their vote whereby they passed to be Engrossed the Bill entitled "An act to establish the Hallowell Ferry Company" as to amend — Bill to establish Hallowell Ferry Company.

the said Bill, and then passed the same to be Engrossed as thus amended. Sent down for concurrence.

Bill to incorporate town of Acton.

The Bill entitled "An act to incorporate the Town of Acton" came up, having in the House, passed to be Engrossed as amended, for concurrence: The Senate to recede from their former vote as to accept the amendment proposed by the House, and then passed the said Bill to be Engrossed, as thus amended, in concurrence.

Bill, Agriculture & Manufactures.

Mr Phelps from the Joint Select Committee to whom was referred so much of the Governor's Message as relates to Agriculture and Agricultural Societies, reported a Bill entitled "An act for the encouragement of Agriculture and Manufactures," which was read the first time and Friday next at ten o'clock A. M. was assigned for the second reading.

The Senate adjourned

Attest

Edward Kavanagh
Secretary

The Senate met according to adjournment.

Petition of Amos Fletcher & others was, on motion taken from the files and referred to the Joint Standing Committee on Turnpikes, Bridges and Canals. (The said Petition prayed for an act of Incorporation to build a Canal from Norridgewock to Augusta.) Sent down for concurrence. Pet. of Amos Fletcher & als referred.

Concurred.

Petition of B. Fish & others for extension of time to build Ola Town Bridge, Petitions referred.

" of Seth Spring for a half-township of land, were severally read and referred to the Joint Standing Committee on Turnpikes, Bridges and Canals, in concurrence.

" of Samuel Stevenson & others for a Bankrupt Law; was read and referred to the Joint Standing Committee on the Judiciary, in concurrence.

Remonstrance of the Town of Vassalborough against the Petition of Samuel Stevens & others, was read and referred to the Joint standing Committee on Interior Fisheries, in concurrence. Remonstrance referred.

Order of the House of Representatives, that the Joint standing Committee on the Judiciary be instructed to inquire if any further legislation be necessary to relieve Towns from the expense of supporting Lunatics in the Common Prison, was read and concurred. Order relative to Lunatics

An Order of the House, that the Joint standing Committee on the Judiciary be instructed to inquire into the expediency of requiring the Inspectors of fish to make an annual return, to the Governor and Council, of the whole quantity of fish packed by them, and of the several kinds as they were inspected by them; the said return to be made by the 20th Order relative to Inspectors of Fish.

day of December annually, was read and the Senate nonconcurred the House in their reference, and referred the same to the Joint Standing Committee on Interior Fisheries. Sent down for concurrence.

Concurred.

Pet. of D. R. Abbot &als. referred.

Mr Hutchings, from the Joint Standing Committee on Interior Fisheries, on the Petition of S. R. Abbot and others, reported that the same be referred to the next Legislature. The report was read and accepted. Sent down for concurrence.

Concurred.

Pet. of Jeremiah Bartlett jun. &al.

Mr Eustis, from the Joint Standing Committee on the Militia and Military affairs, on the Petition of Jeremiah Bartlett jr & others, reported that it is inexpedient to legislate on the subject. The report was read and accepted. Sent down for concurrence.

Concurred.

Resolve making appropriations for Public Buildings

The Resolve entitled "Resolve making appropriations for erecting and completing the Public Buildings" was read the second time and referred to Messrs. Fogales, Phelps and Megquier.

Resolve in favor of Carey, Lea & Carey.

The Resolve entitled "Resolve in favor of Carey, Lea and Carey" came from the House, having there passed to be Engrossed as amended, for concurrence: the Senate so far recede from their former vote as to adopt the amendment proposed by the House, and then passed the same to be Engrossed as thus amended, in concurrence.

Bill to exempt certain goods &c. from attachment &c.

Mr Kingsbury, from the Joint Standing Committee on the Judiciary, to whom was referred a Bill entitled "An act additional to an act to exempt certain goods and chattels from attachment, Execution and distress for taxes" reported that the same ought not to pass. The report was read and accepted. Sent down for concurrence.

The same Gentleman, from the same Committee, on an order of 24th February 1830 instructing them to inquire into the expediency of repealing or altering "An act making further provision concerning records of Justices of the Peace" reported a Bill entitled "An act to repeal part of an act making further provision concerning records of Justices of the Peace" which was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading.

Bill concerning Records of Justices of the Peace.

Mr Gardner, from the Joint standing Committee on the Incorporation of Towns, on the Petition of James B. Doyle and others, reported that the Petitioners have leave to withdraw their Petition. The report was read and accepted. Sent down for concurrence.

Concurred.

Pet. of James B. Doyle & als.

The same Gentleman, from the same Committee, on the Petitions of

Rufus K. Page & others,

& Henry Milliken,

reported an Order of notice on each severally. The reports were read and accepted. Sent down for concurrence.

Concurred.

Notice ordered on Petitions of R. K. Page & als & H. Milliken.

The same Gentleman, from the same Committee on the Petition of Winthrop B. Norton, reported a Bill entitled "An act to annex a part of this state to Oxford" which was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading.

Bill, to annex part of this state to Oxford.

The same Gentleman, from the same Committee on the Petition of James Gilmore, reported that the Petitioner have leave to bring in a Bill: the report was read and so far amended as to refer the said Petition to the next Legislature, and then accepted as amended. Sent down for concurrence.

Pet. of James Gilmore reported.

Concurred.

Bill. Courts of Probate.

The Bill entitled "An act further to regulate the proceedings and jurisdiction of the Courts of Probate" was read the second time and referred to Messrs. Dunlap, Megquier and Kingsbery.

Bill. First school District in Buckspport.

The Senate receded from their vote whereby they refused passage to the Bill entitled "An act to authorise the first School District in Buckspport to raise money for defraying the expense of ringing a Meeting House Bell" so far as to commit the same to Messrs Megquier, Kingsbery and Hinds.

Bill. to change name of West Machias.

The Bill entitled "an act to change the name of West Machias" was read the second time and passed to be Engrossed. Sent down for concurrence.

Concurred.

Bill to incorp. Maine Leather Manufactory

The Bill entitled "An act to incorporate the Maine Leather manufactory" was read the second time and passed to be Engrossed. Sent down for concurrence.

Bill. add. to establish Court of Com. Pleas.

The Bill entitled "An act additional to an Act to establish a Court of Common Pleas" was read the second time and passed to be Engrossed. Sent down for concurrence.

Bill. Fees for packing Mackerel

The Bill entitled "An act establishing the fees for culling and packing mackerel" was read the second time and passed to be Engrossed. Sent down for concurrence.

Bill. Nassallboro. Hemp Manufactory.

The Bill entitled "An act to incorporate the Vassalborough Hemp manufacturing Company" was read the seconce time and passed to be Engrossed. Sent down for concurrence.

Concurred.

The Bill entitled "An act to incorporate the

Bangor Literary Club" was read the second time and passed to be Engrossed, in concurrence.

Mr Drummond, from the Select Committee, to whom was referred the Bill entitled "An act ceding to the United States jurisdiction of a certain tract of land in the Town of Boothbay" reported the same without amendment: it was read the second time and passed to be Engrossed, in concurrence.

Bill ceding to U.S. land in Boothbay

Mr Hutchinson, from the Joint Standing Committee on Claims, on the Petition of Daniel L. Perley, reported a Resolve entitled "A Resolve in favor of Daniel L. Perley" which was read the first time and tomorrow at ten o'clock A.M. was assigned for the second reading.

Resolve in favor of Daniel L Perley.

Mr Phelps, from the Joint Standing Committee on Manufactures, on the Petition of Ezra Dean & others, reported a Bill entitled "An act to incorporate the Indian Island manufacturing Company" which was read the first time and tomorrow at ten o'clock A.M. was assigned for the second reading.

Bill to incorporate the Indian Island manufactory Comp.y

Mr Drummond, from the Joint Standing Committee on Turnpikes, Bridges and Canals, on the Petitions of John Barstow & others, & The Proprietors of Canton Point Bridge, reported that the Petitioners have leave, severally, to withdraw their Petitions. The Reports were read and accepted. Sent down for concurrence.

Leave to withdraw Pets. of J. Barstow & als. Canton Point Bridge.

Concurred.

The Bill entitled "An act to establish the Buckspart and Prospect Ferry Company" was read the second time and committed to Messrs. Rivas, Kingsbury & Phelps.

Bill Buckspart & Prospect Ferry Comp.y

Mr Meggquier, from the Joint Standing Committee

Resolve to aid the publication of a new History of Maine.

on Literature and Literary Institutions, on the Memorial of William D. Williamson, reported a Resolve entitled "Resolve to aid in the publication of a General History of Maine" which was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading.

Report of Jud. Committee

The Report of the Joint Standing Committee on the Judiciary on an order of 23d February 1830, came from the House, amended, for concurrence. The Senate nonconcurred the House in their amendment, and so far receded from their former vote as to postpone the subject indefinitely. Sent down for concurrence.

Concurred.

Ret of Josiah Crosby & als.

The Report of the Joint Standing Committee on Claims, on the Petition of Josiah Crosby and others, which had been accepted in the Senate as amended, came up, the House nonconcurring in that amendment. The Senate, thereupon, adhered to their former vote. Sent down for concurrence.

Concurred.

Resolve in favor of W. Kibbe

Mr Phelps, from the Joint Standing Committee on State Lands, on the Petition of William Kibbe, reported a Resolve entitled "Resolve in favor of William Kibbe" which was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading.

Report of the Com. on the Militia

Mr Steele, from the Joint select Committee, to whom was referred so much of the Governor's Message as relates to the Militia and Military affairs, made a report which was read and accepted. Sent down for concurrence.

Concurred.

Report of Com. to settle with Treasurer.

A Report made in the House from the Joint Committee appointed, in pursuance of an order of the 23d, February Inst, to examine and settle the accounts of Elias Thomas Esq, Treasurer of State for the last

political year, was read and accepted in concurrence.

A Report made in the House from the Joint Select Committee appointed to ascertain what business is necessary to be done by this Legislature was came up accepted: it was read and, on motion, ordered to lie on the table. Report on the business of the Legislature.

The Senate adjourned.

Attest

Edward Kavanagh
Secretary -

Friday 5th March 1830

Order relative to printing Rules & Orders.

On motion by Mr Hilton, the Senate do fur reconsidera their vote whereby they ordered two hundred copies of the Rules and Orders of the Senate to be printed, as to amend the said order by striking out the words "Two hundred" and inserting in lieu thereof the words "One hundred".

Bill to incorporate town of Blanchard.

The Bill entitled "An act to incorporate the Town of Blanchard" was taken up, and on motion, referred to the next Legislature. Sent down for concurrence.

Concurred.

Report of Com. on line between Hollis and Waterborough

The Report of the Joint standing Committee on the Incorporation of Towns on the Subject of the dividing line between Hollis and Waterborough, was taken up and, on motion, the subject matter thereof was referred to the next Legislature. Sent down for concurrence.

Concurred.

Bill to regulate taking Fish in Sebasticook River in Clinton

Mr Hutchings, from the Joint Standing Committee on Interior Fisheries, on the Petition of the Selectmen of Clinton, reported a Bill entitled "An act to regulate the taking of fish called Salmon, Shad and alewives in the Sebasticook River in the Town of Clinton", which was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading.

Bill. First School District in Bucksport.

Mr Meggrier, from the Select Committee to whom was referred a Bill entitled "An act to authorize the First School District in Bucksport to raise money for defraying the expense of ringing a Meeting-house bell," reported the same with an amendment. The amendment was not adopted and the Bill was, on motion, indefinitely postponed. Sent down for concurrence.

Concurred.

Mr Hutchinson, from the Joint Standing -

Committee on Claims, on the Petition of Nathaniel Davis, reported that the Petitioner have leave to withdraw his Petition. The Report was read and accepted. Sent down for concurrence. — Pet. of N. Davis.

The Same Gentleman, from the same Committee, on the accounts of John G. Deane, & of Nathaniel Boynton, reported that the said accounts be severally referred to the Governor and Council. The reports were read and accepted. Sent down for concurrence. — Accounts of J. G. Deane. N. Boynton.

Concurred.

The Same Gentleman, from the same Committee, on the Petition of Ebenezer Hawks, reported that the Petitioner have leave to withdraw his Petition. The report was read and accepted. Sent down for concurrence. — Pet. of E. Hawks.

Concurred.

Mr Drummond, from the Joint Standing Committee on Turnpikes, Bridges and Canals on the Petition of Benjamin Fisk and others, reported that the said Petition be referred to the next Legislature. The report was read and accepted. Sent down for concurrence. — Pet. of B. Fisk & als.

Mr Dawes, from the Select Committee to whom was referred the Bill entitled "An act to prevent the destruction of Moose, Deer and Carraboo" reported the same in a New draft entitled "An act to prevent the destruction of Moose and Deer". The Senate substituted the new Draft for the original Bill, and passed the same to be Engrossed. Sent down for concurrence. — Bill to prevent destruction of Moose & Deer.

Concurred.

The Bill entitled "An act to incorporate the Commercial Bank at Bangor" came up in regular order, postponed, for concurrence: the Senate adhered to their former vote and nonconcurred the House. Sent down for concurrence. — Bill to incorp. Commercial Bank.

Concurred.

Bill Records of Justices of Peace.

The Bill entitled "An act to repeal part of an act making further provision concerning records of Justices of the Peace" was read the second time and passed to be Engrossed. Sent down for concurrence.

Concurred.

Message from the House.

A Message was received from the House of Representatives, by James L. Child, their Clerk, informing the Senate that the House had voted to hold a session this afternoon, commencing at half past two o'clock.

On motion by Mr Gardner, Ordered, that when the Senate adjourn, they adjourn to meet this afternoon at three o'clock.

Bills passed to be Engrossed

The Bills entitled,
"An act to annex part of Otisfield to Oxford,"
"An act to divide the Town of Mount-Desert and incorporate the Town of Cranberry Isles,"
were severally read the second time and passed to be Engrossed. Sent down for concurrence.

Concurred.

Resolve General History of Maine

The Resolve entitled "Resolve to aid in the publication of a General History of Maine" was read the second time and, on motion, was ordered to lie on the table.

Bill authorizing Selectmen of Port. to appoint add. Engineers.

Mr Megquier, from the Joint Standing Committee on the Judiciary, on the Petition of Nathaniel Mitchell & others, reported a Bill entitled "An act authorizing the Selectmen of Portland to appoint an additional number of Engineermen", which was read the first time and tomorrow at ten o'clock A.M. was assigned for the second reading.

Bill to take Census.

The Bill entitled "An act to ascertain the number and description of Persons within this State" was read the second time and, on motion, was ordered to lie on the table.

The Bill entitled "An act for the encouragement of Agriculture and Manufactures" was read the second time and passed to be Engrossed. Sent down for concurrence. Bill Agriculture & Manufactures.

A Bill from the House, entitled "An act in addition to an act entitled an act to enable the Proprietors of Social, Military and Law Libraries to manage the same" reported in the House from the Joint Standing Committee on Literature and Literary Institutions, came up, having passed to be Engrossed, for concurrence: it was read the first time and this afternoon at three o'clock was assigned for the second reading. Bill Social, Military and Law Libraries

A Bill from the House entitled "An act directing the manner in which School District Meetings may be called" reported in the House from the Joint Standing Committee on Literature and Literary Institutions, came up, having passed to be engrossed, for concurrence: it was read the first time and, on motion, was ordered to lie on the table. Bill directing the manner in which School District Meetings may be called.

Mr Hutchinson, from the Joint Standing Committee on Claims, on the Petition of David Oakes, reported that the Petitioner have leave to withdraw his Petition. The report was read and accepted. Sent down for concurrence. Pet. of D. Oakes.

Concurred.

The Senate took up the consideration of the order submitted by Mr Hilton on the 23rd day of February ult. "that no Petition be received at this Board from and after Thursday next, during this Session of the Legislature" and upon amending the Rule by striking out the words "Thursday next" and inserting in lieu thereof the words "Monday the 8th day of March" passed the same as thus amended. Order relative to receiving Petitions

Bill to take Valuations.

Mr Ingalls, from the Joint Select Committee on so much of the Governor's Message as relates to making provision for a general Valuation and Census, reported a Bill entitled "An act to ascertain the amount and description of Estates and of certain descriptions of Persons within this State" which was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading.

Pet. of N. Davis.

The Senate reconsidered their vote whereby they accepted the Report of the Committee on the Petition of Nathaniel Davis, and on motion the said Report was ordered to lie on the table.

The Senate adjourned.

Afternoon.

The Senate met according to adjournment.

Pet. of B. Fisk & als

The Senate reconsidered their vote whereby they accepted the Report of the Committee on the Petition of Benjamin Fisk and others, and recommitted the said Petition to the same Committee. Sent down for concurrence.

Concurred.

Pet. of S. D. Bradley.

Petition of Thomas A. Bradley for compensation for a carpet furnished the State was read and referred to the Joint Standing Committee on Claims, in concurrence.

Resolve in favor of M. Greenleaf.

The Resolve entitled "Resolve in favor of Moses Greenleaf" came up, amended, for concurrence. The Senate so far receded from their former vote as to adopt the amendments proposed by the House, and passed the same to be Engrossed as thus amended, in concurrence.

Bill to improve Mousam River.

A Bill entitled "An act incorporating certain Persons for the purpose of making improvements in the Mousam River" reported in the House from the Joint

Standing Committee on Turnpikes, Bridges and Canals, came up, having passed the House to be Engrossed as amended, for concurrence. The said Bill was read the first time, the amendments proposed by the House were adopted, and Monday next at eleven o'clock A. M. was assigned for the second reading.

The Bill entitled "An act in addition to an Act entitled An act to enable the Proprietors of Social, Military and Law Libraries to manage the same" was read the second time and passed to be Engrossed, in concurrence. Bill. Social, Military & Law Libraries.

Order of the House of Representatives that the Senate be requested to take from their files and send down the Petition of Samuel Moore & others and of George Chilcot & others, was read and request granted. Pet. of S. Moore & als. G. Chilcot & als.

The Resolve entitled "Resolve in favor of Daniel J. Perley" was read the second time and passed to be Engrossed. Sent down for concurrence. Resolve in favor of D. J. Perley.

The Committee on Engrossed Bills reported the following Bills to be truly copied from the Originals, viz: Bills passed to be enacted.

"An act altering the time of the fall term of the Supreme Judicial Court in the County of Lincoln."

"An act to authorise the removal of Prisoners from the Jail in the County of Penobscot, to the Jail in the County of Waldo."

"An act to encourage the distillation of Cedar."

"An act to incorporate the Proprietors of Carrituck Bridge."

"An act to annex a part of the Town of Anson to New Portland."

"An act in addition to an act to incorporate the Canal Bank."

"An act in addition to an act to incorporate the President Directors and Company of the Bank of Portland."

"An additional act for regulating Ferries."

Bills passed to be enacted.

"An act in favor of the Settlers on Townships numbered Ten and Eleven."

"An act to incorporate the Proprietors of Madison Bridge."

"An additional act to incorporate the Proprietors of Canton Point Bridge."

"An act to incorporate the Cumberland Glass manufacturing Company."

"An act to set off Thubal Dixon and Alexander Potter from Pittsfield to Clinton."

"An additional act respecting the Winthrop Bank."

"An act to change the name of the First Evangelical Congregational Church and Society in Eastport."

"An act to incorporate the Hampden Mutual Fire Insurance Company"

"An additional act regulating divorces"

and the same severally passed to be Enacted, in concurrence.

The same Committee reported the following Resolves to be truly copied from the Originals; viz:

"Resolve in favor of Joseph Young."

"Resolve in favor of Nehemiah Leavitt."

"Resolve in favor of William Pike."

"Resolve in favor of Edward Smith."

"Resolve granting a pension to James Pomroy."

"Resolve relative to the State Prison."

"Resolve for the benefit of Isaac Tolman & others."

"Resolve in favor of Jones Dyer Jr."

"Resolve in favor of George Sawtelle."

"Resolve granting a pension to David Savey."

"Resolve in favor of the President Directors & Company of the Canal Bank"

"Resolve in favor of Samuel Smith and others and of Joseph Treworgy and others."

"Resolve making an appropriation for the Wardens of the State Prison."

"Resolve authorising the Penobscot Indians to sell two Townships of land and Pine timber."

"Resolve directing the Land Agent to inquire into and report upon the expediency of granting aid for making a Road in Penobscot County".

And the same Finally passed, in concurrence.

The foregoing Bills and Resolves were this day presented to the Governor for his Approbation and signature.

Petition of the Penobscot Tribe of Indians for aid in purchasing a Bell came up referred to Mess.rs Smith of Robbinsborough, Kent of Bangor and White of Monmouth, with such as the Senate may join, for concurrence: it was read and referred to Messrs. Dunlap and Kingsbury were joined on the part of the Senate. Pet. of Penobscot Indians

The Senate adjourned -

Attest

Edward Kavanagh
Secretary -

Saturday 6th March 1830

The Senate met according to adjournment.

Pet. of Selectmen of Canton.

Mr Garcelon, from the Joint Standing Committee on the incorporation of Towns, on the Petition of the Selectmen of Canton, reported that the Petitioners have leave to withdraw their Petition. The report was read and accepted. Sent down for concurrence.

Concurred.

Notice ordered on Pet. Inhs of Bowdoin and Lisbon

The same Gentleman, from the same Committee on the Petition of the Inhabitants of Bowdoin and Lisbon, reported an order of notice. The report was read and accepted. Sent down for concurrence.

Concurred.

Ben. Tripp & als. leave to withdraw Petition

The same Gentleman, from the same Committee, on the Petition of Benjamin Tripp & others, reported that the Petitioners have leave to withdraw their Petition. The report was read and accepted. Sent down for concurrence.

Concurred.

Bill to incorp. York Leather Manufacturing Company.

Mr Phelps, from the Joint Standing Committee on Manufactures, on the Petition of John K. Emery & others, reported a Bill entitled "An act to incorporate the York Leather manufacturing Company" which was read the first time and Monday next at eleven o'clock A. M. was assigned for the second reading.

Bill. Fish in 7 mile brook in Vassalborough

Mr Hutchings, from the Joint Standing Committee on Interior Fisheries, on the Petition of Samuel Homans, reported a Bill entitled "An act regulating the Fishery on the Kennebec River, near the mouth of the Seven mile Brook in the Town of Vassalborough" which was read the first time and Monday next at eleven o'clock A.M. was assigned for the second reading.

The same Gentleman, from the same Committee on the Petition of the Selectmen of Hallowell and others, reported a Bill entitled "An act to repeal the Laws relating to the Salmon Shad and Alewive Fishery in the River Kennebec, in the County of Kennebec" which was read the first time and Monday next at eleven o'clock A.M. was assigned for the second reading.

Bill repealing Fish laws in Kennebec River.

Mr Meguier, from the Joint Standing Committee on Literature and Literary Institutions, on the Petition of Robert H. Gardiner, reported a Bill entitled "An additional act respecting the Gardiner Lyceum" which was read the first and second times and passed to be Engrossed. Sent down for concurrence.

Bill. add. Gardiner Lyceum.

Mr Garanier, from the Joint Standing Committee on the Incorporation of Towns, on the Petition of the Selectmen of Palermo and China, reported a Bill entitled "An act to establish the dividing line between Palermo & China" which was read the first and second times and passed to be Engrossed. Sent down for concurrence.

Concurred.

Bills – line between Palermo and China.

The Bills entitled
"An act to incorporate the Indian Island manufacturing Company."
"An act authorising the Selectmen of Portland to appoint an additional number of Engineumen".
were severally read the second time and passed to be Engrossed. Sent down for Concurrence.

Concurred.

Bills passed to be Engrossed.

The Bill entitled "An act to regulate the taking of fish called Salmon, Shad and Alewives in the Sebasticook River, in the Town of Clinton" was read the second time and passed to be Engrossed. Sent down for concurrence.

Bill to set off part of Harrington to Addison.

Mr Gardner, from the Joint Standing Committee on the Incorporation of Towns, on the Petition of David Coffin & others, reported a Bill entitled "An act to set off a part of the Town of Harrington & annex the same to the Town of Addison" which was read the first time and Monday next at eleven o'clock A. M. was assigned for the second reading.

Resolve in favor of Penobscot Indians

Mr Dunlap, from the Joint select Committee to whom was referred the Petition of the Penobscot Tribe of Indians for aid to purchase a Bill, reported a Resolve entitled "Resolve in favor of the Penobscot Tribe of Indians" which was read the first and second times and passed to be Engrossed. Sent down for concurrence.

Concurred,

Bill additional Circuit Courts Martial

Mr Steele, from the Joint Standing Committee on the Militia and Military affairs, on an order of 24th February 1830, instructing said Committee to inquire into the expediency of authorising any two Members of a Court-Martial to hold a Court, reported a Bill entitled "An additional act establishing Circuit Courts Martial" which was read the first time and Monday next at eleven o'clock A. M. was assigned for the second reading.

Order relating to Rules and Orders.

On motion by Mr Gardner; Ordered, that twenty copies of the Rules and Orders of the Senate be deposited in the Secretary of States' Office for the use of the Senators-elect of the next Legislature.

Bill Courts of Probate.

Mr Meguier, from the select Committee to whom was referred the Bill entitled "An act further to regulate the proceedings and Jurisdiction of the Courts of Probate" reported the same with sundry amendments; the amendments proposed by the Committee were adopted; the Bill was read the second time and passed to be Engrossed as amended. Sent down for concurrence.

The Bill entitled "An act directing the manner in which District school meetings may be called" was taken up amended and passed to be Engrossed as thus amended. Sent down for concurrence. Bill District school Meetings

Concurred.

The Senate reconsidered their vote whereby they accepted the Report of the Committee on the Petition of Charles B. Emerson and recommitted the said Petition to the same Committee. Sent down for concurrence. Pet. of C. B. Emerson

Concurred.

The Senate took up the Bill entitled "An act to ascertain the number and description of Persons within the State" and recommitted it to the same Committee who reported it. Sent down for concurrence. Bill Valuation

Concurred

Mr Morse, from the Joint Select Committee to whom was referred so much of the Governor's Message as relates to the establishment of an Insane Hospital, reported a Resolve entitled "Resolve for ascertaining the number, age and sex of Insane or Lunatic Persons in this State" which was read the first time and referred to the Joint select Committee to whom was referred so much of the Governor's Message as relates to making provision for a general valuation and Census. Sent down for concurrence. Bill Insane or Lunatic Persons.

Concurred.

The Bill entitled "An act to ascertain the amount and description of Estates and of certain descriptions of Persons within this State" was read the second time and referred to the Joint select Committee to whom was referred so much of the Governor's Message as relates to making provision for a general valuation and Census. Sent down for concurrence. Bill Valuation.

Concurred.

The Bill entitled "An act to incorporate the Town of Argyle" was read the second time and passed to be Engrossed. Sent down for concurrence. Bill Argyle

The Bill entitled "An act to incorporate the Freeport Bill

Freeport Fishing Company.

Fishing Company" came up taken into a new Draft entitled "An act to incorporate the Freeport Wharf Company"; the Senate so far recede from their former vote as to adopt the New Draft in room of the Original Bill and then passed the same to be Engrossed in concurrence.

Resolve - aid History of Maine

The Resolve entitled "Resolve to aid in the publication of a General History of Maine" was taken up and, on motion, indefinitely postponed. (See Monday 8th March)

Bill - Topsham to Brunswick.

The Bill entitled "An act to annex part of the Town of Topsham to the Town of Brunswick" was taken up and passed to be Engrossed. Sent down for concurrence.

Bills & Resolve passed to be enacted.

The Committee on Engrossed Bills reported the following Bills to be truly copied from the Originals, viz: "An act to incorporate the Town of Acton".

"An act for the relief of Debtors to the State".

"An act to set off Johnston's Island from Waldoborough to Bremen".

"An act to establishing the Town line between Bristol and Bremen".

"An act to authorise George F. Richardson exclusively to navigate the Androscoggin River with Horse Boats."

and the same severally passed to be Enacted, in concurrence.

The same Committee reported the following Resolves to be truly copied from the original; viz:

"Resolve for the admission of Roscoe G. Greene to practise Law in the Court of Common Pleas and for other purposes."

and the same finally passed, in concurrence.

The foregoing Bills and Resolves were this day, presented to the Governor for his approbation & signature.

Petition of John Bodwell that the name of the first Parish in Shapleigh may be changed, was read and referred to the Joint Standing Committee on Incorporation of Parishes, in concurrence. Pet. of J. Bodwell.

Mr. Drummond from the Joint Standing Committee on Turnpikes, Bridges and Canals, on the Petition of Joseph Rockbridge & others, reported a Bill entitled "An act authorising the Court of Sessions for the County of Cumberland to lay out a road across a Creek or Arm of the Sea in Freeport" which was read the first time and Monday next at eleven o'clock A.M. assigned for the second reading. Bill read in Freeport.

The Senate adjourned.

Attest

Edward Kavanagh
Secretary

Monday 8th March 1830.

The Senate met according to adjournment.

Pet. of S. Moore & als

Petition of Samuel Moore & others as Committee in behalf of the Town of Steuben, on the subject of the Fishery, was read and referred to the Joint standing Committee on Interior Fisheries, in concurrence.

Bill to change name of the 1st. Parish in Shapleigh

Mr Hutchinson, from the Joint Standing Committee on the Incorporation of Parishes, on the Petition of John Bodwell, reported a Bill entitled "An act to change the name of the first Parish in Shapleigh" which was read the first and second times and passed to be Engrossed. Sent down for concurrence.

Concurred.

Resolve on Pet. of S. Winter.

The Resolve entitled "Resolve on the Petition of Samuel Winter" was taken up and committed to Messrs. Dunlap, Hutchinson and Hinds.

Bill-York Leather Manf. Company.

The Bill entitled "An act to incorporate the York County Leather manufacturing Company" was read the second time and, on motion, ordered to lie on the table.

Bill, repeal Fish Laws in Kennebec.

The Bill entitled "An act to repeal the Laws relating to the Salmon, Shad and Alewive Fishery in the River Kennebec in the County of Kennebec", was read the second time and passed to be Engrossed. Sent down for concurrence.

Bill. Harrington to Addison.

The Bill entitled "An act to set off a part of the Town of Harrington and annex the same to the Town of Addison" was read the second time, amended and passed to be Engrossed as amended. Sent down for Concurrence.

Mr Phelps, from the Joint Standing Committee on State Lands, on the Petition of the Assessors of Houlton Plantation & others, reported that the same be referred to the next Legislature. The Report was read and accepted. Sent down for concurrence. — Pet. of Assessors of Houlton.

Concurred.

Mr Hutchinson, from the Joint Standing Committee on Claims, on the Petition of Thomas O. Bradley, reported a Resolve entitled "Resolve in favor of Thomas O. Bradley" which was read the first time and, on motion, recommitted to the same Committee who reported it, with instructions to report a Statement of facts in relation to the subject matter thereof. Sent down for concurrence. — Resolve in favor of T. O. Bradley.

Concurred.

The Senate reconsidered their vote whereby they indefinitely postponed the Resolve entitled "Resolve to aid in the publication of a General History of Maine" and referred the same to the next Legislature. Sent down for concurrence. — Resolve aid History of Maine.

Concurred.

The Senate reconsidered their vote whereby they accepted the Report of the Joint Standing Committee on the Incorporation of Towns on the Petition of Henry Muldrew and recommitted the said Petition to the same Committee, in concurrence with the House. — Pet. of H. Muldrew.

Petition of Samuel M. Quincy in reference to official acts of Judge Fitch. — Pet. of S. M. Quincy & Nash.

" — — of Lewis Nash to the same purpose,

came from the House referred to the Joint Standing Committee on the Judiciary, for concurrence. The Senate non-concurred the House in their reference of said Petitions for the reason that the subject matter thereof, viz: the impeachment of a Judicial Officer, may not properly come within the cognisance of the Senate in the first instance. Sent down.

Bill. Road in Freeport.

The Bill entitled "an act authorizing the Court of Sessions for the County of Cumberland to lay out a road over a Creek a arm of the Sea in Freeport" was read the second time, amended and passed to be Engrossed as amended. Sent down for concurrence.

Bills & Resolves passed to be engrossed.

The Committee on Engrossed Bills reported the following Bills to be truly copied from the Originals viz:

"An act to annex Thompson Pond Plantation to Otisfield and Poland."

"An act to incorporate the Bangor Literary Club."

"An act in addition to the several Acts for the preservation of Fish in Penobscot River and Bay, and the several Streams that empty into the same."

"An act additional to an act to establish a Court of Common Pleas."

"An act ceding to the United States the Jurisdiction of a certain Tract of Land in the Town of Boothbay."

and the said Bills severally passed to be Enacted, in concurrence.

The same Committee reported the following Resolves to be truly copied from the Originals; viz:

"Resolve in favor of Carey, Lea and Carey."

"Resolve authorizing the Adjutant General to distribute copies of the abstract of Infantry tactics and System of Exercise and instruction of Field Artillery."

"Resolve respecting Musical Instruments".

and the same Finally passed, in concurrence.

The foregoing Bills and Resolves were, this day, presented to the Governor for his approbation and Signature.

Pet. of N. Davis.

The Senate took up the Report of the Committee on the Petition of Nathaniel Davis and, having reconsidered their vote whereby the acceptance said Report, reversed

the said Petition to the next Legislature. Sent down for concurrence.

Concurred.

Mr Gardner, from the Committee on Bills in the Second Reading, to whom was referred the Bill entitled "An act authorising the improvement of the Monsom River" reported the same without amendment, and the said Bill was, on motion, ordered to lie on the table. — Bill to improve Monsum River.

Mr Dunlap, from the Select Committee to whom was referred the "Resolve" entitled "Resolve on the Petition of Samuel Winter" reported the subject matter thereof in a New Draft, in the form of a "Bill" entitled "An act authorising the Courts of Sessions in the Counties of Cumberland and Lincoln to lay out a road over the New Meadows River", the Senate adopted the New Draft in room of the original Resolve and the same passed to be Engrossed. Sent down for concurrence. — Resolve on Pet. of S. Winter. — Bill. New Meadows River.

Concurred.

The Bill entitled "An additional act establishing Circuit Courts Martial" was read the second time and recommitted to the same Committee who reported it. Sent down for concurrence. — Bill. Circuit Courts Martial.

Concurred.

Mr Ingalls from the Select Committee to whom was referred the Resolve entitled "Resolve making further appropriations for erecting and completing the Public Buildings" reported the same as taken into a New Draft entitled "Resolve further providing for erecting and completing the Public Buildings;" the Senate adopted the New Draft in room of the original Resolve, and the same passed to be Engrossed. Sent down for concurrence. — Resolve. Public Buildings.

The Senate adjourned.

Attest

Edward Kavanagh, Secretary

Tuesday 9th March 1830.

Bills & Resolves passed to be enacted.

The Senate met according to adjournment.

The Committee on Engrossed Bills reported the following Bills to be truly copied from the Originals; viz:

"An act in addition to an Act to establish the Cumberland and Oxford Canal Corporation."

"An act to incorporate the Freeport Wharf Company."

"An act in addition to an act entitled An act to enable the Proprietors of Social, Military and Law Libraries to manage the same."

and the same passed to be Enacted, in concurrence.

The same Committee reported the following Resolves to be truly copied from the Originals; viz:

"Resolve in favor of Moses Greenleaf."

"Resolve to distribute Greenleaf's Maps and statistical view of Maine."

and the same finally passed, in concurrence.

The foregoing Bills and Resolves were this day, presented to the Governor for his approbation and signature.

Order relative to Trout and Pickerel in Sebago Pond.

Order of the House of Representatives, that the Joint Standing Committee on Interior Fisheries be instructed to enquire into the expediency of making provision by Law for the preservation of the Fish called Trout and Pickerel in the Sebago Pond, and the tributary streams thereof, was read and concurred.

Resolve relative to Baring & Houlton Road.

Mr Phelps, from the Joint Standing Committee on State Lands, on the Petition of William Vance, reported a Resolve entitled Resolve extending the time for completing the State Road from Baring to Houlton Plantation which

was read the first and second times and passed to be Engrossed. Sent down for concurrence.

Concurred.

Mr Hinds from the Select Committee to whom was referred the Bill entitled "An act to establish the Bucksport and Prospect Ferry Company" reported the same with amendments; the amendments were adopted and the said Bill then passed to be Engrossed as amended. Sent down for concurrence. Bill. Bucksport & Prospect Ferry Company.

Mr Kingsbery, from the Joint Standing Committee on the Judiciary, on an order of 26th February 1830, on the expediency of altering, amending or extending the provisions of an Act entitled "An act respecting lost goods and stray Beasts" passed 27th Janry. 1821, reported that it is inexpedient to legislate upon the subject. The Report was read and accepted. Sent down for concurrence. Report on lost goods & stray Beasts.

Concurred.

Mr Dunlap, from the Joint Standing Committee on Banks and Banking, on the Petition of George Downes & others, reported that the Petitioners have leave to withdraw their Petition. The report was read and accepted. Sent down for concurrence. Pet. of George Downes &als.

The Resolve entitled "Resolve Levying a Tax on the several Counties in this State" was read the second time and referred to Mssrs Ingalls, Dunlap and Kingsbery. Resolve - County Tax.

The Senate reconsidered their vote whereby they accepted the Report of the Joint Standing Committee on Claims, on the Petition of Nathaniel Boyenton, and referred the said Petition to the Joint Standing Committee on Accounts, in concurrence. Pet. of N. Boynton.

Mr Meguier, from the Joint Standing Committee on the Judiciary, on an order of 3d March 1830 instructing said Committee to inquire whether any further legislation

Bill extending the powers of the Sup. Jud. Court.

be necessary to relieve Towns from the expense of supporting Lunatics in the Common Prison, reported a Bill entitled "An act additional to an Act extending the powers of the Justices of the Supreme Judicial Court in certain cases" which was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading.

Bill Fish 7 mile brook in Vassalborough

The Bill entitled "An act regulating the Fishery in the Kennebec River, near the mouth of the Seven mile Brook, in the Town of Vassalborough" was read the second time and passed to be Engrossed. Sent down for concurrence.

Resolve in favor of J. O. Rogers.

Mr Phelps, from the Joint Standing Committee on State Lands, on the Petition of Jacob O. Rogers, reported a Resolve entitled "Resolve in favor of Jacob O. Rogers" which was read the first time and, on motion, ordered to lie on the table.

Bill Belgrade Academy,

The Bill entitled "An act to incorporate the Titcomb Belgrade Academy" was taken up, amended and passed to be Engrossed. Sent down for concurrence.

Resolve Land Agent to redeem Real Estate.

Mr Phelps, from the Joint Standing Committee on State Lands, to whom was referred the Report of the Land Agent, reported a Resolve entitled "Resolve authorising the Land Agent to redeem certain Real Estate for the purpose of securing a debt due to the State" which was read the first time and second times and passed to be Engrossed. Sent down for concurrence.

Concurred.

Add. Resolve Commissioners to settle with Land Agents

The same Gentleman, from the same Committee, to whom was referred a Message from the Governor transmitting a Communication from the Chairman of the Commissioners appointed under a Resolve passed 3d March 1829 for appointing Commissioners to settle with certain Land Agents, reported

a Resolve entitled "An additional Resolve appointing Commissioners to settle with certain Land Agents" which was read the first time and, on motion, was ordered to lie on the table.

The Bill entitled "An act to set off part of the Town of Canton to the Town of Jay" was taken up and, on motion, referred to the next Legislature. Sent down for concurrence. Bill - part of Canton to Jay.

Concurred.

The Bill entitled "An act additional to an act concerning foreign attachment" was taken up and passed to be Engrossed as amended. Sent down for concurrence. Bill - Foreign Attachment.

The Resolve entitled "Resolve respecting Roads and Bridges in the Town of Abbot" was taken up and passed to be Engrossed. Sent down for concurrence. Resolve Roads &c in Abbot.

The Resolve entitled "Resolve in favor of William Kibbe" was taken up (read the second time, and) and passed to be Engrossed as amended. Sent down for concurrence. Resolve in favor of W. Kibbe

Concurred.

The Bill entitled "An act requiring notice to be given in cases of contested elections" was taken up and passed to be Engrossed. Sent down for concurrence. Bill Contested Elections

Mr Drummond, from the Joint Standing Committee on Turnpikes, Bridges and Canals, to whom was recommitted the Report on the Petition of Benjamin Fisk & others, reported a Bill entitled "An additional Act to incorporate the Proprietors of Old Town Bridge" which was read the first and second times and passed to be Engrossed. Sent down for concurrence. Bill - add. Old Town Bridge -

Concurred.

The Bill entitled "An act to prevent the filling up and obstruction of Schoodiac River" was taken and, on motion, referred to the next Legislature: and it was ordered to lie Bill Schoodic River.

printed in the two Papers printed at Eastport, three weeks successively, the last publication to be made ninety days at least before the meeting of the next Legislature.

Sent down for concurrence.

Resolve providing for the settlement of certain accounts -

Mr Phelps, from the Joint select Committee to whom were referred the Statements of accounts which remained unsettled with the Governor and Council previous to January 1829 as communicated with the Governor's Message, reported a Resolve entitled "Resolve providing for the settlement of certain accounts" which was read the first time and, on motion, was ordered to lie on the table.

The Senate adjourned.

Attest

Edward Kavanagh

Secretary

Wednesday 10th March 1830.

The Senate met according to adjournment.

Mr Dunlap had leave to lay on the table a Bond from Elias Thomas Esq. Treasurer of the State, which, on motion, was committed to Messrs Dunlap and Kingsbery with such as the House may join. Sent down for concurrence. Concurred, and Messrs Swan of Portland, White of Monmouth and Charles of Fryeburg were joined on the part of the House. — State Treasurers Bond.

Mr Healey asked for and obtained leave of absence, after this day, for the remainder of the Session. — Mr Healey had leave of absence

Mr Ingalls asked for and obtained leave of absence for the remainder of the Session after Friday next. — Mr Ingalls same.

Mr Kingsbery asked for and obtained leave of absence for the remainder of the Session after tomorrow. — Mr Kingsbury same.

Mr Davee asked for and obtained leave of absence for the remainder of the Session after Monday next. — Mr Davee same.

On motion by Mr Davee; Ordered, that the pay of Mr Healey, for his attendance at this Session of the Senate, be made up for all the time since the date of his former leave of absence. — Order relative to Pay Roll.

Petition of Benjamin Larrabee & others, for an alteration in the Law regulating Engines, was read and referred to the Joint Standing Committee on the Judiciary, in concurrence. — Petitions referred.

" of C. C. C. Carlton, for pay for Sheep Skins furnished for the State, was read and referred to the Joint Standing Committee on Claims, in concurrence.

" of C. Richardson & others, of Eastport for an act of incorporation to build a Bridge from Eastport to Carlow's Island, was read and referred to the Joint Standing Committee on Turnpikes, Bridges & Canals,

in concurrence.

Bill, add. Judicial Progrep & Proceedings

The Bill entitled "An act additional to an act regulating Judicial Procesi and Proceedings" came up, having passed to be Engrossed, in the House, as taken into a New Draft entitled "An additional act regulating Judicial Procesi and Proceedings". The Senate so far receded from their former vote as to adopt the New Draft in room of the Original Bill, and then passed the same to be Engrossed, in concurrence.

Bill- Sebago & Long Pond Steam Boat Navigation Company.

A Bill from the House entitled "An act to incorporate the Sebago and Long Pond Steam Boat Navigation Company" reported in the House from the Joint standing Committee on Turnpikes, Bridges and Canals, came up, having passed to be Engrossed, as amended, for concurrence. The said Bill was read the first time, the amendments proposed by the House were adopted, and the same, so amended, was referred to Messrs. Meggrier, Veals and Hinds.

Bill, part of Topsham to Bowdoinham

The Bill entitled "An act to annex part of the Town of Topsham to the Town of Bowdoinham" came up referred to the next Legislature for concurrence. The Senate non-concurred the House in their proposition and adhered to their former vote. Sent down for concurrence.

Bill, add. Innholders, Retailers & Victuallers

A Bill from the House entitled "An additional act respecting Innholders, Retailers and Common Victuallers" reported in the House from the Joint standing Committee on the Judiciary, came up, having passed to be Engrossed as taken into a New Draft, for concurrence. The Senate adopted the New Draft in room of the original Bill and the same was read the first time and tomorrow at ten o'clock A.M. was assigned for the second reading.

Resolve, add. Mattanawcook

The Resolve entitled "Resolve" An additional Resolve for opening and clearing a road from Township number

two old Indian Purchase, on the East side of Penobscot River, to Mattanawcook Stream", came from the House, having there passed to be Engrossed as amended, for concurrence. The Senate so far recede from their former vote as to agree to the amendments proposed by the House, and then passed the said Resolve to be Engrossed as amended in concurrence. Road

Petition of Elias Thomas Esq. Treasurer of State, for an allowance for Clerk hire, was read and referred to Messrs Phelps and Wells with such as the House may join. Sent down for Concurrence. Concurred; and Messrs Adams of Portland, Tavara of Brownfield and White of Monmouth were joined, on the part of the House. Pet. of E. Thomas State Treasurer

Mr Ingalls, from the select Committee to whom was referred the Resolve entitled "Resolve laying a tax on the several Counties in this State" reported the same without amendment, and the said Resolve then passed to be Engrossed, in concurrence. Resolve laying Tax on Counties

The Bill entitled "An act additional to an act extending the powers of the Justices of the Supreme Judicial Court in certain cases" was read the second time, amended, and then passed to be Engrossed, as amended. Sent down for concurrence. Bill add. extending powers of Justices of S. J. C.

Concurred.

Mr Meggues, from the Joint Standing Committee on Literature and Literary Institutions, on the Petition of the Trustees of Monmouth Academy, reported that the said Petition be referred to the next Legislature. The Report was read and accepted. Sent down for concurrence. Pet. of Trustees Monmouth Academy

Concurred.

The Resolve entitled "Resolve" An additional Resolve appointing Commissioners to settle with certain Land Agents" was read the second time and committed to Messrs Dunlap, Phelps and Meggues. Resolve add. Commis to settle with certain Land Agents.

Bill-add government of State Prison.

A Bill from the House entitled "An act additional to an act for the Government of the States Prison" reported in the House from the Joint Standing Committee on the State Prison, came up, having been passed to be Engrossed as amended for concurrence. The said Bill was read the first time, the amendments of the House were agreed to, and tomorrow at ten o'clock A.M. was assigned for the second reading.

Resolve Reads &. Patrickstown Plantation

A Resolve from the House, entitled "Resolve respecting roads and Bridges in Patrickstown Plantation" reported in the House from the Joint standing Committee on the Judiciary, came up, having passed to be Engrossed, for concurrence. The said Resolve was read once and refused a passage. Sent down for concurrence.

Resolve for the purchase of Stationary.

Mr Meggquier had leave to lay on the table the following Resolve; viz: "Resolve for the purchase of Stationary" which was read the first time and tomorrow at ten o'clock A.M. was assigned for the second reading.

Order relative to Bonds of Secretary of State.

On motion by Mr Meggquier; Ordered, that the Joint standing Committee on the Judiciary be instructed to inquire into the expediency of requiring bond of the Secretary of State to account for all money which may come to his hands by Appropriations. Sent down for concurrence.

Concurred.

Bills passed to be enacted.

The Committee on Engrossed Bills reported the following Bills to be truly copied from the Originals; viz:

"An additional act to prevent the destruction of Fish called Salmon, and Alewives in Dennys River and Pinmaquan, in the County of Washington."

"An act to incorporate the Bath Ferry Company."

"An act additional to an act defining the general powers and duties, and regulating the office of Sheriffs and

Constables."

"An act additional to an act giving remedies in Equity." Bills passed to be enacted.

and the same severally passed to be Enacted, in concurrence.

The same Committee reported the following Resolve to be truely copied from the Original, viz: "Resolve in favor of the Penobscot Indians."

and the same Finally passed, in concurrence.

The foregoing Bills and Resolve were this day presented to the Governor for his approbation and signature.

The Senate took up the Resolve entitled "Resolve providing for the settlement of certain accounts" and passed the same to be Engrossed as taken into a New Draft. Sent down for Concurrence. Resolve for the settlement of accounts.

Concurred,

The Senate adjourned.

Attest

Edward Kavanagh

Secretary

Thursday 1st March 1830.

The Senate met according to adjournment.

Pet. of Inhs of Hollis.

Petition of Inhabitants of Hollis, for the appointment of a Committee to establish the dividing line between Lyman and Hollis, was read and referred to the Joint Standing Committee on the Incorporation of Towns, in concurrence.

Order relative to conveyance of property to Literary Institutions

Orders of the House of Representatives;

That the Joint Standing Committee on the Judiciary be instructed to inquire into the expediency of prohibiting in certain cases any Persons from conveying their property to any Literary Institution.

same as to Religious Institutions

(Also) That the same Committee be instructed to inquire into the expediency of passing a Law prohibiting Persons from giving their property to religious Institutions and Societies, in certain cases.

Claim of Wm Wirt Esq.

(Also) That the Joint standing Committee on Claims be required to inquire into the propriety of allowing the claim of William Wirt Esq of Washington.

Were severally read and concurred.

Bill, Telcomb Belgrade Academy

The Bill entitled "An act to incorporate the Telcomb Belgrade Academy" came from the House, passage refused, for concurrence. The Senate receded from their former vote and concurred the House in their proposition.

Bill, Banks and Banking

A Bill from the House entitled "An act to regulate Banks and Banking" reported in the House from the Joint standing Committee on Banks and Banking, came up recommitted to the same Committee who reported it, for concurrence: and the Senate concurred.

A Bill from the House entitled "An additional act to exempt certain goods and chattels from attachment

Execution and Distress" reported in the House from the Joint Standing Committee on the Judiciary, came up, having passed to be Engrossed as taken into a New Draft, for concurrence. The said Bill was read the first time, the Senate adopted the New Draft in room of the original Bill, and when to-morrow at ten o'clock A.M. was assigned for the second reading. — Bill exempt certain goods from attachment & distress.

The Resolve entitled "Resolve in favor of Jacob O. Rogers" was read the second time and indefinitely postponed. Sent down for concurrence. — Resolve in favor of J. O. Rogers.

Concurred,

The Resolve entitled "Resolve in favor of the Maine Wesleyan Seminary" came up, the House having reposed it passage, for concurrence. The Senate so far receded from their former vote as to commit the same to Messrs. Augustus Phelps and Ingalls. — Resolve in favor of Maine Wesleyan Seminary

The Report of the Joint Standing Committee on Banks and Banking on the Petition of George Downes & others, came from the House amended, for concurrence. The Senate receded from their former vote, agreed to the amendment proposed by the House, and then accepted said Report as amended, in concurrence. — Pet. of George Downes & als.

A Bill from the House entitled "An act requiring Persons enlisting into Independent Companies to give notice thereof to the Commanding Officers of the Standing Companies" reported by a Select Committee of the House, came up having passed to be Engrossed, for concurrence. The said Bill was read the first time and committed to Messrs. Steele, Hilton and Ingalls. — Bill, requiring Notice to Commanding Officers of Companies.

A Bill from the House entitled "An act additional to an act providing for the payment of costs in criminal prosecutions" reported in the House from the Joint Standing Committee on the Judiciary, came up, having passed to be Engrossed, — Bill, add. Costs in Crim. prosecutions.

for concurrence: it was read the first time and tomorrow at ten o'clock A.M. was assigned for the second reading.

Bill. Sebago & S.L. steam Navigation Company.

Mr Sturgis, from the Select Committee to whom was referred the Bill entitled "An act to incorporate the Sebago and Long Pond Steam-navigation Company" reported the same with amendments: the Senate agreed to the amendments proposed by the Committee and the said Bill was read the second time and then passed to be Engrossed as thus amended. Sent down for concurrence.

Bill. Innholders Retailers &c.

The Bill entitled "An additional act respecting Innholders, Retailers and Common Victuallers" was read the second time and referred to Messrs. Phelps, Jones & Steele.

Bill. Banks & Banking.

Mr Dunlap, from the Joint Standing Committee on Banks and Banking, to whom was recommitted the Bill entitled "An act to regulate Banks and Banking" reported the same without amendment: the said Bill was then read the first time and tomorrow at ten o'clock A.M. was assigned for the second reading.

Resolve - Stationary

The Resolve entitled "Resolve for the purchase of Stationary" was read the second time and passed to be Engrossed. Sent down for concurrence.

Concurred.

Bill. add. Admission of Attornies

A Bill from the House entitled "An additional act regulating the admission of Attorneys" reported in the House from the Joint Standing Committee on the Judiciary, came up, having passed to be engrossed, for concurrence. The said Bill was read the first and second times and passed to be Engrossed, in concurrence.

Pet. of D. Springer & als.

Mr Hutchings, from the Joint Standing Committee on Interior Fisheries, on the Petition of David Springer and others, reported that the Petitioners have leave to bring in a

Bill. The Report was read and accepted. Sent down for concurrence.

Concurred.

The same Gentleman, from the same Committee, on an order of the 8th inst. on the expediency of making provision by Law for the preservation of Trout and Pickerel in the Sebago Pond, reported a Bill entitled "An additional act to prevent the destruction of Trout and Pickerel in Sebago Pond in the County of Cumberland": the said Bill was read the first time and tomorrow at ten o'clock A.M. was assigned for the second reading. Bill. add. to Trout & Pickerel in Sebago Pond.

The Bill entitled "An act incorporating certain Persons for the purpose of making improvements in the Mousam River" was taken up, read the second time and passed to be Engrossed, as amended, in concurrence. Bill. improve Mousum River

Mr Hutchinson, from the Joint Standing Committee on Claims, on the Petitions of

Ichabod Bucknam & others,

and James Torrey,

reported that the same be referred to the Governor and Council. The Reports were severally read and accepted. Sent down for concurrence. Claims of I. Bucknam & others & J. Torrey.

Concurred.

Mr Hutchings, from the Joint Standing Committee on Interior Fisheries, on the Petition of Ambrose Towne & others, reported that the Petition be referred to the next Legislature. The Report was read and accepted. Sent down for concurrence. Pet. of A. Howard & als

Concurred.

The same Gentleman, from the same Committee, on the Petition of the Selectmen of Cutler, reported that the Petitioners have leave to withdraw their Petition. The Report was read and accepted. Sent down for concurrence. Pet. of Selectmen of Cutler.

Concurred.

The same Gentleman, from the same Committee, on

Report, as to Inspectors of Fish.

an order of 2d March 1830 instructing said Committee to inquire into the expediency of requiring the Inspectors of Fish to make annual Returns &c; reported that it is inexpedient to legislate on the subject. The report was read and accepted. Sent down for concurrence.

Concurred.

account of J. G. Deane.

The Secretary of State came in and laid on the table a communication from the Governor in relation to the account of John G. Deane, and the same was read and sent down.

Resolve in favor of J. G. Deane.

Mr Hilton had leave to lay on the table the following Resolve; viz: "Resolve in favor of John G. Deane", which was read the first time and committed to Messrs. Dunlap, Hilton and Meggrier.

Bills & Resolves passed to be enacted.

The Committee on Engrossed Bills, reported the following Bills to be truly copied from the Originals; viz:

"An additional act regulating Judicial process and proceedings."

"An act to establish the Hallowell Ferry Company."

And the same passed to be Enacted, in concurrence.

The same Committee, reported the following Resolves to be truly copied from the Originals; viz:

"Resolve laying taxes on the several Counties in this State."

"Resolve further providing for erecting and completing the Public Buildings."

and the same Finally passed, in concurrence.

The foregoing Bills and Resolves were this day, presented to the Governor for his approbation & signature.

The Senate adjourned.

Attest Edward Kavanagh
Secretary

Friday 12th March 1830.

The Senate met according to adjournment.

Mr Steele, from the Select Committee to whom was referred the Bill entitled "An act requiring Persons enlisting into Independent Companies to give notice thereof to the Commanding Officers of the Standing Companies" reported the same with amendments. The said Bill was read the second time the amendments proposed by the Committee were agreed to, and the Bill then passed to be Engrossed as amended. Sent down for concurrence. — Bill. Notice to Commanding Officers of standing Companies.

Concurred.

Mr Hutchings, from the Joint Standing Committee on Inland Fisheries, on the Petition of John P. Hubbard & others reported that the Petitioners have leave to withdraw their Petition. The Report was read and accepted. Sent down for concurrence. — Pet. of John P. Hubbard & als.

Concurred.

Mr Phelps, from the Joint select Committee, to whom was referred the Petition of Elias Thomas, reported that the Petitioner have leave to withdraw his Petition. The Report was read and accepted. Sent down for concurrence. — Pet. of Elias Thomas.

Concurred.

The Bill entitled "An act additional to an act providing for the payment of costs in criminal prosecutions" was read the second time and passed to be Engrossed, in concurrence. — Bill. Costs in Criminal Prosecutions.

Order of the House of Representatives, that the Joint standing Committee on the Judiciary be instructed to inquire into the expediency of establishing by Law the fees of Pound-Keepers, was read and concurred. — Order relative to Pound Keepers.

The Bill entitled "An additional act relating to foreign attachment" came from the House, having passed to be Engrossed as taken into a New Draft, for concurrence. The Senate receded — Bill. add. Foreign attachment.

from Hein former vote, adopted the new Draft in room of the original Bill, and then passed the same to be Engrossed, in concurrence.

Resolve line Gray and Windham.

The Resolve entitled "Resolve appointing a Commission to establish the line between the Towns of Gray and Windham, came from the House indefinitely postponed, for concurrence. The Senate nonconcurred the House in their proposition, and adhered to their former vote whereby they passed the same to be Engrossed. Sent down for concurrence.

Resolve in favor of the Canada Road.

A Resolve from the House entitled "Resolve in favor of the Canada road" reported in the House from the Joint select Committee to whom was referred so much of the Governors Message as relates to the Canada Road, came up, having passed the House to be Engrossed as taken into a new Draft, for concurrence. The Senate adopted the new Draft in room of the original Resolve, and the same was read the first time and tomorrow at ten o'clock A.M. was assigned for the second reading.

Bills passed to be enacted.

The Committee on Engrossed Bills reported the following Bills to be truly copied from the originals, viz:

"An act to incorporate the Sebago and Long Pond Steam Boat navigation Company."

"An act to set off a tract of Land from Penobscot and annex the same to Canaan."

"An act to change the name of West Machias."

"An act to change the name of the first Parish in Shapleigh."

"An act to annex part of the Town of Denmark to the Town of Sebago."

"An act authorizing the removal of the capital stock of the Kennebunk Bank."

"An act to extend the powers of the Trustees of the Ministerial funds in Bridgton."

and the same passed to be Enacted, in concurrence.

The same Committee reported the following Resolve to be truly copied from the original; viz:

Resolve passed to be enacted.

"An additional Resolve for opening and clearing a road from Township number Two old Indian Purchase, on the East side of Penobscot River to Mattanawcook Stream."

and the same Finally passed, in concurrence.

The foregoing Bills and Resolve were this day, presented to the Governor for his approbation and signature.

Bill. Fishery in Kennebec River.

The Bill entitled "An act to repeal the Laws relating to the Salmon, Shad and Alewives Fishery in the River Kennebec in the County of Kennebec" came up, having passed the House to be engrossed, as amended, for concurrence. The Senate so far receded from their former vote as to agree to the amendment proposed by the House, and then passed the same to be Engrossed as thus amended, in concurrence.

On motion by Mr. Ingalls; Ordered, that when the Senate adjourn they adjourn to three o'clock this afternoon.

Bill. Fishery 7 mile Brook Vassalborough.

The Bill entitled "An act regulating the Fishery in the Kennebec River near the mouth of the Seven mile Brook in the Town of Vassalborough" came from the House indefinitely postponed for concurrence. The Senate nonconcurs the House in their proposition, and adheres to their former vote whereby they passed the same to be Engrossed. Sent down for concurrence.

Bill. Road in Freeport.

The Bill entitled "An act authorizing the Court of Sessions for the County of Cumberland to lay out a road across a Creek or arm of the Sea in Freeport" came from the House recommitted to the same Committee who reported it, for concurrence. The Senate receded from their former vote, and concurred the House in their proposition.

Bill. Tunk River.

Mr Hutchings, from the Joint standing Committee on Interior Fisheries, on the Petition of Samuel Moore & others reported a Bill entitled "An act to regulate the taking of Fish in Tunk River" which was read the first time and tomorrow at 10 o'clock A.M. was assigned for the second reading.

Resolve in favor of Wesleyan Seminary.

Mr Meggquier, from the Select Committee to whom was referred a Resolve entitled "Resolve in favor of the Maine Wesleyan Seminary" reported the same as taken into a New Draft. The Senate substituted the New Draft in room of the original Resolve, and the same passed to be Engrossed as taken into this New Draft. Sent down for concurrence.

Resolve. add. Comm^rs. to settle with Land Agents

Mr Dunlap, from the Select Committee to whom was referred a Resolve entitled "Resolve" An additional Resolve appointing Commissioners to settle with certain Land Agents" reported that the same ought not to pass. The Report was read and accepted. Sent down for concurrence.

The Senate adjourned.

Afternoon.

The Senate met according to adjournment.

Resolve Contingent Expenses.

A Resolve from the House entitled "Resolve for the payment of Contingent expenses" came up, having finally passed in the House, to be Engrossed, for concurrence. It was read the first time and Committed to Messrs Meggquier, Hinds & Steele.

Resolve, Fines, Forfeitures Bills of Cost.

A Resolve from the House entitled "Resolve in relation to the collection of Fines, Forfeitures and Bills of Cost" came up, having finally passed in the House, to be Engrossed, for concurrence; and the same was read the first and second times and passed to be Engrossed, in concurrence.

The Bill entitled "An act for the preservation of Toll Bridges" came from the House indefinitely postponed for concurrence. The Senate receded from their former vote whereby they passed the same to be Engrossed and concurred the House in their proposition. (234) Bill Toll Bridges.

Mr Hutchinson, from the Joint Standing Committee on the Incorporation of Parishes, to whom was recommitted the report on the Petition of Charles O. Emerson, reported an order of notice. The Report was read and accepted. Sent down for concurrence. Pet. of C. O. Emerson.

Concurred.

Mr Dunlap, from the Joint Standing Committee on the Judiciary, on the Petition of Samuel Fessenden & others, reported that the said Petition be referred to the next Legislature. The report was read and accepted. Sent down for concurrence. Pet. of Sam.l Fessenden & als.

Concurred.

The same Gentleman, from the same Committee to whom was recommitted the Bill entitled "An act additional to an act to secure to Owners their property in Logs, Masts, Spars &c. and other timber in certain cases" reported the same without amendment, and the said Bill then passed to be Engrossed. Sent down for concurrence. Bill Logs, Masts, Spars &c.

Report of the Committee of the House on Finance, on the Petitions of the

Town of Cape Elizabeth,

& Selectmen of Kennebunk,

came up, referred to the Committee that may be appointed to take a new State-Valuation, for concurrence. The said Petitions were read and the Senate concurred. Petitions of Cape Elizabeth & Kennebunk.

The Bill entitled "An act to prevent the filling up and obstruction of Schoodiac River" came up, having passed the House to be Engrossed, for concurrence. The Senate non- Bill Schoodiac River.

concurred the House in their proposition and adhered to their former vote. Sent down for concurrence.

Concurred.

Bill. Trout & Pickerel in Sebago Pond.

The Bill entitled "An additional act to prevent the destruction of Trout and Pickerel in Sebago Pond, in the County of Cumberland" was read the second time, amended and ingrossed to the next Legislature. Sent down for concurrence.

Concurred.

Bills. add. Highways.

The Bill entitled "An act additional to an Act directing the method of laying out and making provision for the repair and amendment of Highways" was read the second time and referred to the next Legislature, and it was Ordered,

Order to print

that it be printed three weeks successively in the State paper and in one other paper in each County in the State, the last publication to be at least sixty days before the meeting of the next Legislature. Sent down for concurrence.

Concurred.

Bill. Road in Freeport

Mr. Drummond, from the Joint Standing Committee on Surnpikes, Bridges and Canals to whom was recommitted the Bill entitled "An act authorising the Court of Sessions for the County of Cumberland to lay out a road over a Creek or arm of the Sea in Freeport" reported the same with an amendment. The Senate agreed to the amendment proposed by the Committee and then passed this Bill to be Engrossed as amended. Sent down for concurrence.

Concurred.

Petition of Inhb.ts of Fryeburg

The same Gentleman, from the same Committee on the Petition of the Inhabitants of Fryeburg, reported that the same be referred to the next Legislature. The report was read and accepted. Sent down for concurrence.

Concurred.

Petition of S. Sewall & al.

The same Gentleman, from the same Committee, on the Petition of Joseph Sewall and others, reported a Bill and recommended that the same be referred to the next Legislature. The Report was read and amended by giving the Petitioners leave to withdraw their Petition. Sent down

for concurrence.

Concurred.

The Bill entitled "An act establishing the fees for culling and packing mackerel" was taken up, amended and ordered to the next Legislature. Sent down for concurrence. Bill, Mackerel.

The Bill entitled "An act for the encouragement of Agriculture and manufactures" came from the House, indefinitely postponed, for concurrence. The Senate nonconcurred the House in their disposition and so far recede from their former vote as to refer the same to the next Legislature. Sent down for concurrence. Bill, Agriculture & Manufactures.

Concurred.

On motion, a Message was ordered to be sent to the House of Representatives, to inform the House that the Senate has reconsidered their vote whereby they passed to be Engrossed the Bill entitled "an act authorising the Court of Sessions in the Counties of Cumberland and Lincoln to lay out a Road over the New Meadows River" and had amended said Bill, and ordered the same to be Reengrossed as amended; and to request the concurrence of the House therein. Bill. Road over new Meadows River.

The Bill entitled "An act to ascertain the amount and description of Estates and of certain description of Persons within this State, was taken up, amended and passed to be Engrossed as thus amended. Sent down for concurrence. Bill. Valuation

Mr Gardner, from the Joint Standing Committee on the incorporation of Towns to whom was recommitted the Petition of of Henry Milliken, reported an order of notice. The report was read and accepted. Sent down for concurrence. Notice ordered on Petition of H. Milliken.

Concurred.

The Senate adjourned.

Attest Edward Kavanagh
Secretary.

Saturday 13th March 1830

The Senate met according to adjournment.

Bill State Tax. $50.000.

A Bill from the House ~~xxxxxx~~ providing for the Assessment and collection of a State tax of Fifty thousand dollars came up, having passed the House to be Engrossed, for concurrence. It was read the first time and this day at twelve o'clock (noon) was assigned for the second reading.

Bill, to change the Names of certain persons

A Bill from the House entitled "An act to change the names of certain Persons" came up, having passed the House to be Engrossed, for concurrence. It was read the first and second times and passed to be Engrossed, in concurrence.

Pet. of D. Howe.

The Report of a Select Committee of the House, on the Petition of Daniel Howe, giving the Petitioner leave to withdraw his Petition, came up, accepted, for concurrence. The Petition and report were read and the Senate concurred.

Bill. State Prison

Mr Meggier, from the Committee on Bills in the second reading, to whom was referred a Bill entitled "An act additional to an act for the Government of the States Prison" reported the same with an amendment. The Senate agreed to the amendment proposed by the Committee and the said Bill having been read the second time passed to be Engrossed as thus amended. Sent down for concurrence.

Resolve - Contingent Expenses.

The same Gentleman, from the Select Committee to whom was referred the Resolve entitled "Resolve for the payment of contingent expenses" reported the same without amendment, and the same was read the second time and passed to be Engrossed in concurrence.

The Bill entitled "An act to regulate Banks and Banking" was read the second time and on motion was referred to the next Legislature and it was Ordered that the said Bill be printed once a week, four weeks successively in the Portland Advertiser and Gazette of Maine and in the Eastern Argus, the first publication to commence in the first week of October next. Sent down for concurrence. Bill. Banks & Banking.

Concurred.

On motion by Mr Phelps; Ordered that when the Senate adjourn they adjourn to Monday next at nine o'clock A. M.

The Bill entitled "An act to apportion and assess on the Inhabitants of this State a tax of Fifty thousand dollars" was read the second time, amended and passed to be Engrossed as this amended. Sent down for concurrence. Bill. State Tax $50.000.

Concurred.

Mr Drummond, from the Joint Standing Committee on Turnpikes, Bridges and Canals, on the Petition of a Committee of the Cumberland and Oxford Canal Corporation reported that the said Petition be referred to the next Legislature. The report was read, amended so as to give the Petitioners leave to withdraw their Petition and then accepted as thus amended. Sent down for concurrence. Pet. of C. & C. Canal Corporation.

Concurred.

The same Gentleman, from the same Committee, on the Petition of C. Richardson & others, reported an order of notice. The report was read and accepted. Sent down for concurrence. Notice ordered on Pet. of C. Richardson & als.

Concurred.

Mr Ingalls, from the Committee to whom were referred the Bill entitled "An act to ascertain the number and description of Persons within this State" also the "Resolve" reported by the Joint Select Committee on so much of the Governor's Message as relates to the establishment of an Insane Hospital, Bill. State Valuation.

Resolve Insane Hospital.

reported the same without amendament. The Report was read, amended and accepted as thus amended. The "Bill" aforesaid was read, amended and passed to be Engrossed as thus amended. Sent down for concurrence. The "Resolve" aforesaid was refused a passage. Sent down for concurrence.

Bill. Circuit Courts Martial.

Mr Steele from the Select Committee to whom was referred the Bill entitled "an act establishing Circuit Courts Martial" reported the same as taken into a New Draft. The Senate substituted the New Draft in room of the original Bill and passed the same to be Engrossed. Sent down for concurrence.

Bond of State Treasurer sufficient.

Mr Dunlap, from the Joint Select Committee to whom was referred the Bond of Elias Thomas Esq, Treasurer of State, reported that the same was good and sufficient. The report was read and accepted. Sent down for concurrence.

Concurred.

Resolve in favor of J. G. Deane.

The same Gentleman, from the Select Committee to whom was referred the Resolve entitled "Resolve in favor of John G. Deane" reported the same as taken into a New Draft. The Senate substituted the New Draft for the original Resolve and passed the same to be Engrossed. Sent down for concurrence.

Bill. Town of Argyle.

The Bill entitled "an act to incorporate the Town of Argyle" came from the House indefinitely postponed for concurrence. The Senate nonconcurred the House in their proposition and adhered to their former vote whereby they passed the same to be Engrossed. Sent down for concurrence.

Resolve in favor of W. Kibbe.

The Committee on Engrossed Bills reported the following Resolve to be truly copied from the original; viz:

"Resolve in favor of William Kibbe."

and the same Finally passed, in concurrence.

The foregoing Resolves was, this day, presented to the Governor for his approbation and signature

The Senate adjourned.

Attest.

Edward Kavanagh
Secretary.

Monday 15th March 1830.

The Senate met according to adjournment.

Resolve in favor of D. Rose.

Mr Phelps, from the Joint Standing Committee on State Lands, to whom was referred the Report of the Land Agent, reported a Resolve entitled "Resolve in favor of Daniel Rose" which was read the first time and this day at eleven o'clock A. M. was assigned for the second reading.

Pet. of N. Treat tab

The same Gentleman, from the same Committee, on the Petition of Nathaniel Treat & others, reported that the said Petition be referred to the next Legislature. The report was read and accepted. Sent down for concurrence.

Concurred.

Pet. of Hugh M. Boynton.

A Report from the Joint Standing Committee on Applications from sick and wounded Soldiers, on the Petition of Hugh M. Boynton, giving the Petitioner leave to withdraw his Petition, came from the House accepted, for concurrence. The Report was read and accepted, in concurrence.

Resolve add: Commissioners to settle with Land Agents.

The Resolve entitled "An additional Resolve appointing Commissioners to settle with certain Land Agents" came up, ~~amended~~ having passed the House to be Engrossed, as amended, for concurrence. The Senate nonconcurred the House in their proposition and adhered to their former vote refusing the said Resolve a passage. Sent down for concurrence.

Bill. Jurisdiction of Courts of Probate.

The Bill entitled "An act further to regulate the proceedings and Jurisdiction of the Courts of Probate" came up, having passed the House to be Engrossed, as taken into a New Draft entitled "An act further to regulate the Jurisdiction and proceedings of the Courts of Probate", for concurrence. The Senate adopted the New Draft in room of the original Bill and passed the same

to be Engrossed, in concurrence.

Mr Meggrier, from the Joint select Committee to whom were referred the returns of Sheriffs, Registers of Deeds, and Clerks of the Judicial Courts, made a report which was read and on motion the same was ordered to lie on the table, and three hundred copies thereof were ordered to be printed for the use of the Legislature. Order to print returns of Sheriffs Registers of Deeds & Clerks.

Mr Phelps, from the Joint standing Committee on State Lands to whom was referred the Report of the Land Agent, reported a Bill entitled "An additional act to promote the sale and settlement of Public Lands" which was read the first and second times and passed to be Engrossed. Sent down for concurrence. Bill. add. Public Lands.

The Bill entitled "An additional act regulating elections" was taken up and passed to be Engrossed, in concurrence. Bill regulating Elections.

The Resolve entitled "Resolve in favor of Daniel Rose" was read the second time and passed to be Engrossed. Sent down for concurrence. Resolve in favor of D. Rose.

Concurred.

The Committee on Engrossed Bills reported the following Bills to be truly copied from the Originals, viz: Bills passed to be enacted.

"An act additional to an act providing for the payment of costs in criminal prosecutions."

"An additional act regulating the admission of Attornies."

"An act to repeal part of an act making further provision concerning records of Justices of the Peace."

"An act additional to an act to secure to Owners their property in Logs, Masts, Spars and other timber in certain cases."

"An act to incorporate the Vasalborough Stemp Manufacturing Company."

Bills & Resolves passed to be enacted.

"An act incorporating certain Persons for the purpose of making improvements in the Androscoggin River."
"An act to establish the dividing line between Palermo and China."
"An act to repeal the Laws relating to the Salmon, Shad and Alewive Fishery in the River Kennebeck and County of Kennebeck."
"An additional act to incorporate the Proprietors of Old Town Bridge."
"An additional act relating to Foreign Attachment."
"An act authorising the Selectmen of Portland to appoint an additional number of Engineemen."
"An act to incorporate the Proprietors of the Bangor Pier Corporation."
and the same severally passed to be Enacted, in concurrence.

The same Committee reported the following Resolves to be truly copied from the originals; viz:
"Resolve extending the time for completing the State Road from Baring to Houlton Plantation."
"Resolve for the purchase of Stationary."
"Resolve in relation to the collection of Fines, forfeitures and Bills of Costs."
and the same Finally passed, in concurrence.

The foregoing Bills and Resolves were this day, presented to the Governor for his approbation and signature.

Bill. Fish in Junk River.

The Bill entitled "An act to regulate the taking of Fish in Junk River" was taken up and passed to be Engrossed. Sent down for concurrence.

Concurred.

The Resolve entitled "Resolve in favor of the Canada Road was read the second time and passed to be Engrossed

as taken into a New Draft, in concurrence.

The Bill entitled "An act to establish the Buckspoint and Prospect Ferry Company" came up, having passed to be Engrossed as amended, for concurrence. The Senate do not recede from their former vote as to agree to the amendments proposed by the House and passed the said Bill to be Engrossed as thus amended, in concurrence. Bill. Buckspoint & Prospect Ferry Company.

On motion by Mr Shelps; Ordered, that when the Senate adjourn they adjourn to three o'clock this afternoon.

The Bill entitled "An act additional to an act to incorporate the Trustees of the Methodist Society in Portland" which had passed both Houses to be Engrossed, came up, having passed the House to be Enacted. The Committee on Engrossed Bills reported that the Bill as Engrossed had not been truly copied from the original: the Senate receded from their vote whereby they passed the original Bill to be Engrossed, amended the same and ordered the same to be Reengrossed as amended. Sent down for concurrence, Concurred. Bill. Trustees of Methodist Society in Portland.

The Bill entitled "An additional act to exempt certain goods and chattels from Attachment, Execution & distress" was taken up and passed a passage. Sent down for concurrence. Bill. attachment, Execution & distress.

Mr Meggurin had leave to lay on the table a Bill entitled "An act relating to Innholders, Retailers & Common Victuallers" and the same was read the first time and, on motion, was ordered to lie on the table. Bill. Innholders, Retailers & Victuallers.

The Senate adjourned.

Afternoon.

The Senate met according to adjournment.

Resolve. State Valuation.

The Resolve entitled "Resolve providing for the apportionment of a Valuation on the several Towns and Plantations in the State" was taken up, amended and passed to be Engrossed as thus amended. Sent down for concurrence.

Bill. Maine Leather Manufactory.

The Bill entitled "An act to incorporate the Maine Leather Manufactory" came from the House indefinitely postponed for concurrence. The Senate receded from their former vote and concurred the House in their proposition.

Bill. York Co. Leather Manufactory Co.

The Bill entitled "An act to incorporate the York County Leather Manufacturing Company" was taken up and indefinitely postponed. Sent down for concurrence.

Concurred.

Report relative to Municipal Court in town of Portland.

Mr Megquier, from the Joint Standing Committee on the Judiciary, on an order of 23d February 1830 instructing said Committee to inquire whether any further provision is necessary in relation to the Municipal Court of the Town of Portland, reported that legislation on the subject is inexpedient. The report was read and accepted. Sent down for concurrence.

Concurred.

Bill. Innholders Retailers &c.

The Bill entitled "An additional act respecting Innholders, Retailers and Common Victuallers" was taken up and committed to Messrs Sutton, Megquier & Steele.

Bill. Innholders, Retailers &c.

The Bill entitled "An act relating to Innholders, Retailers and Common Victuallers" was taken up and committed to the same Gentlemen to whom was referred the Bill next preceeding.

The Bill entitled "An act establishing the fees for cutting and packing Mackerel" came up, the House adhering to their vote whereby they passed the same to be Engrossed, for concurrence. The Senate ~~again~~ nonconcurred the House in their proposition and adhered to their former vote whereby they referred the same to the next Legislature. Sent down for concurrence. Bill relating to Mackerel.

Mr Dunlap, from the Joint Standing Committee on the Judiciary, on an order of 10th March 1830, on the expediency of prohibiting in certain cases, any Persons from conveying their property to Literary Institutions, reported that it is inexpedient to legislate upon the subject. The Report was read and accepted. Sent down for concurrence. Report relative to Literary Institutions.

Concurred.

The same Gentleman, from the same Committee, on an order of 27th February 1830 instructing said Committee to consider whether any further provisions of Law are necessary for the regulation of Parishes and Religious Societies, reported that it is inexpedient to legislate upon the subjects. The Report was read and accepted. Sent down for concurrence. Report. Parishes & Religious Societies.

Concurred.

The same Gentleman, from the same Committee on an order of 11th March 1830, on the expediency of establishing by Law the fees of Pound Keepers, reported that it is inexpedient to legislate upon the subject. The report was read and accepted. Sent down for concurrence. Report. Pound Keepers.

Concurred.

A Resolve from the House entitled "Resolve in favor of the Towns of Saco and Biddeford" came up, having passed the House to be Engrossed, for concurrence. It was read three times and committed to Messrs. Drummond, Morse and Dunlap. Resolve in favor of Saco & Biddeford.

The Bill entitled "An additional act respecting Engineemen, Fire-Engines and the extinguishment of Fires" came up, having passed the House to be Engrossed, as Bill, Engineemen &c.

amendm, for concurrence. The Senate so far recedes from their former vote as to agree to the amendments proposed by the House, and passed the said Bill to be Engrossed, as thus amended, in concurrence.

Resolve in favor of Maine Wesleyan Seminary.

The Resolve intitled "Resolve in favor of the Maine Wesleyan Seminary" as taken into a New Draft by the Senate, came up, the House having nonconcurred the Senate, and adhering to their vote whereby they rejected the original Resolve a passage. The Senate thereupon adhered to their vote whereby they passed said Resolve to be Engrossed as taken into a New Draft. Sent down for concurrence.

Bill, add. Salaries of Judges & Registers of Probate.

The Bill intitled "An additional act respecting salaries of Judges and Registers of Probate" came from the House referred to the next Legislature, for concurrence. The Senate receded from their former vote and concurred the House in their proposition.

Bill, part of Harrington to Addison.

The Bill intitled "An act to set off a part of the Town of Harrington and annex the same to the Town of Addison" came from the House indefinitely postponed, for concurrence. The Senate receded from their former vote and concurred the House in their proposition.

Bill, part of Topsham to Bowdoinham.

The Bill entitled "An act to annex part of the Town of Topsham to the Town of Bowdoinham" came up, having passed the House to be Engrossed as amended, for concurrence. The Senate so far receded from their former vote as to agree to the amendment proposed by the House, and then passed the said Bill to be Engrossed, as thus amended, in concurrence.

Resolve Roads &c. Patrickstown Plantation.

The Resolve entitled "Resolve respecting Roads and Bridges in Patrickstown Plantation" came up, the House adhering to their former vote passing the same to be Engrossed, for concurrence. The Senate nonconcurred the House and

adhered to their former vote whereby they refused said Resolve a passage. Sent down for concurrence.

The Resolve entitled "Resolve in favor of Daniel S. Perley" came from the House indefinitely postponed, for concurrence. The Senate receded from their former vote whereby they passed said Resolve to be Engrossed, and concurred the House in their proposition. Resolve in favor of D. S. Perley.

The Resolve entitled "An additional Resolve appointing Commissioners to settle with certain Land Agents" came up, the House adhering to their vote whereby they passed the same to be Engrossed, for concurrence. The Senate non-concurred the House and adhered to their vote whereby they refused said Resolve a passage. Sent down for concurrence. Resolve add. "Commissioners to settle with Land Agents.

The Resolve entitled "Resolve in favor of N. L. Ingersol" came from the House indefinitely postponed, for concurrence. The Senate receded from their former vote and concurred the House in their proposition. Resolve in favor of N. L. Ingersol.

The Bill entitled "An additional act to exempt certain goods and chattels from Attachment, Execution and distress" came up, the House adhering to their vote whereby they passed the same to be Engrossed, for concurrence. The Senate non-concurred the House and adhered to their vote whereby they refused the same a passage. Sent down for concurrence. Bill exempt goods &c. from attachment, Execution & distress.

The Senate adjourned.

Attest

Edward Kavanagh

Secretary.

Tuesday 16th March 1830

The Senate met according to adjournment.

Resolve, for the payment of Accounts against the State.

A Resolve entitled "Resolve for the payment of accounts against the State" came up, having passed the House to be Engrossed, for concurrence: it was read the first time and this day at twelve o'clock (Noon) was assigned for the second reading. (This Resolve was reported in the House from the Joint standing Committee on Accounts.)

Bill. add. Gardiner Lyceum.

The Bill entitled "An additional act respecting the Gardiner Lyceum" came from the House indefinitely postponed, for concurrence. The Senate nonconcurred the House in their proposition and adhered to their vote whereby they passed the same to be Engrossed. Sent down for concurrence.

Order relating to business

Order of the House of Representatives that all the Standing and Select Committees of the Legislature be directed to report on all business before them, if practicable, this day, was read and, on motion, was ordered to lie on the table.

Pet. of Inhabitants of Hollis.

Mr. Gardner, from the Joint Standing Committee on the Incorporation of Towns, on the Petition of the Inhabitants of Hollis, reported that the said Petition be referred to the next Legislature. The Report was read and accepted. Sent down for concurrence.

Pet. of Benjamin Larrabee jr. & als.

Mr. Dunlap, from the Joint Standing Committee on the Judiciary, on the Petition of Benjamin Larrabee jr. & others, reported that the Petitioners have leave to withdraw their Petition. The report was read and accepted. Sent down for concurrence.

Concurred.

Report relative to giving property to

The same Gentleman, from the same Committee, on an order to inquire into the expediency of passing a law

prohibiting Persons from giving their property to religious Institutions and Societies, in certain cases, reported that it is inexpedient to legislate upon the subject. The report was read and accepted. Sent down for concurrence. Religious Institutions.

Concurred.

A Resolve from the House entitled "Resolve in favor of Anson and Alfred Academies" reported in the House from the Joint Standing Committee on Literature and Literary Institutions, came up indefinitely postponed for concurrence. The said Resolve was read and indefinitely postponed in concurrence. Resolve in favor of Anson & Alfred Academies.

The Bill entitled "An act requiring notice to be given in cases of contested elections" came up, having passed the House to be Engrossed, as taken into a New Draft, for concurrence. The Senate receded from their former vote, substituted the New Draft for the original Bill and passed the same to be Engrossed, in concurrence. Bill - Notices given in Contested Elections.

The Bill entitled "An act to ascertain the amount and description of Estates and of certain description of Persons within this State, came up, having passed the House to be engrossed as amended, for concurrence. The Senate as far as receded from their former vote so as to agree to the amendments proposed by the House, and passed the said Bill to be Engrossed as thus amended, in concurrence. Bill. State Valuation.

The Resolve entitled "Resolve appointing a Committee to establish the line between the Towns of Gray and Windham" came up, the House adhering to their vote whereby the same was indefinitely postponed, the Senate nonconcurred the House and receded from their former vote so far as to refer the same to the next Legislature. Sent down for concurrence. Resolve line between Gray & Windham.

Concurred.

The Bill entitled "An additional act to exempt Bill. additional

goods &c. from attachment &c.

certain goods and chattels from Attachment, Execution and Distress" again came up, the House insisting on their former vote whereby they passed the same to be Engrossed. The Senate receded from their former vote whereby they refused the same a passage and passed the same to be Engrossed, in concurrence.

Bills Innholders, Retailers &c.

Mr. Megquier from the Select Committee to whom were referred the Two several Bills relating to Innholders, Retailers and Common Victuallers and the accompanying papers, reported the Bill entitled "An additional act respecting Innholders, Retailers and Common Victuallers" with amendments and they further reported that the other ought not to pass. The Senate agreed to the amendments proposed by the Committee and the said Bills then passed to be Engrossed as amended. Sent down for concurrence. So much of the report of said Committee as relates to the Bill entitled "An act relating to Innholders, Retailers and Common Victuallers" to wit, that the same ought not to pass, was accepted, and the same Bill was refused a passage.

Resolve. accts. against State.

The Resolve entitled "Resolve for the payment of accounts against the State" was read the second time and was, on motion, ordered to lie on the table.

On motion by Mr. Phelps; Ordered, that when the Senate adjourn they adjourn to three o'clock this afternoon.

Resolve. State Valuation.

The Resolve entitled "Resolve for the appointment of a valuation on the several Towns and Plantations in this State" came up indefinitely postponed, for concurrence. The Senate nonconcurred the House in their proposition and adhered to their former vote whereby they passed the

seems to be Engrossed. Sent down for concurrence.

Mr Drummond, from the Select Committee to whom Resolve in favor was referred the Resolve entitled "Resolve in favor of the Towns of Saco and of Saco and Biddeford" reported the same with an amend- Biddeford.
-ment. The Senate agreed to the amendment proposed by the Committee, the Resolve was read the second time as amended, and, on motion, the was ordered to lie on the table.

The Senate took up the report of the Joint Select Report returns of Committee on the Returns of Sheriffs, Registers of Deeds Sheriffs. Clerks and Clerks of Courts, and accepted the same. Sent down &c. for concurrence.

Concurred.

The Committee on Engrossed Bills reported Bills passed the following Bills to be truly copied from the Originals; to be enacted. viz:

"An additional act to incorporate the Trustees of the Methodist Society in Portland."

"An act to incorporate the Maine Baptist Convention."

"An additional act providing for the government of the State Prison and for the punishment of Convicts."

"An act to apportion and assess on the Inhabitants of this State a Tax of Fifty thousand dollars."

and the same severally passed to be Enacted, in concurrence.

The foregoing Bills were this day, presented to the Governor for his approbation and signature.

The Bill entitled "An act authorising the Courts Bill - Road over of Sessions in the Counties of Cumberland and Lincoln New Meadows to lay out a road over the New Meadows River" came River. up, the House having concurred in the amendment proposed by the Senate, and having ordered it to be Re-engrossed as amended by the Senate and as further amended

by the House. The Senate so far receded from their former vote as to agree to the amendment proposed by the House and ordered the said Bill to be Re-engrossed as thus amended, in concurrence.

Bill Mackerel

The Bill entitled "An act establishing the fees for culling and packing Mackerel," came up, the House insisting on their vote whereby they passed the same to be Engrossed, proposing a Conference, and appointing Messrs Wells, Knowlton and Morton, Conferees on their part. The Senate insisted on their vote whereby they referred said Bill to the next Legislature, accepted the offer of a Conference proposed by the House and appointed Messrs. Dawes, Hinds and Hutchings, Conferees on their part.

Resolve add. Commissioners to settle with Land Agents.

The Resolve entitled "An additional Resolve appointing Commissioners to settle with certain Land Agents" came up, the House insisting on their vote whereby they passed the same to be Engrossed, proposing a Conference and appointing Messrs. Pond, Kent and Morse, Conferees on their part. The Senate insisted on their vote whereby they refused this Resolve a passage, accepted the offer of a Conference proposed by the House, and appointed Messrs Meguier, Allen and Steele, Conferees on their part.

The Senate adjourned.

Afternoon.

Bill passed to be enacted.

The Committee on Engrossed Bills reported the following Bills to be truly copied from the originals; viz:

"An act to change the names of certain Persons."

"An act to regulate the taking of Fish called Salmon, Shad and Alewives, in the Sebasticook River, in the Town of Clinton."

Bills & Resolves passed to be enacted.

"An additional act regulating elections."

"An act to divide the Town of Mount-Desert and incorporate the Town of Cranberry Isles."

"An additional act extending the powers of the Justices of the Supreme Judicial Court in certain cases."

"An act to prevent the destruction of Moose and Deer."

"An act to establish the Bucksport and Prospect Ferry Company."

"An act to annex part of the Town of Topsham to the Town of Brunswick."

"An act to incorporate the Indian Island manufacturing Company."

"An act directing the manner in which District School Meetings may be called."

"An additional act respecting Engine-Men, Fire-Engines and the extinguishment of Fire."

"An act authorising the Court of Sessions in the County of Cumberland to lay out a road over a Creek or arm of the sea in Freeport."

"An act further to regulate the Jurisdiction and proceedings of the Courts of Probate."

and the same passed to be Enacted, in concurrence.

The same Committee reported the following Resolves to be truly copied from the Originals, viz:

"Resolve for the payment of contingent expenses."

"Resolve authorising the Land Agent to redeem certain real estate for the purpose of securing a debt due to the State."

and the same Finally passed, in concurrence.

The forgoing Bills and Resolves were, this day,

presented to the Governor for his approbation and signature.

Bill passed to be enacted.

The same Committee also reported the following Bill to be truly copied from the original, viz:

"An act requiring Commanding Officers of Independent Companies to give notice to Commanding Officers of Standing Companies, of enlistments into such Independent Company."

and the same passed to be Enacted in concurrence.

The foregoing Bill was this day, presented to the Governor for his approbation and signature.

Pet. of A. Fletcher & als.

Mr Drummond, from the Joint Standing Committee on Surveyors, Bridges and Canals, on the Petition of Amos Fletcher & others, reported that the same be referred to the next Legislature. The report was read and accepted. Sent down for concurrence.

Concurred.

Pet. of Inhts. of Buxton and Hollis.

The same Gentleman, from the same Committee, on the Petition of the Inhabitants of Buxton and Hollis, reported that the same be referred to the next Legislature. The report was read and accepted, Sent down for concurrence.

Concurred.

Bill Bond from Secretary of State.

Mr Dunlap, from the Joint Standing Committee on the Judiciary, on an order of 10th March 1830, on the expediency of requiring a Bond from the Secretary of State to account for all money which may come to his hands by appropriations, reported a Bill entitled "An act requiring a Bond from the Secretary of State" which was read the first and second times and passed to be Engrossed. Sent down for concurrence.

Concurred.

Pet. of Ephm. Batchelder & als.

Mr Meggrier, from the Joint Standing Committee on Literature and Literary Institutions, on the Petition of Ephraim Batchelder et others, reported that the Petition be referred to the next Legislature. The report was read and

accepted. Sent down for concurrence.

Concurred.

The Report of the Committee appointed under the Order of 28th January 1830 to arrange and prepare to be recorded the proceedings of the Senate up to the time a Secretary pro tem. was chosen, was taken up and accepted. — Report of Com. to prepare proceedings to be recorded.

The Bill entitled "An act to ascertain the number and description of Persons within this State" came up, and finally postponed, for concurrence. The Senate non-concurred the House in their proposition and adhered to their vote whereby they passed the same to be Engrossed. Sent down for concurrence. — Bill. State Valuation.

A Bill from the House entitled "An act regulating the payment of the Salaries of Registers of Probate in certain cases" came up, having passed the House to be Engrossed, for concurrence. It was read the first time and committed to Messrs. Meggquier, Stones and Morse. — Bill salaries of Registers of Probate in certain cases.

A Resolve from the House entitled "Resolve respecting the unappropriated monies in the hands of the Agents for making and completing the Mattanawcook road" came up, having passed the House to be Engrossed, for concurrence. It was read once and passed to be Engrossed, in concurrence. — Resolve monies. Mattanawcook Road.

The Bill entitled "An act to incorporate the Town of Argyle" again came from the House indefinitely postponed for concurrence. The Senate again nonconcurred the House in their proposition and adhered to their vote whereby they passed the same to be Engrossed. Sent down for concurrence. — Bill. Argyle.

The Resolve entitled "Resolve in favor of the Canada Road" came up, the House having Finally passed the same, for concurrence. It was, on motion, ordered to — Resolve in favor of Canada Road.

lie on the table.

The Senate adjourned.

Attest

Edward Kavanagh

Secretary.

Wednesday 17th March 1830.

The Senate met according to adjournment.

Mr. Dunlap, from the Select Committee, to whom was referred so much of the Governor's Message as relates to communications from Executives of other States, reported that it is inexpedient to take any action thereon. The report was read and accepted. Sent down for concurrence. — Repat. in com. communications fm Executives of other States.

Concurred.

The Resolve entitled "Resolve respecting Roads and Bridges in the Town of Abbot" came up, having passed the House to be Engrossed as amended, for concurrence. The Senate do for reasons recited from their former vote as to adopt the amendment proposed by the House, and then passed said Resolve to be Engrossed as thus amended, in concurrence. — Resolve Roads & Bridges in Abbot.

The Report of the Committee on the Petition of Inhabitants of Hollis, came from the House accepted, as amended, for concurrence. The Senate do for reasons recited from their former vote as to agree to the amendment proposed by the House, and accepted said Report as thus amended, in concurrence. — Pet. of Inhabitants of Hollis.

The Bill entitled "An additional act respecting the Gardiner Lyceum" again came up, the House insisting on their vote whereby they indefinitely postponed the same, proposing a conference, and appointing Messrs. Smith of Hallowell, Norton of Canaan and Burnham of Orland, Conferees on their part. The Senate insisted on their former vote whereby they passed the same to be Engrossed, accepted the offer of a conference proposed by the House and appointed Messrs. Simms, Fuller and Hutchings, Conferees on their part. — Bill. Gardiner Lyceum.

The Resolve entitled "Resolve respecting Roads and Bridges in Patrickstown Plantation" again came up, the House insisting on their former vote whereby they passed said — Resolve. Roads & Patrickstown Plantation —

Resolve to be Engrossed, proposing a Conference and appointing Messrs. Smith of Hobbsborough, Clark of Hallowell and Swan of Portland, Conferees on their part. The Senate insisted on their former vote refusing said Resolve a passage, accepted the offer of a Conference proposed by the House, and appointed Messrs. Steele, Hutchinson and Sutton, Conferees on their part.

Resolve in favor of Maine Wesleyan Seminary.

The Resolve entitled "Resolve in favor of the Maine Wesleyan Seminary" again came up, the House insisting on their former vote refusing the said Resolve a passage, proposing a conference and appointing Messrs. Knowlton, Howard of Bowdoin and Clark of Lemington, Conferees on their part. The Senate insisted on their former vote whereby they passed said Resolve to be Engrossed as turned into a New Draft, accepted the offer of a Conference proposed by the House, and appointed Messrs. Dunlap, Mugguier and Phelps Conferees on their part.

Resolve State Valuation

The Resolve entitled "Resolve providing for the appointment of a valuation on the several Towns and Plantations in this State" again came up, the House adhering to their former vote whereby they indefinitely postponed the same, for concurrence. The Senate nonconcurred the House, insisted on their former vote whereby they passed the same to be Engrossed, proposed a Conference, and appointed Messrs Phelps, Hutchinson and Steele Conferees on their part. Sent down for concurrence. The House insisted on their former vote, accepted the offer of a conference and appointed Messrs. Shaw of Wiscasset, Sanborne of Limerick and Charles of Fayeburg, Conferees on their part.

Bill Salaries of Registers of Probate in certain cases.

Mr Mugguier, from the Select Committee to whom was referred the Bill entitled "An act regulating the payment of the Salaries of Registers of Probate in certain cases" reported the same without amendment. The said Bill was then

read the second time and passed to be Engrossed in concurrence.

The Resolve entitled "Resolve for the payment of Accounts against the State" was taken up. Mr. Hutchings moved to amend the Roll of accounts by striking out the Sum of Twelve dollars allowed to James L. Child for making three copies of the proceedings of the Convention of 3d. February last, and the question on this motion being ordered to be taken by Yeas and Nays was decided in the affirmative as follows; viz: Resolve for the payment of Account vs. the State

Yeas.

Messrs. Dance, Dunlap, Hall, Hutchinson, Hutchings, Meggier and Steele. ——— 7 — yeas.

Nays.

Messrs. Drummond, Garaner, Hilton, Hines, Morse and Phelps. ——— 6 — Nays.

It was then Ordered to amend other parts of the Roll and Resolves to correspond with said amendment. The Roll and Resolve were then passed to be Engrossed as amended. Sent down for concurrence.

Concurred.

A Resolve from the House entitled "Resolve in favor of Day and Fraser" came up, having passed the House to be Engrossed, for concurrence. It was read the first time and this afternoon at half past three o'clock was assigned for the second reading. It was in the mean time committed to Messrs. Meggier, Hilton and Phelps. Resolve in favor of Day & Fraser.

The Bill entitled "An act regulating the Fishery in the Kennebec River near the mouth of the Seven mile Brook in the Town of Vassalborough" again came up, the House insisting on their former vote, proposing a conference and appointing Messrs. Magoun of Bath, Hamlin of Columbia and Swett of Prospect, Conferees on their part. The Senate Bill Fishery 7 mile Brook Vassalborough

declining a conference, receded from their former vote and referred the said Bill to the next Legislature. Sent down for concurrence.

The House receded and Concurred.

On motion by Mr Steele; Ordered, that when the Senate adjourn they adjourn to three o'clock this afternoon.

Bill to take Census.

The Bill entitled "An act to ascertain the number and description of Persons within this State" again came up, the House insisting on their former vote whereby they referred this Bill to the next Legislature, proposing a Conference and appointing Messrs. Adams of Portland, Mills of Monmouth and Howard of Bruswick, Conferees on their part. The Senate insisted on their former vote, accepted the offer of a conference proposed by the House and appointed Messrs. Dunlap, Garcelon and Hutchinson, Conferees on their part.

Bills passed to be enacted.

The Committee on Engrossed Bills reported the following Bills to be truly copied from the originals, viz:

"An act to annex part of Otisfield to Oxford."

"An additional act to exempt certain goods and chattels from Attachment, Execution and Distress."

"An act authorising the County of Cumberland and Lincoln to lay out a road over the New Meadows River."

and the same passed to be ENACTED in concurrence.

The foregoing Bills were presented to the Governor for his approbation and signature.

Report relating to Public Lands.

Mr Phelps, from the Joint Standing Committee, to whom was referred that part of the Governors Message which relates to the Public Lands, made a report which, on motion, was ordered to lie on the table.

Afternoon.

The Senate met according to adjournment.

Mr Dunlap, from the Committee of Conference on the part of the Senate, on the subject of the disagreement of the two Houses in relation to the Bill entitled "An act to ascertain the number and description of Persons within this State," made a report which was accepted. Thereupon the Senate receded from their vote whereby they passed said Bill to be Engrossed and concurred with the House in referring the same to the next Legislature. Sent down. Bill to take census.

Concurred.

The same Gentleman from the Committee of conference on the part of the Senate, on the subject of the disagreement of the two Houses in relation to the Resolve entitled "Resolve in favor of the Maine Wesleyan Seminary," made a report which was accepted. Thereupon the Senate adhered to their former vote whereby they passed the same to be Engrossed. The House also adhered to their former vote and the said Resolve was rejected, by reason of said disagreement. Resolve in favor of the Maine Wesleyan Seminary.

Mr Sleeper, from the Committee of conference on the part of the Senate, on the subject of the disagreement of the two Houses in relation to the Resolve entitled "An additional Resolve appointing Commissioners to settle with certain Land Agents," made a report which was accepted. Thereupon the Senate receded from their former vote rejecting the same a passage, substituted a New Draft in room of the original Resolve and passed the same to be Engrossed. Sent down for concurrence. Resolve - add. Commissioners to settle with Land Agents.

Concurred.

Mr Dorr, from the Committee of conference on the part of the Senate, on the subject of the disagreement of the two

Bill. Mackerel.

Houses in relation to the Bill entitled "An act establishing the fees for culling and packing mackerel" made a report which was accepted. Thereupon the Senate refused to recede from their former vote whereby they rejected said Bill to the next Legislature.

The House receded and concurred.

Resolve. State Loan.

A Resolve from the House entitled "Resolve authorizing a temporary loan in behalf of the State" came up, having passed the House to be Engrossed, for concurrence. It was read the first time and committed to Messrs. Dance, Hinds and Gardner.

Resolve. Roads & Bridges in Patrickstown Plantation.

Mr Steele, from the Committee of conference on the part of the Senate, on the subject of the disagreement of the two Houses in relation to the Resolve entitled "Resolve respecting Roads and Bridges in Patrickstown Plantation", made a report which was accepted. Thereupon the Senate receded from their former vote, agreed to certain amendments to the Resolve and passed the same to be Engrossed as thus amended. Sent down for concurrence.

Concurred.

Bill. add. Gardiner Lyceum.

Mr Hinds, from the Committee of conference on the part of the Senate on the subject of the disagreement of the two Houses in relation to the Bill entitled "An additional act respecting the Gardiner Lyceum", made a report which was accepted. Thereupon the Senate so far receded from their former vote as to agree to an amendment to the Bill and passed the said Bill to be Engrossed as thus amended. Sent down for concurrence.

Concurred.

Resolve. State valuation.

Mr Phelps, from the Committee of conference on the subject of the disagreement of the two Houses in relation to the Resolve entitled "Resolve providing for the apportionment of a valuation on the several Towns and Plantations in this State" made a report which was accepted. Thereupon the Senate refused to recede from their former

vote whereby they passed the same to be Engrossed. The House refused to recede from their former vote and the Resolve was rejected, by reason of said disagreement.

Resolve Massachusetts Claim.

A Resolve from the House entitled "Resolve respecting the Massachusetts claim" reported in the House from the Joint select Committee to whom was referred so much of the Governor's Message as relates to the Massachusetts claim, was read and passed to be Engrossed in concurrence.

Resolve. State Loan

Mr. Dawes, from the Committee to whom was referred the Resolve entitled "Resolve authorising a temporary loan in behalf of the State" reported the same without amendment: it was then read the second time and passed to be Engrossed in concurrence.

Resolve in favor of Day & Fraser.

Mr. Megquier, from the Committee to whom was referred the Resolve entitled "Resolve in favor of Day and Fraser" reported the same without amendment: it was read the second time and passed to be Engrossed in concurrence.

Bill. Argyle

The Bill entitled "An act to incorporate the Town of Argyle" again came up, the House insisting on their vote whereby they indefinitely postponed the said Bill, proposing a conference and appointing Messrs. Clark of Hallowell, Bourne of Kennebunk and Norton of Canaan, Conferees on their part. The Senate insisted on their former vote whereby they passed said Bill to be Engrossed, accepted the offer of a Conference proposed by the House and appointed Messrs. Dawes, Hutchings and Steele Conferees on their part.

Bill Trout & Pickerel in Sebago Pond

The Senate dispensed with their Rules and Orders so far as to reconsider their vote whereby they referred to the next Legislature the Bill entitled "An additional act for the preservation of Trout and Pickerel in Sebago Pond in the County of Cumberland" and committed the same to Messrs. Hutchings,

Resolve accts against State.

An additional Report made in the House from the Joint standing Committee on Accounts, together with a Resolve entitled a "Resolve for the payment of accounts against the State" came up, having passed the House to be Engrossed, for concurrence. The said Resolve was read the first time and tomorrow at ten o'clock A. M. was assigned for the second reading.

Bills & Resolves passed to be enacted.

The Committee on Engrossed Bills reported the following Bills to be truly copied from the Originals, viz:

"An act requiring notice to be given in cases of contested elections."

"An act to ascertain the amount and description of Estates and of certain description of Persons within this State."

"An additional act to promote the sale and settlement of Public Lands."

and the same passed to be Enacted, in concurrence.

The same Committee reported the following Resolves to be truly copied from the originals, viz:

"Resolve respecting the unappropriated monies in the hands of the Agent for making and completing the Mattanawcook Road."

"Resolve in favor of the Canada Road."

and the same Finally passed, in concurrence.

The foregoing Bills and Resolves were this day, presented to the Governor for his approbation and signature.

The Senate adjourned.

Attest

Edward Kavanagh
Secretary

Thursday 18th March 1830

The Senate met according to adjournment.

Mr Ingalls appeared and took his seat.

The Secretary of State came in and laid on the table a written Communication from the Governor transmitting "Resolves by the General Assembly of the State of Ohio". The Communication and accompanying papers were read and referred to the Joint Standing Committee on the Judiciary. Sent down for concurrence. — Resolves by the State of Ohio.

(No report was made on this Communication) Concurred.

Mr Hutchings, from the Select Committee to whom was referred the Bill entitled "An additional act to prevent the destruction of Trout and Pickerel in Sebago Pond in the County of Cumberland", reported that the same ought to pass: and the Bill then passed to be Engrossed. Sent down for concurrence. — Bill. Trout & Pickerel in Sebago Pond.

Concurred.

The Resolve entitled "Resolve for the payment of Accounts against the State" was read the second time and passed to be Engrossed, in concurrence. — Resolve accts v. State.

Mr Drummond, from the Joint Standing Committee on Turnpikes, Bridges and Canals, on the Petition of Seth Sparing, reported that the same be referred to the next Legislature. The Report was read and accepted. Sent down for concurrence. — Pet. of S. Spring.

Concurred.

The Resolve entitled "Resolve in favor of John G. Deane" came up, having passed the House to be Engrossed as amended, for concurrence. The Senate nonconcurred the House in their proposed amendment; and so far receded from their vote whereby they passed the same to be Engrossed as to adopt an amendment, and then passed the same to be Engrossed as thus amended. Sent down for concurrence. — Resolve in favor of J. G. Deane.

Concurred.

Resolve accts v. State.

A Resolve entitled "Resolve rescinding part of Resolve for the payment of accounts against the State" (passed March 6th 1822.) was read the first and second times and passed to be Engrossed. Sent down for concurrence.

Concurred.

Resolve - pay Chaplains

A Resolve entitled "Resolve providing compensation to the Chaplains of the Legislature" came up, having passed the House to be Engrossed, for concurrence. The said Resolve was read the first and second times, amended and passed to be Engrossed as thus amended. Sent down for concurrence.

Concurred.

Bill. Argyle.

Mr Barker, from the Committee of Conference on the part of the Senate, on the subject of the disagreement between the two Houses in relation to the Bill entitled "An act to incorporate the Town of Argyle," made a report which was accepted. Thereupon the Senate receded from their former vote whereby they passed said Bill to be Engrossed. The House refused to recede from their former vote and the said Bill was rejected, by reason of said disagreement.

Resolve in favor of B. Dunn.

A Resolve from the House entitled "Resolve in favor of Benjamin Dunn" came up, having passed the House to be Engrossed, for concurrence. The said Resolve was read the first time and this afternoon at three o'clock was assigned for the second reading; and in the mean time the said Resolve was committed to Messrs. Sinas, Garner and Hutchinson.

Bills passed to be enacted.

The Committee on Engrossed Bills reported the following Bills to be truly copied from the originals; viz:

"An act to regulate the taking of Fish in Trunk River".

"An act requiring a Bond from the Secretary of State".

and the same passed to be Enacted, in concurrence.

The same Committee reported the following Resolves to be truly copied from the originals; viz:

"Resolve in favor of Daniel Rice".
"Resolve in favor of Day & Fraser".
"Resolve respecting Roads and Bridges in the Towns of Abbot and Pittsfield".
"Resolve providing for the settlement of certain accounts".
"Resolve in relation to the unexpended balances of certain appropriations".
"Resolve authorizing a temporary loan in behalf of the State".
"Resolve respecting the Massachusetts claim".
and the same Finally passed, in concurrence.

Resolves passed to be enacted.

The same Committee reported the following Bill to be truly copied from the original, viz:
"An additional act respecting Innholders, Retailers and Common Victualers".
and the same passed to be Enacted, in concurrence.

The foregoing Bills and Resolves were this day, presented to the Governor for his approbation and signature.

Ordered, that when the Senate adjourn they adjourn to meet at half past two o'clock this afternoon.

The Senate adjourned.

Afternoon.

The Senate met according to adjournment.

Mr. Hutchinson had leave to lay on the table the following Resolve in Resolve, viz: "Resolve in favor of William Witt" which was favor of W. Witt. read the first and second times and passed to be Engrossed. Sent down for concurrence.

Order to make up Pay Rolls.

On motion by Mr Dunlap; Ordered, that the Secretary of the Senate make up the Pay Roll of the Senate including tomorrow.

Order to pay Secretary.

On motion by the same Gentleman; Ordered, that the pay of the Secretary of the Senate be made up from the fifteenth day of January inclusively, and that he be paid for twenty days for filing papers and completing the Journal of the present Session.

Resolve in favor of B. Dunn.

Mr Hinds, from the Select Committee to whom was referred the Resolve entitled "Resolve in favor of Benjamin Dunn" reported the same without amendment: it was read the second time and passed to be Engrossed, in concurrence.

Bill. add. Circuit Courts Martial.

The Bill entitled "An additional act respecting the Militia and Circuit Courts martial" came up, amended for concurrence. The Senate nonconcurred the House in their proposition and adhered to their former vote. Sent down for concurrence.

Order on Pay Roll. Secretary pro tem - and Assistant Secy.

On motion by Mr Hinds; Ordered, that the Secretary be directed to include in the Pay-Roll of the Senate four days pay to Samuel G. Ladd, Secretary pro tem. of the Senate, and twenty days pay to Thomas G. Jewett, Assistant Secretary.

Report Public Lands.

The Report of the Joint Standing Committee on State Lands, on so much of the Governors Message as relates to the Public Lands, was taken up, amended and accepted as amended. Sent down for concurrence.

Bill Commercial Bank

The Senate took up the Bill entitled "An act to incorporate the President, Directors and Company of the Commercial Bank". Mr Dane moved that the

Senate reconsider their vote whereby they passed said Bill to be Engrossed and that the same be referred to the next Legislature. The question on this motion being ordered to be taken by Yeas and Nays was decided in the affirmative as follows;

Yeas.

Messrs. Dawes, Dunlap, Hall, Hutchinson, Hutchings, Ingalls, Meggues & Steele ——— 8

Yeas.

Nays.

Messrs. Drummond, Garanor, Hilton, Hinds, Morse and Phelps. ——————— 6

Nays.

The Senate took up the Resolve entitled "Resolve in favor of the Towns of Saco and Biddeford" and reported the same to the next Legislature. Sent down for concurrence.

Resolve in favor of Saco and Biddeford.

The Bill entitled "An additional act repealing the Militia and Circuit Courts Martial" again came up, the House insisting on their vote whereby they passed the same to be Engrossed as amended, proposing a Conference and appointing Messrs. Brewster of Monticello, Baxter of Bristol and Mitchell of North Yarmouth. The Senate insisted on their former vote, agreed to the conference proposed by the House and appointed Messrs. Steele, Hilton and Phelps Conferees on their part.

Bill. add. Circuit Courts Martial.

The Committee on Engrossed Bills reported the following Bill to be truly copied from the original, viz:

"An act regulating the payment of the Salaries of Registers of Probate in certain cases."

and the same passed to be Enacted, in concurrence.

Bills & Resolve passed to be enacted.

The same Committee reported the following Resolve to be truly copied from the original, viz:

"Resolve for the payment of accounts against the State."

and the same Finally passed, in concurrence.

The foregoing Bill and Resolve were, this day, presented to the Governor for his approbation and Signature.

On motion by Mr Garvaner; Ordered that when the Senate adjourn, they adjourn to Seven o'clock this evening.

Resolve repealing compensation of certain Officers.

Mr Dunlap had leave to lay on the table the following Resolve; viz: "Resolve repealing Resolve fixing the compensation of certain Officers, passed 6th March 1820," and the same was read the first and second times and passed to be Engrossed. Sent down for concurrence.

Order relative to Pay Rolls.

The Pay Roll of the Senate having been made up, presented to the President and read, Mr Hinds moved that the names of Nathan D. Appleton, Abijah Usher Jr, John Boswell and Roderick Mills be added thereto; and he laid on the table the accounts of the three first named Gentlemen for their travel and attendance, which, on motion, were committed to Messrs. Meguier, Hinds and Steele.

same.

On motion by Mr Ingalls the pay of Mr Steele was made up at four dollars per day for eight days while acting as Chairman of this Board at the commencement of the Session.

Resolve on Pay Roll of Senate.

The "Pay roll of the Senate and the Resolve thereon" were ordered to be read the second time this evening at seven o'clock.

Resolve on Pay Roll of the House.

The "Pay Roll of the House of Representatives and the Resolve thereon" came up, having passed the House to be Engrossed, for concurrence. It was read the first time and, on motion, was ordered to lie on the table.

A Message was received from the House of Representatives by James L. Child, their Clerk, informing the Senate that the House had voted that when they next

adjourn they shall adjourn to meet this evening at seven o'clock.

The Resolve entitled "Resolve in favor of William Witt" came up, indefinitely postponed, for concurrence. The Senate receded from their former vote and concurred the House. — Resolve in favor of William Witt.

The Resolve entitled "Resolve in favor of the Towns of Saco and Biddeford" came up, the House adhering to their former vote whereby they passed the same to be Engrossed, for concurrence. The Senate nonconcurred the House in their proposition and adhered to their former vote whereby they rejected the same to the next Legislature. Sent down for concurrence. — Resolve in favor of Saco and Biddeford.

The Bill entitled "An act to incorporate the President Directors and Company of the Commercial Bank" again came up, the House adhering to their former vote whereby they passed the same to be Enacted, for concurrence. The Senate nonconcurred the House and adhered to their vote whereby they rejected the same to the next Legislature. Sent down for concurrence. — Bill - Commercial Bank.

The Senate adjourned.

Thursday Evening 7 o'clock

The Senate met according to adjournment.

The Committee on Engrossed Bills reported the following Bills to be truly copied from the Originals, viz: "An additional act respecting the Gardiner Lyceum." "An additional act to prevent the destruction of Trout and — Bills passed to be enacted.

Pickerel in Sebago Pond, in the County of Cumberland."

and the same passed to be Enacted, in concurrence.

Resolves passed to be enacted.

The same Committee reported the following Resolves to be truly copied from the Originals; viz:

"Resolve rescinding part of Resolve for the payment of accounts against the State passed March 6th 1829."

"An additional Resolve appointing Commissioners to settle with certain Land Agents."

"Resolve in favor of John G. Deane."

"Resolve for the payment of accounts against the State".

"Resolve in favor of Benjamin Dunn."

"Resolve respecting Roads and Bridges in Patrickstown Plantation."

"Resolve providing compensation to the Chaplains of the Legislature".

and the same Finally passed in concurrence.

The foregoing Bills and Resolves were this day, presented to the Governor for his approbation and signature.

A Message was received from the House of Representatives by Mr Child their Clerk, informing the Senate that the House had voted that when they next adjourn they shall adjourn to Seven o'clock tomorrow morning.

On motion by Mr Hilton; Ordered, that when the Senate adjourn they ~~shall~~ adjourn to Seven o'clock to-morrow morning.

Bill. Commercial Bank.

The Bill intitled "An act to incorporate the Bristol Directors and Company of the Commercial Bank" came up, the House insisting on their vote whereby they passed the same to be Enacted, proposing a Conference and appointing

Messrs. Seamman of Saco, Bourne of Kennebunk and Kent of Bangor, Conferees on their part. The Senate insisted on their former vote whereby they rejected said Bill to the next Legislature and declined a conference. Sent down. Both Houses insisting on their former votes, this Bill was rejected.

The Resolve entitled "Resolve in favor of the Towns of Saco and Biddeford" came up, the House insisting on their former votes whereby they passed the same to be Engrossed, proposing a Conference and appointing Messrs. Seamman of Saco, Bourne of Kennebunk and Kent of Bangor, Conferees on their part. The Senate insisted in their former vote and declined a conference. Sent down. Both Houses insisting on their former votes, this Resolve was rejected. Resolve in favor of Saco and Biddeford.

Petition of Elizabeth W. Greenleaf for leave to hold or convey Real Estate was read and referred to the next Legislature, in concurrence. Pet. of E. W. Greenleaf.

The "Pay Roll of the House of Representatives and the Resolve thereon" were taken up, amended, read the second time and passed to be Engrossed as amended. Sent down for concurrence. Resolve on Pay Roll of House.

Mr. Stetson, from the Committee of conference on the part of the Senate, on the subject of the disagreement of the two Houses in relation to the Bill entitled "an additional act regulating the Militia and Circuit Courts Martial" made a report which was accepted. Thereupon the Senate insisted on their former vote passing the same to be Engrossed, without the amendment proposed by the House. Sent down for concurrence. Bill. Circuit Courts Martial.

The Resolve entitled "Resolve repealing a Resolve fixing the compensation of certain Officers passed March 6 1829" compensation of Resolve repealing

certain Officers

came up indefinitely postponed for concurrence. The Senate receed from their former vote, and concurred the House in their proposition.

Resolve on Pay Roll of Senate.

The "Resolve entitled "Resolve on the Pay Roll of the Senate" was read the second time, and the question on passing the same to be Engrossed, on motion by Mr Hinds, being ordered to be taken by Yeas and Nays was decided in the affirmative, as follows, viz:

Yeas.

Yeas. Messrs. Carver, Dunlap, Garaner, Hall, Hutchinson, Hutchings, Ingalls, Meggues, Morse & Steele 10

Nays.

Nays. Messrs. Hilton, Hinds and Phelps. 3

Sent down for concurrence.

Concurred.

Resolve in favor of S.D. Bradley.

The Resolve entitled "Resolve in favor of Thomas D. Bradley" was taken up and passed to be Engrossed. Sent down for concurrence.

Concurred.

Resolve in favor of S. Bodwell & als

A Resolve entitled "Resolve in favor of Abijah Usher Jr, John Boswell, Nathan D. Appleton and Obadiah Hill" laid on the table by Mr Meggues, by leave of the Senate, having been read the first and second times, the question on passing the same to be Engrossed being, on motion by Mr Hinds, ordered to be taken by yeas and nays, was decided in the affirmative as follows, viz:

Yeas

Yeas. Messrs. Carver, Dunlap, Hall, Hutchinson, Hutchings, Ingalls, Meggues & Steele 8

Nays.

Nays. Messrs. Drummond, Garaner, Hilton, Hinds, Morse and Phelps. 6

Resolve providing compensation for

The Resolve entitled "Resolve providing compensation for certain officers" as taken into a New Draft was read

and passed to be Engrossed. Sent down for concurrence. (276)
certain Officers.

The Senate adjourned.

Attest Edward Kavanagh
Secretary.

Friday 19th March 1830

The Senate met according to adjournment.

Bill. Circuit Courts Martial

The Bill entitled "An additional act respecting the Militia and Circuit Courts Martial" came up in progress, initially postponed. The Senate recedes from their former vote whereby they passed the same to be Engrossed, substituted the Original Bill entitled "An additional act establishing Circuit Courts Martial" for the New Draft, and passed the same to be Engrossed. Sent down for concurrence.

Concurred.

Resolve to pay Draftsman.

A Resolve entitled "Resolve providing compensation for the Draftsman" was read the first and second times and passed to be Engrossed. Sent down for concurrence.

Mr Steele moved the following order, viz:

Order Thanks to President

Ordered, That the thanks of this Board be presented to the Hon. Joshua Hall for the very acceptable manner in which he has discharged the duties of the Chair, during the present Session, and that our best wishes attend him for his health and happiness.

The question on passing this order being ordered to be taken by Yeas and Nays, was decided in the Affirmative as follows, viz:

Yeas.

Yeas. Messrs. Davee, Dunlap, Hutchinson, Hutchings, Ingalls, Megquier and Steele ——— 7

Nays.

Nays. Messrs. Drummond, Hilton,

The President then made an appropriate address to the Senate, in answer. Presidents reply.

The Resolve entitled "Resolve providing compensation for certain officers" came up indefinitely postponed for concurrence. The Senate receded from their former vote and concurred the House in their proposition. Resolve providing compensation to certain officers.

A Bill from the House entitled "An additional act respecting Sheriffs" was read and referred to the next Legislature in concurrence. Bill add. Sheriffs.

Mr Meggquier had leave to lay on the table a Resolve entitled "Resolve in favor of Samuel Haynes and for other purposes", and the same was read the first and second times and passed to be Engrossed. Sent down for concurrence. Resolve in favor of S. Haynes &c.

(Afterwards) The Resolve last mentioned came up having passed the House to be Engrossed as amended, for concurrence. The Senate nonconcurred the House in their proposed amendment and adhered to their vote whereby they originally passed the same to be Engrossed. Sent down for concurrence. same.

The Report of the Joint Standing Committee on State Lands, on so much of the Governors Message as relates to the Public Lands, came up, the House having nonconcurred the Senate in their proposed amendment, and having accepted the same as amended by the House. The Senate nonconcurred the House and adhered to their former vote. Sent down for concurrence. Report. Public Lands.

The Committee on Engrossed Bills

Resolves passed to be enacted.

reported the following Resolves to be truly copied from the originals; viz:

"Resolve in favor of Thomas O. Bradley."

"Resolve on the Pay Roll of the Senate."

"Resolve on the Pay Roll of the House of Representatives"

and the same Finally passed, in concurrence.

The foregoing Resolves were this day, presented to the Governor for his approbation and signature.

Resolve in favor of S. Haines &c.

The Resolve entitled a "Resolve in favor of Samuel Haines and for other Purposes" again came up, the House insisting on their former vote, proposing a conference and appointing Messrs. White of Monmouth, Smith of Nobleborough and Magoun of Bath, Conferees on their part. The Senate insisted on their former vote, agreed to the conference proposed by the House and appointed Messrs. Dane, Drummond and Meggrier, Conferees on their part.

Resolve to pay Draftsman.

The Resolve entitled a "Resolve providing compensation for the Draftsman" came up, having passed the House to be Engrossed as amended, for concurrence. The Senate nonconcurred the House in their amendment, and adhered to their former vote whereby they passed the same to be Engrossed. Sent down for concurrence.

Report, Public Lands.

The Report of the Joint Standing Committee on State Lands on so much of the Governor's Message as relates to the Public Lands, again came up, the House adhering to their former vote. The Senate insisted on their former vote. (Both Houses adjourned without day before this Report was further acted on.)

Mr Dane, from the Committee of Conference on

the part of the Senate, on the subject of the disagreement between the two Houses in relation to the Resolve entitled "Resolves in favor of Samuel Haines and for other purposes" made a report which was accepted. Thereupon the Senate receded from their former vote, adopted the amendament proposed by the House and passed the same to be Engrossed as amended in concurrence. — Resolve in favor of S. Haines &c.

Mr Meguier had leave to lay on the table a Resolve entitled "Resolve in favor of Samuel Haines" which was read the first and second times and passed to be Engrossed. Sent down for concurrence. — Resolve in favor of S. Haines &c

The Resolve entitled Resolve in favor of Abijah Usher & John Bodwell, Nathan D. Appleton and Obadiah Hill came up, having passed the House to be Engrossed as taken into a New Draft, for concurrence. The Senate non concurred the House and adhered to their former vote whereby they passed the original Resolve to be Engrossed. Sent down for concurrence. (Both Houses adjourned without day before this Resolve was finally acted on.) See the last Entry Page 284) — Resolve in favor of J. Bodwell &als.

A Resolve from the House entitled "Resolve in favor of Moses Tibbets" came up, having passed the House to be Engrossed, for concurrence. It was read the first and second times and passed to be Engrossed, in concurrence. — Resolve in favor of M. Tibbets.

The Resolve entitled "Resolve in favor of Samuel Haines" came up independently postponed for concurrence. The Senate receded from their former vote and concurred the House in their proposition. — Resolve in favor of S. Haines.

The Resolve entitled "Resolve providing compensation for the Draftsman" again came up, the House — Resolve. Draftsman.

adhering to their former vote. The Senate so far recede from their former vote as to agree to the amendment proposed by the House and passed the said Resolve to be Engrossed as thus amended, in concurrence.

Resolves passed to be enacted.

The Committee on Engrossed Bills reported the following Bill to be truly copied from the original, viz: "An additional act establishing Circuit Courts Martial" and the same passed to be Enacted in concurrence.

The same Committee reported the following Resolves to be truly copied from the Originals; viz: "Resolve in favor of Samuel Haines and for other purposes." "Resolve in favor of Moses Tibbets." "Resolve providing compensation for the Draftsman" and the same finally passed, in concurrence.

The foregoing Bill and Resolves were, this day, presented to the Governor for his approbation and signature.

Mr Hinds Protest.

Mr. Hinds had leave to read and lay on the table a Protest signed by Messrs. Asher Hinds, Ebenezer Hilton, Syms Garaner, James Drummond, Ebenezer S. Phelps, Elijah Morse, John Boswell, Abijah Usher and Nathan D. Appleton.

Motion to enter protest on the Journal.

The same Gentleman moved that said Protest be entered on the Journal of the Senate: and the question, on this motion being ordered to be taken by yeas and nays, on motion by Mr Hinds, was decided in the Negative, as follows:

Yeas.

Yeas. Messrs. Drummond, Garaner, Hilton, Hinds, Morse and Phelps - - - - - - - - - - - - - - 6.

Nays.

Nays. Messrs. Dascee, Dunlap, Hall, Hutchinson, Hutchings,

Ingalls, Meggvier and Steele ——— 8

Mr Meggvier had leave to lay on the table the following Resolutions.

Resolved as the sense of the Senate that the Hon. Joshua Hall has discharged his duties as President of the Senate, during the present session, with integrity and impartiality; and any imputation cast upon his honor and integrity are unfounded and unjust. Resolve approving President.

Resolved further, that the Senate have refused to allow a Protest presented this day by Mr Hinds to be entered on the Journal, because it was signed by three Gentlemen; to wit: Abijah Fisher jr, John Boswell and Nathan D. Appleton, not Members of the Senate. Resolve relative to Mr Hinds Protest.

The Question on the passage of said Resolutions having been moved to be divided so as to take the question on each Resolution separately, and the passage of each being moved to be taken by yeas and nays, the first Resolution passed by the following vote:

Yeas.

Messrs. Dawe, Dunlap, Hutchinson, Hutchings, Ingalls Meggvier & Steele ——— 7 Yeas.

Nays.

Messrs. Hilton, Hinds, Morse and Phelps — 4 Nays.

The second Resolution passed by the following vote:

Yeas.

Messrs. Dawe, Dunlap, Hall, Hilton, Hutchinson, Hutchings, Ingalls, Meggvier & Steele — 9 Yeas.

Nays.

Messrs. Hinds & Phelps ——— 2 Nays.

On pursuance of the Order of the Senate a Message

was delivered to the House of Representatives informing the House that the Senate had voted that, when they next adjourn, they shall adjourn without day, and requesting the Concurrence of the House therein.

Message relative to adjournment without day.

A Message was received from the House by Mr Child, their Clerk, informing the Senate that the House had voted that when they next adjourn they shall adjourn without day, in concurrence with the proposition of the Senate.

Committee to wait on the Governor.

On motion by Mr Drummond, Ordered that Messrs. Drummond, Hines, and Wilson, with such as the House may join, be a Committee to wait on the Governor and inform him that the two Houses have passed upon all the publick business before them and are now ready to adjourn without day; and to inquire if he has any further communication to make to them. Sent down for concurrence. Concurred; and Messrs. Swan, White, Sanborne, Trask and Hoyt were joined on the part of the House.

Committees Report.

Mr Drummond, from the Committee appointed to wait on the Governor and inquire if he has any further communication to make to the Legislature, reported that the Committee had performed that service and the Governor was pleased to say that he would forthwith make a communication through the Secretary of State, after which he he had no further communication to make.

Sec. of State Read titles of Acts & Resolves.

The Secretary of State came in and read the titles of Eighty Six Acts and Fifty four Resolves which had been signed by the Governor during the present Session of the Legislature, being all the Acts and Resolves which had been presented to him.

Resolve in favor of J. Bodwell & als.

The Resolve entitled "Resolve in favor of Abijah Usher Jr, John Bodwell, Nathan D. Appleton and

Obadiah Hill again came up, the House having receded from their former vote so far as to amend the said Resolve as taken into a New Draft, for concurrence. The Senate adhered to their vote whereby they passed the Original Resolve to be Engrossed, and, on motion, the same was ordered to lie on the table.

On motion by Mr Mugridge, the Senate adjourned. Adjourned.

The foregoing is a "Journal of the Proceedings of the Senate of the State of Maine," at their Session held at Portland, commencing on the First Wednesday in January, Anno Domini 1830 and ending on this nineteenth day of March 1830, compared with and corrected by Original Minutes and papers in my possession.

Attest. Edward Kavanagh
Secretary
of the Senate.

Titles of the Acts and Resolves passed at this session of the Legislature; viz:

"An additional act respecting the Winthrop Bank."
"An act altering the time of the Fall Term of the Supreme Judicial Court in the County of Lincoln."
"An act to incorporate the Hamden Mutual Fire Insurance Company."
"An act to authorize the removal of Prisoners from the Jail in the County of Penobscot to the Jail in the County of Waldo."
"An act in addition to an Act to incorporate the President, Directors and Company of the Bank of Portland."
"An act to incorporate the Proprietors of Madison Bridge."
"An act to incorporate the Proprietors of Carrituck Bridge."
"An act to set off Thubal Dixon and Alexander Potter from Pittsfield to Clinton."
"An act to annex a part of the Town of Anson to New Portland."
"An act in addition to an Act to incorporate the Canal Bank."
"An act to encourage the destruction of Crows."
"An act in favor of the Settlers on Townships numbered Ten and eleven."
"An act to change the name of the First Evangelical Congregational Church and Society in Eastport."
"An additional Act regulating divorces."
"An additional Act to incorporate the Proprietors of Canton Point Bridge."
"An act to incorporate the Cumberland glass-manufacturing Company."
"An additional Act for regulating ferries."
"An act for the relief of Debtors to the State."
"An Act to set off Johnston's Island from Waldoborough to Foreman."

"An Act to incorporate the Town of Acton."

"An Act to authorise George F. Richardson exclusively to navigate the Androscoggin River with Horse Boats."

"An Act to establish the Town line between Bristol and Bremen."

"An Act to incorporate the Bangor Literary Club."

"An act additional to an Act to establish a Court of Common Pleas."

"An act to annex Thompson Pond Plantation to the Towns of Otisfield and Poland."

"An Act ceding to the United States the jurisdiction of a certain tract of land in the Town of Boothbay."

"An Act in addition to the several Acts for the preservation of Fish in the Penobscot River and Bay and the several Streams that empty into the same."

"An Act in addition to an Act to establish the Cumberland and Oxford Canal corporation."

"An Act to incorporate the Freeport Wharf Company."

"An Act in addition to an Act entitled an Act to enable the Proprietors of Social, Military and Law Libraries to manage the same."

"An Act additional to an Act defining the general powers and duties and regulating the office of Sheriffs and Constables."

"An Act additional to an Act giving remedies in Equity."

"An additional Act to prevent the destruction of the Fish called Salmon and Alewives on Denny's River and Pennamaquan in the County of Washington."

"An Act to establish the Bath Ferry Company."

"An act to establish the Hallowell Ferry Company."

"An additional Act regulating Judicial process and proceedings."

"An act to incorporate the Sebago and Long Pond Steam-Boat navigation Company."

"An Act authorising the reduction of the Capital stock of the Hennebunk Bank."

"An act to change the name of West Machias."

"An Act to annex part of the Town of Denmark to the Town of Sebago."

"An act to change the name of the First Parish in Shapleigh"

"An Act to set off a tract of land from Pittsfield and annex the same to Canaan."

"An Act to extend the powers of the Trustees of the Ministerial funds in Bridgton."

"An Act additional to an Act providing for the payment of Costs in criminal prosecutions."

"An Act to incorporate the Vassalsborough Hemp Manufacturing Company."

"An Act to repeal part of an Act making further provision concerning Records of Justices of the Peace."

"An ~~Act~~ additional ~~to an~~ Act to incorporate the Proprietors of Old Town Bridge."

"An Act to repeal the Laws relating to the Salmon, Shad and Alewives Fishery in the River Kennebec in the County of Kennebec."

"An Act to ~~revive~~ establish the dividing line between Palermo and China."

"An Act additional to an Act to secure to Owners their property in logs, masts, spars and other timber in certain cases."

"An additional Act regulating the admission of Attornies."

"An Act authorising the Selectmen of Portland to appoint an additional number of Engine-men."

"An Act to incorporate the Proprietors of the Bangor Pier-Corporation."

"An Act incorporating certain Persons for the purpose of making improvements in the Androscoggin River."

"An additional Act relating to Foreign Attachments."

"An Act to incorporate the Maine Baptist Convention."

"An Act further to regulate the jurisdiction and proceedings of the Courts of Probate."

"An Act to apportion and Assess on the Inhabitants of this State a tax of fifty thousand dollars."

"An Act authorising the Court of Sessions for the County of Cumberland to lay out a road over a Creek or Arm of the Sea in Freeport."

"An Act to change the names of certain Persons."

"An Act to prevent the destruction of Moose and Deer."

"An Act to regulate the taking of Fish called Salmon, Shad and Alewives in the Sebasticook River in the Town of Clinton."

"An Act to incorporate the Indian Island Manufacturing Company."

"An additional Act respecting Enginemen, Fire-engines and the extinguishment of Fire."

"An Act to incorporate the Trustees of the Methodist Society in Portland."

"An Act extending the powers of the Justices of the Supreme Judicial Court in certain cases."

"An Act directing the manner in which District School meetings may be called."

"An Act requiring Commanding officers of Independent Companies to give notice to Commanding officers of Standing Companies of all enlistments into such Independent Company."

"An Act to annex a part of the Town of Topsham to Brunswick."

"An Act to establish the Bucksport and Prospect Ferry Company."

"An additional Act providing for the government of the State Prison and for the punishment of Convicts."

"An Act to divide the Town of Mount Desert and incorporate the Town of Cranberry Isles."

"An Act authorising the Courts of Sessions in the Counties of Cumberland and Lincoln to lay out a road over the New-Meadows River."

"An additional Act to exempt certain goods and Chattels from attachment, Execution and Distress."

"An Act to annex a part of Otisfield to Oxford."

"An Act requiring notice to be given in cases of Contested Elections."

"An additional Act to promote the sale and settlement of public lands."

"An Act to ascertain the amount and description of Estates and of certain descriptions of Persons within this State."
"An Act requiring a Bond from the Secretary of State."
"An Act to regulate the taking of Fish in Dunk River."
"An additional Act respecting Innholders, Retailers and Common Victuallers."
"An Act regulating the payment of the salaries of Registers of Probate in certain cases."
"An additional Act respecting the Gardiner Lyceum."
"An additional Act to prevent the destruction of Trout and Pickerel in Tobago Pond in the County of Cumberland."
"An additional Act establishing Circuit Courts-martial."
An additional Act regulating elections.

86 Acts

Resolves, viz:

"Resolve in favor of the President, Directors and Company of the Canal Bank."
"Resolve in favor of Samuel Smith & others and of Joseph Treworgy and another."
"Resolve granting a pension to James Pomroy."
"Resolve in favor of Edward Smith."
"Resolve in favor of Jonas Dyer Jr."
"Resolve for the benefit of Isaac Tolman and others."
"Resolve authorising the Penobscot Indians to sell five Townships of land and pine timber."
"Resolve in favor of Nehemiah Leavitt."
"Resolve directing the Land Agent to inquire into and report upon the expediency of granting aid for making a road in Penobscot County."
"Resolve in favor of William Pike."
"Resolve granting a pension to David Gerry."
"Resolve in favor of Joseph Young."
"Resolve in favor of George Sawtelle."
"Resolve relative to the State Prison."
"Resolve making an appropriation for the Warden of the State Prison."

"Resolve for the admission of Roscoe G. Greene to practise Law in the Court of Common Pleas and for other purposes."

"Resolve authorising the Adjutant General to distribute copies of the Abstract of Infantry tactics and System of exercise and instruction of Field Artillery."

"Resolve in favor of Carey, Lea and Carey."

"Resolve respecting Musical instruments".

"Resolve in favor of Moses Greenleaf."

"Resolve to distribute Greenleaf's Maps and Statistical view of Maine".

"Resolve in favor of the Penobscot Indians."

"Resolve further providing for erecting and completing the Public Buildings."

"Resolve laying a Tax on the several Counties in this State".

"An additional Resolve for opening and clearing a Road from Township number Two, Old Indian Purchase, on the East side of Penobscot River to Mattanawcook Stream".

"Resolve in favor of William Kibbe."

"Resolve extending the time for completing the State road from Baring to Houlton Plantation".

"Resolve in relation to the collection of Fines, Forfeitures and Bills of Cost."

"Resolve for the purchase of Stationery".

"Resolve authorising the Land Agent to redeem certain Real Estate for the purpose of securing a debt due to the State."

"Resolve for the payment of contingent expenses".

"Resolve in favor of Daniel Rose".

"Resolve respecting Roads and Bridges in the Towns of Abbot and Pittsfield."

"Resolve in favor of Day and Frazer".

"Resolve for the payment of accounts against the State."

"Resolve authorising a temporary loan in behalf of the State".

"Resolve providing for the settlement of certain accounts."

"Resolve in relation to the unexpended balances of certain appropriations".

"Resolve respecting the Mapachusetts claim".
"An additional Resolve appointing Commissioners to settle with certain Land Agents".
"Resolve rescinding part of a Resolve for the payment of accounts against the State, passed March 6th 1829."
"Resolve for the payment of Accounts against the State".
"Resolve in favor of Benjamin Dunn".
"Resolve respecting Roads and Bridges in Patrick town Plantation".
"Resolve providing compensation to the Chaplains of the Legislature."
"Resolve in favor of John G. Deane".
"Resolve on the Pay Roll of the House of Representatives".
"Resolve on the Pay Roll of the Senate".
"Resolve in favor of Samuel Haines and for other purposes".
"Resolve providing compensation for the Draftsman".
"Resolve in favor of Moses Tibbets".
"Resolve in favor of Thomas O. Bradley".
"Resolve in favor of the Canada Road".
"Resolve respecting the unappropriated monies in the hands of the Agent for making and completing the Mattanawcook Road."

54 Resolves

Attest

Edward Kavanagh
Secretary

Appendix.

In Senate January 10th 1830.

The Joint Committee appointed to examine the returns of votes for Governor from the several Towns and Plantations in this State have attended to that Service and

report;

That the whole number of votes, allowed by the Committee to have been duly returned, is Forty Six Thousand five hundred and Fifty one; that the number necessary to constitute an election is Twenty three thousand two hundred and seventy six; that Jonathan G. Hunton has Twenty three thousand three hundred and fifteen votes, and is elected.

The Committee further report, that Samuel E. Smith has Twenty two Thousand nine hundred and ninety one votes; that Two hundred and forty five votes were given for sundry other Persons, and that Seventeen scattering votes appear by the returns to have been given, but the returns do not designate the Persons for whom they were given. The Committee dix not allow and count said Seventeen votes. The Returns from Wells, Dresden, Bremen, Woolwich, Atkinson, Eddington, Howland, Levant, Lincoln, Appleton, Freedom, Oxford, and Blaksburg Plantation, were not certified to have been sealed up in open Town Meeting, but the votes from said Towns and Plantation were allowed and counted; viz: for Jonathan G. Hunton, Four hundred and fifty four; for Samuel E. Smith, Six hundred and seventy four, and Twelve votes Scattering. The Returns from Vinalhaven, Alexander, Charlestown, Solon, Cherryfield and Plantation No. 14, or Mariaville South, bear date, on the inside, as of September A.D. 1829, and on the outside, as of September A.D. 1829. and the

Report of the Joint Committee on the Returns of Votes for Governor. (See Journal of the Senate Page 21.

votes from said Towns and Plantation were allowed and counted; viz: for Jonathan G. Hunton Two hundred and fifty three; for Samuel E. Smith Two hundred and Six, and seven votes scattering. The Return from Bluehill was certified on the outside by the Selectmen, but not attested on the outside by the Town Clerk; but the votes from that Town were allowed and counted; viz: for Jonathan G. Hunton Eighty Six, for Samuel E. Smith Thirty three. The votes from Plantation No. 23, in Washington County, were rejected; the Return purporting to be a Return from the Town of No. 23, and being signed as by the Selectmen of No. 23, and Town Clerk. It appears by said Return that one vote was given for Jonathan G. Hunton, and Sixteen votes for Samuel E. Smith. The votes from the Town of Baileyville were rejected; the Return from said Town being certified on the inside by Daniel Ford, as Town Clerk, and certified on the outside by Seth E. Hutchinson, as Clerk of said Town. It appeared by said return, that Fourteen votes were given in said Town for Samuel E. Smith. The votes from Hermon were rejected, because the return was not attested on the inside, by the Town Clerk. It appeared by said Return that Three votes were given in said Town for Jonathan G. Hunton, and Forty Seven for Samuel E. Smith. In the Return of votes from Kittery, which was in the common printed form, in other respects, is the following statement, to wit: "After the above votes were sorted, counted and announced, and before the record was made, two more votes were given for the Hon. Samuel E. Smith;" but said two votes were not allowed and counted by the Committee. In the return of votes from Haverland, it is stated, after giving the result of the balloting of the Inhabitants of that Town, that "the Inhabitants of the District, called Passadumkeag, gave in their votes at the same time, as follows, for Samuel E. Smith Twenty nine, Jonathan G. Hunton, Eleven, Thomas Davee,

one." These votes were allowed and counted; it does not appear by said Return, that the Inhabitants of said District, which is an unincorporated place, were assessed to the supports of Government by the Assessors of said Town. The votes from the Town of Mercer, which were allowed and counted, were evidenced by a Document, purporting to be a copy of the original return of the votes of said Town, accompanied by the Affidavits of the Selectmen and Town Clerk of Mercer, proving that the original return of the votes of that Town was properly made, in legal form, attested by the Selectmen and Town Clerk, and sealed up in open Town Meeting, and delivered to Thomas Parlin Jr to be forwarded to the Secretary of State's Office; the affidavit of said Parlin, accompanying said document, proves that said original return, delivered to him, was taken from his office & destroyed. The document aforesaid, and said evidence were received at the office of the Secretary of State, on the Fifth day of December last. The return from Harpswell shews one vote, given in said Town, written Jonathan Hunton which was counted for Jonathan G. Hunton. By the return from Howards Gore Plantation, it appears, that Twelve votes, given in said Plantation, were written Samuel Smith, which votes were counted for Samuel E. Smith. By the return from Milburn, it appears, that four votes given in said Town, were written Samuel G. Smith, which were counted for Samuel E. Smith. By the return from Sullivan, it appears, that Sixty two votes given in said Town were written Samuel E. Smith, which were counted for Samuel E. Smith. By the return from Trunkhaze Plantation, it appears, that four votes, given in said Plantation, were written Samuel L. Smith, which were counted for Samuel E. Smith. The return from Monroe, on the outside, bears date the Second Monday of September, A.D. 18— and, on the inside, A.D. 1820; the votes in said Town, were for Samuel E. Smith, one hundred and eighteen, and for Jonathan G. Hunton, Seventeen, and said votes were

allowed and counted. By the returns from Sundry Towns, it appears that Twelve Hundred and Eighty votes were written "Jonathan G. Huntoon" which were allowed and counted for Jonathan G. Hunton. The Committee have formed a List entitled, "List of Votes for Governor, 1830, Eleventh Session," to which are annexed two sheets, marked A. and B. bearing the names of the Persons for whom the scattering votes were given, and to which reference is made.

All which is respectfully submitted.

Per order

(Signed) John L. Megquier.

The Committee appointed to examine the Returns of Votes from the several Towns and Plantations in the State for Senators, ascertain who are elected, what number of Vacancies exist and who are the Constitutional Candidates, having attended to that duty,

Report of the Select Committee on the Returns of Votes for Senators. (See Journal of the Senate Page 30

report, that in the

District of York,

the whole number of votes given in and returned, in conformity with the provisions of the Constitution are 7056

Necessary to constitute an election 3529

Benjamin Pike has 3529

Abijah Usher Jr has 3530

and are elected.

At the bottom of the certificate from the Town of Kittery, the Selectmen and Town Clerk certify as follows; to wit: "After the above votes were counted and declared, and before the Record was made, Two more votes were given in for Moses Sweat, two more for Benjamin Pike and two more for James Goodwin," after which follow the signatures of the Selectmen of said Town and the attestation of the Town Clerk. From the evidence produced to your Committee they were satisfied, that said last mentioned votes were duly and constitutionally received, sorted, counted and declared, with the other votes, in open Town Meeting, and they have allowed and counted the same, for the Persons for whom they were respectively given. In some of the Returns of votes, which were counted for Abijah Usher Jr, the "Junior" was omitted. 262 Votes were returned as given in Buxton for Abijah Usher Esquire. Evidence was furnished to the Committee that these were actually given for Abijah Usher Jr, and so recorded on the Town Records. Other votes were returned for Hon. Abijah Usher, which title of Hon. it was made to appear, is

usually accorded in courtesy to Abijah Usher Jr, on account of his having been a Member of the Senate, at a former period. There were other votes for Abijah Usher, without such designation; but from the evidence produced, a Majority of the Committee were led to believe that they were intended for said Abijah Usher Jr, and the aforesaid vots were accordingly allowed and counted. In this District there is One deficiency.

Moses Sweat has ——— 3528 vots
James Goodwin has ——— 3524 votes

and they severally have the highest number of votes among the Persons voted for and not elected, and are the Constitutional Candidates to supply said the deficiency in said District.

In the
District of Cumberland,
the whole number of votes given in and returned in conformity with the provisions of the Constitution
are ——————— 8526
Necessary to constitute an election 4264
Robert P. Dunlap has ——— 4514
John L. Megquier has ——— 4524
Theodore Ingalls has ——— 4523
and are elected.

In the
District of Lincoln,
the whole number of votes given in and returned in conformity with the provisions of the Constitution
are ——————— 6506
Necessary to constitute an election 3209
Syms Garand has ——— 3545
James Drummond has ——— 3541
Ebenezer Killon has ——— 3545
Halsey Healey has ——— 3530
and are elected.

In the
District of Hancock,

the whole number of votes given and returned in conformity with the Provisions of the Constitution are ____ 3666
Necessary to constitute an election ____ 1834
Joshua Hall has ____ 2217
Charles Hutchings Jr has ____ 2203
and are elected.

Your Committee have rejected the votes of the Towns of Brooksville, Sedgewick and Franklin, it not appearing by the returns from said Towns how many votes were given for each Candidate.

In the
District of Washington,

the whole number of votes given in and returned in conformity with the provisions of the Constitution are ____ 1727
Necessary to constitute an election ____ 864
In this District there is One deficiency;
Obadiah Hill has ____ 848
Charles Peavy has ____ 841
and they severally have the highest number of votes among the Persons voted for and not elected, and are the Constitutional Candidates to supply the deficiency in said District.

In the
District of Kennebec,

the wholey number of votes given in and returned in conformity with the provisions of the Constitution are ____ 6241
Necessary to constitute an election ____ 3121
Sanford Kingsbery has ____ 4502
Elijah Morse has ____ 4275
Asher Hinds has ____ 4472
and are elected.

The Committee have rejected the votes of the Town of Temple, in this District, it not appearing by the return from said Town how many votes were given for each Candidate.

In the
District of Oxford,

the whole number of votes given in and returned, in conformity with the provisions of the Constitution, are ---------- 3889

Necessary to constitute an election ---- 1945

James Steele has ---------- 2291

Daniel Hutchinson has ---------- 2265

and are elected.

Your Committee have rejected the votes of the Towns of Sweden, Sumner, Gilead, Berlin and Plantation No. 8. it not appearing by the returns from said Towns and Plantations how many votes were given for each Candidate.

In the
District of Somerset,

the whole number of votes given in and returned in conformity with the provisions of the Constitution, are ---------- 3627

Necessary to constitute an election ---- 1814

Ebenezer S. Phelps has ---------- 2010

and is elected.

In the
District of Penobscot,

the whole number of votes given in and returned, in conformity with the provisions of the Constitution, are ---------- 3185

Necessary to constitute an election ---- 1593

Thomas Davee has ---------- 1702

and is elected.

The Return from the Town of Hermon, in this District, was not attested on the inside by the Town Clerk, but was attested on the outside by the Clerk of said Town: the votes from said Town were allowed and counted by your Committee.

All which is respectfully submitted.

(Signed) Robert P. Dunlap, Per order,

In Senate 8th February 1830.

Protest of Robert F. Dunlap, John L. Megquier, Thos. Ingalls, Thomas Dane, Charles Hutchings Jr., James Steele, Daniel Hutchinson, against the proceedings of the Convention held on the 5th February 1830, to fill supposed deficiencies in the Senate, (See Journal of the Senate Page 68.

Whereas the Constitution of this State, article fourth, part third, Section third, provides that "each House shall be Judge of the elections and qualifications of its own Members", and by Article fourth, Part second, Section fifth, it further provides that "the Senate shall, on the first Monaday of January, annually, determine who are elected by a Majority of votes to be Senators in each District, and in case the full number of Senators to be elected from each District shall not have been so elected, the Members of the House of Representatives and such Senators as shall have been elected, shall from the highest numbers of the Persons voted for, in said lists, equal to twice the number of Senators deficient, in every District, if there be so many voted for, elect by Joint Ballot the number of Senators requires;" and

Whereas the power of judging of the "Elections" and "Qualifications" of its own Members most manifestly and necessarily implies that the Senate possesses the power and right to determine and finally settle all questions touching the legality and Constitutionality of the Returns of votes for Senators, and that the Senate alone possesses that power and right: and

Whereas it is most manifest that the elections of its Members must necessarily depend upon the number of votes adjudged by the Senate to be constitutionally returned, and the number of Senators deficient must depend upon the same adjudication, and the highest numbers of the Persons voted for, from whom such deficiencies must be supplied, equal to twice the number of Senators deficient, in each District, must also depend upon and be ascertained by the same determination and decision of the Senate, and

Whereas the number of Senators elected, the number of Senators deficient, and the numbers and names ~~of~~ of Persons, from whom any deficiencies, that may be found to exist, must be supplied, can not be Constitutionally determined and

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ascertained but by a vote of the Senate; and

Whereas the election of Senators to supply such deficiencies is directed by article fourth, Part Second, Section fifth, of the Constitution; to be made by the "Joint Ballot of the Members of the House of Representatives and such Senators as shall have been" elected, it is manifest and certain that such election must be made in a Convention of the two Houses, previously agreed upon by concurrent votes of the Senate and House of Representatives, fixing and assigning the time and place for such Convention: the election of Senators to fill deficiencies in the Senate being expressly mentioned in Article Ninth, Section fourth of the Constitution, as an election to be made by the "two Houses of the Legislature"; thus the said Election is recognised as the joint act of the "Senate" and "House of Representatives" meeting in Convention in their distinctive characters, as the Senate and House of Representatives, and when so convened, acting as one Body, composed of the Members of the two Houses, all the Members of the Body thus constituted professing and exercising equal rights; this construction being obviously confirmed and strongly supported by reference to the provisions of the Constitution for the election of the Council; to wit: in article Ninth, section fourth, the expression is, "the two Houses shall elect the Council" and in article fifth, part second, section second, the language declaring the mode of electing the Council is, "the Counsellors shall be chosen annually by Joint Ballot of the Senators and Representatives in Convention"; it being most apparent and obvious that the expression, "the two Houses shall elect the Council" is equivalent to the expression "the Counsellors shall be chosen by Joint Ballot of the Senators and Representatives in Convention" and means the same thing and can mean nothing more or less than does the expression "the Senate and House of Representatives shall meet in Convention and elect the Council": and it being equally apparent and clear that an election of Senators to supply deficiencies made by the two Houses of the Legislature"

must be taken to mean an election made by a Convention of the Senate and House of Representatives, to wit: a Convention formed by the previous agreement and concurrence of the two Houses that such Convention should be formed at a specified time and place: and

Whereas the Senate has never, by a vote of the majority of its Members, decided the number of Senators deficient in York District; nor by such vote ascertained who are the Constitutional Candidates from whom any deficiencies that may eventually be found to exist in said District, must be supplied; nor by such vote agreed to and accepted, nor rejected, that part of the report on Senatorial votes which declares one Senator deficient in said District, and that Moses Sweat and James Goodwin are the Constitutional Candidates from whom one Senator is to be elected to supply said deficiency; no vote of the Senate having yet been taken on that part of said Report which declares one Senator deficient in Washington District and that Charles Peavy and Obadiah Hill are the Constitutional Candidates from whom such deficiency is to be supplied: but by not accepting that part of said Report, the Senate has virtually decided that no Senator is deficient in said Washington District, and that said Peavy and Hill are not the Constitutional Candidates from whom a deficiency in that District ought to be filled: and

Whereas the Senate, not having finally determined, by a Majority of said Board, what number of Senators are deficient and who are the Constitutional Candidates from whom any deficiencies which may be found to exist, must, according to the provisions of the Constitution, be supplied, and the Senate being the only Constitutional Tribunal to settle and determine these questions, has not communicated and is still unable to communicate to the other House of the Legislature the information necessary to enable that House to act Constitutionally upon the subject of the deficiencies in the Senate; and has never concurred with the House of Rep=

-resentatives in a proposition fixing and assigning a time and place for a Convention of the two Houses of the Legislature for the purpose of filling any deficiencies that may exist in the Senate; though it is true, a Preamble and Order, passed the House of Representatives, that a Message be sent to the Senate proposing a Convention of the Members of the two Houses, on Tuesday the second Inst. at eleven o'clock in the forenoon, in the Hall of the House of Representatives, for the purpose of electing by Joint Ballot the number of Senators requisite; which Preamble and Order, recited to the Senate by the Clerk of the House of Representatives and by him delivered in writing to the Secretary and by vote of the Senate laid on the table, was never read to this Board by the Chair, nor taken into consideration by the Senate, notwithstanding the same was called for, by a Member of the Senate, by motion regularly made and seconded, that said Preamble and Order be read by the Chair; said motion having been lost by a division of the Board; the undersigned voting in favor of it and Messrs. Drummond, Gardner, Healey, Hilton, Hinds, Kingsbury, Morse and Phelps voting against it; and

Whereas, it is said, that a Convention of the Members of the House of Representatives and eight of the Members of the Senate, being less than a Majority of the whole number of Senators elected, was formed without the consent of the Senate, and while the Senate was still in Session, it having refused by a division of the Board to adjourn at that time and having continued so in Session, with all its Constitutional Officers until after said Convention has adjourned, did proceed, without any official communication from the Senate giving Constitutional notice to the House of Representatives of any number of Senators deficient in any Senatorial District in this State, or of the highest numbers & names of Persons voted for equal to twice the number of Senators deficient, but with the knowledge officially communicated by the Secretary of the Senate, that the Senate had not concurred in the formation of said Convention

to elect three Persons to be Senators to fill three supposed deficiencies in York District, such deficiencies never having been declared by the Senate to exist in said District, and one Person to be Senator to fill a supposed deficiency in Washington District, such deficiency never having been declared by the Senate to exist in said District; and said proceeds aforesaid to elect Persons to be Senators, who have never been determined and designated by the Senate to be the Constitutional Candidates, from whom any deficiency, in either of said Districts, ought to be filled: And

Whereas Persons claiming to have been elected Senators by the Convention aforesaid, formed in the manner aforesaid, have appeared in the Senate and by virtue of such election have claimed and do claim a right to sit and act as Senators in the deliberations and proceedings of the Senate;

Therefore the undersigned, Members of the Senate of the State of Maine, do hereby most solemnly protest against the proceedings of said Convention as being wholly illegal and in direct violation of the provisions of the Constitution and, therefore, giving no right to any Person or Persons to hold a seat at this Board, or to act as a Member of the Senate; any election by said Convention being altogether and absolutely null and void: and the undersigned solemnly protest against the admission of any Person so elected, to a seat at the Senate Board, or to take any part in the deliberations and doings of the Senate: and if any Person, so elected, shall be permitted to sit and act at this Board, the undersigned hereby make known and declare that such permission is had without their consent, and they have not consented and do not consent thereto, and that they have not recognised and can not recognise any act, which has been, or may be done by Persons elected by said Convention, in the manner and under the circumstances aforesaid, as legal or Constitutional, but they must and do regard all such acts as illegal and unwarrantable by the Constitution. And the undersigned do this protest, because they most conscientiously believe that it is the plain and most obvious meaning of the Constitution, and that it was the plain intention of the Framers of that Instrument, which is the supreme law of the State, that

the Senate should be an independent and co-ordinate Branch of the Legislature, and not, in any respect, or in any manner subordinate to the House of Representatives: that It should alone possess the power of judging of the "Elections" and "Qualifications" of its own Members, and, by consequence, of determining the number of Senators elected by the People, the number of Senators not so elected and deficient: the Persons voted for, in each District, where deficiencies may be found to exist, and the highest numbers of the Persons so voted for and not elected equal to twice the number of Senators deficient, in every District, if so many, and also of designating the Candidates, from whom such deficiencies ought and must be Constitutionally supplied, by a Joint Ballot of the Members of the House of Representatives and such Senators as shall have been elected by the People; this being necessarily implied in the Power "to judge of the Elections and Qualifications of its own Members," in as much as any other Branch of the Government, assuming to determine any of the above questions, must assume to exercise a power which is vested in the Senate alone; and such exercise of power by the House of Representatives, in relation to the "Elections" and "Qualifications" of the Members of the Senate, would be as unwarranted by the Constitution and as absurd in practise as would be an attempt on the part of the Senate to judge of, and determine upon, the "Elections" and "Qualifications" of the Members of the House of Representatives, which is, by the Constitution, made the exclusive right and duty of that House: and, because it is not the meaning and was not the intention of the Framers of the Constitution, by providing for the election of Senators deficient, in and by a Convention of the Members of the House of Representatives and such Senators as shall have been elected by the People, to confer on the Members of the House of Representatives any other or greater power in such election, than to give to them the right of voting for any of such Persons to fill deficiencies as the Senate shall have previously determined, by an adjudication upon the votes returned, to be Constitutional Candidates from whom

alone such deficiencies must and ought to be supplied: and, because the undersigned believe that that Construction of the Constitution, by which a part of the Senators elected by the People and a part of the Members of the House of Representatives have assumed, in a Convention, to the existence and formation of which the Senate has never consented and which was not attended by any of its Constitutional Officers, to judge of the "Elections" and "Qualifications" of the Members of the Senate, and to determine what deficiencies exist and also to determine who are the Constitutional Candidates to supply deficiencies, by them, and not by the Senate, determined to exist, tends most evidently and directly to prostrate and overthrow the Independence of the Senate, and, in fact, to make the Senate a Subordinate instead of a "Coordinate" branch of the Legislature, and to destroy the Check which the Constitution plainly intends the Senate shall be upon the House of Representatives.

And the undersigned request that this their Protest may be entered upon the Journal and Records of the Senate.

(Signed)

Robert R. Dunlap.
John L. Megquier.
Theodore Ingalls.
Thomas Davee.
Charles Hutchings Jr.
James Steele.
Daniel Hutchinson.

XVI

Protest against the right of Hon. Joshua Hall to preside, act and vote at the Senate Board, and for other purposes.

See Journal of the Senate Pages 47. 75.

In Senate 2d February 1830.

Whereas by the decease of the Hon. Enoch Lincoln, late Governor of the State of Maine, it became the duty of the President of the Senate to exercise the office of Governor until another Governor shall be duly qualified, and by the Constitution his duties as President, while so exercising the office of Governor, shall be suspended: and Whereas, the Hon. Joshua Hall was on the Fourteenth day of January last duly elected President of the Senate and accepted the office and still continues to hold the same, and no other Person having been duly qualified to act as Governor, We, the undersigned Senators of the State of Maine, hereby protest against the right of the said Joshua Hall to preside and act and vote at the Senate Board, believing such a course to be incompatible with the provisions of the Constitution: and Whereas it has been ascertained by the Senate that Sixteen Senators have been elected, and there are four vacancies; to wit: Three in the District of York, and that John Bodwell, Abijah Usher 2d, Nathan D. Appleton, Moses Sweat, Benjamin Pike and James Goodwin are the Constitutional Candidates to fill said vacancies; and one vacancy in the District of Washington and that Obadiah Hill and Charles Barry are the Constitutional Candidates to fill said vacancy: and the Members of the House of Representatives having communicated to the Senate a Message, proposing a Meeting of the Senators elected and the Members of the House of Representatives in the Hall of the House of Representatives, at eleven o'clock this forenoon for the purpose of electing by Joint Ballot the number of Senators required by the Constitution to fill said vacancies: we do hereby concur with the Members of the House, and consent to meet them at the time and place and for the purposes aforesaid. And we claim to have this Statement and determination entered upon the Journal of the Senate.

(Signed) James Drummond. Lyons Gardner. Halsey Heatley.
Ebenezer Hilton. Asher Hinds. S. Kingsbery.
Elijah Morse. Ebenezer S. Phelps.

Legislature of Maine.

In Convention of the two Houses

9th February 1830.

Protest against the right of Nath'l D. Appleton, John Bodwell and Abijah Usher h. to sit and vote in the Convention formed for the purpose of choosing Counsellors, Secretary and Treasurer of State. (See Journal of the Senate Page 78)

The House of Representatives having proposed to the Senate a Convention of the Members of the two Houses on the 2d. Inst. for the purpose of supplying deficiencies in the Senate, and the Senate having non concurred the House in that proposition, for the reason that it had not ascertained the "Elections" of its own Members had not ascertained "what deficiencies" (if any) existed in that Body nor decided who were the "Constitutional Candidates" to supply any supposed deficiency: and the House of Representatives and some Members of the Senate (less than a majority and without the presence of the President or Secretary thereof, having proceeded in such Convention, thus unconstitutionally formed, to elect, and did elect Nathan D. Appleton, Abijah Usher h. John Bodwell and Obadiah Hill to supply supposed deficiencies in the Senate, against the dissent and protestations of the undersigned in that behalf. And the Senate and House of Representatives having assembled in Convention on this Ninth day of February for the purpose of choosing Counsellors, Secretary and Treasurer of State and it having been ascertained by a majority of this Convention that said Appleton, Usher and Bodwell be permitted to act in this Convention as Members thereof: We the Undersigned therefore, Members of the two Houses respectively, do hereby signify our Dissent to, and do solemnly Protest against the right of said Appleton, Usher & Bodwell to sit and vote in this Convention.

Because the said Convention of the 2d. Inst. was not constitutionally formed, the consent of the Senate not having been had thereto.

Because the Senate had not fully exercised its Constitutional right and power in judging of its elections, ascertaining deficiencies and determining who were the Constitutional Candidates to supply them: And

Because therefore the choice of said Appleton, Usher and Bodwell by that Convention was wholly unconstitutional,

void and of no effect whatever, and gave them none of the rights or privileges of Senators.

It is most manifest that the Senate must first fully judge of the Elections and Qualifications of its Members, by adjudging who are elected, what deficiencies exist and who are the Candidates from whom those deficiencies should be supplied before a Convention can proceed to supply such deficiencies. In ascertaining the Candidates the Senate necessarily judges of the Elections by the People and of the Qualifications of the Persons voted for, in respect to their eligibility. To suppose the Senate could exercise this power twice, once "Before", and again "After" the deficiency are supplied, would be absurd. Its whole power, then, in this respect, being fully exercised before the deficiencies are supplied, it follows that none can be exercised afterwards, and therefore no vote, order or Resolve can legalise such Convention or any of its doings relating to such its Elections. No subsequent Resolve of either House can make a Conventional act Constitutional, which in itself is Unconstitutional; for if it could, a Resolve of either House would be paramount in power to the Constitution itself. It is a self-evident proposition that an Act the due performance of which requires the concurrence of the two Houses in Joint Ballot, cannot, when illegally done, be legalized by a vote of either House alone. If it were otherwise, either House would have the power of both Houses together. Each House may judge of the elections by the People, of its Members, and of the Qualifications of the Persons voted for. But neither have the power to Elect, except jointly, in Convention of both Houses. Neither can therefore, by its own act, remain a choice made by the two Houses valid, which was not so without such act; for in doing so it would exercise a power not given it by the Constitution, and which can be exercised only by the two Houses in Convention.

Against the right, then, of the said Appleton, Usher & Bodwell, to sit and vote in this Convention, the Undersigned hereby Protest as destructive to and

subversive of the rights of the People of this State, and of both Branches of the Legislature, and of all those just principles by which the Constitution and Laws have regulated our Elections.

(Signed)

Daniel Hutchinson.	Robert P. Dunlap.
Sargent Shaw.	Theodore Ingalls.
Ebenr. Knowlton.	John L. Muzzuir.
John D. Heagwood,	Joseph G. Cole,
Joseph Fogg,	Stephen Morrell.
John Wentworth.	Charles Hutchings Jr.
A. Richardson.	John Burnham.
J. C. Gladden.	Benjamin White.
Jos. Johnson.	James Steele.
Elisb. Latham.	Jos. Howard.
Joseph C. Small.	Joseph Bonney.
Ason G. Chandler.	Ephraim Stinchfield.
Dominicus Jordan	Phineas Frost.
Peter Rowe,	Abra. Bean.
Nathan Lord	Samuel Bartlett
John Lermond.	Curtis P. Howe.
James Strout	Timothy Spinney.
Joseph Kelsey.	Thomas Goodwin 2d
Jabez. Beadbury.	Reuben Bartlett.
Robert Lambert.	Silas Barnard.
David Lwell.	Albert Smith.
Stillman Howard.	Jacob Traston.
Daniel Watermanjr.	H. H. Hutchinson.
Abner Kesar.	Joseph Tobin.
Abraham Thomas.	William Woodbury
Benjamin Carr.	John Watts.
Nathaniel Clark.	Samuel Nevers.
John Andrews jr.	David Goddard.
Eamund Mann.	John Ruggles.
Richard Lanabee.	Daniel Emery.
Samuel Small.	Wm. R. Lowney.

XV

Colton Chase.
Thomas S. Bigham.
John Lennan
Geo. Bishop.
Thomas Snow,

David Lennan.
Nicholas Ridout Jr.
Jonas Farnsworth.
Nathaniel Wheeler.
Dan. Perry.
D. Alden Jun.

(See Journal of the Senate Page 85)

Message of the Governor.

Gentlemen of the Senate and of the House of Representatives.

The new and responsible relation in which I stand to you and to the People, cannot but bring with it the associations which have accompanied the performance of the duties of another, in the Executive department of the Government for the political year which has just expired.

The sudden removal by death of my Predecessor, in the first Executive office of the State, from the service and honors of the Public, has excited the deepest sensibilities of his immediate Associates, and should impress upon us, not only a recollection of the transient and evanescent tenure of public and official station, but of life itself; and that the results and consequences of our Councils and our acts as Public Agents, will, in all probability, in a greater or less degree, affect the public interest, when we shall also have passed from the scenes of the present life.

No selfish views aside from the Public good, can properly enter into the administration of a Government instituted, maintained and preserved to aid and promote the true happiness of the whole Society for which that Government has been ordained.

The legitimate ends to be obtained by Government are few and simple, and are presented by the common Ruler of human affairs, to the perception of all minds, in a form too tangible and plain to be misunderstood, or to escape the powers of comprehension common to all Men, and might be readily anticipated, even without the benefit of experience. The very nature of Man is adapted to the Social condition, and the end of Government must be the correction of natural and moral evil incident to that nature and to that condition.

Although the end of Government is thus simple and plain, the means of producing it, amidst the various, complicated and multiplied circumstances of human condition and of human frailties, has rendered the knowledge of Government proverbially, the most difficult of all Sciences. To render it

therefore in any tolerable degree perfect and permanent, is a task that has baffled human experience and human effort in past ages of the world.

Such is the constitution of human nature in its best estate, that the Individual is inclined to seek his own objects and purposes of happiness in modes and channels inconsistent with those of the whole community. Hence the insecurity of vesting permanent power, for the purposes of Government, in the hands of Individuals or a Combination of Individuals, less than a larger part of the whole, who are assigned to form a social compact. But in this form of Society the insecurity incident is that, where the power has been deposited with an Individual, or a limited number of Individuals, becomes doubly insecure, from the difficulties attendant on the Exercise of powers thus retained in the whole body of the Community; and the usual result has been, that Monarchy and Aristocracy prevailed, and seemed under such circumstances best calculated for the purposes of Society, as well as to stand the test of time.

It has been left to our own age, and to our own Country, successfully to bring into being a form of Government, that leaves the power vested in the Majority, and delegates the exercise of it, to Individuals for a short and limited periods of time, restrained by chartered Rules suggested by the experience of ages, and matured, approved and ratified by the consent of the majority, and to be observed and kept until dispensed or altered by the same mode.

This form of Social Compact has obtained the appellation of Republican, because it is supposed practically to consult the equal happiness and welfare of the whole, instead of a part of a community. And inasmuch as its objects ought not to extend beyond those included in the compact, its powers are to be exercised with a single eye to promote the happiness of the nation who formed it. The Individual belonging to such a Government is bound to banish and discard all selfish desires and sectional interest, inconsistent with

the common good; and the exercise of the Legislative powers delegated to him is restrained to the object of promoting the happiness of the Nation, leaving all other Communities the right of attaining the same end.

This being the theory of the Government we are called to administer, let us submit every private and local interest to the test of its consistency with the common good.

It is necessary, that in the proper discharge of the respective trusts assigned us by the suffrages of our Constituents, that we keep constantly in view the great outlines and first principles of a Representative Government; and that we observe not merely the letter, but the spirit and design of the fundamental doctrines prescribed to us in the Constitutional Charters limiting our powers and sphere of action. These principles and doctrines are summarily embodied in the written charters which we have solemnly pledged ourselves to regard. But owing to the imperfection and mutable character of human language, and the different aspects and circumstances, under which we may be called to give an interpretation, much room is left for difference of construction. Under these difficulties our safest guide will be to determine the object which was most reasonably intended to be attained by any Rule prescribed for our directions; and having satisfactorily arrived at this determination, and discovered the purpose intended by the Rule, we shall not be apt to commit gross error, nor to swerve widely from the path of duty. By this course we are placed in the attitude of the Legislator, and in this situation are most likely to perceive the ends and design proposed by power which prescribed the rule of action at any time submitted for decision.

The common defense of our Country, of which our State constitutes an integral Member, the regulation of its intercourse with other independent Powers, as well as the management and direction of such internal affairs as were thought essential to the well being of our Union, were committed by our Fathers to the United Councils of our Federal Republic.

It is now more than Forty years since the affairs of

our United Republic have been under the direction of a President and Congress. The number of States have been nearly doubled, the whole population increased in a ratio, unparalelled in the History of Nations, the necessaries, comforts and conveniencies of life have been multiplied, perfected and diffused to a degree unknown to former ages. We have been deeply concerned in our onward course amidst the conflicts of other nations, and have sustained one in our own expense, which gave new lustre to our national character, tested the energies and capacities of the Government, displayed the cool bravery of our People, developed the resources of the nation, and has laid that foundation for the respect of other Powers, which constitutes and furnishes, to a great degree, the best assurance of future peace.

The success and stability of our Government and general prosperity of the People under its administration, for such a period of time, has given strong proof to the world that Republican principles have taken too deep root in American soil, ever to be overthrown or extirpated. Should their lustre be obscured by the practices or examples of any administration, we may feel the fullest assurance, that the intelligence of the American People will be competent, eventually to distinguish reality from fiction, and will never sanction such as shall be shown to produce evil of any magnitude to the public interest.

To our Union is emphatically reserved the authority, and to us remains the duty of correcting and remedying the natural and moral evils, incident to the social condition in the domestic concerns of the State. The usages which have been sanctioned by experience and sound reason, and a general code of Legislative enactments, constitute the legal restraints of our standing laws.

The remedies for natural evils and impediments to the highest social enjoyment, arising from causes independent of moral agency, are frequently postponed, in the care and concerns of Government for those of a[illegible] moment. In connection with this sentiment, I submit the inquiry, whether the

time has not arrived which calls for the united means of the People to aid in the relief or abatement of personal suffering, caused by the loss or defect of the natural senses, or by mental derangement.

Provision has already been made by former Legislatures to ameliorate the condition of the Deaf and Dumb: and I now submit to your consideration the inquiry, whether the more numerous cases of Lunacy are not equally entitled to your sympathies and favorable regard. The safety of the People, and of our Towns and Villages, in very many instances, requires the confinement of the Individual, and humanity loudly calls for such appropriate means of relieving and restoring to enjoyment and usefulness, those unfortunate Beings who are bereaved of reason, which means are now not only beyond the reach of the Poor and friendless, but can not be commanded by the ordinary ability of our Citizens or Towns, on whom the duty of providing for their support may fall.

The common Prisons now appointed by Law as the places of restraining the furious Lunatic, are poorly adapted for the purpose, and afford no proper means for that restoration or relief, which the improved Skill of the faculty of Medicine has taught us to consider as efficacious or highly beneficial in numerous cases of this disorder.

The Parent State, from which we have separated, has not been unmindful of providing, in connexion with the munificence of the Philanthropist, an Institution for the most efficient relief of humanity, suffering under mental derangement and bodily disease.

It can not escape the most cursory observation, that the largest portion of the present industry of Maine is directed to Agricultural pursuits; and as our timber is destined to be diminished sooner or later to a domestic supply, it may be wise policy, so far as may be within the means and ability of the State, to encourage the formation of Agricultural Societies.

We can hardly expect that Individual efforts alone are

competent readily to introduce and diffuse a knowledge of the improved modes and processes of culture, and of the relative value of products which may be adapted to our soil and climate.

Should the market value of Hemp continue what it has been for several years past, it is believed by many, whose opinions are entitled to great respect, that in connexion with improved machinery, now known and used in some of our Sister States, in preparing it for the market, the culture may be introduced in many parts of Maine with a fair prospect of important advantage to the State. It is highly probable that the means of giving a bounty, bearing some proportion in the estimation of competent Judges, to the importance of the advantages to be derived to the State, in case of successful experiment, would elicit demonstrative evidence of the value of a product hitherto unappreciated by the People of Maine. If so happy a result should follow from a competent experiment, it would give an additional value to our numerous Water-falls adapted to give motion to Machinery, as lumber shall decrease.

It will be the duty of this Legislature, pursuant to the Constitution, to make provision for a General Valuation, and to cause the number of the Inhabitants of the State to be ascertained; and an early attention to this subject is recommended.

Our Militia system, being a compound result of the authority delegated to the General Government, and of duty imposed by the Federal Charter upon the States, can not be entirely dispensed with. And were it within the Sphere of State-power, it requires no stretch of foresight to anticipate the evils which would flow from its dissolution; but still it becomes a duty to inquire, whether the unequal sacrifices of time and money, the effect of the present Laws, relating to ordinary Militia duty, can not be in some degree remedied without essentially and necessarily impairing that degree of efficiency, for which the establishment was designed.

The affairs of the State Prison at Thomaston demand

of the Legislature the most careful attention. Since the thirtieth of April 1823, more than Seventy thousand dollars have been drawn from the Treasury of the State on account of this establishment, to which sum must be added the earnings of the Convicts, to make an estimate of the total expense. The Committee appointed by the last Legislature on the affairs of the Prison, made to the Governor and Council, in June last, a report in part, and, in January, a report in full, which are herewith laid before you.

I would particularly recommend an examination of the causes which have rendered our State Prison so expensive, compared with those of other States; and in this examination, an inquiry into the disadvantages of the location of the Prison, appears to me to be of great importance. If the location is such that the Prison can not by the best management be rendered other than a perpetual and heavy expense to the State, the sooner the Legislature know it the better. On the other hand, if Thomaston is found to be the most suitable place, I am of opinion that the Prison Yard and Wharf may be enlarged to great advantage, and that a further appropriation will be necessary to meet the expense.

The Land Agent has made to the Executive his Annual Report, and when his Accounts for the past year are settled by the Council, copies of the same and his account of sales will be transmitted to the Legislature.

I consider the Subject of the Public Lands the most important which will come under your consideration. On account of inaccuracy of surveys, the Land agent has been obliged to insert a clause in his deeds, that in case the Tract conveyed may be found not to contain the quantity represented, the Purchaser shall have no claim upon the State, for the deficiency. Here is a loss in the outset, if such uncertainty exists, in consequence of imperfect surveys, no prudent man will give so high a price pr land, as he would, were it otherwise. Neither the Government nor its Agents appear ever to have had a proper knowledge of the value of the Lands granted, & offered for sale, nor have been able to give correct information to those who were disposed to purchase.

On the plans exhibited in the office of the Secretary of State,

by the Commissioners under the act of Separation, are determined the exterior lines of the Townships and Rivers; but it does not appear by the field notes of the Surveyors, also there deposited, that any Surveys have been made, other than those of the exterior lines of the Townships. It does not appear by what survey the courses of the Streams are laid down, nor what is their capacity for floating down timber, for giving motion to machinery, nor what the quality of land on their banks. The field-notes of the Surveyors, the plans above mentioned, and the agreements of the Commissioners in the several divisions of Public Lands with Massachusetts, are almost the only documents which have been by them provided in the Office of the Secretary of State. I would suggest to the Legislature the enquiry, whether the Commissioners have complied with the provisions of the Act of Separation which requires that "Copies of their records authenticated by them shall be deposited from time to time in the archives of the respective States".

Original Surveys should never be partial and imperfect, nor farmed out by the job, to the lowest bidder; increased care and expense in the beginning is, in the end, the greatest economy. In the public lands, the present generation is entrusted with a fund of great value, and care must be taken that we do not leave to posterity little else but Law-suits to settle the boundaries of their farms, instead of those accumulated benefits which might be reasonably expected from so rich a patrimony.

The appropriations made by the State, as well as the avails of the Townships assigned to Maine by the Commonwealth of Massachusetts, for the purpose of opening the Canada road, so called, have been nearly expended, and are found inadequate to effect the completion of the same.

The appropriation made for opening the road from Township number Two to Mattanawcook, has been expended, and is found to fall short of furnishing the means of completing said road.

The road from Baring to Houlton Plantation is not completed agreeably with the contract made with Wm. Vance Esq. by the Governor and Council in February 1828; copies of all the

papers relating to this contract are herewith transmitted for the consideration of the Legislature. These roads when opened and completed will be found to have been made at great cost, but with a reasonable expectation, that the advantages to be derived from them will amply repay the expense; and to secure these advantages, it appears necessary, that provision should be made for keeping them in repair while the public lands through which they pass remain unsold.

The Maps and Statistical Views of the State, subscribed for by the Secretary of State, pursuant to the Resolve of February 1838, are received, and as a sufficient number remain to be disposed of at the pleasure of the Legislature, I would recommend, that provision be made for furnishing one to each of the United States. This appropriation is due to the States from which we have received similar presents, and is the most eligible mode of obtaining others as they may hereafter be published.

The existing state of the very important question relating to our North-eastern Boundary, furnishes an urgent motive for placing in the Archives of every State in the Union, a correct map of the Territory of this State, as assignated by the Treaty of 1783.

Since the last Session of the Legislature, Copies of the Commissions of the several Governors of the Provinces of Quebec, Nova Scotia and New-Brunswick from the year 1763 to 1786 inclusive, have been deposited in the Secretary's Office by the Minister Plenipotentiary and Envoy Extraordinary for the United States to the Court of the Netherlands, with a Copy of "A map of the Territory contained between the lines respectively claimed for by the United States and Great Britain as being the North Eastern Boundary of the United States, in conformity to the Treaty of Peace of 1783." The Copies of the Commissions were obtained by the General Government in 1828, and are the first copies in extenso of these documents which have ever existed in the United States. In the description of the boundaries of the Provinces adjoining this State the same lines now claimed by us as the limits of this territory, are particularly laid down in these Commissions, and none other.

It is due to that confidence which the State has heretofore justly reposed in the ability and fidelity of the General Government, to believe, that the subject of our North eastern Boundary has received the attention, which its acknowledged importance demands. We

can not rationally suppose that a claim so unjust and sophistical in its character, as that raised by the British Government, to hold nearly a third part of the territory of Maine, as described by the Treaty of 1783, can be supported when the merits are fully understood, by any intelligent and impartial Tribunal. That confidence in our General Government, to which I have just alluded, should inspire us with the belief, that the question contemplated by the fifth Article of the Treaty of Ghent has been submitted to the decision of such a Tribunal as I have referred to, in the high Personage agreed upon in the Convention for submission. And should jurisdiction be urged upon a question different from that submitted, the high character of the Umpire would not permit him to assume what the Parties as not agree to submit. The result of the submission may not be definitely known for many years before the expiration of many years. In the mean time it behoves this Government to take care, that no waste is committed of the valuable timber on the territory in dispute, and that aggressions be not attempted on our Citizens with impunity.

The account for the amount paid Charles S. Davies, Esq., the Agent appointed by the Executive of this State "in 1827", to enquire into and report upon certain facts relating to Aggressions upon the rights of the State of Maine and of individual Citizens thereof, by Inhabitants of the Province of New Brunswick," was, at the request of my Predecessor, presented by the Hon. W. P. Preble to the Executive of the United States for allowance, and an answer was received from the Secretary of State, dated the thirty first of April last, stating "that he had been directed by the President to say, that there can not be a doubt that the expense was properly incurred and ought to be defrayed by the Government of the United States. But inasmuch as the contingent funds applicable to these expenses for that year was very limited, it would not be practicable to pay this account which is properly chargeable against the expenses of a former year." We may therefore expect the payment as soon as the present Congress shall make the necessary appropriation.

Early in the last year, the Agent of the Penobscot Indians was directed by the Governor and Council to procure some man to assist and instruct the tribe in agriculture, agreeably with their request and the condition of the Treaty which has been made with them, instead of hiring Persons by the day to furnish their ploughing and other ox labour. A Man has been employed to render such assistance and instruction as the Treaty seems to require.

although one year is not sufficient to test the utility of this method of managing the agricultural concerns of the Tribe, yet nothing has appeared to discourage the undertaking.

Under the authority of the Resolve of the 7th of February last, a Gentleman was appointed to negotiate with the Indians for two Townships of land at the mouth of the Mattawamkeag River. The negociation has proved unsuccessful, and the report of the Agents is communicated herewith.

Although a State has no direct means of enforcing its claims for relief or indemnity on subjects within the control of the General Government, except through its Representatives and Senators on the floor of Congress, yet there are various other means of presenting and urging the decision of claims which are not without their effect, and may be considered within the sphere of the duties of the Legislature. The claim of Massachusetts on the United States for indemnity on account of expenses incurred in the employment of her Militia, and in which Maine has an interest, it is feared may become dormant, unless its merits and importance are kept constantly alive in the public Councils of these States, to which payment has been so long delayed. This claim is admitted to be just for a larger amount upon the principles of indemnity adopted on the settlement and allowance of similar claims from other States. That policy which may have been disposed to punish a State for the errors of its Agents, must be amply satisfied by the renunciation of the doctrines to which such policy may have been applied; and the lapse of time for which the innocent have been delayed of justice, might atone for the errors of those who were more inclined to defend their Country in their own way, than ardently to neglect that duty. Whatever may have been the common sentiment in relation to such a course, if I mistake not, the voice of the nation has pronounced it patriotic. And it only remains for Congress to distribute justice with an equal hand. It can not be too much to say, that the neglect or refusal, on the part of the General Government, to bring this claim to a decision, ought to be viewed as less magnanimous than

a denial to allow it.

Pursuant to the Resolve of the 16th of February, 1828 "relative to fines, forfeitures and bills of costs," the person appointed to examine the books and accounts herein designated, made a report to the Governor and Council in October last, of the fines, forfeitures and bills of costs, which remain unpaid for the use of the State. As the Resolve does not authorize the Governor and Council to take measures to collect the sums which became due, prior to the first day of July 1828, the Secretary of State was directed to furnish the Clerks of the Courts in the several Counties with a copy of that report, and to prepare a list of the sums remaining unpaid on the first day of January last, and copies of such explanations as he should receive in relation thereto, for the present Legislature; which list and copies are herewith transmitted, as also copies of the proceedings of the Governor and Council of the last year, in relation to accounts in the office of the Secretary of State, of warrants drawn upon the Treasury in favor of Persons who are accountable for the expenditure of the same, with a statement of such accounts existing prior to the first of January 1828, which have not since that time been settled.

The method of keeping accounts of fines, forfeitures and bills of costs, prescribed in and by the Resolve of the 16th of February 1828, was obviously made in the office of the Secretary of State very numerous accounts, with Sheriffs, their Deputies and Coroners in every part of the State. An alteration of the system so far as to make one Officer in each County, chargable with the collection and payment of these sums, is recommended.

There are several appropriations made by former Legislatures for specific objects which have been applied, only in part, and are not now needed for the purposes for which the appropriations were made; yet the balances appear on the books as a charge upon the Treasury. A Schedule of the accounts is transmitted herewith, and it is submitted to the consideration of the Legislature, whether these unexpended balances may not be transferred to some other appropriation, and the old accounts balanced.

A Communication has been received from the Governor of Louisiana, inclosing a Resolution of the General Assembly of that State, passed the 4th of February last, proposing "that the Constitution of the United States be so amended, that the President and Vice-President shall hold their offices for the term of two years, and that the President shall be ineligible afterwards."

The Governor of the State of Georgia has transmitted sundry Resolutions of the General Assembly of that State concurring with the proposal of the State of Missouri "to give to the People of the United States, the privilege of voting directly for the President and Vice-President, without the intervention of Electors," and recommending "that the election of President and Vice-President should in no case whatever be submitted to the decision of the House of Representatives of the United States."

A letter from the Governor of the State of Mississippi has been received enclosing a Resolution of the General Assembly of that State, passed the fifth of February last; likewise one from the Governor of the Commonwealth of Pennsylvania, inclosing Resolutions of the General Assembly of that State, passed on the 28th January 1830, in relation to the "Tariff of 1828;" and in addition thereto, one from the Governor of the State of Vermont, inclosing Resolutions of the General Assembly of that State, passed the 29th of October last, in relation to "a uniform mode of choosing Electors of President and Vice-President throughout the United States," as well as in relation to the "Tariff," which are submitted to the consideration of the Legislature, agreeably to the request therein contained.

You, Gentlemen, coming as you do from the different portions of the State, and from among the concerns of its various interests, will bring with you that information which is necessary to determine on the beneficial or injurious operation of our general laws; and if any apparent defects exist, by an interchange of sentiments and due deliberation, you will be able to decide whether such defects arise from any intrinsic fault or deficiency in our general code or in the details of our Statutes, or whether they arise from other and incidental causes, which

can not be reached by Legislative aid. Apparent defects in the operation of our Laws are frequently to be traced to causes independent of the laws themselves, and sometimes to a want of due attention to the whole body of the Laws bearing upon the same subject. It is believed that great caution ought to be exercised in all partial and desultory legislation. As it is peculiarly your duty who hold the purse strings of the People, to keep a watchful eye to all expenditures of the public money, so you will never fail to guard them against oppression and extortion in the demands of exorbitant or unlawful fees, by any officer or agent of the Government, or by any oppressive practices connected with any of its departments.

I cannot permit myself to forgo the remark, that as about half of the length of time usually required to complete a session of the Legislature has already expired, without completing the organization of all the departments of the Government; you are assured that no effort shall be wanting, on my part, which may be necessary to expedite and bring to a close such business as shall come before us, and the occasion may require.

It is with no ordinary degree of solicitude that I enter on the new and untried scene before me. The high responsibilities of the station assigned me by the People of this State can not fail to awaken in my mind a deep sense of my obligations. And while I claim that indulgence which may be due to my inexperience, I am consoled under the sublime reflection, that even the most humble and inexperienced in official station are permitted, through divine mercy, to look to Him to enlighten their path and direct their footsteps "Whose counsel standeth forever and the thoughts of his heart to all generations."

Jonathan G. Hunton.

Council Chamber
February 15th 1830.

Proceedings of the Convention assembled to fill the vacancies at the Senate Board, from the Districts of York & Washington.

See Journal of the Senate Page 72.

Chamber of the House of Representatives
Portland February 2d 1830.

On this day at eleven o'clock, the House of Representatives being in session, agreeably to the request of said House of Representatives contained in their Preamble & Order communicated by message to the Senate yesterday by the Clerk of the House, the following Senators elect, came in, viz, James Drummond Lyons Gardner, Halsey Healey, Ebenezer Hilton, Asher Hinds, Sandford Kingsbury, Elijah Morse & Ebenezer S. Philips, and seats were assigned to them by the Speaker.

Thereupon it was

Resolved That the Members of the House of Representatives present and the Senators present, do now form themselves into a convention for the purpose of filling the vacancies at the Senate Board.

The Speaker of the House presided as Chairman of the Convention.

On motion of Mr West of Bangor,

Resolved that the Clerk of the House, be requested to officiate as Secretary of the Convention — and he entered upon that duty accordingly —

Mr Kingsbury of the Senate presented the following Protest which was read and ordered to be entered on the Journal of the Convention. "State of Maine In Convention Feby 2d 1830"

"Whereas, by the decease of the Hon Enoch Lincoln, late Governor of the State of Maine, it became the duty of the President of the Senate to

exercise the office of Governor untill another Governor shall be duly qualified, and by the Constitution his duties as President, while so exercising the office of Governor shall be suspended - and whereas, the Hon. Joshua Hall was on the fourteenth day of January last duly elected President of the Senate and accepted the office & still continues to hold the same, and no other person having been duly qualified to act as Governor, We the undersigned Senators of the State of Maine, hereby Protest against the right of the said Joshua Hall to preside and act and vote at the Senate board, believing such a course to be incompatible with the provisions of the Constitution; and whereas it has been ascertained by the Senate that sixteen Senators have been elected and there are four vacancies, to wit, three in the District of York, and that Calvin Boswell, Abijah Usher Sumner, Nathan D. Appleton, Moses Sweat, Benjamin Pike & James Godwin are the constitutional candidates to fill said vacancies, and one vacancy in the District of Washington, and that Obadiah Hill and Charles Peavey are the constitutional candidates to fill said vacancy, and the members of the House of Representatives, having communicated to the Senators a message, proposing a meeting of the Senators elected and the members of the House of Representatives in the Hall of the House of Representatives, at eleven o'clock this forenoon for the purpose of electing by joint ballot the number of Senators required by the constitution to fill said vacancies, We hereby concur with the members of the House, and consent to meet them at the time & place and for the purposes aforesaid.

And we claim to have this statement and determination entered upon the Journal of the Convention

(Signed) James Drummond
Lyons Gardner
Healsey Healey
Ebenezer Hilton
Asher Hinds
Sandford Kingsbury
Elijah Morse
Ebenezer T. Phelps.

Mr Bourdette stated that he held in his hand extracts from the Journal of the Senate, which had been made at his request by the Assistant Secretary of the Senate, and which he asked leave to lay upon the table of the Chairman — Leave was granted accordingly and they were read by the Chairman of the Convention as follows.

"In Senate January 14th 1830

On motion of Mr Phelps.

Ordered that Messrs Dunlap, Hilton, Hutchinson, Ingalls, Healey & Hutchins be a committee to examine the returns of votes from the several Towns and Plantations in the State for Senators, ascertain who are elected, what number of vacancies exist, and who are the constitutional candidates."

January 26th 1830

Mr Dunlap from the committee appointed to examine the returns of votes from the several towns and plantations in the State for Senators, ascertain who are elected, what number of vacancies exist and who are the constitutional candidates made a report as follows: "State of Maine

In Senate January 26th 1830

The committee appointed to examine the returns of votes from the several towns and plantations in the State for Senators, ascertain who are elected, what number of vacancies exist, and who are the constitutional candidates, having attended to that duty,

Report

That in the District of York, the whole number of votes given in and returned in conformity with the provisions of the Constitution are 7054

Necessary to constitute an election	3529
Benjamin Pike has	3529
Hon. Abijah Usher Junior has	3530

and are elected.

At the bottom of the certificate from the town of Kittery, the Selectmen, and Town Clerk certify as follows to wit,

"After the above votes were counted and declared, and before the Record was made, five more votes were given in for Moses Pierce

two more for Benjamin Vose and two more for James Goodwin" after which follow the signatures of the Selectmen of said town and the attestation of the Town Clerk. From the evidence produced to your Committee they were satisfied, that said last mentioned votes were duly & constitutionally received sorted, counted and declared with the other votes in open town meeting, and they have allowed and counted the same for the persons for whom they were given respectively. In some of the returns of votes, which were counted for Abijah Usher Junior, the Junior was omitted — 262 votes were returned as given in Boston for Abijah Usher Esquire — Evidence was furnished to the Committee that there were actually given for Abijah Usher Junior and so recorded on the town records — other votes were returned for Hon. Abijah Usher, which title of Hon. it was made to appear, is usually accorded in courtesy to Abijah Usher Junior, on account of his having been a member of the Senate at a former period — There were other votes for Abijah Usher without such designation, but from the evidence produced, a majority of the Committee were led to believe, that they were intended for said Abijah Usher Junior, and the aforesaid votes were accordingly allowed and counted —

In this District there is one deficiency

Moses Sweat has	3528
James Goodwin has	3524

and they severally have the highest number of votes among the persons voted for, and not elected, and are the Constitutional Candidates to supply the deficiency in said District —

In the District of Cumberland, the whole number of votes given in as returned in conformity with the provisions of the Constitution are 8526

Necessary to constitute an election	4264
Robert P. Dunlap has	4514
John L. Megquier has	4524
Theodore Ingalls has	4523

and are elected.

In the District of Lincoln, the whole number of votes

given in and returned in conformity with the provisions of the Constitution are 6896

Necessary to constitute an election 3249

Lyman Gardner has 3645

Ebenezer Hilton has 3645

James Drummond has 3641

Halsey Healey has 3636

and are elected.

In the District of Hancock, the whole number of votes given in and returned in conformity with the provisions of the Constitution are 3666

Necessary to constitute an election 1834

Joshua Hall has 2217

Charles Hutchins Junior has 2205

and are elected.

Your Committee have rejected the votes of the towns of Brooksville, Sedgwick and Franklin it not appearing by the returns from said towns how many votes were given for each candidate.

In the District of Washington, the whole number of votes given in and returned in conformity with the provisions of the Constitution are 1727

Necessary to constitute an election 864

In this District there is one deficiency,

Obadiah Holt has 848

Charles Peavey has 841

and they severally have the highest number of votes among the persons voted for and not elected, and are the Constitutional Candidates to supply the deficiency in said District.

In the District of Kennebec, the whole number of votes given in and returned in conformity with the provisions of the Constitution are 6241

Necessary to constitute an election 3121

Sandford Kingsbury has 4502

Elijah Morse has 4275

Asher Hinds has 4472

and are elected.

your Committee have rejected the votes of the town of Temple in this District, it not appearing by the returns from said Town how many votes were given in for each Candidate.

In the District of Oxford the whole number of votes given in and returned in conformity with the provisions of the Constitution are 3889

Necessary to constitute an election 1945

James Steele has 2291

Daniel Hutchinson has 2265

and are elected.

Your Committee have rejected the votes of the towns of Jordan, Sumner, Leeds, Berlin, and Plantation No 8. it not appearing by the returns from said towns & plantation how many votes were given for each Candidate.

In the District of Somerset, the whole number of votes given in and returned in conformity with the provisions of the Constitution are 3627

Necessary to constitute an election 1814

Ebenezer S Phelps has 2010

and is elected.

In the District of Penobscot, the whole number of votes given in and returned in conformity with the provisions of the Constitution are 3185

Necessary to constitute an election 1593

Thomas Davee has 1702

and is elected.

The returns from the town of Hermon in this District was not attested on the inside by the town Clerk, but was attested on the outside by the Clerk of said town, the votes from said town were allowed, and counted by your Committee.

All which is respectfully

Submitted.

(Signed) Robert P. Dunlap, Per order"

"A true copy of the Report"

Attest"

"In Senate. Jany 26 1830

On motion of Mr Kingsbury, the question on the acceptance of said report was divided, and on motion by the same gentleman, so much of said report as respects the election of Senators for the Districts of Cumberland, Lincoln, Kennebec, Oxford, Somerset, Penobscot, Hancock, and Waldo was Accepted."

January 27th 1830

Mr Kingsbery moved that so much of the Report of the Committee as relates to the election of Aryah Usher Junior be accepted — The question on motion by Mr Kingsbery being ordered to be taken by yeas & nays, was decided as follows,

Yeas,

Messrs Drummond, Gardiner, Healey, Hilton, Hinds, Kingsbery, Morse and Phelps. 8.

Nays.

Messrs Davee, Dunlap, Hall, Hutchinson, Hutchings, Ingalls, Meguire and Steele. 8.

Mr Hilton moved that so much of the Report of the Committee as relates to the election of Benjamin Pike be accepted.

Was decided in the negative as follows

Yeas,

Messrs Davee, Dunlap, Hall, Hutchinson, Hutchings, Ingalls, Meguire and Steele. 8.

Nays.

Messrs Drummond, Gardiner, Healey, Hilton, Hinds, Kingsbery, Morse and Phelps. 8.

Mr Drummond moved that so much of the report of the Committee aforesaid as respects the District of Washington be accepted.

Was decided in the negative as follows,

Yeas,

Messrs Drummond, Gardiner, Healey, Hilton, Hinds, Kingsbery, Morse & Phelps 8.

Nays,

Messrs Davee, Dunlap, Hall, Hutchinson, Hutchings, Ingalls, Meguire & Steele." 8. A true copy of the record — Attest."

The Chairman also read to the Convention, the following report of a Committee of the Council, and Schedule of votes, viz

"State of Maine"

In Council December 9th 1829

The Committee of the whole Council, to whom were referred the returns of votes made to the office of the Secretary of State, from the several towns and plantations in this State for Senators, having carefully examined the same, Report, That the District of York is entitled to three Senators - but as no person appears to be elected by a majority of the votes given therein, there are three vacancies. That the District of Cumberland is entitled to three Senators and that Robert H. Dunlap Esquire of Brunswick, John L. Megquire Esquire of Portland and Theodore Ingalls Esquire of Bridgton appear to be elected by a majority of votes given, in that District. That the District of Lincoln is entitled to four Senators, and that Lyms Gardiner Esq. of Bowdoinham, James Drummond Esquire of Bristol Ebenezer Hilton Esq. of Wiscasset and Walsey Healey Esq. of Thomaston, appear to be elected by a majority of the votes given in that District. That the District of Hancock is entitled to two Senators, and that Joshua Hall Esquire of Mariaport and Charles Hutchings Jun. Esquire of Penobscot appear to be elected by a majority of the votes given in that District. That the District of Washington is entitled to one Senator, but as no person appears to be elected by a majority of the votes given in that District, there is a vacancy. That the District of Kennebec is entitled to three Senators and that Sanford Kingsbery Esq. of Gardiner, Elijah Morse Esquire of Mount Vernon and Asher Hinds Esquire of Clinton appear to be elected by a majority of votes given in that District. That the District of Oxford is entitled to two Senators and that James Steele Esquire of Brownfield and Daniel Hutchinson Esquire of Hartford appear to be elected by a majority of votes given in that District. That the District of Somerset is entitled to one Senator, and that Ebenezer T. Phelps Esquire of Fairfield appears to be elected

by a majority of the votes given in that District, and that the District of Penobscot is entitled to one Senator, and that Thomas Davee Esquire of Dover appears to be elected by a majority of the votes in that District.

Which is respectfully submitted

(Signed) Prinehas Varnum, per order

In Council December 9th 1829

This report on being read, was accepted by the Council and by the officiating Governor approved.

Attest (signed) Edward Ruffell
Secretary of State.

Office of Secretary of State
Portland January 1830

I hereby certify that the foregoing is a true copy from the original on file recorded in the Register of the Council Vol. 5 page 202.

Attest (signed) Edward Ruffell
Secretary of State.

Schedule of votes for Senators Sept 1829

York District

Whole number of votes	7054
Necessary to make a choice	3528
Hon. Abijah Usher Junr has	3123
Abijah Usher Esqr "	107
Hon John Bodwell "	3518
Nathan D. Appleton Esqr "	3522
Hon. Moses Sweat "	3526
Benjamin Pike Esqr "	3527
James Goodwin Esqr "	3522
Scattering	19
no choice	

Cumberland District

Whole number of votes	8526

Necessary to make a choice 4264

Hon. Robert P. Dunlap has 4511

" Sohen L. Mayguire " 4524

" Theodore Ingalls " 4523

and are chosen.

Lincoln District

Whole number of votes 6596

Necessary to make a choice 3299

Hon. Tyms Gardner Esq. has 3415

" Ebenezer Hilton " " 3376

" James Drummond " 3641

" Halsey Healey " 3636

and are chosen.

Hancock District

Whole number of votes 3975

Necessary to make a choice 1988

Joshua Hall Esq. has 2351

Hon. Charles Hutchings Jun. " 2327

and are chosen.

Washington District

Whole number of votes 1727

Necessary to make a choice 864

Hon. Obadiah Hill has 848

Charles Peavey Esq. " 841

Scattering 38

no choice.

Kennebec District

Whole number of votes 6344

Necessary to make a choice 3173

Hon. Sanford Kingsbery has 4529

Elijah Morse Esq. " 4302

Asher Hinds " " 4499

and are chosen.

Oxford District

Whole number of votes 4242

Necessary to make a choice 2122

Hon. James Steele has 2414

Daniel Hutchinson Esq. 2418

and are chosen.

Somerset District.

Whole number of votes 3677

Necessary to make a choice 1839

Hon. Ebenezer S. Thelps has 2039

and is chosen.

Penobscot District

Whole number of votes 3185

Necessary to make a choice 1593

Thomas Davee Esq. has 1702.

and is chosen.

Office of Secretary of State

Portland Jany 1830

I hereby certify that the foregoing is a true copy of the Schedule of votes for Senators, filed with the report of the Committee of Council Dec 9th 1829

Attest (signed) Edward Russell

Secretary of State.

Mr Hamman of Saco moved the following order and preamble.

"State of Maine

"In Convention of the members of the House of Representatives and such Senators as have been elected Feby 2d 1830

Whereas it is provided by the Constitution, that "in case the full number of Senators to be elected from each District shall not have been so elected, the members of the House of Representatives and such Senators as shall have been elected, shall from the highest numbers of the persons voted for on the lists, equal to twice the number of Senators deficient in every District, if there be so many voted for elect by joint ballot the number of Senators required"— And whereas it appears by the Records of the Governor & Council, that on the ninth day of December last, the votes for Senators in the several Senatorial Districts were

were counted, and that sixteen Senators were elected & that there were three vacancies in the District of York— and whereas it appears by a Report made by a Committee appointed by the Senate to report on the election of Senators and the proceedings of that body on the same, as appears by their Journal, that sixteen Senators have been elected by the people, and that three vacancies exist in the District of York— and whereas it appears by the Records of the Governor and Council, and the proceedings of the Senate above referred to, that the Constitutional candidates in said District to supply the deficiencies in the same are John Bodwell, Abijah Usher Esq. Nathan D. Appleton, Benjamin Pike, Moses Sweat, & James Goodwin and that they are the Constitutional Candidates for said District, to supply the deficiencies in the same,

Therefore

Resolved, That this Convention now proceed to elect by joint ballot three Senators from the six candidates above named to fill the vacancies in the District of York.— read and passed

On motion of Mr Clark of Hallowell

Voted, that the Convention ballot for three Senators to supply the deficiencies in York District at one time, and that each ballot contain the names of three of the constitutional Candidates above named —— adopted.

A committee consisting of Messrs Philips & Gardner of the Senate, and Powers, Swearance, & Shaw of Biddeford of the House were appointed to receive sort and count the votes to supply the three deficiencies of Senators in the District of York— and having performed the duty assigned them reported, the whole number of ballots given to supply each of said deficiencies to be eighty three— necessary to constitute an election forty two— that John Bodwell had eighty three— Abijah Usher Esq eighty three & Nathan D Appleton eighty three— but before the report was laid upon the table of the chairman, or accepted, a member of the convention stated in his place

that on his ballot, and also on the ballot of the member who sat next to him, was borne the names of Abijah Usher Junr Nathan D Appleton and Benjamin Pike, and therefore that the committee had missounted the ballots given, whereupon in motion, it was voted that the committee proceed on a second ballot to receive sort and count the votes to supply the three deficiencies of Senators in said District, and that they be discharged from any further service on the first ballot and the Committee having attended to the duty assigned to them reported that on the second ballot, the whole number of votes given to supply each of said deficiencies was eighty three — necessary to constitute an election forty two That John Bodwell had eighty one — Abijah Usher Junior eighty three — Nathan D Appleton eighty three — & Benjamin Pike, two — and John Bodwell, Abijah Usher Junior & Nathan D Appleton were declared elected.

Mr Folsom of Eastport moves the following preamble & resolution —

"State of Maine

In Convention of the members of the House of Representatives and such Senators as have been elected — Feby 2^d 1831

Whereas it is provided by the Constitution that in case the full number of Senators to be elected from each District shall not have been so elected, the members of the House of Representatives & such Senators as shall have been elected, shall from the highest number of the persons voted for on the lists equal to twice the number of Senators deficient in every District, if there be so many voted for elect by joint ballot the number of Senators required — and whereas it appears by the Records of the Governor & Council, that on the ninth day of December last, the votes for Senators in the Senatorial Districts were counted and that fifteen Senators were elected, and that there was no choice of a Senator in the District of Washington, and whereas it appears by a Report made by a committee appointed by the Senate to report on the elections of Senators & the proceedings of that body on the same as appears by their

Journal that sixteen Senators have been elected by the people, and that there is a vacancy existing in the District of Washington — and whereas it appears by the Records of the Governor and Council, and the proceedings of the Senate above referred to, that the Constitutional Candidates in said District to supply the deficiency in the same, are Obadiah Hill, who had eight hundred & forty eight votes, and Charles Peavey who had eight hundred forty one votes,

Therefore,

Resolved, That this Convention now proceed to elect by joint ballot one Senator from the two Candidates above named to supply the deficiency in said District — read & passed.

A committee consisting of Messrs Drummond & Hobbs of the Senate and Messrs Folsom, Chamberlain & McCaffey of the House were appointed to receive sort & count the votes for a Senator to supply the deficiency in Washington District — and having attended to the duty assigned them, the Committee the whole number of ballots given to be eighty two — necessary to constitute an election forty two — that Obadiah Hill had eighty two — and he was declared elected.

Mr Boutelle of Waterville moved the following Resolution —

"State of Maine

In Convention of the members of the House of Representatives and members of the Senate elect — July 2nd 1830

Resolved, That the Secretary of State be requested to notify John Bodwell, Abijah Mann Jun & Nathan D Appleton Esquires this day elected as Senators to supply the deficiencies in the District of York, and also Obadiah Hill Esquire elected as Senator to supply the deficiency in the District of Washington, of their election and to request their attendance forthwith — and that he be requested, when they arrive, to conduct them to the Council Chamber to be qualified & afterwards introduce them into the Senate Chamber — read & passed.

On motion of Mr Clark of Hallowell,

Voted that the Chairman, Secretary, Messrs Clark, Hingsbury, & Bourelle be a committee to superintend the making up of the record of proceedings of the Convention — adopted.

On motion by the same,

Voted that one copy signed by the Chairman & attested by the Secretary, of the proceedings of the Convention, be made out and furnished to the Senate, one copy to the House of Representatives, and one copy to each of the Senators elected in convention this day, if they require it — adopted

Daniel Goodenow Speaker of the House of Representatives, presiding in the Convention

Attest

James L. Child,
Secretary of the Convention.

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