

**JOURNAL**

OF THE

**SENATE**

OF THE

**STATE OF MAINE,**

***A. D.***

**1844.**

State of Maine.

Augusta Wednesday January 3. 1844.

This being the day designated by the Constitution of this State for the meeting of the legislature thereof, the following gentlemen, having been elected by the people, and summoned by the governor and council appeared in the Senate chamber, to wit, from the

First Senatorial District.

Harrison Lowell.  
Solomon Brooks.  
Isaac Deering.

Second Senatorial District.

Charles Stunt.  
Charles Millett.  
Joseph Brown.  
Moody F. Walker.

Third Senatorial District.

John Anderson.  
Henry Tallman.

Fourth Senatorial District.

Edward Swan.  
Asa Smiley.  
Ezekiel Holmes.



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Fifth Senatorial District.

Henry W. Cunningham.

Corydon Chadwick.

George Knowlton.

Sixth Senatorial District.

Richard Warren.

Seventh Senatorial District.

George Parcher.

Eighth Senatorial District.

Sullivan S. Rawson.

Ninth Senatorial District.

Manty B. Townsend.

Tenth Senatorial District.

Archelaus D. Atwood.

Hiram Rose.

William R. Miller.

Fourteenth Senatorial District.

John W. Dana.

Lee Strickland.

William Frye.

The convention was called to order by  
Mr. Atwood, on whose motion Mr. Frye  
was chosen chairman.

Mr. Atwood then laid on the table

1844 the following proclamation.

3.

State of Maine.

A Proclamation.

Whereas it is provided by the constitution, that "whenever the office of governor shall become vacant by death resignation or otherwise, the president of the Senate shall exercise the office of governor until another governor shall be duly qualified; and in case of the death, resignation, removal from office or other disqualification of the president of the Senate, so exercising the office of governor, the Speaker of the House of Representatives shall exercise the office until a president of the Senate shall have been chosen."

And whereas the Hon. Edward Havanagh, president of the Senate, exercising the office of governor, having communicated to the secretary of state his resignation as member of the Senate of Maine, to take effect on the first day of January instant, and on that day that he should vacate the executive chair, in pursuance of which David Dunn Speaker of the House of Representatives, has this day, by virtue of his said office, and in pursuance of the provisions of the constitution entered upon the duties of governor of the State of Maine and all his acts and commands as such should be obeyed.

Wednesday Jan. 3.

Given under my hand at Augusta  
this second day of January in the  
year of our Lord one thousand eight  
hundred and forty four.

Philip C. Johnson.

Secretary of State.

Mr. Alwood was appointed a committee  
to wait on the governor and inform  
him that a quorum of senators elect  
is in attendance and ready to take  
and subscribe the oaths required by the  
constitution to qualify them to enter  
upon the discharge of their official  
duties. He having attended to the duty  
assigned him reported that the governor  
was pleased to say that he would forthwith  
attend in the Senate chamber and ad-  
minister the necessary oaths.

Whereupon the governor and council  
came in attended by the Secretary of  
State before whom the senators elect took  
and subscribed the oaths required by the  
constitution to qualify them to enter  
upon the discharge of their official duties.  
After which the governor and his attendants  
withdrew.

On motion of Mr Brooks, Messrs Brooks,  
Swan, and Rawson were appointed a com-  
mittee to receive sort and count the

1844. votes for president: Which committee hav<sup>d</sup>. 5.  
ing attended to that duty reported that  
the whole number of votes is - - 24.

Necessary to a choice - - 13.

John W. Dana has - - 21.

Edward Swan - - 2.

Ezekiel Holmes " - - 1.

John W. Dana was accordingly  
declared duly elected. He signified his  
acceptance of the office in the following  
address.

Senators:

Allow me to tender you  
my thanks for the distinguished evidence  
you have afforded me of your confidence  
and favor, by imposing upon me the hon-  
orable and responsible duty of presiding  
over your deliberations.

I can bring to my aid in this position,  
but little knowledge of parliamentary law,  
and no experience in presiding over delibera-  
tive assemblies. And in accepting it, I rely  
upon your better knowledge and experience  
to correct my errors; and your courtesy and  
kindness to forgive them.

For the honor conferred upon me I promise  
you the only substantial return I can make  
the devotion of my best energies to aid you  
in bringing to a speedy termination your  
official labors, in such a manner as may  
be acceptable to your constituents, satisfac-  
tory to your consciences and approved by  
your God.



On motion of Mr. Mallett. Messrs. Mallett, Fallman and Cunningham were appointed a committee to receive sort and count the votes for Secretary: Which committee having attended to the duty assigned it reported that the whole number of votes is - 25.

Necessary to a choice - - - 13.

Isre Haskell has - - - 22.

Joseph Burton - - - 3.

Isre Haskell was declared duly elected and took and subscribed the oaths required by the constitution before Asaph R. Nichols authorized by *dedimus protestatem* in presence of the senate.

On motion of Mr. Mallett Ordered that the Secretary be authorized to employ an assistant.

The Secretary informed the Senate that he had employed James O. L. Foster as his assistant.

Mr. Anderson was charged with a message to inform the governor and Council that the Senate is duly organized by the choice of John W. Dana is president and Isre Haskell as Secretary.

A message was received by the Secretary of State announcing that David Dunn had resigned the office of Speaker of the House



On motion of Mr Rawson Ordered that Mr Rawson be a committee to inform the executive council that the office of governor has devolved on John W. Dana by his election to the office of president of the senate and that he will forthwith enter upon the discharge of the duties of said office, whereupon the president withdrew.

A message was received from the House by Mr Allen of Alfred informing the Senate that that body is duly organized by the choice of David Dumm as speaker and William T. Johnson as clerk.

Mr Hunt was charged with a message to inform the House of Representatives that the Senate is organized by the election of John W. Dana as president and Jere Haskell as secretary.

On motion of Mr. Millest, Messrs. Millest Miller and Townsend were appointed a committee to receive sort and count the votes for president of the Senate pro tem. Which committee having attended to the duties assigned it reports that the whole number of votes is - - - - - 23.

William Frye has	-	-	-	19.
All others	-	have		4.

Wednesday Jan. 3.

William Frye was accordingly declared duly elected president of the senate pro tem. He took the chair and signified his acceptance of the office in the following address to Senators:

In assuming the discharge of the duties of the office, to which you have elected me, I should do injustice to my feelings, should I permit this opportunity to pass without returning to you my sincere thanks for this renewed mark of your partiality. And allow me to assure you that I shall perform my duties with all good intentions and according to the best of my small experience in legislative proceedings—trusting to your indulgence and liberality, to view with the eye, if you cannot cover with the mantle of charity, whatever errors I may commit.

The Secretary of State came in and laid upon the table a list of the votes given in the several cities towns and plantations in this State for senators for the current political year and the same were referred to a select committee consisting of Messrs. Rawson, Lowell, Smiley, Chadwick, Rose, Parker, Brown, Anderson, Deering and Hunt.

On motion of Mr. Millett Ordered, that a message be sent to the House of Represent=

1844.atives informing that body that the 9.  
Hon. John W. Dana, president of the Senate  
having by a provision of the constitution  
become acting governor of this  
state the senate has made choice of  
William Frye president pro tem.

On motion of Mr Strickland Ordered  
that a message be sent to the governor  
and council informing them that the  
senate have made choice of William  
Frye as president pro tem.

On motion of Mr. Miller Ordered that  
Messrs. Miller, Brown, and Smiley be  
a committee to receive sort and count  
the votes for messenger: Which committee  
having attended to the duties assigned  
it reported that the whole number of votes  
is - - - - - 17.

Ebenezer G. Patton has - - - 16.

J. C. Howland .. 1.

Ebenezer G. Patton was accordingly declared  
duly elected Messenger.

On motion of Mr Brooks Ordered that the mes-  
senger be authorized to employ his assistant and  
he employed Garner P. Westmish.

On motion of Mr Brown Messrs Brown  
Strickland and Parker were appointed a  
committee to receive sort and count the  
votes for chaplain: Which committee

having attended to the duties assigned  
it reported that the whole number of votes  
is — — — — — 17.

John H. Ingraham has 15.

All others have — 2.

John H. Ingraham was accordingly declared  
duly elected chaplain and Messrs. Brooks,  
Hunt, and Miller were appointed a com-  
mittee to inform him of his election.

On motion of Mr. Deering Ordered  
that the rules and orders of the last session  
be the rules and orders of the present ses-  
sion until otherwise ordered.

The Secretary of State came in and laid  
upon the table a list of votes given  
in the several cities, towns and planta-  
tions in this State for governor for the cur-  
rent political year, and the same on mo-  
tion of Mr. Cunningham were referred  
to a committee consisting of Messrs. Cunnin-  
gham, Brooks, Millett, Walker, Tallman, Holmes  
Swan, Alwood, Strickland, Knowlton and Town-  
send. Sent down for concurrence. Came up  
with Messrs. Allen of Alfred, Barnes of Port-  
land, Ames of Thomaston, Perkins of Augusta,  
Jenkins of Dexter, Thomas of Eden,  
Bean of Belfast, Stickney of Calais,  
Swift of Norway, Coolidge of Athens,  
Riles of Strong, Gower of Greenville,  
Wellington of

1844 of Monticello joined in concurrence. 11.

On motion of Mr. Strickland, ordered that the Secretary prepare thirty tickets with the number of the respective seats at the Senate board, and that each member draw one of said tickets, take such seats as shall be numbered on said ticket, and occupy the same during the session, unless otherwise permitted by the president.

A message was received, through the Secretary of State, from Edward Kavanagh, late governor assigning the reasons which induced him to withhold his signature from the bill entitled "an act increasing the jurisdiction of Justices of the peace in civil actions and establishing courts of trial in each city, town and plantation in this State" which was read and laid on the table.

On motion of Mr. Strickland, ordered that when the Senate adjourn, it shall be to meet tomorrow at ten o'clocks A.M.

Adjourned.



Thursday January 4. 1844.

Met according to adjournment.

On motion of Mr Hunt ordered that the secretary of state be requested to deposit in the archives of the senate the journals of past sessions.

On motion of Mr Rose ordered that Messrs. Rose, Strickland and Warren be a committee with such as the House may join to employ some suitable person to watch the public buildings in the night time during the present session of the legislature. Sent down for concurrence. Came up with Messrs. Knight of Peru, Morrill of Madison and Woodman of Minot joined in concurrence.

Mr Rawson from the committee to whom was referred the votes given for senators in the several cities, towns and plantations in this state for the current political year made the following

### Report.

That in the first senatorial district the whole number of ballots returned

and counted is - - - 5.444. 13.  
 Necessary for a choice - - 2.723.  
 Harrison Lowell has 3.340.  
 Isaac Deering " 3.157.  
 Solomon Brooks " 3.328.

and are elected.

That in the second senatorial district the whole number of ballots is - - 5.356.

Necessary for a choice - - 4.179.  
 Charles Hunt has - - 4.521.  
 Charles Mudgett " - - 4.523.  
 Joseph Brown " - - 4.528.  
 Moody F. Walker " 4.452.

and are elected.

That in the third senatorial district the whole number of ballots is - - 6.987.

Necessary for a choice - - 3.494.  
 Henry Tallman has 3.543.  
 John Anderson " 3.542.

and are elected; and your committee further report, that Ezra B. French has - 3.368.

Benjamin Otis " 3.189.  
 Zina Heyde " 3.037.

and Abner H. Wade 3.367, and are the constitutional candidates from whom an election is to be made to fill the two existing vacancies in said district.

That in the fourth senatorial district the whole number of ballots is - - 6.428.

Necessary for a choice 3.215.

Edward Swan	has -	3.431.
Asa Smiley	"	3.500.
Ezekiel Holmes	"	3.521.

and are elected.

That in the fifth senatorial district the whole number of ballots is 5.621.

Necessary for a choice 2.811.

Corydon Chadwick has 4.267.

Henry W. Cunningham 2.921.

George Knowlton " 2.899.

and are elected.

That in the sixth senatorial district the whole number of ballots is - - 1.503.

Necessary for a choice 752.

Richard Warren has 886.

and is elected.

That in the seventh senatorial district the whole number of ballots is 2.445.

Necessary for a choice 1.223.

George Parcher has 1.289

and is elected.

That in the eighth senatorial district the whole number of ballots is - - 1.613.

Necessary for a choice 807.

Sullivan L. Rawson has 925.

and is elected

That in the ninth senatorial district the

1844 The whole number of ballots 1.421. 15.  
 Necessary for a choice ~ 711.  
 Manly B. Townsend has 721.  
 and is elected.

That in the tenth Senatorial district the  
 whole number of ballots is 6.716.  
 Necessary for a choice 3.359.  
 Archelus D. Atwood has 3.587.  
 William R. Miller " 3.686.  
 Hiram Rose " 3.469.  
 and are elected.

That in the eleventh Senatorial district  
 the whole number of ballots is 1.785.  
 Necessary for a choice 893.  
 Mordecai Mitchell has 838.  
 Thomas L. Pullen " 522.  
 and are the constitutional candidates for  
 whom a senator is to be chosen from  
 said district.

That in the twelfth Senatorial district  
 the whole number of ballots 4.713.  
 Necessary for a choice 2.357.  
 Cullen Sawtelle has 2.572.  
 Harris Garland " 2.143.  
 Abner Coturn " 2.054.  
 William Rowell " 1.953.  
 and are the constitutional candidates from  
 whom a choice of two senators is to be made  
 for said district.

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That in the thirteenth district the whole  
number of ballots is - - - 2,345.

Necessary for a choice - 1,173.

Samuel Green has 1,106.

Daniel Hooves " 705.

and are the constitutional candidates  
from whom a senator is to be elected for  
said district.

That in the fourteenth district, the whole  
number of ballots is - - - 7,446.

Necessary for a choice 3,724.

John W. Dana has 4,697.

Lee Strickland " 4,696.

William Frye " 4,694.

and are elected.

And your committee further report, that it  
appears by the return from the town of  
Bremen, in the third district, that the select-  
men and town clerk have attested to cer-  
tain votes on the inside and in the  
usual form, which have been counted  
and allowed by your committee, and  
that on the back of said return, they have  
attested to certain other votes which appear  
to have been cast and received for the  
following persons, to wit, Ezra B. French  
twenty three, John Boynton four, Samuel  
Pickard four, Peter Huzzey one, Benjamin  
Palmer one, Wait W. Keene one.

And it also appears that the returns from



1844 the town of Foxcroft in the seventh district are not attested by the town clerk on the inside, but were duly attested on the outside, and were allowed and counted.

17.

And your committee further report that it also appears by the returns from the town of Industry, in the thirteenth district, that they <sup>the town clerk but were duly attested by</sup> were not attested by the selectmen of said town, and they were allowed and counted.

And your committee further report that a return appears to have been received at the office of Secretary of State December twelfth 1843 from plantation Number one, fourth range in the thirteenth district which has the following endorsement. "We hereby certify that this is a true copy of the record, that it truly exhibits the names of all the persons voted for, the offices designated and the number of votes for each at said meeting and that this contains all the facts which were stated in the original return.

(Signed) Joseph Fuller

Moses Welch } Assessors.

Joshua Gastineau } Clerk.

In said plantation the votes thrown are for Tammam Gram - - - 26.

Daniel Howes - - - 6. which

votes were not allowed or counted by your committee. All of which is respectfully submitted.

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The report was accepted and laid on the table.

On motion of Mr. Hunt ordered that a message be sent to the House informing that body that there exist two vacancies in the third senatorial district and that Ezra B. French, Ebenezer Otis, Zina Hyde and Abner H. Wade are the constitutional candidates to fill said vacancies.

Also that there exists one vacancy in the eleventh senatorial district and that Mordecai Mitchell and Thomas L. Patten are the constitutional candidates to fill said vacancy.

Also that there exists two vacancies in the twelfth senatorial district and that the constitutional candidates to fill said vacancies are Cullen Sawtelle, Harris Garcelon, Abner Coburn, and William Rowell.

And that in the thirteenth senatorial district there exists one vacancy, and that Tammam Crann and Daniel Howes are the constitutional candidates to fill said vacancy, and that the Senate propose a convention of the two branches in the Hall of the House of Representatives this day at twelve o'clock for the purpose of filling said vacancies, and ask the concurrence of the House.

1844. A message was received from the 19.  
House concurring in the foregoing proposition for a convention to fill vacancies existing in the Senate.

On motion of Mr Atwood Ordered that Messrs Atwood, Holmes and Brooks be a committee to prepare and report rules and orders for the government of the Senate during the present session of the Senate.

### In Convention.

Agreeably to assignment the two Houses met in convention, for the purpose of electing Senators to fill vacancies in the third, eleventh, twelfth and thirteenth senatorial districts.

Messrs. Hunt and Atwood of the Senate, and Stanley of Bristol, Donnell of Bath and Taylor of Hecrow of the House were appointed a committee to receive, sort and count the votes for two Senators in the third district. Which committee having attended to the duties assigned it reported that the whole number of ballots is - - - 155.

Necessary for a choice 75.

Ezra B. French has 108.

Ebenezer Otis " 107.

John Hyde " 45.

Thurs-day Jan. 4.

Abner H Wade	has	41.
Cullen Sawtelle	"	2.
Harri Garcelon	"	2.
Mordecai Mitchell		2. Which

upst having been accepted Ezra B.

French and Ebenezer Otis were declared duly elected senators from said district.

Messrs. Cunningham and Swan of the Senate and Gover of Greenville, Wingate, of Sebec and Anderson of Windham of the House were appointed a committee to receive sort and count the votes for a senator to fill the vacancy in the eleventh district. Said committee having attended to the duty assigned it reported that the whole number of ballots is 150.

Necessary for a choice ~ 76.

Mordecai Mitchell has 109.

Thomas L. Pullen 41.

The report having been accepted Mordecai Mitchell was declared duly elected senator from the eleventh district.

Messrs. Brooks and Chadwick of the Senate and Morrill of Madison, Steward of Anson, and Skilling of Cape Elizabeth of the House were appointed a committee to receive sort and count votes for two Senators to fill the vacancies in the twelfth senatorial district. Which committee having attended to the duties



344. assigned it reported that the whole 21.  
number of ballots is - - - 149.

Necessary for a choice 75.

Cullen Sawbelle has 110.

Harris Garretson " 110.

Williams Rowell " 39.

Atner Colburn " 38.

The report was accepted, and Cullen Sawbelle and Harris Garretson declared duly elected to fill the vacancies in said district.

Messrs Strickland and Smith of the Senate and Doggett of New Vineyard, Pierce of Wilton and Woodman of Minot of the House were appointed a committee to receive, sort and count the votes for a senator in the thirteenth senatorial district: said committee having attended to the duties assigned it reported that the whole number of ballots is - - - 150.

Necessary for a choice 76.

Tammam Gram has 109.

Daniel Howes " 40.

Dennis Howes " 1.

Said report was accepted and Tammam Gram declared duly elected senator to fill the vacancy in said district.

The convention then separated.

On motion of Mr. Strickland, ordered that when the Senate next adjourn



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it shall adjourn to meet at half past two o'clock this afternoon.

Adjourned.

Afternoon.

Met according to adjournment.

On motion of Mr. Townsend ordered that the secretary be directed to notify Ezra B. French, Ebenezer Otis, Cullen Lawrence, Harris Garretts, Mordecai Mitchell and Varnum Evans that they have been this day constitutionally elected senators to fill the vacancies existing in the third, eleventh, twelfth, and thirteenth senatorial districts respectively and request their attendance at the senate board.

Mr. Cunningham from the committee to which was referred the votes given in the several cities, towns and plantations in this state for governor for the current political year, reported, that the whole number of votes allowed by the committee to have been duly and legally returned from the several cities, towns

1844. and plantations in this state for 23.  
governor for the current political year  
are sixty three thousand one hun-  
dred and seven: necessary to con-  
stitute an election, thirty one thou-  
sand five hundred and fifty four.

That Hugh J. Anderson has thirty  
two thousand and twenty nine;  
Edward Robinson has twenty thou-  
sand nine hundred and seventy  
three: all other persons have ten  
thousand one hundred and five.

That Hugh J. Anderson having  
received nine hundred and fifty  
one votes more than all other persons  
voted for, is constitutionally elected  
governor of the State of Maine for  
the current political year.

From the town of Hartland were  
returned eighty seven votes, and from  
number one, range two west of Ken-  
nebec river were returned eighteen  
votes as given for Hugh Anderson,  
which were counted for him.

The name of the town did not ap-  
pear in the inside of the return  
from the town of Lorry Hancock  
County, but only by the certificate  
on the outside, both of which were  
duly certified excepting the name  
of the town to the selectmen's certificate  
which was only "selectmen of". This return  
was allowed and received by the com =

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mittee. The return from plantation number twenty one county of Hancock, was without date and rejected by the committee. In the return made by the assessors of Reade plantation of persons living in township number one, fourth and fifth ranges who vote in said plantation, the name of the township was not in the inside, but duly appeared on the outside. This return was received and allowed by the committee.

Your committee received and allowed the return from the "Forks of the Kennebec" Somerset County, it being duly certified.

The Plantation Clerk of number two, second range West, Somerset County, omitted to certify the return from that plantation, yet as it was properly and legally certified in every other respect, it was received allowed by the committee.

The report was accepted and sent down for concurrence.

The following order from the House was read and passed in concurrence.

Ordered, the Senate concurring, that the following joint rules be adopted

1844 for the government of the proceedings 25.  
of the two branches of the legislature.

### Joint Rules.

1. All endorsements on papers on their passage between the two houses (excepting bills and resolves on their final passage) shall be under the signature of the secretary of the Senate, or clerk of the House respectively.

2. Whenever a select committee shall be appointed by either house, and be joined by the other, it shall be the duty of the secretary of the Senate or clerk of the House, respectively as the case may be to transmit one to the other. The names of the members so joined, in order that they may be entered upon the journals of both houses.

3. The enacting clause of every bill shall follow its title in these words namely: "Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows."

And if any bill shall contain more than one section, the words "Section 1." shall be inserted immediately after the enacting clause, and before the first part of the bill and to each subsequent section shall be prefixed the words "Section 2" or otherwise, as the case may be, in conformity with



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the style of the revised statutes. And if any bill shall be found not to conform to the requisitions of this rule it shall be the duty of the committee on bills in the second reading, or of the Secretary of the Senate, or of the committee on bills in the third reading, or of the clerk of the House, to correct the same without a proposition to either branch to amend.

Mr. Atwood announced that Ezra B. French, Ebenezer Otis, Mordecai Mitchell, Cullen Sawtelle, Harris Garcelon, and Varnum Gram Senators elect were present and ready to be qualified.

Mr. Atwood accompanied them to the council chamber where in presence of the governor and council they took and subscribed the oaths required by the constitution to qualify them to enter upon the discharge of their official duties. They then took their seats at the senate board.

On motion of Mr Miller ordered that when the Senate adjourn it shall adjourn to meet tomorrow morning at ten o'clock.

Adjourned.

Secretary.



Friday January 5. 1844.

On motion of Mr Brooks ordered that Messrs Brooks, Millett, Holmes, Cunningham and Townsend be a committee with such as the House may join to wait upon the Hon. Hugh S. Anderson and inform him that has been constitutionally elected governor of the State of Maine for the current political year and that the two branches are ready to convene in the Hall of the House of Representatives for the purpose of administering the necessary oaths to qualify him to enter upon the discharge of his official duties. Sent down for concurrence. Came up with Messrs Bean of Belfast, Mildram of Waus, Emery of Gorham, Little of Portland and Bucknam of Eastport joined in concurrence.

Said committee having attended to the duties assigned it, reported that the governor was pleased to say, that he accepted the trust and was ready to be qualified.

On motion of Mr. Millett ordered that a message be sent to the House proposing a convention of the two

Friday Jan. 5.

Houses forthwith in the representatives Hall for the purpose of qualifying the governor elect.

A message was received from the House concurring in the foregoing proposition for a convention to qualify the governor elect.

### In Convention.

Agreeably to assignment the two branches met in convention of the hall of the house of representatives for the purpose of qualifying the governor elect.

Mr. Sawtelle of the Senate was charged with a message to the governor elect informing him that the two houses have met in convention and are now ready to administer to him the oaths required by the constitution to qualify him to enter upon the discharge of his official duties.

After which Hugh I. Anderson came in attended by the council, secretary of state and the sheriff of Kennebec, and before the president of the senate, in presence of the two houses of the legislature both

1844 and subscribed the oaths required by the 29.  
constitution to qualify him to enter  
upon the discharge of the duties devolv-  
ing on him as governor of the State  
of Maine.

The secretary of state then made procla-  
mation as follows:

"The votes for governor for the current  
political year, which have been duly  
returned into the office of secretary of  
state having been examined and counted  
by the legislature, it appears therefore  
that Hugh J. Anderson had a major-  
ity of all the votes given: and having  
in presence of the two branches of the  
legislature, in convention assembled,  
taken and subscribed the oaths required  
by the constitution to qualify him to  
discharge the duties of that office:

I now declare and make known to all  
persons in this state who are in the  
exercise of any public trust, as well as  
to all good citizens thereof, that Hugh J.  
Anderson is governor and command-  
er in chief of the State of Maine, and  
that due obedience should be rendered  
to all his lawful acts and commands,  
God Save the State of Maine."

The convention then separated.

On motion of Mr. Millest, ordered  
that Messrs. Millest, Tadmam and  
Warren be a committee to wait on

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the governor and inform him that this body are now in session and ready to receive any communication he may be pleased to make.

The committee having attended to the duty reported, that the governor was pleased to say, that he would communicate forthwith through the secretary of state.

Mr Rose from the joint select committee who were authorized to employ some suitable person to watch the public buildings in the night, reported that the committee had engaged Smith Libbey to perform that service for the sum of one dollar per night. The report was accepted, and sent down for concurrence.

A message was received from the governor by the secretary of state, accompanied by the annual report of the land agent and the trustees of the insane hospital. Which message was in the words following to wit:

To the members of the Senate,  
and House of Representatives:

Our system of annual elections will frequently bring into places of high responsibility persons who have had the benefit of no previous experience in the the respective situations they are called upon to fill;



1844. and at times will devolve upon new 31.  
and untied hands, the most important political trusts.

In assuming the duties assigned me by the suffrages of the people, I cannot be unconscious of the force of this observation, nor unmindful of the deficiencies in myself, which it necessarily implies. There are, however, many advantages in the changes which our system of popular elections is calculated to produce. If the State is sometimes temporarily deprived of ability matured by long experience, in some particular branch of the public service, a more certain reflection of the popular will, a deeper sense of immediate dependance upon the people they serve, and a nearer responsibility to the tribunal of the public on the part of those intrusted with political power, is created and secured.

Distrusting, therefore, my own abilities, I yet enter upon the discharge of the responsible functions committed to me, with a confident reliance upon a disposition honestly and faithfully to discharge them; and with a firm persuasion, that in a resolute purpose of fidelity and zeal in the public service, will be found the safest guarantee for their proper performance.

Among the subjects which will claim your earliest consideration, that which involves the care of our State finances



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may be regarded as of paramount importance. The large amount of our state debt, and the necessity it creates for the imposition of a heavy tax, at a time when the pecuniary embarrassments of our fellow citizens render them the least able to bear it, has occasioned serious uneasiness and anxiety in the public mind, and the community now look with deep solicitude to the proper authorities of the State, for such a wise and frugal administration of its finances as shall lessen as far as possible the public burdens.

At the date of the last annual report of the treasurer the whole funded debt of the State amounted to about one million seven hundred thousand dollars, redeemable at different periods, and most of it bearing an interest of six per cent.

Since that time there has been received from the general government under the provisions of the late treaty with Great Britain the sum of one hundred and fifty thousand dollars: there has been allowed and paid to the treasurer the further sum of two hundred and seven thousand dollars, being the whole amount appropriated by Congress, in payment of the expenses of our civil possession of the disputed territory and for the claim for military services incurred in defending

1844. our northeastern frontier, seventy six 33.  
thousand dollars has also been received.  
These items make an aggregate of four  
hundred thirty three thousand dollars.  
There still remains due about two hundred  
thousand dollars some of which will require  
a new appropriation by Congress before  
it can be paid; a portion of this balance  
has been passed upon by the proper ac-  
counting officer, and will probably be paid  
during the present year.

The large amount paid into the treasury  
by the land agent, with the other ordinary  
sources of revenue, has enabled the treasurer  
to meet all the liabilities of the treasury  
during the past year, including the interest  
upon the public debt; and the whole sum  
received from the general government may  
be available to the payment of so much of  
the principal. In pursuance of the Resolve  
of twenty fourth March eighteen hundred  
forty three, the sum of sixty two thousand  
dollars, consisting chiefly of six per cent  
stock of the State, has been redeemed by the  
treasurer; but the terms of the resolve having  
limited that officer to the par value of all  
the stocks, the sudden and unexpected appre-  
ciation in the market value of all safe public  
securities, has prevented the redemption of any  
further sums. The treasurer's report will therefore  
show, after meeting all the current expenses  
of the year, including interest upon the public  
debt, and the payment of sixty two thousand

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dollars of the principal, the sum three hundred eighty eight thousand dollars remaining in the Treasury. Assuming it to be the deliberate sense of the legislature and the people, that the debt of the State shall be extinguished as rapidly as possible, it is unfortunate that a somewhat greater latitude had not been allowed to the Treasurer by the resolve referred to.

A considerable portion of the large amount now in his hands, was received early in the year, and had he been authorized to pay a small premium upon the State Securities, nearly a year's interest would have been saved to the State.

There will become due in February and March of next year, a large amount of the six per cent. stocks, and in eighteen hundred forty eight, about one hundred and twenty thousand dollars of the five per cents. will be also payable. It is believed, that these portions of the debt may be purchased at a trifling advance, and it would unquestionably, be for the interest of the State to cancel these claims, even by the allowance of a small premium, rather than to incur the hazard of investing, for so short a period, the money on hand. I would therefore respectfully suggest the expediency of so enlarging the authority of the Treasurer, as to empower him to purchase upon the best terms, so much of the State Stock as

1844. The amount of money now in the treasury together with that to be received from the general government during the year, will enable him to procure. 35.

Should the whole amount expected from the general government be paid to the treasurer during the present year, and none of it appropriated to other objects, as I trust it will not be, upwards of six hundred thousand dollars of the state debt may be extinguished. There will then remain the large sum of one million one hundred thousand dollars to be provided for in some other way. To meet the interest upon this sum and to defray the ordinary charges upon the treasury under the present scale of expenditures, a heavy tax will still be necessary, and unless considerable reductions be made in the public expenses, or the means of the treasury be enlarged by other sources of revenue, no diminution of the present tax can be safely contemplated.

It will be seen from the foregoing statement, that the whole amount of the state tax, together with all the other incidental receipts into the treasury, have been but little above the sum required for the expenses of our state government, and the payment of the interest upon the public debt during the past years and that even in the event of the reduction now contemplated in the principal of the debt, with the same rate of receipts and



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expenditures, but little would be left at the end of the present year towards it further liquidation.

It has been proposed to diminish the calls upon the treasury, by transferring the payment of costs in criminal prosecutions to the treasuries of the several counties in which they may accrue. The advantages of this change are fully set forth in the last annual report of the treasurer, and the reasons there given in its favor seem to me conclusive as to its expediency and propriety.

Prior to the year eighteen hundred thirty three, the yearly tax paid by the banks was applied to the use of the State, and formed a considerable item of income to the treasury. It was at that time withdrawn from the general purposes of the treasury, and converted into an annual school fund, since it has been distributed to the towns for the encouragement and support of our common schools. Under the pressing exigencies of the last two years, it has been proposed to recall this sum for the uses of the treasury; and its reception by the treasurer would doubtless form an important and acceptable item in aid of his resources. The reluctance hitherto manifested by the legislature to divert this fund from the laudable purpose for which it is set apart, will not probably be diminished by the improving condition



1844 of our finances; and however desirable 37.  
it may be to increase the means of the  
treasury, I do not feel at liberty under  
present circumstances, to repeat the recom-  
mendation of my predecessor, to recon-  
vert it to its former object.

This view of our finances, showing as it  
does, the existence of a public debt, which,  
though considerably diminished from last  
year, is still formidable in amount, with  
but little available resources for its li-  
quidation, except the sums annually  
raised by direct taxation upon the people,  
cannot fail to admonish us of the ne-  
cessity of a rigid and systematic frugality  
in all that concerns the pecuniary affairs  
of the State. To discharge the interest upon  
this debt, and to defray the ordinary expenses  
of the government, an onerous tax will be  
required. To meet these unavoidable liabilities,  
to preserve inviolate the public faith, and to  
maintain with honor and dignity every  
department of the government, the intelli-  
gent and patriotic citizens of our State  
will cheerfully contribute. But while sub-  
mitting without complaint to these necessa-  
ry exactions they have a right to demand  
that the strictest economy should pervade  
every branch of the public service - that  
every expenditure should be narrowly  
scrutinized, and all unnecessary liability  
avoided.

It is believed by many, that the ordinary

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charge of supporting our state government is much too large, and that a close examination of the different items of expenditure would demonstrate the practicability of a considerable reduction, that there are some offices which might be abolished without detriment to the public interest, and the compensation to others reduced without injustice to those who hold them. To these enquiries I respectfully invite the attention of the legislature, in the hope, that a careful and faithful scrutiny into the public expenditures, accompanied by an inflexible determination to cut off every useless charge upon the treasury, may result in no inconsiderable saving of the public money.

In the above exposition of the condition of the treasury, I have made no reference to the sum due from the general government, under the act of Congress passed September fourth eighteen hundred forty one, appropriating the proceeds of the sales of the public lands for distribution among the states. This sum, amounting to upwards of seventeen thousand dollars is now in the treasury of the United States, and unless its reception be authorized by the legislature, will enure to the benefit of the general government. In the annual messages

1844. communicated to the legislature by 39.  
my distinguished predecessor, the constitutional-  
ity and expediency of this law are elaborately examined, and the  
policy of the system proposed to be  
established, reprobated with just and  
well merited severity. The opinions  
thus expressed by the executive were  
promptly responded to by the legisla-  
ture, and such is the universal con-  
demnation it has received from the  
people, that but few intelligent men  
of any party are now found to approve  
it. In declining to participate in this  
alienation of the national revenue,  
while such participation would seem  
to countenance or encourage a scheme  
so impolitic and unwise, the government  
of this state have but acted in accord-  
ance with the disinterested and patriot-  
ic spirit of the people. Looking however,  
to the decisive indications of the public  
will throughout the country, as given  
in the most authentic form, in regard  
to the whole series of measures of which  
this formed a part, may we not be  
justified in considering the policy of  
distribution as fully repudiated and  
abandoned by both government and  
people? How far, if at all, this view may  
justify a departure from the course here-  
before adopted by the government of this  
state in relation to this subject, the

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legislature, in the exercise of its deliberate judgment, will decide).

In connexion with these remarks upon the policy of the national administration, it may not be improper to advert to the unequal operation of the laws now in force for collecting the revenue necessary to its support. The taxes thus levied upon the people, though indirect in their form, are nevertheless substantial and burdensome exactions upon their industry and resources, and when so framed as to bear with greater severity upon one portion of the community than another, no more entitled to favor and protection, furnish good ground for remonstrance and complaint; and although the adjustment of these taxes be not within the sphere of your legislative duties, the important bearing they have upon the interests of those whom you represent, will commend the subject to your serious consideration. At the last revision of our tariff laws, the time seemed peculiarly propitious for an amicable and permanent settlement of this disturbing and complicated question; and observing it as I did with deep interest at the time, I could not but hope, that those entertaining extreme opinions, upon both sides of this controverted subject, would see the



1831. 4. necessity of arranging its details 41.  
in the spirit of moderation and  
compromise - of so adjusting the duties  
upon foreign imports that an ade-  
quate income would be secured to the  
government and a reasonable inciden-  
tal protection afforded to our domes-  
tic manufactures. Had the advocates  
of a protective policy then manifested  
a proper forbearance, it is believed a tariff  
would have been formed, which while  
effecting its only legitimate purpose of  
securing a competent revenue, would also  
have given the manufacturing interest  
a sufficient advantage over foreign com-  
petitions.

As the system is now arranged, I  
cannot but consider it as partial and un-  
just. Through its influence, one branch  
of the national industry may have been  
quickened into greater activity, and the  
capital invested in manufacturing estab-  
lishments made to render large profits;  
but the other, to us more material branches  
of agriculture and commerce, both equally  
important to the public prosperity, are  
still languishing and depressed, and without  
any near prospect of essential improve-  
ment. In behalf of these great national in-  
terests, little governmental interference has  
ever been solicited, but justice and good  
policy alike demand, that they should  
be supplied and disabled by no partial



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or unfriendly legislation, or their prosperity impeded by the adoption of a system, the burdens of which fall wholly upon them, while its benefits accrue exclusively to some more favored pursuit. The insufficiency of the present tariff to afford the necessary revenue to the government, would now seem to be demonstrated, and by its revision by congress, we may hope, that all the great industrial interests of the country will be deemed equally deserving of attention and regard.

For a particular account of the operations of the land office, I refer you to the report of the agent, herewith transmitted. It is gratifying to perceive, that the receipts into the treasury from this department have considerably exceeded the estimate of the treasurer; and I trust we may be justified in anticipating a steadily increasing revenue from its future operations.

The sum of fifty five thousand dollars has been paid into the treasury by the land agent: the whole amount expended upon roads under the resolves of the last legislature, together with the expenses of the commission to locate grants to the settlers upon the St. Johns, and the cost of exploring and surveying upon the undivided lands, amounting in all to about ten thousand dollars have also been paid out of the funds

1844. realized in that department during 43.  
the year.

The legislature of last year, with a provident liberality, appropriated the sum of six thousand dollars for the purpose of locating and opening a road from letter G, in the second range, upon the Aroostook river, directly to the Madawaska settlements upon the Saint John; but as the expenditure of this sum depended upon the co-operation of the state of Massachusetts to a like extent, only one half of the appropriation has been used by the agent. With the amount expended, the road has been located and so far made, as to render it practicable for a winter route. The importance of opening a direct communication with these settlements, now within our acknowledged limits, is fully set forth in the last annual report of the land agent; there are also other suggestions in that document, relative to the condition and wants of the residents in these settlements, well worthy of the attention of the legislature.

I would also invite your attention to the suggestion of the land agent, in regard to the road communicating with fort Kent, at the mouth of Fish river. This important, and in fact only avenue to our lands and settlements upon the upper Saint John, is almost impassable

except in winter; and as it traverses through its entire length the public lands, a suitable appropriation for its improvement and repair, would be fully repaid by the increased value it would give to the public property.

The report of the adjutant general will advise you of the present condition of the Militia. Considering a well organized and efficient militia as an indispensable feature in our scheme of self government - as sometimes essential to the maintenance of public order, and always our principal reliance against foreign aggression, I lament to perceive the decreasing regard evinced by many of our citizens for its respectability and success. It is gratifying however to know that this indifference is not universal; and that, in some sections of the State, vigorous exertions have recently been made to awaken a new and deeper interest in the prosperity of this useful and necessary institution. The earnest and repeated attempts of the State government to improve its condition, and to elevate its character by legislative enactments, have attested the concern it has constantly had for this important arm of our defence, and may be considered as an assurance, that it will favor and encourage every well directed effort for

The constitution of the United States has empowered the general government to provide for an uniform organization and discipline of the Militia. Some years since, when our relations with a formidable foreign power were supposed to threaten a hostile collision, this duty was attempted by congress; and by its direction, a plan was matured for organizing and instructing a portion of the militia of each state at the public expense. The outlines and most of the details of this plan were similar to those before recommended, and which had received the sanction of many of the most enlightened and patriotic statesmen of the country. It unfortunately happened, that this plan was presented at a time, when the public mind was highly excited by an ardent political contest, and it was immediately seized upon by one of the parties, as a means of casting odium and reproach upon the other. Among the many topics discussed during that exciting period, none was more prominent than that denominated in the party vocabulary of the day, the standing army; and such was the persevering, and I regret to say, successful clamor raised against it, that the project was abandoned, and has not since been revived. It is to be hoped, that the attention of Congress



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will again be called to this subject, and that under happier auspices, a system will be adopted, which will give us the benefit of a powerful and efficient citizen militia, without imposing upon any class of our fellow citizens an unnecessary or unequal burthen.

In the meantime, in any efforts which the legislature may think proper to make, to renovate the condition of the militia of this state, I shall cheerfully co-operate.

The reports of the Warden and Inspectors of the State prison will be laid before you. For a particular statement of the condition and affairs of that establishment, I refer you to those documents.

I also transmit herewith the reports of the superintendence of the hospital for the Insane. That this philanthropic institution is fulfilling the hopes of its patrons and founders, affording a suitable refuge to those of our unfortunate fellow-beings to whom Providence, in its inscrutable wisdom, has denied the guidance of reason, and furnishing the means and appliances best adapted to their restoration, must be a source of unmingled satisfaction to every right minded and benevolent citizen. The judicious munificence which founded this humane institution, and the prudent and careful supervision con-



1844. stantly exercised over its management. 47.  
reflect the highest honor upon all concerned in its origin and progress. That the legislature will continue to cherish and establishment so well calculated, always to mitigate, and often to remove, one of the greatest calamities which can befall our race, I will not allow myself to doubt.

The attention of the legislature has, upon several occasions been called to the subject of submitting to the people a proposition to change the annual sessions from winter to summer. Believing that a considerable and growing disposition exists among our citizens to favor this change, I again bespeak for it the consideration of the legislature.

Since the great crisis in the monetary affairs of the country, which occurred in the year eighteen hundred and thirty seven, the banking capital of the State has undergone a great reduction; and the amount of capital now invested in these institutions is but little above that, which existed prior to the period, when so sudden and rapid an augmentation was authorized by the legislature. In the general convulsion of that time, some of those institutions were involved in difficulties, by which they were finally prostrated, and others, having surrendered their charters, have wholly withdrawn from business. Those

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which now remain are believed to be in a solvent and healthy condition, and most of them have recovered from the losses sustained during the period to which I have referred. They are generally doing a limited and safe business and, at the date of the last annual report of the commissioners, had a very contracted circulation.

The losses, which have been sustained from time to time by the public, in consequence of the failure of some of these institutions, have justly excited the jealousy of the people, and induced the legislature to consider whether some further safe guards might not be established, which would more effectually protect the community against a recurrence of similar disasters. Several propositions have at different times been presented, all of which seem to look to a gradual enlargement of the specie basis of the banks, as best calculated to furnish a salutary corrective against excessive issues, and to afford the most constant and efficient check to the tendency to overbank, which those institutions have so often manifested. If, in addition to the restrictions and guards now established, further limitations should be deemed advisable, a considerate foresight would seem to point to their early adoption. The charters of all the Banks will expire in

1844. the year 1845, and it is proper, that if 49.  
any considerable change is intended to be  
made in the charters then to be given,  
the institutions interested should be  
seasonably admonished of the terms  
upon which their continuance will de-  
pend.

In the wise and happy distribution of  
powers ordained by our complex political  
system, subjects of national interest are  
exclusively confided to the management  
of the general government. Without the  
power to direct or control its operations,  
it is yet not unusual or improper  
for those intrusted with the local and  
particular concerns of the States, to express  
the opinions entertained by their consti-  
tuents upon matters nearly affecting  
their welfare and happiness.

The legislature of last year, having  
given its attention to several topics  
of national interest, upon all of which  
the sentiments of a large majority of the  
people were truly reflected, it is not my  
purpose now to invite a renewed discus-  
sion; nor is it believed, that anything  
need be added to strengthen the convictions  
of our fellow citizens in favor of that sys-  
tem of policy, under which, prior to the  
last change in its administration, the  
country was so generally prosperous and  
happy.

Upon the subject of a national bank,

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the legislature and people of this state have frequently spoken in the most decided and unequivocal terms. The opposition manifested to such an institution, in its days of prosperity and power, has lost nothing of its force by the melancholy developments of later times; and if it was then considered dangerous to the liberties and corrupting to the morals of the people, subsequent experience has proved it equally injurious to the business and currency of the country. The general soundness of the local currencies, and the subsequent equalization of the exchanges between the most distant points, now maintained without the agency of a national bank, are conclusive proofs, that these desirable results may be effected by other and safer means; and an attempt, under present circumstances, to re-establish a similar institution, would seem to evince an utter disregard of the warnings of example and the teachings of experience.

The management of our national finances is always a subject of interest to the people. Their present condition is certainly unsatisfactory and alarming; and insufficient revenue, large expenditures and a rapidly increasing national debt, are the discouraging conclusions which a perusal of the public documents compel



1844. us to adapt. In the absence of any ex-51.  
traordinary calls upon the national treas-  
ury, these repeated and growing deficits  
in the means of the government, are well  
calculated to awaken inquiry and con-  
cern. If not seasonably arrested we  
may look for the certain accumulation  
of a heavy public debt, to be left as an  
unwelcome legacy to our posterity. To pro-  
vide an adequate and timely remedy for  
these continued deficiencies, should be the  
first care of the national legislature;  
and none could be found so desirable, or  
more effectual, than an immediate and  
extensive reduction of the public expenses.  
In a general system of retrenchment and  
economy, vigorously applied to all the  
departments of the government; in limited  
appropriations and diminished expendi-  
tures of the public money, should the  
proper measures of relief be now looked for,  
and the strong voice of public sentiment,  
throughout the country, most distinctly  
points to such an alternative, as furnishing  
the safest and speediest remedy for  
an impoverished treasury.

In regard to the administration of our  
state finances, I have before adverted to the  
necessity of practising a rigid and sys-  
tematic economy, of reducing by every  
practicable means our annual expenditures  
and of increasing by all proper expedients  
the resources of the treasury. For the diligent



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and faithful performance of this duty, we shall all be held to a just and strict accountability by our common constituents, and in again urging upon your attention, its importance and necessity. I feel that I am but expressing the general sense of the people we represent. I would add, that in nothing could the legislature give a more acceptable proof of its desire to respond in this matter to the wishes of its constituents, than by making the present session as brief as may be consistent with a due and proper deliberation upon the subjects claiming its attention, and I most respectfully, but earnestly, express the hope, that the time usually consumed may be this year considerably abridged.

The complaints which have been made of the inconvenience and expense attending the operation of some parts of our judicial system, induced the legislature of last year to enact a bill, which, had it become a law, would have effected important changes in the existing forms of legal proceedings. Being passed at a late stage of the session, sufficient time was not afforded, before the rising of the legislature for the deliberate examination of its provisions, which a measure of such consequence required from the executive. The bill having failed to receive the sanction of the governor, was spread before the people,

1844. through the medium of the public 53.  
papers, and ample time has since been  
afforded for a full investigation of its  
merits and defects. That there are faults  
in the present system is generally ad-  
mitted: in seeking a remedy for these  
defects in an institution so closely inter-  
woven with the habits and interests of the  
community, a wise discretion and an  
enlightened judgment are eminently called  
for. Coming as you do from immediate  
communication with your constituents,  
among whom this measure has been a  
subject of considerable discussion, you  
will doubtless be prepared to express their  
matured opinions in regard to its expediency  
and propriety.

In closing this communication, I will  
take occasion to remark, that however much  
a portion of our fellow citizens may have  
suffered during the past year by the pecu-  
niary distresses of the times, there is in  
our present condition and future pros-  
pects, much cause for mutual congratula-  
tion, high incitements to continued and  
vigorous effort, and above all, manifold cause  
for gratitude and praise to that beneficent  
Being, who has bestowed upon us blessings  
we enjoy, and through whose goodness and  
mercy we have had so large a share of  
health and plenty prevailing among us.  
In commencing our public duties, let us  
all invoke His aid and counsel, and humbly

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ask, that in the discharge of our public functions, we may be enabled, through His guidance and blessing to advance the interest and promote the happiness of the people.

The message was read, and our motion of Mr. Sawtelle laid on the table and five hundred copies ordered to be printed for the use of the Senate. The accompanying documents were ordered to lie on the table.

On motion of Mr. Strickland ordered that a message be sent to the House informing that today that the Senate propose a convention of the two branches in the Representatives Hall this day at half past twelve o'clock for the purpose of choosing seven counsellors, to advise the governor in his executive duties for the current political year.

A message was received from the House concurring in the proposition for a convention to elect counsellors.

#### In Convention.

The two houses having met in convention agreeably to assignment for the purpose of electing seven counsellors, Messrs. Rawson

1844 and Sawtelle of the Senate and Mildram 55.

of Wells, Paine of Bangor and Barnes of Portland of the House were appointed a committee to receive, sort and count the votes. The committee having attended to the duty, reported, that the whole number of ballots is - - 162.

Necessary to a choice - - 82.

Barnabas Palmer has 117.

Theodore Ingalls " 117.

James C. Whitmore " 116.

Cleopas Boyd " 117.

Samuel Palmer " 116.

Joseph A. Linscott " 109.

George W. Towle " 116.

Nathan D. Appleton " 45.

William Bradbury " 45.

Samuel P. Benson " 45.

Lina Hyde " 45.

Elijah L. Hamlin " 45.

John Kilby " 45.

Sullivan Lothrop " 45.

Joseph H. Linscott " 4.

Joseph Linscott 4.

The report was accepted, and Barnabas Palmer, Theodore Ingalls, James C. Whitmore, Cleopas Boyd, Samuel Palmer, Joseph A. Linscott and George W. Towle were declared duly elected.

The convention then separated.

On motion of Mr. Sawtelle ordered, that the secretary of state be directed to notify Barnabas Palmer, Theodore Ingalls, James C.



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Whitmore, Cleopas Boya, Samuel Palmer, Joseph A. Linscott and George W. Fowle that they have been elected counsellors to advise the governor in the executive department of government during the current political year, and request their attendance upon the duties assigned them.

On motion of Mr. Millett ordered that ten o'clock A.M. be the hour to which the Senate shall adjourn till otherwise ordered.

Adjourned.

Saturday January 6. 1844.

Met according to adjournment.

On motion of Mr. Parcher. Ordered, that a message be sent to the house proposing a convention of both branches of the legislature, in the Representatives Hall, this day at twelve o'clock for the purpose of electing a secretary of state.

A message was received from the House concurring in the proposition for a convention to elect secretary of state.

On motion of Mr. Sawtelle ordered, that the Secretary be directed to make up on the pay roll to Willard Brackett as Messenger five days pay for preparing the Senate Chamber for the reception of members including assistants.

On motion of Mr. Strickland ordered, that Messrs. Strickland, Walker, and Chadwick be a committee with such as the House may join to contract with some suitable person or persons to execute the job printing and binding of the state for the current political year.  
Sent down for concurrence, came up with

Saturday Jan. 6.

Messrs. Darnow of Gardiner, Hutchings of Penobscot, Skilling of Cape Elizabeth, Jarvis of Surry and Watts of Buxton joined in concurrence.

On motion of Mr. Garcelon ordered, the House concurring that the Messenger of each branch of this legislature be directed to furnish the reporters with one copy each of the printed documents of this legislature; also that they forward to the several editors of public papers in this State, one copy each of the same.

On motion of Mr. Milleth, the report of the Trustees of the Insane Hospital was taken up and three hundred copies ordered to be printed for the use of the Senate.

On motion of Mr. Otis, the report of the Land Agent was taken up and three hundred copies ordered to be printed for the use of the Senate.

The following order was laid upon the table by Mr. Frye. Ordered that the House concurring all petitions presented to this legislative form and after the second day of February next except those relating to subjects of general and public legislation shall be referred to the next legislature and that no further action shall be had thereon, and the question of passing the same being

1844. ordered to be taken by yeas and nays 59.  
was decided in the affirmative as follows.

Yeas. Messrs. Atwood, Brooks, Brown, Chadwick, Gram, Cunningham, Dana, Deering, French, Fayer, Garcelon, Holmes, Hunt, Knowlton, Lowell, Miller, Mitchell, Mitchell, Otis, Parish, Rawson, Rose, Sawtelle, Smiley, Stickland, Swan, Tallman, Walker, Warren - - 29.

Nays. None - - - - 0.  
Sent down for concurrence.

Mr. Atwood from the committee appointed to prepare rules and orders for the government of the Senate reported the rules and orders of the last session with sundry amendments. The report was accepted.

On motion of Mr. Otis ordered, that two hundred copies of the rules and orders be printed for the use of the Senate, and that each copy contain the constitution of the United States and of this State, the names of the civil government, and the valuation of 1841.

### In convention.

The two houses having met in convention agreeably to assignment. Messrs. Cunningham and Lowell of the Senate, and Jarvis of Surry, Buck of Bucksport and Knight of



They were appointed a committee to receive, sort and count votes for Secretary of State. The committee having attended to the duty assigned it, reported that the whole number of ballots is - 160.

Necessary to a choice - - - 81.

Philip C. Johnson has - 117.

George W. Perkins Jr " 38.

Samuel P. Benson " 5.

The report having been accepted Philip C. Johnson was declared duly elected Secretary of State for the current political year. The convention then separated.

The President announced the following standing committees of the Senate.

*On Bills in the second reading.*

Messrs. Smiley,	Parker,
Townsend,	Bauman,
Anderson,	French,
Sawyer,	Wood,
Rawson,	Holmes, and
Frye,	Millett.

*On Engrossed Bills.*

Messrs. Hunt,	Knowlton,
Otis,	Garcelon,
Birmingham,	Rose,
Miller,	Brown,
Walker,	Cram,
Warren,	Mitchell.

1844. The following joint standing committees 61.  
appointed on the part of the Senate and  
sent down came up joined as follows.

On the Judiciary.

of the Senate.	of the House.
Messrs. Sawtelle,	Little of Portland
Tallman,	Bradbury of Kennebunkport.
Tomlinson,	Janis " Ferry
	Baker " Hallowell,
	Hutchins " Penobscot,
	Woodman " Minot,
	Moritt " Madison.

Education.

Messrs. Frye,	Bradbury of Kennebunkport,
Millett,	Barnes " Portland,
Parker,	Grant " Litchfield,
	Wilson " Edgcomb,
	Thayer " Lubec,
	Chalmers " Allam,
	Allen " Alfred.

Banks and Banking.

Messrs. Rawson,	Mildram of Wells
Swan,	Chadwick " Portland,
Deering,	Cotnam " Bloomfield,
	Swift " Norway,
	Reed " Boothbay,
	Bicknell " Newry,
	Petfield " Deer Isle.

Incorporation of Towns.

Messrs Chadwick,	Watts of Buxton,
Warren,	Fox " Bernick,
Atwood,	Potter " Sebago,
	Getchell " Winslow,
	Rea " Brooksfield,
	McGlaflin " Charlotte,
	Sora " Detroit.

Division of Towns.

Messrs. Garcelon,	Wellington of Monticello,
Chadwick,	Cotton " Bowdoinham,
Lowell,	Merwin " Phippsburg,
	Knight " Peru,
	Damon " Sanford,
	Huff " Cooper,
	Rollins " Melunkus.

State Lands.

Messrs. Cunningham,	Towns of Lundy,
Walker,	Buxton " St. Yarmouth,
Miller,	Campbell " Greenbush,
	Cotum " Bloomfield,
	Damon " Gardiner,
	Blaney " Bristol,
	Ames " Thomaston.

State Roads.

Messrs. Miller,	Stickney of Calais,
Townsend,	Rollins " Molunkus,
Cian,	Goldthwait. Biddford,
	Troop " Pittston,
	Berry " Thomaston,
	Carpenter " Lincoln,
	Scammon " Franklin.

State Prison.

Messrs Atwood,	Jones.	of Perry.
Cunningham,	Moder	" Brunswick,
Thickland,	Frye	" Sedham,
	Chandler	" Knox,
	Sonnet	" Bath,
	Mereen	" Phippsburg,
	Mudgett	" Bainsfield.

Rail Roads Canals.

Messrs. Tatham,	Stickney of Calais,
Faye,	Damon " Gardiner,
Warren,	Holden. " Bangor,
	Danton " Hope,
	Blake " Harpswell,
	Hains " Readfield,
	Ames " Thomaston.



Roads and Bridges.

Messrs Walker,	Merrill of Falmouth,
Brooks,	Pearson . Alna,
Smiley,	Brown . Clinton,
	Leighton . Cherryfield,
	Nickerson . Shawville,
	Bucknam . Eastport,
	Bodwell . Acton.

Interior Waters.

Messrs. Thichland,	Perkins of Augusta,
Chadwick,	Russ . China,
Lowell,	Tucker . Laco,
	Mudgett . Parsonsfield,
	Darnow . Gardiner,
	Perkins . Dresden,
	Ruggles . Columbia.

Militia.

Messrs. French,	Knight of Peru,
Thickland,	Skware . Anson
Rose,	Arnold . Bradford
	Clark . Lexington
	Blackman . Bradley
	Ryerson . Sumner,
	Mower . Vassallboro.

Agriculture.

Messrs. Holmes,	Knapp of Rumford,
Brown,	Cooleage. Athens,
Deering,	Hunter " Pittsfield,
	Linscott " Lary,
	Wells " Wellington
	Rose " Letter P.
	Pearson " And.

Manufactures.

Messrs. Swan,	Emery of Gorham,
Hunt,	Parkins " Woolwich,
Brooks,	Huntress " Harrison,
	Jameson " Friendship,
	Niles " Freedom,
	Emmons " Lyman,
	Pierce " Chesterville.

Accounts.

Messrs. Anderson,	Emery of Gorham,
Gardner,	Leemis " Monmouth,
Swan,	Lewis " Wayne,
	Ingersoll " Danville,
	Chase " York,
	Warren " Brownfield,
	Buck " Bucksport.

Parishes.

Messrs. Hunt,	King	of Trenton,
Anderson,	Swift	" Norway.
Knockton,	Barnes	" Portland.
	Carr	" Bowdoin,
	Palmer	" Whitfield
	Taylor	" Hethon,
	Lewis	" Wayne,

Claims.

Messrs. Otis,	Thomas	of Eden
Rawson,	Miller	" Waldston,
Cram,	Remick	" Cornish,
	Woodman	" Minot,
	Elliot	" Frankfort,
	Taylor	" Hethon,
	Thompson	" Avon.

Public Buildings.

Messrs. Millet,	Danton	of Stape.
Cram,	Barnes	" Portland.
Otis,	Gilley	" Atkinson.
	Anderson	" Windham,
	Remick	" Kittery,
	Mc Dowell	" Union
	Stewart	" Hollis.

Fisheries.

Messrs. Mitchell, Thayer of Lubec.  
 Warren, Buxton, North Yarmouth,  
 Atwood, Watts, Buxton,  
 " Skidow, Cape Elizabeth,  
 Lewis, Monmouth,  
 Knowles, Hampden,  
 Jenkins, Dexter.

Military Pensions.

Messrs. Knowlton, Fox of Cushing  
 Sawtelle, Morison, Livermore,  
 French, Beale, Westbrook,  
 Scammon, Franklin  
 Holbrook, Northport,  
 Eaton, Brooks,  
 Gower, Greenville.

Division and Alteration of Counties.

Messrs. Brooks, Knowlton of Montville,  
 Garcelon, Merrill, Madison,  
 Mitchell, Mudgett, Parkersfield,  
 Medet, Brunswick  
 Hitchborn, Prospect,  
 Ingersoll, Sanville,  
 Ryerson, Sumner.



Saturday Jan. 6.

Indian Affairs.

Messrs. Rose,	Kelly of Derryville,
Rawson,	Paice . Bangor,
Brown,	Potter . Sebago,
	Noyes . Greenwood,
	Shier . Jackson,
	Jones . Brighton,
	Prescott . Ripley,

The Library.

Messrs. Townsend,	Paine of Bangor,
Paraker,	Hutchinson of Prospect,
	Noyes of Greenwood,

Insane Hospital.

Messrs. Paraker,	Blair of Belfast
Middlest.	Daggett . Newburgh
Holmes,	Buxton . North Yarmouth
	Wellington . Monticello,
	Monroe . Wakefield
	Hubbard . Paris,
	Buck . Bucksport.

344. Petition of Reed Washburn and others 69.  
for change of the time of holding  
the terms of the District Court  
for the county of Oxford.

" of Selectmen of Newry to have  
the municipal acts of said town  
legalized

" Salem Towne and others praying  
for authority as directors of the  
Machias Water power and Mill  
Company to tax the shares of  
said company. were severally  
referred to the committee on the  
Judiciary. Sent down for concurrence.

" of Fayette Mace for a divorce came  
up referred to a joint select committee con-  
sisting of Messrs. Knight of Peru, Linscott  
of Fay, Hitchman of Prospect, Hutchings  
of Penobscot, and Anderson of Windham  
on the part of the House. The Senate joined  
Messrs. Tallman, Cram and Otis.

Petition of D. L. Woodman of Litchfield  
for a divorce from his wife, referred to  
the committee on the petition of Fayette  
Mace in concurrence.

On motion of Mr. Millett ordered, that  
the Secretary of the Senate be directed  
to notify Philip C. Johnson Esquire

Saturday Jan. 6.

that he has been duly elected Secretary  
of State for the current political year.

Adjourned.