

Monday January 9. 1843.

Resolve in relation to the Bankrupt Law / laid on the table by Mr Hunt / was read once and to morrow at eleven O'clock assigned for a second reading.

On motion of Mr. Brooks
Ordered: That Messrs. Brooks, Hunt, Patterson, Smiley, Smart, Bridgham, Eastman, Leavitt, Cary, Talson, Mitchell Sawtelle, Morrill and Dana with such as the House may join, be a committee to take into consideration so much of the Governors message as relates to a change of the time of the meeting of the Legislature from winter to summer, and report thereon: Sent down for concurrence.

Came up with Messrs Boyd of Harmony, Prince of Buckfield, Hart of Putland, Wilson of East Machias, Mildorant of Miller, Co. of St George, Pires of Houlston, Darling of Bluehill, Grant of Litchfield, Paine of Banga, Knight of Lincolnville, Jewell of Farmington, and Coburn of Parkman joined in concurrence.

On motion of Mr. Ingalls the vote whereby the Senate passed to be engrossed Resolve in relation to the fine of General Andrew Jackson was reconsidered, the resolve amended in sheet annexed marked A and passed to be engrossed:

Sent down for concurrence.

Monday Jan: 9.

1842

On motion of Mr. Bridgman the Senate reconsidered its vote of Saturday whereby five hundred copies of the reports of the Land Agent, and Adjutant General were ordered to be printed for the use of the Senate.

Resolves relating to the Bankrupt Act / introduced by Mr. Cary / were read once and on motion of Mr. Cary laid on the table.

On motion of Mr. Ingalls, Ordered: That Messrs. Ingalls, Cunningham, and Stickland, be a committee with such as the House may join to examine the State Treasurer's accounts and make report thereon:

Sent down for concurrence.

Came up with Messrs. Abbott of Belfast, Chadwick of Portland, Otis of St. George, Emery of Waterboro', and Young of Wiscasset joined in concurrence.

A communication was received from James White Esquire, Treasurer of State transmitting a detailed account of the state of the Treasury on the thirty first day of December A.D. 1842. which was read and referred to the joint select Committee on the State Treasurer's accounts.

Adjourned.

Luc Haskell, Secretary.

Tuesday January 10. 1848.

On motion of Mr. Atwood

Ordered: That the Chaplain of the Senate be requested to exchange with the Chaplain of the House whenever it may be convenient to themselves.

On motion of Mr. Smart:

Ordered: The House concerning that so much of the Governor's message as relates to West Point Academy be referred to a joint select Committee of the Senate and House of Representatives. Read and passed: and Messrs.

Smart, Bridgman and Stetson appointed on the part of the Senate.

Sent down for concurrence

Came up with Messrs. Pore of Standish, Otis of St George, Chapman of Nobleboro; Hart of Portland and Stanley of Standen, joined in concurrence.

Resolve in relation to the Bankrupt Law, was read a second time, and on motion of Mr. Hunt laid on the table.

The joint Committee appointed to contract with a suitable person to watch the public buildings in the night time during the session

Reported that they had engaged

Tuesday Jan. 10.

John T. Hancock to perform that service at a compensation of one dollar per night.

Read and accepted in concurrence.

Mr. Ingalls from the Committee appointed to prepare Rules and Orders for the government of the Senate at its present session made a report which was read and accepted.

On motion of Mr. Ingalls:

Ordered; That three hundred copies of the Rules and Orders of the Senate 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 members of the Civil government, and the returns of the Census of this State taken in the years 1830 and 1840.

Order from the House appointing Messrs. Otis of St George, Watts of Buxton, Frye of Bethel, Hoff of Auburn, Lee of Bucksport, Davis of Addison, Holmes of Gardiner, Rowe of Norridgewock, Paine of Bangor, Mott of Belfast, Clark of Strong, Colburn of Parkman, and Pierce of Houlton.

a committee on so much of the Governor's Message as relates to the dividing the State into districts for the choice of members of congress;

Read and laid on the table.

Resolves relating to the
Bankrupt Act were read a second time
Mr. Hunt moved to amend by striking
out from the first resolve the word "un-
constitutional" and pending that mo-
tion the resolves were,

On motion of Mr. Bridg-
ham laid on the table.

Adjourned.

Lee Haskell, Secretary.

— Wednesday January 11. 1843. —

Mr. Ingalls from the committee to which was referred the Senatorial votes returned to the office of Secretary of State from the several cities, towns and plantations in this State, for the current political year made the following

Report.

That the whole number of ballots returned is — — — 6,964.
 Necessary to an election — — — 3,483.
 We find the returns contain for,
 John Otis — — — — — 3,327,
 Merrill Clough — — — — — 3,359,
 Asa Smiley — — — — — 3,618.
 James Conner — — — — — 3,518, exclusive
 of the votes from Belgrade. In the return from this town we have a certificate from the returning officers themselves that certain ballots contained therein had upon them more than three names.

In the return from the town of Wales we have the certificate of the officers that certain ballots were rejected containing each four names.

For John Hubbard	— — — —	2,634
" Jacob Main	, — — — —	2,625,
" David Stanley	— — — —	2,630.
" Jacob Southwick	— — — —	533,
" Paul Hickney,	— — — —	529,
" Samuel Benjamin	— — — —	513

Your committee believe that the law of 1842 forming the fourth Senatorial District, to be the only Constitutional law now existing for the formation of said district; and that it is the duty of the voters within the same to conform to the provisions of that law.

From an inspection of the returns, we find that the number of ballots returned does not correspond with the number of votes contained therein. In most of the towns the number of votes is too large for the number of ballots, creating a strong presumption that in most of the towns some of the ballots contained more than the legal number of names, or candidates to be elected, but as the returns themselves do not contain such evidence as would warrant us in correcting any supposed errors contained therein, except in the towns of Belgrade and Wales named above, your committee have allowed and counted the votes as returned except where additional and satisfactory proof was adduced as to the legality or illegality of any of the ballots returned.

The Committee being clearly of opinion that for a voter to place upon his ballot the names of a greater number of persons than the law allows to be elected in his district, is a gross and palpable violation of law; and is disorderly and

reversive of that certainty so necessary to a right decision of the Senate as to the election of its own members, and is corrupt in its tendency.

However anxious to guard with watchful care the rights of the voter, and to protect them from the wrong doings of others, yet this would seem to your Committee not a case requiring our sympathies in his behalf. In this case if the voter suffer he suffers from a wrong perpetrated by himself. He came forward with a ballot containing the names of more persons than the law allows him the right of voting for, thereby becoming a prominent, and, in fact, a chief actor of the wrong committed. Such can have little reason to complain should the penalty of this wrong be visited upon themselves.

In the case under consideration the duty of the voter, in our opinion is so plain to require elaborate elucidation or argument.

The twentieth section of the sixth chapter of the Revised Statutes requires "that the qualified electors shall give in their votes for the officer or officers to be chosen on one list or ballot, or so many of such officers as the person voting may determine to vote for." It will here be perceived that the voter may vote for as many of the officers to be elected as he pleases, but not for these, and as many more as he pleases.

That great evil would result from permitting the voter to determine not

only for whom he will vote, but for how many, must be obvious to all -

If in this case we permit the voter with impunity, to place more than the legal number of names upon his ballot, it must be allowed in other cases, and if allowed, regardless of the law, to place upon his ballot one additional name, upon the same principle he may add hundreds, rendering the law a mere dead letter, the law may fix upon one number to be elected, and the voter upon another, and much greater; and put it out of the power of this, or any other body to correct the error.

Your Committee have therefore in all cases where the proof was clear and certain rejected all the ballots containing the names of more persons than the elector has, by law, a right to vote for,

In pursuance of this determination evidence has been received relative to the ballots thrown in the following towns, to wit, Augustus - In this town, it was proved that

four hundred and sixty nine ballots
contained four names each, and
these were rejected - - - 469.

Hallowell. In this town it was in proof
that three hundred and thirty
seven ballots contained four
names each and these were rejected. 337

Monmouth. It was proved that one hundred
fifty five of the ballots thrown

in this town contained four names each, they are rejected - - - 155.

Readfield. It was proved that one hundred and fifty nine of the ballots thrown in this town contained four names each, and they are rejected - - - - - 159.

Tosdalton. It was proved that three hundred and twenty three ballots thrown in this town contained four names each and they are rejected - - - 323.

Mount Vernon. In this town it was proved that one hundred and thirty nine of the ballots thrown contained four names each, and they are rejected 139.

Gardner. In this town it was proved that two hundred and ten of the ballots thrown contained four names each they are rejected - - - - - 210.

Sidney. - It was satisfactorily proved that two hundred of the ballots thrown in this town contained four names each; they are rejected - - - 200.

Belgrade. Proof was contained in the return of this town that one hundred and forty of the ballots thrown in that

town had four names; and three
are rejected - - - - - 140.

The whole number of ballots rejected is 2.132.

Whole number of ballots contained in
the return, including Belgrade is - - 6.964.

Number of ballots rejected is - - - 2.132.

Whole number allowed & counted is - - - 4.832.

Necessary to an election - - - - 2.417.

Number of ballots allowed
and counted is for,

John Hubbard is, - - - 2.634 for

Jacob Main - - " - - - 2.625.

David Stanley . - - - 2.630. and they
are severally elected.

Therefore, Resolved; That John
Hubbard, Jacob Main and David Stanley hav-
ing severally received a majority of all the
ballots constitutionally and legally thrown
and returned to the office of the Secretary of
State from the fourth Senatorial District are
duly elected Senators for the said fourth district
for the current political year

All which is respectfully submitted.

Said report having been read
Mr. Smiley moved to lay the same on the table
and print it for the use of the Senate.

Mr. Dana moved a divis-
ion of the question and the Yeas and Nays
having been ordered on the question of lay-
ing on the table, it was decided in the negative
as follows:

Yea, Mr. Smiley - - - - - 1.

Nays. Messrs. Anderson, Atwood, Bodwell,
Bridgman, Brooks, Burleigh,
Cary, Cunningham, Dana,
Eastman, Elliot, Frye, Garcelon,
Hunt, Ingalls, Kavanagh, Leav-
itt, Lowell, Millet, Mitchell,
Parris, Patterson, Sawtelle, Smart,
Stetson, Strickland, Thout. - - 37.

And the question of print-
ing the report being ordered to be taken by yeas
and nays was decided in the affirmative
as follows

Yeas. Messrs. Anderson, Atwood, Bodwell,
Bridgman, Brooks, Burleigh,
Cunningham, Dana, Eastman,
Elliot, Garcelon, Hunt, Kavan-
agh, Leavitt, Lowell, Millet,
Mitchell, Patterson, Sawtelle,
Smart, Smiley, Stetson, Stric-
land - - - - - 23.

Nays. Messrs. Cary, Frye, Ingalls,
Parris, and Thout - - - - - 5.

The question of accepting
the report being ordered to be taken by yeas
and nays, was decided in the affirmative as
follows.

Yeas Messrs: Anderson, Atwood, Bodwell, Bridg-
man, Brooks, Burleigh, Cary, Cunnin-
gham, Dana, Eastman, Elliot, Frye,
Garcelon, Hunt, Ingalls, Kavanagh

Leavitt, Lowell, Millett, Mitchell, Parry, 45.
 Patterson, Sawhelle, Smart, Stetson,
 Thicketland, Thout - - - - 27.

May. Stone - - - - 0.

Mr. Smiley at his request was
 excused from voting.

On motion of Mr. Cary
 Ordered: That the Secretary of the Senate, be
 directed to notify John Hubbard, Jacob William
 and David Stanley, that they have been con-
 stitutionally elected Senators for the fourth
 senatorial district, and request their attend-
 ance at the Senate board.

On motion of Mr. Frye,
 Ordered: That the Secretary be directed to
 make up the pay of Asa Smiley from
 the first Wednesday instant to this day in-
 clusive.

Mr. Frye announced
 that David Stanley, Senator elect for the
 fourth senatorial district, was present
 and ready to be qualified. He was accom-
 panied by Mr. Frye to the Governor and
 Council before whom he took and subscribed
 the necessary oaths to qualify him to enter
 upon the discharge of his official duties;
 after which he took his seat at the Senate
 board.

Order from the House refer-
 ring the petition of Edward J. Little and others
 (praying for the amendment or repeal of the Bidler Law)

to a joint select committee consisting of Messrs. Woff, of Lebanon, Abbott of Belfast, Perkins of Ballouville, Fales of Thomaston and Darling of Bluehill of the House was read and passed and Messrs. Brooks, Stanley and Bartleigh, joined in concurrence.

The order from the House appointing a committee to divide the State into districts for the election of members of Congress was taken up and Messrs. Parris, Ingalls, Frye, Brigham, Leavitt, Atwood and Cunningham were joined in concurrence.

Order from the House referring so much of the Governor's message as relates to the affairs of Rhode Island to a joint select committee consisting of Messrs. Perry of Oxford, Wood of Lebanon, Morse of Bath, Chadbourn of Baldwin, Simpson of Sullivan, Pike of Eastport, Grant of Litchfield, Gould of Embury, Wadleigh of Oldtown, Hitchborn of Prospect, Jewett of Farmington, Rollins of Molunkas and Brown of Monson was read and passed and Messrs. Smart, Bodwell, Short, Stickland and Eastman were joined in concurrence.

Mr. Smart announced that John Hubbard senator elect from the fourth district was present and ready to be qualified; he was attended by Mr. Smart to the Governor and Council before whom he took and subscribed

1823 the oaths required by the Constitution to 47.
qualify him to enter upon the discharge
of his official duties; after which he took
his seat at the Senate board. —

A message was
received from the Governor, by the Secretary
of State transmitting the annual report
of the Inspectors of the State prison, which
was referred to the Committee on the State
prison, and three hundred copies of the report
ordered to be printed, for the use of the Leg-
islature, and fifty additional copies for
the use of the Warden.

On motion of Mr. Shout
the motion that the president proceed to
appoint the Standing Committees was taken
up and passed. The President then announced
the following

Standing Committees of the Senate, to wit,

On Bills in the Second Reading.

Messrs Eastman,	Messrs: Bodwell,
" Ingalls	" Patterson,
" Smart	" Atwood,
" Leavitt,	" Brigham,
" Millett	" Elliot,
" Fawcette	" Cary.

On Engrossed Bills.

Messrs Hunt,
Gardner,
Anderson,
Burleigh,
Brooks,
Frye,

Messrs. Thickland,
Dana,
Mont,
Stanley,
Lowell,
Merritt.

The following Joint Standing
Committees appointed on the part of the
House came up and were joined as follows,
to wit.

On the Judiciary.Of the Senate

Messrs: Parris.
Lawtelle,
Ingalls.

Of the House.

Messrs: Little of Portland,
Hodgman of Warrens,
Higgins of Porter,
Emery of Arkham,
Morse of Bath,
Bradbury of Kennelunkport,
Lee of Buck Report.

On Literature & Literary Institutions.

Messrs: Brigham,
Merritt,
Hutbard.

Messrs: Thurston of Charleston,
Mitchel of B. Yarmouth,
Sivorene of Augusta,
Mellikin of Saco,
Gardner of Waldo,
Wilson of Castellachias,
Katon of Belgrave.

Messrs: Cary,
Leavitt,
Dana.

Messrs. Moot of Belfast
Chadwick of Portland,
Cis. of St George,
Paine of Buckfield,
Emery of Montpelier.
Boole of Standish,
Chapman of Holderness.

On Incorporation of Towns.

Messrs. Bodwell
Short,
Mitchell.

Messrs. Leavitt of Levant,
Spaulding of Mills,
Barley of Durham,
Nichols of Moscow.
Holman of Barre,
Gilman of Montgomery
Herrick of Saginaw.

On Division of Towns.

Messrs: Barcelow,
Eastman,
Lowell.

Messrs. Goff of Auburn,
Bragdon of Shapleigh,
Ames of Thomaston
Grant of Litchfield,
Fairfield of Passadumkeag,
Watson of Calais,
Lamborn of Orono.

On State Lands.

Messrs. Dana,
 Stetson,
 Cunningham.

Messrs: Wadleigh of Old Town
 Razmus of New Gloucester
 Wilson of York.
 Carleton of Boothbay.
 May of Oxbow
 Fales of Thomaston.
 Root of Princeton.

On State Roads.

Messrs. Burlingh,
 Cary,
 Stanley.

Messrs. Reed of Waldoboro'
 Rollins of Melunkus,
 Brown of Winthrop,
 Stanley of Hamaen.
 Perkins of Mendon,
 Goss of Bangor,
 Turner of Deer Isle.

On State Prison.

Messrs. Patterson,
 Atwood,
 Lowell.

Messrs. Hodgman of Warren.
 Meade of Brunswick,
 Emery of Waterville.
 Chase of Fayette,
 Libby of Exeter
 Crockett of Vinalhaven
 Page of Camden.

Messrs. Ingalls,
Cary,
Faye.

Messrs. Ball of Westbrook
Bellamy of Hickey,
Hinkley of Topsham,
Jones of Jefferson,
Hickson of Prospect,
Mason of Scarborough,
Aye of Fairfield.

On Roads and Bridges.

Messrs. Elliot,
Brooks,
Stickland.

Messrs. Holden of Casco,
Daly of Livermore
Parrington of Richmond
Steward of Dover
Smith of Mattawamkeag
More of Milton,
Field of Searcy.

On Interior Waters.

Messrs. Nelson,
Hussey,
Patterson.

Messrs. Boyd of Harnum
Williamson of Pittston
Rues of China,
Lord of Berinma,
Hinkley of Topsham,
Mudgett of Parsonsfield,
Stimpson of Gray.

Wednesday Jan 11.

On the Militia.

Messrs. Davitt
 Truckland,
 Cunningham.

Messrs. Perry of Oxford,
 Paine of Bangor,
 Sains of Burnham
 Austin of New Castle,
 Bray of Detroit,
 Jewett of Farmington,
 Brown of Portsmouth.

On Agriculture.

Messrs. Hunt,
 Nelson,
 Merritt.

Messrs. Gibson of Denmark,
 Brown of Ellenton,
 Knight of Lincolnville,
 Partridge of Richmond,
 Allen of Saginaw,
 Saly of Lawrence,
 Bray of Turner.

On Manufactures.

Messrs. Fayer,
 Hunt,
 Bodwell.

Messrs. Emery of Durham,
 Morse of Bath,
 Elliot of Frankfort,
 Smith of Mattawamking,
 Mars of Georgetown,
 Simpson of Sullivan,
 Mead of Brunswick.

	Messrs. Mildram of Wells
	Baker of Bringtons.
Messrs. Anderson,	Perkins of Hollowell,
Farrell,	Clements of Murree,
Stanley,	McClellan of Truford,
	Davis of Addison,
	Wood of Winthrop.

On Parishes.

	Messrs. Waterhouse of Scarborough
	Perkins of Leicester,
Messrs. Hunt,	Petersburg of Newport,
Eastman,	Watson of Belgrade,
Snout.	Carlisle of Northway,
	Bunker of Craney Isle,
	Wise of York.

On Claims.

	Messrs. Lyman of Dover,
	Stanley of Hampden,
Messrs. Smart,	Grant of Leicester,
Gana,	Jordan of Passadenburg,
Burleighs.	Hatchinson of Hartford,
	Merrill of Seaboard,
	Watts of Berpton.

Wednesday Jan'y 11.

On Public Buildings.

Messrs. Millett,
Merritt
Elliott,

Messrs. Brown of Marshfield,
Thomas of Berberg,
Holmes of Gardner,
White of Whitfield,
Powers of Newry,
Little of Portland,
Pike of Castport.

On Interior Fisheries.

Messrs. Mitchell,
Atwood,
Main,

Messrs. Hubbard of Paris,
Harding of Union,
Felt of North Berwick,
Merritt of Falmouth,
Herrick of Sagadahoc,
Fairfield of Passadumkeag,
Rome of Norridgewock.

On Military Pensions.

Messrs. Cunningham,
Parris,
Anderson.

Messrs. Partridge of Orland,
Puck of Ellsworth,
Walker of Lovell,
Baile of Durham,
Soule of Freeport,
Bellamy of Kittery,
Wood of Lebanon.

Messrs. Brooks,
Tilton,
Mitchell.

Messrs. Richardson of Canaan
Gumlaw of Bristol,
Turner of Deer Isle,
Perry of Oxford,
Young of Wiscasset,
Williamson of Pittsboro,
Symon of Lubec.

On Indian Affairs.

Messrs. Atwood,
Patterson,
Gary.

Messrs. Chubb of Baldwin
Darling of Blue Hill,
Brown of Newham,
Tanton of Orono,
Jordan of Passadunking
Murray of Harcourt
Bailey of Anson.

On the Library.

Messrs. Sawtelle,
Dana.

Messrs. Paine of Bangor,
Wood of Lebanon,
More of Bath.

On the Hospital for the Insane.

Messrs. Ingalls,
Hutbard,
Millet.

Messrs. Prince of Bucksport,
Bryant of Hallowell,
Coturn of Parkman
Mure of Milton,
Stanley of Hampden.

Wednesday Jan 11.

Messrs. Fairbanks of Presque Isle
Simpson of Gray.On the Maritime Frontier.

Messrs. Eastman	Messrs. Pike of Eastport,
Smart,	Pierre of Houlton,
Patterson.	Hart of Portland,
	Fales of Thomaston,
	Bryant of Hemenesville,
	Morse of Bath,
	Lee of Buckport,
	Williamson of Pittsboro,
	Waterhouse of Scarborough,
	Mildrum of Wells.

Mr. Patterson presented the report of the Warden of the State Prison, which was referred to the Committee on the State Prison and three hundred copies ordered to be printed, for the use of the Senate and fifty additional copies for the use of the Warden.

The following documents transmitted with the Governor's annual message were taken up and referred as follows.

Report of the Superintendent of the Insane Hospital.

" of the Investigating Committee on the Insane Hospital.

Report of the Land Agent to the Committee on
State Lands.

Report of the Adjutant General to the Com-
mittee on the Militia.

Severally sent down for concurrence.

Report of the Commissioners in relation to
the North Eastern Boundary was taken up.

The President requesting to be
excused from appointing the Committee

On motion of Mr. Ingalls
Ordered: That the Report be referred to a joint
select committee consisting of three on the
part of the Senate; and that said Committee
be chosen by ballot.

On motion of Mr. Hunt the
order was laid on the table.

Adjourned.

Lere Haskell, Secretary.

Thursday January 12. 1843.

Mr. Millett announced that Jacob Mlain senator elect for the fourth Senatorial district was present and ready to be qualified. He was attended to the Governor and Council before whom he took and subscribed the oaths required by the Constitution to qualify him to enter upon the discharge of his official duties, after which he took a seat at the Senate board.

On motion of Mr. Sawtelle, the Senate reconsidered its vote of yesterday, whereby it voted to appoint a committee of three on the report of the Commissioners in relation to the North Eastern Boundary, and on his motion it was voted that said Committee consist of five on the part of the Senate.

On motion of Mr. Leavitt,
Ordered: That Messrs. Leavitt, Bodwell, and Mitchell be a committee to receive, sort, & count the votes for a Committee of five, on the report of the Commissioners in relation to the North Eastern Boundary, said Committee having attended to the duty assigned it, Reported That the whole number of ballots was — 29.
Necessary for a choice — 18,
Shepard Cary has — 28.

Theodore Ingalls	has - - - -	26.
John W. Dana	" - - - -	25.
Cullen Sawtelle	" - - - -	27.
Amasa Stetson	" - - - -	21.
Rowland H. Brigham	- - - -	7.
William R. Fry	" - - - -	1.
John Huttars	" - - - -	1.
Charles Hunt	- - - -	1.
Elisha Bodwell	- - - -	1.
Benjamin D. Eastman	- - - -	1. and

that Shepard Cary, Theodore Ingalls, John W. Dana, Cullen Sawtelle, and Amasa Stetson having received a majority of all the votes cast are elected.

On motion of Mr. Eastman
 Ordered: That a message be sent to the House informing that body that the Senate proposes a convention of the two Houses in the Representatives shall this day at half past eleven of the clock, for the purpose of choosing seven Counsellors to advise the Governor in his executive duties, for the current political year; also to elect a Secretary of State, and State Treasurer for the current political year, and request the concurrence of the House.

A message was received from the House by their Clerk informing the Senate that the House concur in the proposition for a convention of the two branches, to elect seven Counsellors, and a Secretary of State,

and nonconcur in the proposition to choose a Treasurer of State.

On motion of Mr. Cary the Senate reconsidered so much of its former vote as relates to a choice of Treasurer of State of which the House was informed by message.

In Convention.

The two Houses having met in convention agreeably to assignment for the purpose of electing seven Counsellors to advise the Governor in his executive duties for the current political year; and also to choose a Secretary of State.

Messrs. Hunt and Dana of the Senate and Greenlaw of Bristol, Wood of Lebanon, and Reed of Waldoboro of the House were appointed a committee to receive sort and count the votes for seven Counsellors.

Said Committee having attended to the duty assigned it reported that the whole number of ballots was — 164.

Necessary for a choice — — — 83

Barnabas Palmer had — — — 122,

Dominicus Jordan — — — 122,

Atwood Levensetter — — — 122,

Greenleaf White — — — 121,

Deane L. Milliken — — — 122

Cyrus Moore	122,
Moses Mason	122,
Kathaniel L. Miller	40,
William Bradbury	40,
Thaddeus Wicks	39,
Bushnel H. Bankley	40,
Elias Dudley	40,
Asa Smiley,	40
Reuel Washburn	40,
Thomas W. Smith	1,
Blank	1 which

report was accepted and Barnabas Palmer, Benjamin Jordan, Alwood Liversaler, Greeting White, Dennis L. Mellicken, Cyrus Moore, and Moses Mason were accordingly declared elected Counsellors.

Messrs. Leavitt and Garcelon of the Senate and Chapman of Northboro' Tanton of Orono and Higgins of Porter of the House were appointed a committee to receive, sort, count the votes for Secretary of State, and having attended to that duty reported that the whole number of ballots was

Murray for a choice	51.
Philip C. Johnson had	122
Samuel P. Benson	39

Philip C. Johnson was accordingly declared duly elected Secretary of State, and the Convention separated.

Mr. Main was appointed on the committee on changing the time of meeting of the Legislature in place of Mr. Smiley.

Thursday Jan 12.

1843.

Mr. Stanley was appointed a member of the committee to contract with some person to do the job printing for the for the current political year, in place of Mr. Smiley.

Mr. Peterson at his request was excused from serving on the committee on Interior Waters, and Mr. Stickland appointed to fill the vacancy.

A message was received from the Governor by the Secretary of State transmitting the report of the Bank Commissioners, said report was referred to the Committee on Banks and Banking, and five hundred copies ordered to be printed for the use of the Legislature. Sent down for concurrence.

On motion of Mr. Thout,
Ordered: That the Secretary of the Senate be directed to notify Philip C. Johnson Esquire that he has been duly elected Secretary of State for the current political year.

On motion of Mr. Leavitt,
Ordered: That the Secretary of State be instructed to notify, Hon. Barnabas Palmer of York, Hon. Dominicus Jordan of Cumberland, Hon. Atwood Townsend of Lincoln, Hon. Ebeneser White of Kennebec, Dennis L. Milliken of Waldo, Hon. Cyrus Moore of Penobscot and Moses Mason of Oxford, that

1843. They have been duly elected counsellors for 64.
the current political year.

Petition of Schabod

W. Buckman and sixteen others for an act
of incorporation for removing obstructions
and facilitating the driving of logs in
Pleasant river, read and referred to the Com-
mittee on Interior Waters. Sent down for
concurrence.

Report of the committee

appointed to ascertain the present con-
dition, and valuation of township No. 3.
range thirteen, was taken up and referred
to the committee on State Lands.

Sent down for concurrence.

Adjourned.

Luc Haskell, Secretary.

____ Friday January 13. 1843. ____

A message from the Governor transmitting resolutions of the Legislature of the State of Illinois, in relation to the fine of General Andrew Jackson was read, and on motion of Mr. Brigham laid on the table.

The Secretary laid before the Senate a list of the unfinished business referred from the last to the present Legislature, and the several petitions, remonstrances, Bills, resolves and orders referred as follows:

Petition of John Schupper and others and Lucius A. Chandler and others that a probate district may be formed in the eastern part of Lincoln County and.

Remonstrance of the inhabitants of Walden against the prayer of said Petitioners

Petitions of sundry citizens of Portland praying that additional powers may be granted to that city.

Bill entitled an act for the prevention of frauds and perjuries,

Resolve for the relief of John Doggett.

1843. Bill entitled an act regulating taxes on sales 60.
by auction

" entitled an act in relation to costs
in criminal prosecutions

" entitled an act to repeal Section 16 of
Chapter 61. of the Revised Statutes, and
also part of an act approved March
14 A.D. 1842 relating to appeals from
County Commissioners.

Petition of John Howe Jr and others of Prospect
praying to be incorporated by the
name of the Prospect Mechanics =
Sociation.

" of Samuel Buffum and others pray-
ing to be incorporated by the name
of the Orono Mechanic Association.

" of Stephen Chadwick and others
inhabitants of Palermo praying that
Jacob Buffum may be removed from
the office of Justice of the peace.

" of Ebenezer Sawyer and others praying
that the Legislature would pass reso-
lutions expressing their disapprobation
of the 21st Rule of the House of Represent-
atives, of the United States, severally read
and referred to the Committee on the Judiciary.
Sent down for concurrence.

Friday Jan 13

Bill entitled an act to incorporate the trustees of the Academy

" entitled an act to authorize the several School districts in the town in this State to organize and hold School District Libraries.

" entitled an act in relation to Union Schools.

Order directing the Committee on Literature and Literary Institutions to inquire into the expediency of granting aid to the Maine Wesleyan Seminary, by donation or otherwise.

Petition of the Superintending School Committee of Brewer, and others praying a repeal of so much of the Revised Statutes as makes it the duty of the Superintending School Committee to direct what books shall be used in Schools, and the appointment of a State Committee for that purpose.

" of the Selectmen of Freeman praying for an alteration of the Law regulating the School funds of said town, severally read and referred to the Committee on Literature and Literary Institutions.

Put down for concurrence.

Bill entitled an act further regulating
Banks and Banking referred to the
Committee on Banks and Banking
Sent down for concurrence.

Petition of the Inhabitants of Fryburg Acad.
emy Grant to be incorporated into
a town by the name of Mason.

" of Joseph Cowen and others inhab-
itants of the towns of Lincoln, Lowell,
and Burlington praying that they
may be set off from the towns
to which they respectively belong and
incorporated into a town by the name
of Benson.

" of Almer Hoxie and others inhabit-
ants of the town of Almon praying
that the name of said town may
be changed to Oneville.

" of the Inhabitants of 'Waldo planta-
tion praying that they may be
incorporated into a town by the
name of 'Waldo.

" of Joshua Gastin and others praying
that township No 5. 4th Range may
be incorporated into a town by the
name of Hanover land.

Remonstrance of Abraham Butterfield others
against the same locally referred to
the committee on the Incorporation of Towns

Sent down for concurrence.

Petition of Joshua Coggins and others inhabitants of the town of Luce praying for a division of said town and

Remonstrances of Jeremiah Fowler and others against the prayer of said petition.

Petition of William Gladden and others praying that certain lands may be set off from Whitefield and annexed to Jefferson.

" of Luther Cleveland and others praying for a division of the town of Embury.

Bill entitled an act to alter the East line of Old Town.

" entitled an act to set off a part of the town of Hope in the County of Waldo and annex the same to the town of Appleton, severally referred to the Committee on the Division of Towns. Sent down for concurrence.

Petition of John H. Pittsbury praying to be released from the payment of certain notes given to the State.

1843 Petition of Ira Wadleigh praying for ex- 70.
tension of time for the payment
of certain notes given to the State.

" of James Lombard praying relief
from the State for injury done
him in the conveyance of land
by the Land Agent.

" of Joseph Chase and others, and
" John St. Gilman and others for
aid to build a bridge over pleasant
river in the town of Milis.

" of Francis Bowman and others owners
of Township No 7. 7th Range pray-
ing for remuneration for timber
cut on said township

Resolved in favor of James Stickney and
others

" in favor of John H. Pillsbury and
Benjamin Webster severally referred
to the Committee on State Lands. Sent
down for concurrence.

Petition of Inhabitants of Nobleton New
Castle and Bristol praying that
the toll on Damarscotta Bridge
may be reduced

" of John Robinson and others pray-
ing that Taughan's Bridge may

made free to the inhabitants of Scarborough.

Petition of the inhabitants of Fryburg
praying that certain bridges
in said town may become toll
bridges with power to collect toll.

" of R. H. Gardner and others pray-
ing that they, and their associ-
ates, may be incorporated under
the name of Winthrop Pond
Bridge Company, for the pur-
pose of erecting a bridge across
Winthrop pond.

" of Thomas W. Bridgman and others
praying that they may be incor-
porated into a company by the
name of the Androscoggin Free Bridge
Company.

Bill entitled an Act for the relief of
Cape Elizabeth, severally referred to the
Committee on Roads & Bridges. Sent down for
concurrence.

Petition of William Richardson and others
inhabitants of Bath for an act
of incorporation to construct a
Rail Road from Bath to Portland,
referred to the Committee on Rail Roads
and Canals. Sent down for concurrence.

they may be incorporated into a company to build a boom on the Narraquague in Cherryfield.

" of John G. Neal and others that they may be incorporated into a company to construct a Lock and Canal around Ticonderoga Falls.

" of Leonard Jones and others praying for an act of Incorporation to unite the Allegack and Penobscot

" of John Winslow and others praying that they may be incorporated to build a dam at Alton.

" of Meshack Pike praying for the passage of a law regulating the use of water in reservoir dams, held in common and undivided.

" of J. E. McCusick and others praying to be incorporated into a log boom company.

" of Amos Davis and others praying that a charter may be granted them to cut a canal from Moose Head Lake to Wilson Stream.

" of John B. Dodge and others praying that

Friday Jan 13.

they may be authorized to build a dam
across Benjamin's River in the town
of Seagwick.

Petition of Obadiah Brown and others praying
that they may be incorporated with
powers to control the discharge of mill-
ponds in Waterford.

Bill entitled an act to provide for the con-
struction of a dam across Penobscot
river.

" entitled an act authorizing the ex-
tending of or building a wharf in
Bucksport.

Remonstrance of Joseph Bowman and others, and
" of Amos Stickney and others of
bassallors against granting toll
on the Kennebec dam

Order concerning Kennebec Locks and Canals
Company severally referred to the
Committee on Interior Waters.

Sent down for concurrence.

Bill entitled an act for the encouragement
of Agriculture, referred to the com-
mittee on Agriculture,

Sent down for concurrence.

1843. Claims of Samuel Hooper and others for mil- 74.
itary services rendered the State in 1839.

Order in relation to the claim of Satra Harvey

Petition of John Dunn that the balance of his
claim may be allowed,

" of J. D. Copeland praying compensation
for services rendered the State in the
Arroostook Expedition

" of Joseph Corrow and

" of Elections Oaks for remuneration
for loss and damage sustained from
the British authorities of the Province of
New Brunswick

" of Bunker Black for his proportion
of the surplus revenue

Claim of the town of Ripley for supplies
furnished by said town in 1839, severally
referred to the Committee on Claims
Sent down for concurrence.

Petition of Charles Doughty for remuneration
for damage sustained while doing
military duty

" of John Martin praying for a milita-
ry pension,

" of Robert Day and others praying

That a pension may be allowed the heirs of Simon Dodge referred to the committee on Military pensions. Sent down for concurrence.

Petition of Lewis Palmer and others praying to be set off from Pittston and annexed to Quiden referred to the committee on division and alteration of Counties. Sent down for concurrence.

Petition of Charles A. Stevens and others of Castine for an act of incorporation for manufacturing purposes.

of Henry Darling and others of Bucksport praying the Legislature for an expression of opinion respecting our intercourse with the British Provinces and the revenue law regulating the same. Severally referred to the Committee on Manufactures. Sent down for concurrence.

Petition of Selectmen of Andover praying that the act incorporating Sylvanus Poor and others as trustees of the Ministerial and School fund of said Andover may be repeated.

Bill entitled an act authorizing the proprietors of the New Congregational Meeting House in Saco to sell and dispose of the same to the first parish

in Saco, and to accept the surrender of
the charter thereof. Severally referred to
the Committee on Privileges.

Sent down for concurrence.

Bill entitled an act repealing an act pro-
viding for the appointment of a
permanent Chaplain for the Maine
State Prison, referred to the Committee
on State Prison. Sent down for concurrence.

Order relative to the pay roll of a court
Marshal in the fifth division.

" relative to the account of the town
of Bethel severally referred to the
Committee on accounts. Sent down for
concurrence.

Resolved in favor of an examination and
location of a road to Chelsumcook
lake, referred to the Committee on
State Roads. Sent down for concurrence.

Petition of Justus Hathaway and others
praying that further time may
be allowed settlers to pay for land
purchased of the State

" of W. H. Smith and another praying
that certain timber may be released
to them on payment of stumpage.
Severally referred to the Committee on State Lands

Petition of Frederick A. Lewis and others for a
reduction of the fees of Record Keepers,
referred to the committee on the Judiciary.

Sent down for concurrence.

Petition of Eusebius Weston in reference
to the North Eastern Boundary,
referred to the committee, to which
was referred the report of the com-
missioners in relation to the North
Eastern Boundary.

Sent down for concurrence.

Resolve in relation to changing the
time of holding sessions of the Leg-
islature, referred to the committee
on changing the time of meeting of the Legis-
lature. Sent down for concurrence.

Bill entitled an additional act for the
suspending Chapter sixteen of the
Revised Statutes.

Petition of Benjamin Bley Jr and others
of Portland

" of James Appleton Jr " "

" " Nathan Barker " "

" " Joseph C. Stephens " "

" " Charles Rocklyft " "

for a revision of the Militia Law.

Bill entitled an additional act relating

To the Militia, severally referred
to the committee on the Militia.

Sent down for concurrence.

A communication was
received from Philip C. Johnson Esquire
signifying his acceptance of the office
of Secretary of State which was read and
transmitted to the House

On motion of Mr. Sawtelle,
Ordered: That a message be sent to the Govern-
or and Council informing that today that
Philip C. Johnson having been duly elected
Secretary of State has signified his accep-
tance of the office, and is ready to take
and subscribe the oaths required by the con-
stitution to qualify him to enter upon the
discharge of his official duties.

On motion of Mr. Leavitt,
Ordered: that the Secretary take from the files
the petition of Charles Cox and others, and lay
the same on the President's table; said peti-
tion was subsequently referred to the committee
on Interior Waters. Sent down for concurrence.

On motion of Mr. Dana
Ordered: that the Secretary of the Senate pro-
cure the printing of five hundred copies of
the lake treaty between the United States and
Great Britain for the use of the Legislature

Mr. Ingalls from the Committee to which was referred the Report of the Treasurer of State on the finances, made a report which was read and accepted.

Sent down for concurrence.

On motion of Mr. Ingalls. Ordered; That a message be sent to the House of Representatives proposing a convention of the two houses in the representatives chamber this day at twelve o'clock, noon, for the purpose of choosing a Treasurer of State for the current political year, and asking the concurrence of the House.

A message was received from the house by their clerk informing the Senate that the House concur in the foregoing proposition for a convention

On motion of Mr. Cary the Resolves relating to the Bankrupt act, were taken up, and the questions being on the amendment proposed by Mr. Hunt to strike out from the first resolve the word 'unconstitutional', the same was decided in the negative, by yeas and nays, as follows
Yeas. Messrs. Bodwell, Brooks, Fiske, Garcelon, Hunt, Lowell, Mallett and Sawtelle - 8.
Nays. Messrs. Amason, Atwood, Brigham, Cary, Cunningham, Dana, Eastman, Ingalls, Kavanagh, Leavitt, Mains, Mitchell, Patterson, Smart, Stetson, Tickland, Hunt and Stanley - 18.

by inserting after the word "unconstitutional" in the first resolve the words "or doubtful constitutionality", and pending that motion the hour of twelve having arrived the two Houses went into convention.

In Convention.

Messrs. Patterson and Jackson of the Senate, and Chadborn of Baldwin, Muzzey of Searsport, and White of the House were appointed a committee to receive, sort and count the votes for a treasurer of State, which committee having attended to the duties assigned it, reported that the whole number of ballots was ——— 556.

Muzzey to a choice ———	79.
James White had ———	123.
Sanford Kingstony had ———	30.
Sanford Bradley ———	1.
Blank ———	1.

which report was accepted, and James White was declared duly elected Treasurer of State for the current political year, after which the convention separated.

The Senate resumed the consideration of the Resolves relating to the Bankrupt Act, and after further discussion the Senate,

Adjourned.

Levi Haskell, Secretary.

____ Saturday January 14. 1843. ____

On motion of Mr. Anderson:
Ordered: That the Secretary of the Senate be instructed to inform James White that he has been elected by a convention of both branches of the Legislature, Treasurer of State for the current political year.

A message was received from the Governor by the Secretary of State transmitting various documents, which were referred as follows.

Resolutions of the State of Mississippi in relation to the annexation of Texas.

" of the State of New York in relation to the Post Office department.

" of the State of Vermont in relation to the franking privilege.

Resolves of the State of New Hampshire in relation to the same.

" of Massachusetts relating to the imprisonment of its citizens in other States.

Resolutions of Maryland in relation to the

Resolutions of the State of Kentucky relative
to amendments of the Constitution
of the United States, severally re-
ferred to the committee on the Judiciary.
Sent down for concurrence.

Resolutions of the State of Massachusetts in
relation to the North Eastern
Boundary, referred to the committee,
on the report of the Commissioners in relation
to the North Eastern Boundary.
Sent down for concurrence.

Resolves of Massachusetts relating to the
Choice of Electors of President and
vice President of the United States:
referred to the committee appointed to District
the State for election of Members of Congress.
Sent down for concurrence.

Resolves of Massachusetts concerning the
assessment of duties, and the pro-
tection of Industry by the United
States; referred to the committee on
manufactures, sent down for concurrence.

A message from the Governor
covering a communication from Thomas W.
Dorr came from the House referred to the com-
mittee on Rhode Island affairs: The Senate

referred the same in concurrence.

The following orders from the House were read and passed in concurrence.

That the committee on the Judiciary inquire into the expediency of amending the Revised Statutes Chapter 14 Sections 76 to 83 inclusive.

That the committee on Interior Waters inquire into the expediency of repealing the 13th Section of the 27th Chapter of the Revised Statutes.

That the same committee inquire into the expediency of repealing an act entitled act in relation to Surveys, approved March 14. 1842.

That the committee on State Lands take into consideration, and report on so much of the Governor's Message as relates to State Lands.

Petition of G. C. Waterman and others inhabitants of Litchfield and Bowdoin praying to be incorporated into a new town, read and referred to the committee on Division and Alteration of Counties, in concurrence.

of William J. Halliburton for a grant of money, read and referred to the committee on Claims in concurrence.

1843. Petition of Daniel Gilbert of Deer Isle for a 54.
lot of land, read and referred to the com-
mittee on State Lands, in concurrence.

" of Robert Chase of Camden for alter-
ation of law authorizing certain
individuals to sell real estate.

" of the Assessors of Belfast Plantation
to be set off in School districts.

" of the inhabitants of town of Bath and
vicinity praying an extension of
the power of County commissioners
in certain cases.

" of Amos H. Cross and 45 others praying
for the passage of a law that the im-
provements which are made upon the
lands in Greenwood which are owned by
the trustees of Philip's Academy may
be made liable to taxation.

" of E. L. Hammond and others County
Commissioners for the County of Pis-
cataguis for the privilege of using the
lands of Somerset and Penobscot for
the term of five years.

" John Rodgers and 55 others inhabitants
of Brunswick praying for the passage
of a resolve authorizing the collection
of certain money, severally read and

and referred to the committee on the Judiciary in concurrence.

Petition of Nathaniel Groton and others praying for a reduction of tolls on Sheepscot Bridge, read and referred to the committee on Roads and Bridges in concurrence.

" of William McLain and others of the town of Hope in aid of the petition of Fergus McLain and others for a division of the town of Hope.

" of Ephraim Wentworth and others to be set off from Hancock and annexed to Franklin

" of David C. Archer and others to set off from Somerset and annex to Centerville.

" of Isaac Jordan of Monroe to have his land set off from Brooks and annexed to Monroe.

" of Archelaus W. Thornbly to be set off from Brooks and annexed to Monroe.

" of Samuel Wheeler and others of the town of Fiskecott praying to be set off and annexed to the town of Edmunds.

1843. Petition of Matthew Tarnum and five others 86.
praying to be set off from Penobscot
and annexed to the town of Surry.

- " of Rufus Sylvester and sixty two others
of the town of Bowdoin praying that
they may be set off from Bowdoin
and annexed to Topsham.

Remonstrance of Matthew Coffin and others
against the petition of David Archer
and others to be set off from Jonesboro'
to Centerville, severally read and referred
to the Committee on Division of Towns, in concurrence.

Petition of the town of Almond to take the
name of Orneville read and referred
to the Committee on Incorporation of
towns, in concurrence.

- " of the Trustees of Bethel Academy
for a change of its corporate name,
read and referred to the Committee
on Literature and Literary Institu-
tions in concurrence.

- " Trustees and owners of the Baptist
Meeting House in Trenton for an
act of Incorporation.

- " of Daniel Darity and others of Sedge-
wick for leave to sell a Meeting
House, severally read and referred to

the committed on Parishes, in concurrence).

Petition of George W. Maxim for continuance
of Pension for injuries received in the
service of the State.

" of Charles H. Buckman praying for
remuneration for injuries received in
the service of the State, severally read
and referred to the committed on Mil-
itary Pensions in concurrence.

" of H. Longfellow relative to the Hallowell
horse ferry

" of James C. Hill and another for the
exclusive right of Steam navigation
in Royalls river in North Yarmouth

" of James C. and Henry Tallman of Bath
praying for an alteration in the charter
of the Sagadahoc Ferry.

" of the Inhabitants of Ellsworth for
the amendment of an act entitled
an act to remove obstructions in
the navigation of Union river, severally
read and referred to the committed on
Interior Waters, in concurrence.

" of the President, Directors and Company of
the Maine Bank for liberty to surrender their

Petition of J. W. Patterson and one hundred and forty six others for change of law in relation to taxing certain bank stock.

" of the President, Directors and Company of the Bank of Portland for liberty to surrender of their charter, severally referred to the Committee on Banks and Banking in concurrence.

" of John H. Rodgers and others in behalf of township letter F. on the Arcostock for a road, read and referred to the Committee on State Roads in concurrence.

Resolved in relation to the repeal of the Bankrupt Act, laid on the table in the House by Mr Perry of Oxford was read once and laid on the table.

The Clerk of the House informs the Secretary that Messrs Pierce of Houlton, Partridge of Orland, Clark of Strong, Reed of Waldoborough, Severance of Augusta, Faye of Bethel, and Emery of York, were joined on the part of the House to the committee on the Report of the Commissioners in relation to the North Eastern Boundary.

Bill entitled an act

concerning suits where either of the District Judges is a party laid on the table in the House by Mr. Perry of Ohio was referred to the committee on the Judiciary in concurrence.

Petition of William Anderson for services rendered the State in making a chart of the State came up, referred to the committee on claims: the Senate non-concur and postpone the consideration of the same indefinitely.

Sent down for concurrence.

Resolves relating to the Bankrupt Act were taken up, but before any vote was taken the Senate,

Adjourned.

Levi Haskell, Secretary.