

Monday, March 9, 1840.

Bill authorizing the President, Directors and Company of the Bank of Portland to reduce the capital stock of said Bank,

— authorizing the President, Directors and Company of Maine Bank to reduce their capital stock, (introduced in the House) — severally read and referred to the Committee on Banks and Banking in concurrence.

Mr Holt has leave of absence from and after Thursday next, and Mr Shaw, from and after Friday next during the remainder of this session.

Mr Goss, from the Committee on Military Pensions, reported reference to next Legislature on petitions of Cyrus Clark and Benjamin Edmonds Jr — severally read and accepted.

Sent down for concurrence. Concurred.

Mr Merrill, from the Committee on the Militia, reported leave to withdraw on petition of Timothy Boutelle and others, — read and accepted. Sent down for concurrence. Concurred.

Mr Bradley, from the Committee on State Roads, reported order of notice to next Legislature on petition of Thomas H. Abram and others — read and accepted.

Sent down for concurrence. Concurred.

356 Resolved in favor of the heirs at law of the late John G. Deane (laid on the table by Mr. Robinson) - read and referred to the Committee on State Lands.
Sent down for concurrence. Concurred.

Bill to prevent disturbances in schools, (introduced in the House) read and referred to the Committee on Literature and Literary Institutions, in concurrence.

Resolved making appropriations for military purposes, (reported by Mr. Merrill, from the Committee on the Militia, on report of the Adjutant General;)

- " relating to the State Prison Debt, (reported in the House of Representatives by the Committee on the State Prison, on petition of Joseph Coombs and others;)

- " for extending the time for making a highway in the County of Waldo, (reported in the House by the Waldo Delegation, on the petition of the Selectmen of the towns of Thorndike, Knox and Brooks;)

Bill to incorporate the Franklin County Agricultural Society (reported in the House by the Committee on Agriculture, on petition of John Titcomb and others;)

- " authorizing the County Commissioners of the County of Waldo to lay out a road over tide waters of Goose River Creek, (reported in the House of Representatives by the Committee on Roads and Bridges, on petition of the Inhabitants of the town of Camden;)

- " to provide for furnishing Blank Books to the cities, ^{towns,}

and plantations in this State (reported 357
in the House by the Committee on the Judiciary
on an order relative to that subject,) —
to dissolve the Brunswick Village Corporation,
(reported in the House of Representatives by
same, on petition of Benjamin Titcomb
and others;) — severally read once and
three o'clock in the afternoon assigned for
a second reading.

Bill to incorporate the Moosehead and Wilson
Stream Canal and Sluiceway Company
was taken up, and tomorrow ten o'clock
assigned for a second reading.

Resolve in favor of Hiram Lyford was
taken up, and the same, on motion of Mr
Shaw, was indefinitely postponed.
Sent down for concurrence. Concurred.

A message from the House of Representatives,
by Mr Gerry, the Clerk, that the House had non-
concurred the Senate in the indefinite postponement
of the "Bill additional to the several Acts now in
force exempting certain articles from attachment,"
and, having insisted on the vote passing said Bill,
proposed a Conference, and appointed as Conferees,
Messrs. Otis of St George, Delesdernier of Baileyville
and Mr Gaffey of Mt. Vernon — and requested the
concurrence of the Senate.

The Senate, insisting on the vote to postpone said
Bill indefinitely, concurred in the proposition for a
Conference, and appointed as Conferees, Messrs
Barrell, Philbrick and Robinson.

358 Resolve relative to the repeal of the Act, giving a bounty to vessels engaged in the fisheries (reported by Mr William M. Reed from the Select Committee on an order relating to a movement in Congress in relation to the repeal of the law allowing a bounty on fishing vessels,) was read once, - which, with the report submitted with the same, on motion of Mr William M. Reed, was laid upon the table, and ordered that one thousand copies of the report (and Resolve be printed for the use of the Legislature.

The Committee on Division of Towns reported leave to withdraw on petitions of Benjamin Manter D^r and William B. Flint and another - severally read and the same, on motion of Mr Smith were laid upon the table.

Bill additional to "an Act to prevent the spreading of Small Pox and other contagious sickness," was taken up (and the amendment submitted by Mr Holt was withdrawn (and the Bill was amended. Mr Bradley proposed further to amend - and the Bill, with the amendment, on motion of Mr Crocker, was laid upon the table.

Bill to incorporate the Allegash and Pembroke Canal Company was taken up, and the further consideration of the same, on motion of Mr Eaton, was postponed till three o'clock in the afternoon.

Bill to divide the town of Orono and incorporate therefrom the towns of Old Town and Stillwater came up from the House of Representatives amended

by striking out the word "Stillwater", wherever it 359
occurs and inserting in lieu thereof the word Orono.

The Senate reconsidered the vote passing said
Bill to be engrossed, adopted the amendment pro-
posed by the House, and passed the same to
be engrossed as further amended, in concurrence.

Bill to limit the Compensation of Sheriff in the
County of Franklin was taken up and passed
to be engrossed, in concurrence.

Bill to reduce the Capital Stock of the Bank
of Bangor and Globe Bank, Bangor was read
the second time and passed to be engrossed.
Sent down for concurrence.

Adjourned

Afternoon

A message was received from the
House of Representatives by Mr. Gerry, the Clerk, re-
questing the Senate to transmit to that branch the peti-
tion of Solomon Clark, with the report thereon—

The Senate concurred in the request, and the said
petition, with the report thereon, was returned to the
House by message.

Resolve for extending the time for making a high-
way in the County of Waldo was read the second time,
and the same, on motion of Mr. Eastman, was
indefinitely postponed.

Sent down for concurrence.

The order relative to claims of towns for blankets furnished the soldiers, (submitted 27th February,) on motion of Mr Eastman, was taken up, and the same was indefinitely postponed.

Reports of the Committee on Division of Towns on petitions of Benjamin Manter 2^d and William R. Flint and another on motion of Mr. Smith were taken up and severally recommended.

Sent down for concurrence. Concurred.

Mr Bradley, from the Conference appointed on the part of the Senate on the subject-matter of the disagreeing votes of the two Houses on the report on the petition of Benjamin Brown, reported that they had met and conferred with the Conference on the part of the House of Representatives, and that they could come to no agreement; therefore, recommended that the Senate adhere to its former vote accepting the vote of the Committee — read and accepted.

Mr William M. Reed, from the Committee on Incorporation of Towns, reported leave to withdraw on petition of Sewall Moody and others — read and accepted. Sent down for concurrence. Concurred.

Bill to incorporate the Allegash and Pondsboet Canal Company was taken up, and the same, on motion of Mr. Shaw, was indefinitely postponed. Sent down for concurrence. Concurred.

Bill to prevent disturbances in schools, reported by Mr Eastman from the Committee on Literature and Literary Institutions, to which said Bill had been committed,

was read once, and tomorrow ten o'clock assigned 361
for a second reading.

Bill additional to Acts regulating Banks and
Banking - and also for a limited time to suspend
certain provisions of an act, entitled "an act prohibi-
ting the emission and circulation of Bank Bills of a small
denomination and certain others," passed March 19, 1836, was
taken up and amended, and the same, on motion
of Mr Blake was laid upon the table.

Resolve furnishing the Selco Rifle Company with Ri-
fles (laid on the table by Mr Robinson) read and
referred to the Committee on the Militia.

Sent down for concurrence. Concurred.

Resolve making appropriations for military pur-
poses was read the second time and passed to be
engrossed.

Sent down for concurrence. Concurred.

Resolve relating to the State Prison debts,

Bill to dissolve the Brunswick Village Corporation
- severally read the second time, amended and
passed to be engrossed.

Sent down for concurrence. Concurred.

Bill to provide for furnishing Blank Books to the
cities, towns and plantations in this State, was
read the second time, the amendment of the House
adopted, and passed to be engrossed as amended,
in concurrence.

362 Bill authorizing the County Commissioners of the County of Waldo to lay out a road over tide waters of Goose River Creek,

— to incorporate the Franklin County Agricultural Society— severally read the second time and passed to be engrossed, in concurrence.

On motion of Mr. Groff, the Senate reconsidered the vote granting to Mr. Shaw leave of absence from and after Friday next, and granted him leave of absence from and after Monday next during the remainder of this Session.

Adjourned.

Wm. Dutton, Secretary.

Tuesday, March 10, 1840.

Order from the House of Representatives requesting the Committee on Accounts to ascertain if there was any mistake in allowing and paying the account of the town of Lebanon for bounty on wheat and corn for the year 1838, and if so, report a Resolve for the amount of said error — read and passed in concurrence.

On motion of Mr. Erskine, the vote of yesterday, whereby the Senate granted Mr. Holt leave of absence from and after Thursday next, was reconsidered, and he has leave of absence from and after Monday next, during the remainder of this Session.

Remonstrance of A. M. Robinson and others, inhabitants of Piscataquis County against abolishing the office of Surveyor General — read and referred to the Committee to which was referred the Bill to abolish the office of Surveyor General, in concurrence.

The Report of the Committee on Military Pensions, granting leave to withdraw on petition of Solomon Clark, came up from the House of Representatives recommitted. The Senate nonconcurring the House in the recommitment and adhered to the vote of the 28th February accepting said Report.

Sent down for concurrence.

364. Resolve in favor of John Morrill, (introduced in the House) was read once and twelve o'clock this day assigned for a second reading.

Resolve providing for the choice of Electors of President and Vice President of the United States, (reported in the House by the Committee on the Judiciary on an order relative to that subject;)

Bill relative to lands forfeited to the State, (reported in the House by the Committee on State Lands, to which was committed said Bill,)

— reducing and establishing the salaries and compensation of certain County officers, (reported in the House by the Select Committee on an order relative to that subject;)

— further regulating Judicial process and proceedings, (reported by Mr. Vose, from the Committee on the Judiciary on an order in relation to further limitation of real and other actions— also "Bill in further limitation of real and other actions"— also "Bill further regulating judicial process and proceedings")— severally read once and three o'clock in the afternoon assigned for a second reading.

Bill to suspend for a limited time the operation of an act entitled "an act prohibiting the emission and circulation of Bank Bills of a small denomination and certain others," (introduced in the House, — read and referred to the Committee on Banks and Banking in concurrence,

The Committee on the Judiciary reported leave to withdraw on petition of Elisha Gibbs and they read and accepted, in concurrence.

Bill additional to "an act to diffuse the benefit of inoculation for the Nine Pock (reported in the House by the Committee on the Judiciary on an order respecting vaccination) was read once and indefinitely postponed, in concurrence.

Bill to divorce Ebenezer Cobb and Mary Cobb came up from the House of Representatives — that branch, having insisted on the vote passing said Bill to be engrossed, proposed a Conference and appointed as conferees Messrs Tappan of Portland, Perry of Oxford and Goldthwait of Biddeford. The Senate, insisting on the vote indefinitely postponing said Bill, concurred in the proposition for a Conference, and appointed as conferees Messrs Eastman, Philbrick and Tebbets.

Mr. Barrell, from the conferees appointed on the part of the Senate on the subject matter of the disagreeing vote of the two Houses, on the "Bill for the appointment of a Commissioner of Public Instruction", reported that they had met the conferees on the part of the House, and that they had not been able to agree, and therefore recommended that the Senate adhere to the former vote passing the Bill to be engrossed — read and accepted.

Bill additional to "an Act to prevent the spreading of small Pox and other contagious sickness," on motion of Mr Erskine was taken up and further considered. And the question of passing the same to be engrossed, as amended on sheets annexed marked B, C and D, was decided in the affirmative, by yeas and nays, as follows, to wit:

Yeas. Messrs. Barrell, Blake, Crocker, Eastman, Erskine, Foster, Groff, Merrill, J. Reed, William M. Reed, Robinson, Smith, Tebbels, Totman & Vose 15.

Nays. Messrs. Barker, Bradley, Eaton, Hammors Holt, Philbrick, Shaw and True. 8.

Sent down for concurrence.

Resolve in favor of Waterville College, (laid on the table by Mr. Bradley) was read twice and the question of passing the same to be engrossed, being ordered to be taken by yeas and nays, was decided in the affirmative, as follows, to wit:

Yeas. Messrs. Barrell, Bradley, Crocker, Eastman, Eaton, Erskine, Foster, Groff, Isaac Reed, William M. Reed, Robinson, Smith, Tebbels, Totman and Vose 15.

Nays. Messrs. Barker, Blake, Hammors, Holt, Merrill, Perkins, Philbrick, Shaw and True 9.

Sent down for concurrence.

Bill ^{original} to acts regulating Banks and Banking (and also for a limited time to suspend certain provisions of an Act entitled an Act prohibiting the emission and circulation of Bank Bills of a

small denomination and certain others, passed March 367
19, 1836 - was taken up and further amended.

Mr Bradley moved the indefinite postponement
of said Bill - and the question of indefinite post-
ponement, being ordered to be taken by yeas (and nays)
was decided in the affirmative, as follows, to wit:
Messrs. Barrell, Bradley, Crocker, Eaton, Er-
skine, Grop, Philbrick, Isaac Reed, William M. Reed,
Tebbels, Totman (and Voss, 12.

Yays. Messrs. Barker, Blake, Eastman, Foster, Ham-
mons, Holt, Merrill, Perkins, Robinson, Shaw
and True 11

Sent down for concurrence.

On motion of Mr. Bradley, the Senate recon-
sidered the vote of yesterday passing to be engrossed
as amended "Bill to dividing the town of Orono and
incorporate the towns of Old Town and Sillwater."

Mr Bradley moved further to amend said Bill
by striking out the title and inserting in lieu thereof
the following - An Act to divide the town of Orono
and incorporate the north part into a town by the name
of Old Town - and the Bill passed to be engrossed
as thus further amended.

Sent down for concurrence. Concurred.

Resolve for the preservation and repair of the Cana-
da Road came up from the House of Representatives
amended. The Senate reconsidered the vote passing the
same to be engrossed, adopted the amendment
proposed by the House, and passed the Resolve to be
engrossed as amended, in concurrence. Adjourned

Afternoon

Petition of the Register of Probate for Piscataquis County, praying for increase of Salary—read and referred to the Committee on the Judiciary.

Sent down for concurrence. Concurred.

Bill to incorporate the Moosehead and Wilson Stream Canal and Sluiceway Company was read the second time and the same, on motion of Mr. Holt, was laid upon the table.

Mr. Philbrick moved to reconsider the vote of the forenoon whereby the Senate indefinitely postponed the Bill additional to Acts regulating Banks and Banking; and also for a limited time to suspend certain provisions of an Act prohibiting the emission and circulation of Bank Bills of a small denomination and certain others, passed March 19th 1836, which motion (on motion of Mr. Grosz) was laid upon the table.

Resolves in favor of John Morrill was read the second time and passed to be engrossed in concurrence.

Resolve relating to the military expenditures of the State in the protection of the North Eastern Frontier (laid on the table by Mr. Eastman,)

Bill to prevent disturbances in schools—generally 369.
read the second time and passed to be engrossed.
Sent down for concurrence. Concurring.

Bill reducing and establishing the Salaries (and compensation of certain County officers) was read the second time and amended.

Mr Holt moved the indefinite postponement of the Bill. And the question was decided in the negative by yeas and nays as follows, to wit:
Yeas. Messrs. Barker, Blake, Bradley, Crocker, Foster, Groff, Hammond, Holt, Perkins, Shaw & Wetman, 14.
Nays. Messrs. Barrell, Eastman, Eaton, Euskin, Philbrick, Isaac Reed, Robinson, Smith, Tebbets, True and Vose 11.

The Bill was further amended and passed to be engrossed.
Sent down for concurrence.

Bill to incorporate the Seboomook Slueway Company was taken up. The vote passing the same to be engrossed was reconsidered, the amendments proposed by the House of Representatives were adopted, and the Bill was further amended and passed to be engrossed.
Sent down for concurrence.

The Committee on Engrossed Bills reported as truly and correctly engrossed.
Resolve in favor of John A. Dill of Gardiner and the same was finally passed.

The same Committee reported as truly and correctly
engrossed,

Bill establishing a Fire Department in the town of ^{West} East,
- " - to extend the limits of the Charter of the Salt Water Falls

Company, approved March 24, 1836,

- " - to change the names of certain persons - and the
same were severally passed to be
enacted

Adjourned.

Attest, William Daffron, Secretary.

Wednesday, March 11, 1840.

Mr Barrell, from the Conference, appointed on the part of the Senate on the subject-matter of the disagreeing vote of the two Houses on the "Bill additional to the several acts now in force exempting certain articles from attachment," reported that they had met the Conference on the part of the House and that the Conference of the two Houses had agreed to recommend the passage of said Bill — read (and accepted) and said Bill passed to be

enacted

Resolve in favor of Elisha Hilton,
 " in favor of Samuel Holden,
 " in favor of the School on George's Island
 severally came up from the House of Representatives that branch, having none concurred the Senate in referring said Resolves to the next Legislature, insisted on its former votes passing said Resolves to be engrossed, and proposed a Conference, and appointed as Conference, Messrs. Otis of St. George, Chadbourn of Eastport, and Coburn of Bloomfield.

The Senate, insisting on the votes referring said Resolves to the next Legislature, concurred in the proposition for a Conference (and appointed as Conference Messrs. Robinson, Totman and Hammons.

Communication from the Governor to the House of Representatives transmitting the accounts of Abner D. Thompson, Acting Quarter Master General came up referred to

372 the Committee on Military Accounts - read and referred in concurrence.

On motion of Mr Bradley, the 17th number of the Rules and Orders was so far dispensed with as to reconsider the vote of the 5th inst. accepting the report of the Committee on State Lands, granting leave to withdraw on petition of S. E. Bodfish; and said petition on motion of Mr Blake, was referred to the next Legislature. Sent down for concurrence. Concurred.

On motion of Mr. Grosz, the motion of Mr Philbrick, (laid on the table yesterday,) to reconsider the vote whereby the Senate indefinitely postponed the "Bill additional to acts regulating Banks and Banking; and also for a limited time to suspend certain provisions of an act entitled an act prohibiting the emission and circulation of Bank Bills of a small denomination and certain others, passed March 19, 1836," was taken up - and said vote was reconsidered; and the Bill, on motion of Mr Perkins, was laid upon the table.

Bill further regulating Divorces came up from the House of Representatives passed to be engrossed. The Senate adhered to the vote of the 11th inst. refusing the same a passage.
Sent down for concurrence.

Mr Bolster, from the Committee consisting of the Oxford Delegation, reported order of notice to the next

Legislation on petition of John Hastings and others 31/3.
— read and accepted.

Sent down for concurrence. Concurring.

The Committee on the Judiciary, to which was referred the order directing said Committee to inquire whether the law, passed 21st March 1821 settling the residence of paupers, conflicts with, or repeals the law passed the 10th of March 1821, so far as relates to the allowance of accounts by the State, arising from expenses incurred by towns relative to Small Pox, reported that by a decision of the Supreme Judicial Court, the act of the 21 March 1821, does repeal the act of the 10th March 1821 — read and accepted in concurrence.

The Committee on State Lands reported legislation inexpedient on "Bill for the protection and disposition of timber on lots reserved for public uses" — read and accepted, in concurrence.

The Committee on the Militia reported legislation inexpedient on petitions of P. M. Foster and others, and J. M. Heath — read and accepted in concurrence.

Resolve in favor of the widow Emeline Maddocks,
(reported by Mr. Hammons from the Committee on Claims, on petition of Emeline Maddocks.)
Bill additional to an act to incorporate the Bangor and Piscataquis Canal and Rail Road Company,

374.

- (reported in the House by the Committee on Rail Roads and Canals, on petition of Eldridge Hamis)
- " to divorce Elias D. Pierce and Mary A. B. Pierce, (reported in the House by the Committee on the Judiciary, on petition of said Elias D. Pierce and Mary A. B. Pierce,)
 - " to extend the time for building a Bridge over the St. Croix River at or near Sprague's Falls, (reported in the House by the Committee on Roads and Bridges, on petition of William Pike & others,)
 - " altering the time of holding the District Court for the Eastern District in the County of Aroostook, (reported in the House by the Committee on the Judiciary on an order relative to that subject,)
 - " to abolish the office of Surveyor General, (reported by the Select Committee on Retrenchment, on petition of Elias Harmony,)
 - " to apportion and assess upon the inhabitants of this State a tax of \$101,075.88, (reported in the House by the Committee on Finance,)
 - " ⁱⁿ addition to an act concerning the election of Representatives, (introduced in the House.)
- Resolve in relation to the third volume of the private Acts and Resolves of this State, (introduced in the House,)
- " for the relief of the settlers upon the Aroostook (reported in the House by the Committee on petition of the inhabitants of Aroostook,)
- Bill additional to an Act to incorporate the Magallowick and Schoodic Canal Company, (reported in the House by the Committee on Rail Roads and Canals on petition of George Downs & another.)

severally read once and three o'clock in the afternoon 375
assigned for a second reading.

The Report on "Resolve in favor of the City of Portland, of the towns of Harpswell, Jefferson, Bristol, South Berwick, Phillips, Bowdoinham, Lee, Lebanon, Salem, Gorham, of Joseph Spaulding and Elisha W. Wilbur", came up recommended. The Senate noncon-
curred the House in the recommendation of said Report, and adhered to the former vote accepting said Report that said Resolve ought not to pass.

Sent down for concurrence.

Bill to regulate attachment on mesne process (in-
troduced in the House,) read and referred to the
extra session, in concurrence.

Resolve for ^{extending the term of} making a highway in the County of
Waldo, came up from the House of Representa-
tives - that branch having insisted on the vote
passing said Resolve to be engrossed, proposed a
Conference, and appointed as Conferees Messrs.
Coxford of Jackson, and Allen of Bangor.

The Senate, insisting on its former vote, con-
curred in the proposition for a Conference and
appointed as Conferees Messrs. Bolster and Barrell.

Bill to organize, govern and discipline the Militia
(reported by Mr. Merrill from the Committee on
the Militia, to which were referred sundry

376 petitions and orders relative to the Militia) read once, and the same, on motion of Mr. Philbrick, was laid upon the table.

Order from the House of Representatives directing the Committee on Accounts to inquire into the expediency of allowing to the town of Bloomfield and New Sharon ^{for} error or deficiency for bounty on wheat and corn — read and passed, in concurrence.

On motion of Mr. Grosz.

Ordered, That there be appointed a Joint Select Committee, consisting of seven on the part of the Senate, with such as the House may join, to sit in the recess of the Legislature to examine the "Revised Statutes," and report the same on the first day of the adjourned session.

Sent down for concurrence.

Came up from the House of Representatives — that Branch having ordered twenty to be joined on its part, in concurrence.

The Report on petition of Samuel M. Pond and others, Eli Thurston and others, and Samuel Wood Jr. and others was taken up. Mr. Vose moved that the same be recommended with instructions to report the following —

"Resolve in favor of the right of petition."

Resolved, That the recent vote of the House of Representatives in Congress assembled, by which they have refused to receive any petition from the citizens of the United States

upon the subject of Slavery in the District of Columbia, 377
is in direct violation of Art. I of the amendments of the
Constitution, which prohibits Congress from the passage
of any law abridging the freedom of speech, or the press,
or the right of the people peaceably to assemble (and to peti-
tion the government for a redress of grievances —
and that our Senators and Representatives be requested
to use their influence in its immediate repeal."

And the question of recommitting with said
instructions, being ordered to be taken by yeas and
nays, was decided in the negative, as follows, to wit:
Yeas. Messrs. Darnell, Eaton, Eushine, Philbrick, Isaac
Reed, William M. Reed, Robinson, Tebbets & Vose 9
Nays. Messrs. Bolster, Blake, Bradley, Crocker, East-
man, Foster, Goff, Hammons, Holt, Merrill,
Perkins, Shaw, Smith, Totman and True 15.

Adjourned.

Afternoon

A message was received from The House of
Representatives, by Mr. Gerry, its Clerk, requesting
the Senate to transmit to the House the account of
Luther Brackett, former Sheriff of Washington County,
with the report thereon.

The Senate concurred in the request, and ~~said~~
said account, with the report thereon, was transmitted
to the House of Representatives by message.

Bill to promote the sale and settlement of wild
lands in this State was read the second time, and

378 the amendments of the House adopted: (and the question of indefinitely postponing the Bill in concurrence with the House, being ordered to be taken by yeas and nays, was decided in the affirmative as follows, to wit:

Yeas. Messrs Barker, Barrell, Bolster, Crocker, Eastman, Eaton, Eiskine, Grogg, Holt, Perkins, Isaac Reed, William M. Reed, Robinson, Shaw, Smith, Tabbels, Tolman, True and Vose _____ 19.

Nays. Messrs Blake, Bradley, Foster and Merrill _____ 4.

Resolve in favor of the heirs at law of the late John G. Deane, (reported by Mr. Smith, from the Committee on State Lands, to which said Resolve had been referred,) was read once and to-morrow ten o'clock assigned for a second reading.

Bill relative to lands forfeited to the State was read the second time, and the same, on motion of Mr. Eaton was laid upon the table.

Bill to divorce Elias D. Pierce and Mary A. D. Pierce was read the second time, and the same, on motion of Mr. Vose, was indefinitely postponed.
Sent down for concurrence

Bill to abolish the office of Surveyor General was read the second time, and the same was amended by striking out the title, and inserting An act establishing the compensation of the Surveyor General. And

the Bill was further amended. And the ques- 379
tion of passing the same to be engrossed as amended,
was decided in the affirmative, ^{by} yeas and nays as
follows, to wit:

Yeas. Messrs Barker, Burrell, Blake, Bolster, Bradley,
Eaton, Eshine, Foster, Grop, Holt, Merrill,
Perkins, Philbrick, Isaac Reed, Shaw, Smith,
Tebbets, and True _____ 18.

Nays. Messrs Hammens, William M. Reed, Robinson
and Vose _____ 4.

Sent down for concurrence. Concurred.

Bill to establish the Shire town of the County of
Piscataquis was read the second time, and the same,
on motion of Mr. Vose, was referred to the next
Legislature. Sent down for concurrence.

Bill further regulating Judicial process and pro-
ceedings was read the second time and passed to be
engrossed. Sent down for concurrence. Concurred.

Bill additional to the several Acts now in force,
to organize, govern and discipline the Militia of
this State was taken up, amended and passed
to be engrossed.

Sent down for concurrence. Concurred.

Bill to apportion and assess upon the inhabitants
of this State a tax of \$101,075.88,
— an additional to an Act to incorporate the Bangor,

380 and Piscataquis Canal and Rail Road Company
severally read the second time, amended and
passed to be engrossed.

Sent down for concurrence. Concurred.

Resolve providing for the choice of Electors of President
and Vice President of the United States, (amended)
Bill in addition to an Act concerning the election of
Representatives,

- allowing the time of holding the District Court in
the Eastern District in the County of Aroostook,
 - to extend the time for building a bridge over the
St. Croix River at or near Sprague's Falls —
- severally read the second time and passed to be
engrossed, in concurrence.

Adjourned

(Attest.) William Drafton, Secretary.

Thursday, March 12, 1840.

A message was received from the House of Representatives, by Mr. Gerry, its Clerk, requesting the Senate to transmit to the House the petition of Samuel Baker with the report thereon. The Senate concurred in the request; and the said petition, with the report thereon, was transmitted to the House by message.

Order from the House of Representatives, directing the Committee on Accounts to inquire into the expediency of allowing an account of the town of Raymond for bounty on wheat and corn, raised A. C. 1838—read and passed, in concurrence.

Petition of John Sawyer and others, inhabitants of the town of Bradford, praying for an alteration in the License Laws—read and referred to the Committee on the License Laws, in concurrence.

The Committee on State Lands reported leave to withdraw, on petition of Henry Warren, and "legislation inexpedient" on an order relative to seizures on the public Lands—severally read and accepted, in concurrence.

Report of the Committee on the Judiciary on the "Bill to abolish imprisonment for debt," came up from the House of Representatives referred to the Extra Session — read and concurred.

The same Committee reported legislation in expedient on an order relative to paying for services to persons indebted to the State, read and accepted in concurrence.

The report on petition of Solomon Clark came up from the House of Representatives — that branch, having nonconcurring the Senate in the acceptance of said Report, insisted on its former vote recommending the same.

The Senate nonconcurring the House in the recommitment of said Report, and still adhered to the former vote accepting said Report.

Sent down for concurrence. House adhered.

The Report of the Committee on Claims, granting leave to withdraw on petition of Dexter Kifle Company, and Reuben Hamlin, Treasurer of China came up referred to the next Legislature.

The Senate nonconcurring the House in its reference, and insisted on the vote accepting said Report. Sent down for concurrence. Concurred.

The Committee on State Lands to which was referred the order relative to the Land Agent's account,

is connected with the Civil Posse under his care 383.
made a report thereon - read (and accepted,
in concurrence.

Bill to incorporate the Schoonook Sluiceway Com-
pany came up from the House of Represent-
atives further amended and a passage refused.

The Senate reconsidered the vote passing said
Bill to be engrossed, adopted the amendments proposed
by the House and referred the Bill to the next
Legislature.

Sent down for concurrence. Concurred.

Petition of the inhabitants of School District
No 3 in Thomaston, praying for authority to sell
their school house and land - read and referred
to the Committee on Literature and Literary In-
stitutions, in concurrence.

Order from the House of Representatives
directing the Committee on Accounts to make up
an additional Roll, including such accounts as
may have been handed in since the presentation
of the first Roll - read and passed, in concurrence.

Mr Isaac Reed, from the Joint Select
Committee to which was referred the petition of
William Lozely and others, reported that said
petition be referred to the next Legislature, read
& accepted. Sent down for concurrence. Concurred.

384. Resolve relating to a general Bankrupt Law, (introduced in the House,)

Bill to set off township No. 19 from the town of Columbia, (reported in the House by the Committee on Division of Towns, on petition of Ichabod Bucknam and others,)

- to divide the Ministerial fund in Turner, (reported in the House by the Committee on the Judiciary, on petition of the trustees of the Ministerial and School fund in Turner,)

- additional to an Act establishing and regulating the fees of the several officers and other persons therein named, (reported in the House of Representatives by the Committee on Accounts, on an order relative to the distribution of Proclamations for Fasts and Thanksgivings,)

- additional to an Act relating to the Militia, (reported in the House by the Committee on the Militia on an order relative to noncommissioned officers and privates crossing ferries,)

- to increase the Salary of the Register of Probate in the County of Franklin, (introduced in the House,) - severally read once, and three o'clock in the afternoon assigned for a second reading.

Mr. Barker, from the Committee on Division of Towns, reported order of notice to the next Legislature on petition of John Hutchens, Jr. - read and accepted. Sent down for concurrence. Concurred.

Bill to set off certain lands from Dearborn to Waterville was taken up and the same, on motion

of Mr. Hammons, was indefinitely postponed.

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Sent down for concurrence.

Bill to repeal an act entitled, "an act to incorporate the Kennebec Dam Company," and an act entitled "an act additional to an act to incorporate the Kennebec Dam Company" - came up from the House of Representatives - that Branch having nonconcurring the Senate in its proposed amendment, passed the same to be engrossed without the amendment.

The Senate, having insisted on the vote passing said Bill to be engrossed as amended, proposed a Conference and appointed as Conferees Messrs. Eaton, Smith and William M. Reed.

Sent down for concurrence.

Came up with Messrs. Milliken, Clifford and Belandier, Conferees on the part of the House.

Bill reducing and establishing the Salaries and compensation of certain County officers came up from the House of Representatives - that Branch, having rejected the amendments proposed by the Senate, insisted on the vote passing the Bill to be engrossed, and proposed a Conference and appointed as Conferees Messrs. Otis of H. George, Littlefield of Wells and Allen of Bangor.

The Senate, insisting on the vote passing the Bill to be engrossed as amended, concurred in the proposition for a Conference, and appointed as Conferees, Messrs. Eastman, Isaac Reed and Barker.

386.

Bill additional to acts regulating Banks and Banking; and also for a limited time to suspend certain provisions of an act entitled an act prohibiting the emission and circulation of Bank Bills of a small denomination and certain others, passed March 19, 1836 — was taken up and further amended.

Mr. Bradley moved to strike out all after the enacting clause except the 12 section. And the question of thus striking out, being ordered to be taken by yeas, was decided in the affirmative as follows, to wit: Yeas. Messrs. Barrell, Bradley, Crocker, Eaton, Estlin, Grop, Philbrick, Isaac, Reed, William M. Reed, Robinson, Tinkels and Vose 12.

Nays. Messrs. Barker, Blake, Bolster, Eastman, Foster, Hammons, Merrill, Perkins, Smith, Tottman & True 11.

The Bill was further amended by striking out the words, "Sec. 12. Be it further enacted," and the Bill passed to be engrossed as amended.
Sent down for concurrence.

Bill to repeal the 12 section of an act entitled "An additional act concerning the apportionment and collection of taxes approved March 12, 1831 (introduced in the House) was read once (and indefinitely postponed. Sent down for concurrence.

A message from the House of Representatives, by Mr. Gerry, its Clerk, that the House of Representatives had reconsidered the vote passing to be engrossed the "Resolves in relation to the sale and conveyance of the public lands in favor of George W. Buckmore and others", and amended the same

by adding after the words, "John Mathews", in the 387.
second Resolve, the words, and their associates - and
had ordered the same reengrossed as thus amended,
and requested the concurrence of the Senate.

The Senate reconsidered the vote passing said
Resolve to be engrossed, adopted the amendment
proposed by the House of Representatives, and or-
dered said Resolve reengrossed as thus amended,
in concurrence.

Bill to ascertain the amount and description of
estates and certain description of persons within
this State - came up from the House of Represent-
atives amended. The Senate reconsidered the vote
passing said Bill to be engrossed, adopted the amend-
ments proposed by the House and passed the same
to be engrossed as amended, in concurrence.

Adjourned.

Afternoon

Bill to set off township No. 19 from the
town of Columbia was read the second time, and
the same, on motion of Mr Isaac Reed, was laid
upon the table.

Bill additional relating to the Militia was read
the second time, and the same, on motion of Mr.

388 Gros, was indefinitely postponed.

Sent down for concurrence.

June, Mar. 12, 1869.

Mr. Eastman, from the Conference appointed on the part of the Senate, on the subject matter of the disagreeing votes of the two Houses on the "Bill to divorce Ebenezer Cobb and Mary Cobb," reported that they had met the Conference on the part of the House of Representatives, and that they could come to no agreement thereupon, and therefore recommended that the Senate adhere to its former vote whereby said Bill was indefinitely postponed.— read (and) accepted.

Resolve for the relief of the sellers upon the Astor stock was taken up, amended (and) passed to be engrossed. Sent down for concurrence.

* Resolve in favor of the Widow Emeline Madocks,

— in favor of the heirs at law of the late John G. Deane — severally read the second time (and) passed to be engrossed.

Sent down for concurrence. # Concurred.

Resolve in favor of Ebenezer Jones,

— relating to the general Bankrupt law,

— relating to the third volume of the private Acts and Resolves of this State,

Bill additional to an Act establishing and regulating the fees of the several officers and other persons

therein named,

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- " additional to an Act to incorporate the Magalloway and Schoodic Canal Company,
 - " to increase the Salary of Register of Probate in the County of Franklin,
 - " to divide the ministerial fund in Turner.
- severally read the second time and passed to be engrossed, in concurrence.

Mr. Robinson, from the Conference appointed on the part of the Senate on the subject matter of the disagreeing votes of the two Houses on the Resolve in favor of the school on George's Island,

- " in favor of Elisha Hilton,
- " in favor of Samuel Holden, reported that they had met and conferred freely with the Conference appointed on the part of the House of Representatives and agreed to report that the Senate recede from the vote referring the said Resolves to the next Legislature, and that the Senate concur with the House in passing the same to be engrossed, and the Conference on the part of the Senate do accordingly, so recommend - read and accepted. And the Senate receded from the votes referring said Resolves to the next Legislature and passed the same to be engrossed in concurrence.

Bill to organize, govern and discipline the militia was taken up, and the motion to print was further considered - and the Bill was laid upon the table and ordered that 1000 copies of the same be printed for the use of the Legislature.

The Committee on Engrossed Bills reported as truly and correctly engrossed,
Bill additional to an act to organize, govern and discipline the Militia of this State;

- to provide for furnishing blank books to the cities, towns and plantations in this State;
- authorizing the County Commissioners for the County of Waldo to lay out a road over tide waters of Goose River Creek in the town of Camden,
- to incorporate the Franklin County Agricultural Society;
- repealing part of an act establishing the duties to be paid by certain officers therein named;
- to limit the compensation of Sheriff in the County of Franklin;
- to dissolve the Brunswick Village Corporation,
- accepting the surrender of the Charter of the Bangor Commercial Bank — and the same were severally passed to be

enacted.

And also,

Resolve in favor of Chadbourn and Rawson — and the same was

finally passed.

On motion of Mr. Gross,

Ordered, That when the Senate does next adjourn, it shall adjourn till half past four o'clock this afternoon.

And the Senate accordingly

Adjourned.

Resolve in favor of Milo L. Bennet, on motion of Mr. Smith was taken up, and the same, on motion of Mr. Isaac Reed was referred to the next Legislature. Sent down for concurrence. Concurred.

Bill relative to the Kennebec Log Driving Company was taken up and indefinitely postponed.
Sent down for concurrence. Concurred.

Resolve relative to the repeal of the Act giving a bounty to vessels engaged in the fisheries was taken up, read the second time and passed to be engrossed.

On motion of Mr. Erskine, the Senate reconsidered the vote of the ninth instant whereby the Senate so far accepted the Report of the Committee as to bring the said Resolve before the Senate.

Mr. Barker moved the indefinite postponement of said Report — and the question of indefinite postponement, being ordered to be taken by yeas and nays, was decided in the negative, as follows, to wit:

Yeas. Messrs Barker, Hammond, Perkins & Shaw Jr.

Nays. Messrs. Barrell, Crocker, Eaton, Erskine, Foster, Gross, Philbrick, Isaac Reed, William M. Reed, Robinson, Smith, Tebbets, Totman, True & Vose 15

And the question of again accepting said Report was decided in the affirmative by yeas and nays, as follows, to wit:

Yeas. Messrs Barrell, Crocker, Eaton, Erskine, Foster, Gross, Philbrick, I.

Reed, William M. Reed, Robinson, Smith, Tebbets, Totman, and Vose, ————— 14.

392 Nays. Messrs. Barker, Hammons, Perkins, Shaw,
and True

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Adjourned.

Attest William Drafton Secretary.

Friday, March 13, 1840.

The Committee on Accounts reported "legislation inexpedient" on an order relative to allowing the account of the town of Raymond for bounty on wheat and corn for 1838 — read and accepted, in concurrence.

The Report of the Select Committee that "legislation is inexpedient" on petition of Samuel McKend and others, Eli Thurston and others, and Samuel Wood Sr. and others was taken up and accepted. Sent down for concurrence. Concurred.

Bill giving a lien to mechanics on buildings in certain cases (introduced in the House) read (and referred to the Extra Session of this Legislature, in concurrence.

Report of the Committee on Military Pensions granting leave to withdraw on petition of Samuel Baker, came up from the House of Representatives recommended. The Senate nonconcurred the House in the recommitment of said Report and adhered to the vote accepting said Report.

Sent down for concurrence.

394. Bill to divorce Elias D. Pierce (and Mary A. B. Pierce) came up from the House of Representatives - that Branch, having insisted on its vote passing the same to be engrossed, proposed a Conference (and appointed as Conferees, Messrs Perry of Oxford, Delesdernier of Baileyville and Perley of Gray.

The Senate, insisting on the vote indefinitely postponing the same, concurred in the proposition for a Conference, and appointed as Conferees Messrs Barker, Robinson and True.

Bill further regulating Divorces came up from the House of Representatives, that Branch having insisted on its vote passing the same to be engrossed, proposed a Conference and appointed as Conferees Messrs Andrews of Turner, Allen of Bangor, Carey of Houlton, and Delesdernier of Baileyville.

The Senate receded from the vote of the 11th instant of adherence, concurred in the proposition for a Conference and appointed as Conferees Messrs Eastman, Vose, Smith and Totman.

Resolve in favor of Waterville College came up from the House of Representatives indefinitely postponed. The Senate, having nonconcurred the House in the indefinite postponement of said Resolve, insisted on the vote passing the same to be engrossed, & proposed a Conference and appointed as Conferees Messrs Eastman, Vose and Bradley.

Sent down for concurrence. Concurred and Messrs Mc Mahon of Edington, Buxton of North Vermont,

The Report on "Resolve in favor of the city of Portland, of the towns of Hayswell, Jefferson, Bristol, South Berwick, Phillips, Bowdoinham, Lee, Lebanon, Salem, Gorham, of Joseph Spaulding and Elisha W. Withee" came up from the House of Representatives - that Branch, having insisted on its vote referring said Resolve to the next Legislature, proposed a Conference and appointed as Conferees Messrs. True of Montville, Frowbridge of Portland and Eliot of Bristol.

The Senate receded from its vote of the 11th instant of adherence, and, insisting on the vote of the 21st of February, accepting the report that said Resolve ought not to pass, concurred in the proposition for a Conference and appointed as Conferees Messrs. Erskine, Hammons and Philbrick.

Resolve in favor of Joseph Pomeroy (introduced in the House.)

Bill relating to demand and notice on promissory notes, orders and drafts (laid on the table by Mr. Vose) severally read once and three o'clock in the afternoon assigned for a second reading.

Bill to incorporate the Moosehead and Wilson Stream Canal and Sluiceway Company was taken up and referred to the next Legislature.
Sent down for concurrence. Concurred.

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The President laid before the Senate a communication from John Fairfield, President of the Board of Internal Improvements, transmitting, for the use of the Legislature, six hundred copies of a Report of the survey of Rail Road route from Portland to Lake Champlain by William L. Dearborn, Esquire, published by order of the Board of Internal Improvements — read and sent down.

On motion of Mr. Grosz.

Ordered, That the Secretary of the Senate be directed to make up the pay^{roll} of the members of the Senate and its officers to and including Saturday next.

On motion of Mr. Tabbets the order was amended by striking out the word, "Saturday," and inserting Monday — and the order passed as thus amended.

The Committee on Engrossed Bills reported as truly and correctly engrossed.

Resolve for the payment of accounts against the State
and the same was

finally passed.

On motion of Mr. Robinson the engrossed Bill additional to the several acts for the relief of Poor Debtors (laid on the table February 18) was taken up, and the same was passed to be enacted.

Adjourned.

Petition of a Committee of Mt. Vernon, praying for the passage of an Act authorizing the School districts in said town to elect Committees with the power of Superintending School Committees — read and referred to the next Legislature.

Sent down for concurrence. Concurred.

Mr. Hammons, from the Select Committee to which was referred the order relative to State elections, reported legislation on that subject inexpedient — read and accepted.

Sent down for concurrence. Concurred.

Mr. Grosz, from the Committee on Military Pensions, reported reference to the next Legislature on petition of Daniel Brown — read and accepted.

Sent down for concurrence.

Bill additional to an Act to prevent the spreading of Small Pox and other contagious sickness came up from the House of Representatives indefinitely postponed.

The Senate acceded and concurred in the indefinite postponement of the Bill.

On motion of Mr. Grosz, the Senate reconsidered the vote to adhere to the vote accepting the report of the

756, Mar. 13, 1860.

398 Committee on Military Pensions, granting leave to withdraw on petition of Samuel Baker, and referred the same to the next Legislature.

Sent down for concurrence. Concurred.

Bill relative to lands forfeited to the State was taken up - The Senate nonconcurred the House in its proposed amendment and refused the Bill a passage.

Sent down for concurrence.

Bill to set off township No. 19 from the town of Co. Columbia was taken up - the amendment proposed by the House was amended and the Bill passed to be engrossed as thus amended.

Sent down for concurrence. Concurred.

Resolve in favor of Joseph Pomeroy,

* Bill to secure to owners on the Androscoggin River, and streams emptying into said River, the exclusive right of driving their own logs, in certain cases, (laid on the table by Mr. Bolster), severally read the second time and referred to the next Legislature. Sent down for concurrence. * Concurred.

Bill relating to demand and notice on promissory notes, orders and drafts,

- " - additional to an act to provide for repair of highways in certain unincorporated townships, (reported by Mr. Smith from the Committee on State Lands, on the Land Agents Report.)

severally read the second time and laid upon the table. 399.

Mr. Hammons, from the Committee on Claims, reported leave to withdraw on petition of William Anson and Rebecca D. Deane — read (and the same, on motion of Mr. Robinson, was laid upon the table.

Bill further regulating and establishing the salaries and compensation of certain officers herein named was taken up and amended, and the same, on motion of Mr. Eastman, was laid upon the table.

Bill to set off certain lands from Dearborn to Waterville came up from the House of Representatives — that branch, having not concurred the Senate in the indefinite postponement of said Bill, insisted on its vote passing the same, proposed a Conference and appointed as Conferees, Messrs. Carey of Houlton, Dana of Fryeburg and Wentworth of Sebanon.

The Senate, insisting on the vote to indefinitely postpone the same, concurred in the proposition for a Conference, and appointed as Conferees Messrs. Grosz, Eaton and Isaac Reed.

Mr. Bolster, from the Conferees appointed on the part of the Senate on the subject-matter of the disagreeing vote of the two Houses on the "Resolue for extending the time for making a highway in the County of Waldo," reported that they had met the Conferees

400. appointed on the part of the House of Representatives, but were unable to agree, and therefore recommended that the Senate adhere to its former vote to indefinitely postpone the same — read and accepted, and the Senate adhered to said vote.

Mr. Barker, from the Conference appointed on the part of the Senate, on the subject-matter of the disagreeing vote of the two Houses on the "Bill to divorce Eliad T. Pierce and Mary A. B. Pierce", having met the Conference on the part of the House, reported that they were unable to agree, therefore the Conference of the Senate recommended that the Senate adhere to its former vote of indefinite postponement — read and accepted, and the Senate accordingly adhered.

Mr. Eastman, from the Joint Select Committee on the License Laws, to which were referred "Bill relating to the sale of intoxicating liquors" — also petition of Samuel Martin and others — also thirty six other petitions, signed by two thousand, four hundred and eighty one persons, praying for a repeal of the present License Laws, and the enactment of a prohibitory law — also six other petitions praying for alterations in the laws relating to the traffic in intoxicating liquors, made the following

Report:

Your Committee consider the subject to be one of great importance, and great delicacy. It is well understood, that a very large proportion of crimes, and consequently the expenses of criminal prosecutions, and the support of our State Prison and County gaols, have their origin in the use of intoxicating liquors. — It has been estimated that

at least seven eighths of the expenses for the support of
the poor accrue directly or indirectly from intemperance. 401
It is well understood that many diseases originate in, (and
that all diseases are aggravated by the free use of ardent
spirits. Then taking into the account, the loss of property, the
debasement of the moral sensibilities, the distress and blasted
hopes of domestic happiness in families, and the misery
which is entailed upon them from generation to genera-
tion, and we have an immense, overwhelming amount
of evil resulting from this indulgence. Deeply impressed
with these considerations, the Committee have anxiously
considered the subject with a view to determine what
further legislative action would be advisable in reference
to these evils. —

A large proportion of the petitioners propose a re-
peal of the present License Laws, and the enactment of
a law prohibiting the sale of intoxicating drinks. It is un-
derstood that this proposition originates in the idea that
the present law sanctions and encourages and legalizes
the traffic. The Committee are of opinion that this im-
pression is erroneous. If there were no law on the sub-
ject, the traffic would be entirely legal, and so far as
the law is concerned entirely reputable. The present law
prohibits the sale generally, but permits certain individ-
uals to sell, provided they can obtain the sanction of the
officers of their respective towns, and are "persons of
sober life and conversation, and of good moral char-
acter, and suitably qualified for the employment,"
and also give bonds in the penal sum of three hun-
dred dollars, that they will not violate the law, and
will conform to such regulations as the town officers
may prescribe. And every licensed person is prohib-
ited by the Law, to suffer any kind of gaming in or
about their premises. — From selling to any person

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addicted to the intemperate use of strong liquors — and it is made the duty of the selectmen to furnish each licensed person the name of every person known by them to be so addicted. It is also made the duty of the town officers to prosecute the bond of any licensed person, who shall be proved to them to have been guilty of any violation of the law, or of their regulations. And it is also made their duty to prosecute every person, who, without license, shall presume to be a retailer of strong liquors.

It therefore appears to your Committee, that the present License Law, so far from encouraging the traffic restrains it — that so far as its operation is general, it is prohibitory — and that so far as it effects those individuals who obtain a license it is restrictive — as every violation of the law by them is a forfeiture of their bond.

The reason of these restraints upon the traffic is precisely the same, which the petitioners would urge in favor of a law entirely prohibitory in its nature, to wit, that the use of spirituous liquors, and of course the traffic in them is injurious to the community. By placing these restrictions upon the trade, the Legislature express the same kind, if not the same degree of hostility to the traffic which they would by a law merely prohibitory.

From the best information in possession of your Committee, we are of opinion that less than one half of the towns in the State grant licenses — and a large proportion of the retailers prefer to sell without license, and in violation of the law, rather than place themselves under the restrictions, and expose themselves to the heavy forfeiture which the present law imposes upon those who sell under a license. And if town officers now shrink from the performance of the duty which the present law imposes, to prosecute for violations

which come to their knowledge, it may well be in- 1403.
quired, where is the hope, that a more rigid would
be enforced? The recent example of a sister State,
supposed to be in advance of us in the temperance
reform - where numerous warm hearts and strong
minds are enlisted - an array of talent seldom
equalled - sustained by the power of wealth and moral
and political influence, and yet defeated, may well
lead us to pause and consider, lest we, by legisla-
ting too far in advance of public sentiment, produce
a reaction, be compelled to retract from our position,
and thus give a triumph to the enemies of reform.

Your Committee are of opinion that the friends
of temperance must rely for the success of their cause,
almost entirely upon popular opinion; and that this
will be directed, not by legislation but by example,
persuasion, reasoning, and the diffusion of informa-
tion upon the subject. Legislation will follow, and
may come in aid of popular opinion, but can-
not to advantage greatly precede it. The temper-
ance reform commenced and made advances
through the simple agency of persuasion - individ-
uals associated under a pledge to abstain, and induced
others to join them, and by example, by public ad-
dresses and private conversation directed the public
attention to the evils of intemperance. Their num-
bers and their strength gradually increased till
a large proportion of the more considerate part of
the community espoused the cause and became
temperance men. But there are those engaged in
the traffic who continue to sell - and there are
those addicted to the use, who continue to drink. Before
them, the evils resulting from the traffic, and the use,
have been portrayed in vain. Their love of gain

and their love of strong drink have closed their hearts and benumbed their sensibilities to the destruction and misery which they occasion. And it is upon such that some of the friends of temperance are desirous to operate by rigorous enactments. But in the opinion of your Committee the principal reliance is to be placed upon persuasion and the force of example. The present Law is not unpopular - and it is efficacious to prevent the traffic wherever public opinion is sufficiently strong to enforce any prohibitory law. An attempt to mend may turn the scale against it. And it is not impossible that among the friends of temperance who have labored long and arduously, there may exist an unconscious desire to be relieved from the burden and the responsibility of laboring (and carrying forward the work of reform. If these philanthropists can be satisfied that the good work can be better promoted by individual effort without further prohibitory law, we believe they will not be weary in well doing. And whilst your Committee are of opinion that the Legislature cannot arrest the evils by enacting laws, we believe the members can do much in another mode. We esteem it an honor, that our fellow citizens should select us to fill the responsible and delicate situation which we here occupy. We are placed in a position to exert an influence for good or evil which we should not otherwise possess. We are sent here to act, not for our own pleasure, but for others. By throwing the whole weight of our influence and example in the scale of temperance (and morality, we may rescue from the vortex of ruin many who would otherwise be overwhelmed. We may lighten up many a cheerless and desolate abode with the sunbeams of peace and prosperity, and a domestic felicity,

and our own happiness will be promoted by the 405
consciousness of doing good.

Whilst, therefore, your Committee do not recommend any change in the laws upon the subject of traffic in spirituous liquors, they do recommend that by our example as well as our conversation the members of the Legislature will discourage the traffic, and endeavor to dissuade all within the reach of their influence from the destructive tendency of indulgence in intoxicating drinks.

Which report was read and accepted — and on motion of Mr Vose, Ordered that the same be printed in all the Newspapers that publish the Laws of the State.

Sent down for concurrence. Concurred.

Adjourned

Attest, William Trafton, Secretary.

Saturday, March 11, 1840.

Bill to set off lands of Benjamin Manton D and Jonathan Luce from the town of New Vineyard and annex the same to the town of Anson, (reported in the House by the Committee on Division of Towns, on petition of Benjamin Manton D) was read once and twelve select this day assigned for a second reading.

Resolve relating to the Massachusetts claim,
 — in favor of the Deaf, Dumb and Blind, (introduced in the House of Representatives, by the Committee on Finance,)

— in favor of Barlow Dyer, (reported in the House by the Committee on Accounts, on an order relative to allowing the account of New Sharon for bounty on wheat for the year 1837.)

Bill to change the name of certain persons (reported in the House) severally read the second time and passed to be engrossed, in concurrence.

Resolve directing the payment of accounts of cities, towns, and persons, for supplies furnished and services rendered, in consequence of drafts of Militia into actual service, (reported by Mr. Eastman from the Committee on Military Accounts, on sundry petitions;)

— authorizing the Acting Quarter Master General to audit certain accounts, (laid on the table by Mr. Eastman) severally read twice and passed

to be engrossed.

Sent down for concurrence. Concurred.

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Bill to set off land belonging to William R. Flint and S. W. Smith from the town of Madison and annex the same to the town of Anson, (reported in the House by the Committee on Division of Towns, on petition William R. Flint and S. W. Smith,) was read once, and the same, on motion of Mr Parker, was laid upon the table.

Bill to repeal the 2^d section of an act entitled "an additional act concerning the apportionment and collection of taxes", approved March 12, 1831—came up from the House of Representatives referred to the "Extra Session"—and the same, on motion of Mr Eastman, was laid upon the table.

Mr Blake moved to reconsider the vote of yesterday whereby the Senate referred to the next Legislature the Resolve in favor of Joseph Pomroy, which motion (on motion of Mr Bradley) was laid upon the table.

Bill additional relating to the Militia came up—The House of Representatives having insisted on its vote passing said Bill to be engrossed, proposed a Conference, and appointed as Conferees, Messrs Hunt of Lubec, Johnson of Gorham and Thomas of Lincolnville.

The Senate, insisting on the vote of the 12th instant whereby said Bill was indefinitely postponed, concurred

1408 in the proposition for a Conference and appointed as
Conferees Messrs Merrill, Isaac Reed and Bolster.

Bill relative to lands forfeited to the State came
up - The House of Representatives, insisting on its vote
passing the same to be engrossed, proposed a Conference
and appointed as Conferees, ^{messrs} Miller of Hollis, Olis of
Hallowell and Small of Wales.

The Senate, insisting on the vote refusing said
Bill a passage, concurred in the proposition for a
Conference and appointed as Conferees Messrs
Eaton, Perkins and William M. Reed.

Resolve authorizing an exchange of State Securities
(reported in the House of Representatives by the Com-
mittee on Finance,) was read twice the amend-
ment of the House adopted, and the Resolve
was further amended and passed to be engrossed.

Sent down for concurrence. Concurred.

Resolve for the relief of the settlers upon the Aroo-
stock came up - the House of Representatives having
adopted the amendments proposed by the Senate, except-
ing so much as strikes out the words, "one dollar",
and inserts the words two dollars, and proposed
a Conference and appointed as Conferees Messrs
Hastings of Bethel and Carey of Houlton.

The Senate, insisting on the vote adopting said
amendment, concurred in the proposition for a Con-
ference and appointed as Conferees Messrs Isaac
Reed and Smith.

Mr Eastman, from the Conference appointed on the part of the Senate, on the subject matter of the disagreeing vote of the two Houses on the "Bill reducing and establishing the salaries and compensation of certain County officers," reported that they had met the Conference on the part of the House of Representatives, and had agreed to recommend that the Bill be referred to the Committee which may be appointed on the report of the Commissioners appointed to revise the Statutes of this State—read and accepted.

Sent down for concurrence. Concurred.

The report of the Joint Select Committee, relative to the repeal of the Act, giving a bounty on fishing vessels—came up recommitted. The Senate receded from the vote accepting said Report, and recommitted the same in concurrence.

Bill to establish the shire town of the County of Piscataquis came up—The House of Representatives, having insisted on its vote passing said Bill to be engrossed, proposed a Conference and appointed as Conference Messrs. Doughty of Sangerville, Meguire of Poland and Dorrance of Portland.

The Senate, insisting on the vote referring said Bill to the next Legislature, concurred in the proposition for a Conference, and appointed as Conference Messrs. Goff, Vose and Bradley.

Bill to set off lands of Benjamin Mantor^d and Jonathan Luce from the town of New Vineyard

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and annex the same to the town of Anson was read the second time and passed to be engrossed, in concurrence.

Bill to set off certain lands from Pittsfield and annex the same to Lebanon, on motion of Mr Bradley was taken up and the same, on motion of Mr Perkins, was referred to the next Legislature of which the House of Representatives was informed by message and its concurrence requested.

The Committee on Engrossed Bills reported as truly and correctly engrossed.

Resolves in favor of John M. Farland Jr. and the same, on motion of Eastman, was indefinitely postponed — of which the House was informed by message and its concurrence requested.

The same Committee reported as truly and correctly engrossed

Resolve in favor of Ira Fish.

— " in favor of Alden W. Norris,

— " in favor of Samuel Bassick,

— " in favor of Southwood Libbey & E. B. Sibley,

— " in favor of the proprietors of township 42. 1st Range,

— " for the preservation and repair of the Mass Hill road,

— " in relation to the third volume of the private Acts

and Resolves of this State. — and the same

were severally finally passed.

The same Committee reported as truly and correctly 411
engrossed,

- Bill additional to an Act concerning the election of ^{Representatives}
- " - authorizing the town of Waterville to dispose of the old
mystery house in West Waterville,
- " - to extend the time of building the Bridge over
the St. Croix River at or near Spague's Falls,
- " - altering the time of holding the District Court for
the Eastern District in the County of Aroostook
- and the same were severally passed to be
enacted

On motion of Mr Erskine,
Ordered, That when the Senate next adjourns, it
shall adjourn till Monday next, ten o'clock in the
forenoon -

And the Senate accordingly

Adjourned

Attest William Trafton, Secretary.