

Monday January 14. 1839.

On motion of Mr. Dumont.

Ordered, That the Committee on the Judiciary be instructed to inquire into the expediency of reporting a Bill providing for an equal distribution of the property of insolvent debtors among their creditors; and upon such distribution being made that not only the body of the debtor shall be exempted from arrest, but that all property subsequently acquired by him shall be exempted from attachment. Sent down for concurrence. Concurred.

On motion of Mr. Shaw.

Ordered, That the Committee on State Lands be directed to inquire into the expediency of abolishing the office of Surveyor General. Sent down for concurrence. Concurred.

Mr. Dumont submitted the following

Order. That _____ be a Committee, with such as the House may join, to contract with some suitable person to draft the Bills of the Legislature, at a compensation not exceeding Three Dollars per day - which was read and a passage refused.

Mr. Perkins from the Select Committee to draft Rules and Orders, made a Report which was read and accepted. - and ordered, on motion of Mr. Littlefield, that the Secretary of the Senate cause to be printed four hundred copies of the Rules and Orders, including the Constitution of the United States, and of this

81. State for the use of the Senate.

Petition of A. S. Patton and others praying for an act of incorporation for the purpose of manufacturing Iron by the name of the Owen Iron Manufacturing Company - read and referred to the Committee on Manufactures. Sent down for concurrence. Concurred.

Petition of H. G. O. Barrows and another praying to be set off from the town of Wilson and be annexed to the town of Shirley;

of Nathaniel Treat and others praying for the division of the town of Cron;

of Isaac Robinson and others praying to be set off from the town of Cushing and annexed to the town of Friendship;

Remonstrance of the town of Cushing against the same, severally read and referred to the Committee on Division of Towns, in concurrence.

Petition of John Allan and John Nipton, Chiefs of the Penobscot Tribe of Indians, praying for redress of grievances, read and referred to the Committee on Indian Affairs, in concurrence.

Petition of Joshua Carpenter, praying that an appropriation may be made for the purpose of erecting a Gun House at Lincoln - read and referred to the Committee on the Militia, in concurrence.

Petition of Arthur McArthur and others praying for a law to prohibit the sale

and use of Ardent Spirits;
 Petition of John Pease and others of Parsons-
 field, praying for the repeal of the
 License Laws, and to prohibit the sale
 of Ardent Spirits. Severally read and
 referred to the Committee on the License
 Laws in concurrence.

Communication from J. B. Cahoon,
 the Treasurer, (made to the House of Repre-
 sentatives) in relation to the Bank Tax ap-
 portioner to the town of Lyman read and
 referred to the Committee on Claims, in con-
 currence.

Communication from Rufus C. Vose,
 Adjutant General (made to the House of
 Representatives) transmitting Pay Rolls of Const-
 Marshal and Courts of Inquiring with other
 military accounts read and referred to the
 Committee on accounts in concurrence.

Resolve in favor of James Small (introduced
 in the House).

Bill for the limitation of criminal prosecutions
 reported by Mr. Littlefield from the Committee
 on the Judiciary, on an Order relative to
 the limitation of Criminal prosecutions) Severally
 read once and tomorrow, eleven o'clock, as
 signed for a second reading.

Adjourned.

Attest William Drafter, Secretary.

Tuesday, January 15, 1839.

Communication from John Walker, Councilor elect signifying his acceptance.
Read and sent down.

On motion of Mr. Dumont, the Order relative to the repeal of the Charter of the "Kennebec Log Driving Company" was taken up and referred to the Committee on the Judiciary. Sent down for concurrence. Concurred.
[See Diary 8th and 16th pages 49 & 66.]

On motion of Mr. Litchfield,
Ordered, That a message be sent to the House of Representatives proposing a Convention of the two Houses in the Representatives Hall, forthwith, for the purpose of administering to John Walker, Councilor elect, the necessary oaths of office - Which message was delivered by the Secretary.

A message was received from the House of Representatives by Mr. Waterhouse, the Clerk, that the House had concurred in the foregoing proposition.

In Convention.

Agreeably to assignment, the two Branches of the Legislature, met in Convention for the purpose of qualifying John Walker, Councilor elect.

Mr. Cole of Paris, of the House, was

charged with a message informing John Walker, that the two Houses have met in Convention and are ready to administer to him the necessary oaths to qualify him to enter upon the discharge of his official duties.

Whereupon John Walker came in (attended by the Council and Secretary of State), and before the President of the Convention, in presence of both Houses of the Legislature, took and subscribed the oaths required by the Constitution to qualify him to enter upon the discharge of his official duties, and the Convention separated.

Indemnate.

On motion of Mr. Oggood.

Ordered, That a special message be sent to the Governor and Council informing that body that John Walker has been duly elected Councilor to advise the Governor in the Executive Department and has taken and subscribed the necessary oaths to enable him to enter upon the discharge of his official duties. Which message was delivered by Mr. Oggood.

On motion of Mr. Perkins.

Ordered, That the Committee on Banks & Banking be instructed to inquire into the expediency of providing by law, that if at any time, any incorporated Bank in this State shall suspend or refuse the payment of its Bills in specie when demanded at its Counter, such

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85.

Bank shall, at the same time, suspend its banking operations as a Bank, for all purposes of discount or of paying out directly or indirectly, its moneys, or means of discharging its obligations to the public, and the suspension of its banking operations as aforesaid, to continue until it resumes the payment of its bills in full and pays them in specie at its counter on demand.

And also it shall be the duty of the Bank Commissioners upon being informed of such refusal or suspension by any Bank, to repair forthwith to such Bank, and strictly and minutely to examine into its condition and report the same to the Governor for information to the Executive, and for publication, if he may judge expedient, and also, in case such Bank shall continue to suspend or refuse to pay its bills as aforesaid longer than days from the time of its first refusal, that the Bank Commissioners be authorized and empowered by and with the advice of the Governor and Council to close such Bank, and cause proceedings to be had as provided for in the 33^d Section of 'an act to regulate Banks and Banking' approved by the Governor March 31, 1831. Sent down for concurrence. Concurred.

On motion of Mr. Bowles,
Ordered, That the Committee on the Militia be instructed to inquire into the expediency of amending the 28th. Section of the Militia Law of the State, approved March 5th. 1834, so that compensation 'in lieu of rations' for Military duty, be computed in conformity with the distance each Officer and member

may be compelled to travel from their respective places of abode to the place of inspection and review. Sent down for concurrence. Concurred.

86.

On motion of Mr. Heagans,
Ordered, That the Committee on Agriculture be instructed to inquire what has been the usual rate of tolls taken by Millers in this State (and if it has been uniform) for grinding Corn and grain, and what is allowed by law, and if the several Millers have regulated their tolls by said law. Sent down for concurrence. Concurred.

Order from the House of Representatives, directing the Committee on Agriculture to inquire into the expediency of authorizing an Agricultural Survey of the State to be made. read and passed in concurrence.

Order from the House of Representatives, directing the Committee on State Lands to inquire into the expediency of abolishing the Office of Surveyor General of lands, or of graduating his pay according to the services he performs, read and passed in concurrence.

Petition of Benjamin Mantra and another praying that certain lots may be set off from the town of New Vineyard & annexed to Andover.

Remonstrance of John Black, against the petition of David Whitten. Severally read and referred to the Committee on Division of Towns, Sent down for concurrence. Concurred.

87. Petition of John M. Donald, President of the People's Bank of Bangor, praying that the Bank may have refunded a loan made by said Bank to the State - read and referred to the Committee on Banks and Banking. Sent down for concurrence. Concurred.

Petition of Nathaniel C. Rice and another, praying that the doings of the Select men of Phippsbury in defining the limits of Companies, may be made legal. read and referred to the Committee on the Militia. Sent down for concurrence. Concurred.

Petition of Ira Wadleigh, praying for extension of time for paying certain mts due the State - read and referred to the Committee on State Lands. Sent down for concurrence. Concurred.

Petition of Seth Peab Jr. and another, praying for an appropriation to repair Gun house in Turner,
of John L. Kimball and others, praying for an appropriation to build a Gun house in Garland. Severally read and referred to the Committee on the Militia in Concurrence.

Petition of C. L. Clark and others,
of Isaac Lord and others, praying for the repeal of the License Laws - severally read and referred to the Committee on the License Laws, in Concurrence.

Petition of inhabitants of Wilson praying ^{for an appropriation} for the repair and completion of the road from H. C. O. Barrows to the foot of Moose Head Lake read and referred to the Committee on State Roads, in concurrence.

Petition of David Whitten, praying to be set off from No. 7 and annexed to the town of Gouldsbrough read and referred to the Committee on Division of Towns, in concurrence.

Petition of inhabitants of Sturben, praying for an act to regulate the taking of fish in the Sunk Stream read and referred to the Committee on Interior Fisheries, in concurrence.

Mr. Heagan, from the Committee on Roads and Bridges, reported order of notice on petition of Nathaniel Mayo read and accepted. Sent down for concurrence. Concurred.

Mr. Sagies, from the Committee on Division of Towns, reported order of notice on petition of Robinson Gammon read and accepted. Sent down for concurrence. Concurred.

The Committee on Division of Towns reported order of notice on petition of Jacob C. Staples read and accepted, in concurrence.

Bill directing the mode of choosing County Commissioners, Clerks of Courts and County Attornies (introduced in the

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89. House) came up referred to a Joint Select Committee, consisting, on the part of the House, of Messrs. Ellis of Hallowell, Mildrum of Wells, Walker of Bridgton, Homer of Bucksport, Loonsaler of Thomaston, Baker of Stenton, Walker of Fowell, Merrill of Brewer, Wyman of Skowhegan, Cla of New Sharon, Elliot of Knox and Crooker of Foxcroft, with such as the Senate may join - read and, on motion of Mr. Littlefield, the Senate non-concurred the House in its reference, and referred the Bill to the Committee on the Judiciary. Sent down for concurrence. Concurred.

A message was received from the House of Representatives that the House had appointed Daniel Howe on the Committee to which was referred the "Bill directing the mode of choosing County Commissioners, Clerks of Courts and County Attornies," in lieu of Roger Cla who has been suspended from his seat.

Message of the late Governor Kent in relation to the N. E. Boundary came up referred to the Committee on the N. E. Boundary - read and concurred.

Message of the late Gov. Kent in relation to the Geological Survey (made to the House of Representatives the 5th inst.) read and referred to the Committee on Agriculture, in concurrence.

Communication from the Treasurer of State transmitting copies of the accounts of Joshua Carpenter and Samus Smith presented to the last Legislature, - read and

referred to the Committee on Claims, in con- 90.
currence.

Resolve in favor of Harvey E. Robinson
(reported by Mr. Gross, from the Committee
on Military Pensions, on petition of said
Robinson) was read once and tomorrow
even o'clock assigned for a second reading.

Resolve in favor of the town of Spring-
ton was read the second time and passed
to be engrossed. Sent down for concurrence.
Concurred.

Resolve in favor of James Small was
read the second time and passed to be en-
grossed, in concurrence.

Bill additional to the several acts now
in force relating to the partition of real estate
was read the second time and amended and
passed to be engrossed. Sent down for con-
currence. Concurred.

Mr. Littlefield moved the reconsideration
of the vote whereby the Senate refused
a passage to the order relative to a Draft
man and the further consideration of
said motion was postponed till tomorrow
even o'clock.

Resolve in favor of Amos Davis, Assignee
of Nathaniel Haskell, was taken up and
further considered, and an amendment proposed
by Mr. Littlefield, and the Resolve on his
motion was laid upon the table.

91.

Bill for the limitation of criminal prosecutions was read the second time, and the same, on motion of Mr. Brubelle, was laid upon the table.

Bill to incorporate the Thomaston Theological Institution was taken up. Mr. Smart proposed amendments to said Bill and the same, with the proposed amendments, on motion of Mr. Dumont, was laid upon the table.

Adjourned.

Attest, William Frazer, Secretary.

Wednesday January 16. 1839.

92.

Order from the House of Representatives appointing Messrs Carey of Houlton, Fane of Sanford and Weston of Augusta, with such as the Senate may join a Committee to report the time, place and manner to be prescribed by the Legislature of this State in making choice of a Senator of this State in the Senate of the United States - read and passed and Messrs Littlefield and Saguez were joined in concurrence.

Order from the House of Representatives directing the Committee on Literature and Library Institutions to take into consideration the expediency of purchasing a sufficient number of copies of the History of Maine to supply those towns in the State which have not heretofore been supplied - read and passed in concurrence.

Order from the House of Representatives instructing the Committee on the Judiciary to report a Resolve so altering and amending the Constitution of this State that the tenure of Judicial Officers shall be changed and limited to years - read, and the same, on motion of Mr Littlefield, was amended by striking out the words "report a Resolve" and inserting, in lieu thereof, the words, inquire into the expediency of and passed the same as thus amended. Sent down for concurrence. Concurred.

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Order from the House of Representatives instructing the Committee on the Judiciary to report a Bill to this House securing to each citizen of this State the right of owning one yoke of oxen exempt from attachment - read and the same on motion of Mr. Dument was amended by striking out the words "report a Bill to this House" and inserting, in lieu thereof, the words inquire into the expediency of, and passed the same as thus amended. Sent down for concurrence. Concurred.

Order from the House of Representatives appointing Messrs. Small of Raymond, Hersey of Saco, Berry of Georgetown, Boothby of Emsdon and Loring of Sutter, with such as the Senate may join, a Committee to inquire into the expediency of so altering the laws that County Roads may hereafter be built at the expense of the Counties - read and passed and Messrs. Barker, W. M. Reed, and Emery were joined in concurrence.

Order from the House of Representatives instructing the Committee on the Judiciary to inquire into the expediency of passing a law allowing towns and counties the right of taxing lands that are in possession of individuals, although the State possesses the fee of the same and allowing towns and counties to sell said individual right of redemption to liquidate said taxes - read and passed in concurrence.

Order from the House of Representatives instructing the Committee on the Judiciary

to inquire into the expediency of reducing the fee for Justice writs before and after judgment, to fifty cents, and annex a penalty for a violation of the law. read and passed in concurrence.

Petition of Ashum Baldwin, and others, praying to be set off from Mercer and annexed to New Sharon;

" Freeman Dexter and others praying that the part of their farm now in the town of Wayne may be set off to the town of Winthrop;

Remonstrance of Selectmen of Hiram against the petition of Jacob Stanley and others, praying to be set off from Hiram to Porter;

" of the Selectmen of Raymond against the petition of Levi Holden and others, praying for the division of said town. severally read and referred to the Committee on Division of Towns, in concurrence.

Petition of Eleazer Dunham and others, praying to be incorporated by the name of the South Paris Aqueduct Company

" of Levi P. Hilliard and others, praying for the repeal of the law requiring duties to be paid by Tin Sellers. severally read and referred to the Committee on Manufactures, in concurrence.

Petition of Charles Ingalls, praying that so much of his farm as lies in Fairfield, County of Somerset may be set off from said town and annexed to Waterville in the County of Kennebec;

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95. Petition of J. C. Burnham, and others, praying that they may be set off from Scarborough, in the County of Cumberland and annexed to the town of Laco in the County of York. Severally read and referred to the Committee on Division and Alteration of Counties, in concurrence.

Petition of Benjamin Robinson and others, praying for the repeal of the License Laws, read and referred to the Committee on the License Laws, Sent down for concurrence. Concurred.

Petition of Trustees of Gorham Academy & Teachers Seminary, praying for the appointment of a Teacher of Civil Engineering - read and referred to the Committee on Literary and Literary Institutions. Sent down for concurrence. Concurred.

Bill in addition to an act entitled an Act for the support and regulation of Mills (referred from the last to the present Legislature) on motion of Mr. Smart was taken up and referred to the Committee on Agriculture. Sent down for concurrence. Concurred.

A message was received from the Governor by Mr. Nichols, Secretary of State, transmitting Resolutions adopted by the Legislature of the State of Arkansas in relation to the Public Lands lying within that State - read and referred to the Committee on State Lands. Sent down for concurrence. Concurred.

Mr. Shaw, from the Committee on 90.
the Militia reported leave to withdraw on
petition of William Cates and others, and
petition of Joshua Carpenter read and
accepted. Sent down for concurrence.
Concurred.

Resolve for repair of Gun House in Turner,
(reported by Mr. Shaw from the Com-
mittee on the Militia on petition
of Seth Peab. Jr. and another);
" in favor of Amos Doane (reported
by Mr. Anton, from the Committee
on State Lands, on petition of Amos
Doane);
" Authorizing the Land Agent to exchange
certain lands with Massachusetts
(reported in the House) severally read over
and to-morrow eleven o'clock assigned for
a second reading.

Resolve in favor of Amos Davis assignee
of Nathaniel Haskell was taken up, further
amended, and passed to be engrossed. Sent
down for concurrence. Concurred.

Mr. Littlefield, from the Joint Select Com-
mittee appointed "to report the time, place
and manner to be prescribed by the Legis-
lature of this State in making choice of a
Senator of this State in the Senate of the United
States" made the following
Report:

That to constitute an election of a Senator
of this State in the Congress of the United
States, shall require the concurrent vote of both
Branches of the Legislature and a majority of

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97. all ^{the} votes given in each branch respectively; that the House of Representatives shall on Thursday the seventeenth day of the current month at eleven o'clock in the forenoon, proceed to the choice of a Senator on their part by ballot and continue to ballot until a choice on their part be effected, or until they shall have balloted four times without effecting a choice, and thereupon the House shall cease to ballot and inform the Senate by message of the election or failure to elect on their part; Whereupon the Senate shall, at twelve o'clock, (noon) of the same day, proceed to elect a Senator on their part by ballot; and if an election is made on the part of the House, and the Senate shall concur in electing the same person on their part, it shall constitute an election. But if the Senate elect on their part a person other than the one elected on the part of the House, the Senate shall notify the House thereof by message; and the House shall thereupon assign some subsequent day for coming to an election on their part, (by ballot as aforesaid) and if upon such trial the House shall concur with the Senate in electing on their part the same person as was elected on the part of the Senate, the person thus chosen, shall be considered as duly elected a Senator from this State in the Congress of the United States; But if the House shall upon such trial not concur with the Senate, and on their part elect a person other than the one chosen by the Senate the House shall notify the Senate thereof by message, and the like proceedings shall be continued by the respective Branches until an election be effected, or further attempts be

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Considered unavailing. In the event of the House of Representatives failing to come to an election on their part after the four first ballotings and the Senate not coming to a choice on their part after four ballotings, the Senate shall cease to ballot and notify the House thereof, whereupon the House shall assign a subsequent day for coming to a choice on their part, and similar proceedings as before provided shall be repeated until an election be effected.

Which Report was read and accepted.
Sent down for concurrence. Concurred.

A Bill to incorporate the Throston Theological Institution was taken up and further considered. Mr. Littlefield proposed to amend said Bill by striking out in the 14th line 2^d Section the word Ten and inserting in lieu thereof the word Five. And the question of so amending, being ordered to be taken by yeas and nays, was decided in the affirmative as follows, to wit:

Yeas. Messrs. Parker, Belcher, Boutelle, Bowles, Bradley, Dumont, Emery, Eskins, Goss, Holden, Humphreys, Jaques, Littlefield, Norton, Osgood, Perkins, Piner, J. Reed, W. M. Reed, Shaw, Howard and Williams 22

Nays. Messrs. Hoag and Smart 2

On motion of Mr. Littlefield, the Bill was further amended by adding a new section and the said Bill was passed to be engrossed as thus amended. Sent down for concurrence.

Resolve in favor of Harvey E. Robinson

99. was read the second time and passed
to be engrossed. Sent down for concurrence
Concurred.

Adjourned.

Attest. William Dapton, Secretary.

Thursday, January 17/1839.

A Communication was received from Jeremiah Goodwin, Treasurer elect, signifying his acceptance, and transmitting the Bond required by the Constitution - which communication, with the Bond, was referred to the Joint Select Committee on the Treasurer's Report - Sent down for concurrence. Concurred.

On motion of Mr. Boutelle,
Ordered That the Committee on the Judiciary be instructed to inquire as to the expediency of amending the law passed January 31. 1834. in relation to Trustees - And that the same Committee also inquire as to the expediency of making further provision by law for preventing trespasses on logs lying on the banks of Rivers and streams. Sent down for concurrence. Concurred.

Order from the House of Representatives instructing the Committee on the Judiciary to inquire into the expediency of so altering the Law as to give the Overseers of the Poor, power to take the property of persons who actually become chargeable, not exceeding seventy dollars and apply the same to their support in certain cases - read and passed in concurrence.

On motion of Mr. Norton,
Ordered, That the Committee on the Judiciary be instructed to inquire into the expediency of so altering the law in relation to Divorce, as to give jurisdiction to the Justices of the Supreme Judicial Court, in cases of wilful desertion for

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166. a less period than five years Sent down for
concurrence Concurred

Petition of Jonathan Treat and others, praying
for charter to build a bridge across Marsh
Stream in Frankfort, near Marsh Village, read
and referred to the Committee on Roads and
Bridges. Sent down for concurrence Concurred.

Petition of William King, praying for the in-
corporation of the Concord Copperas
Manufactory, read and referred to the
Committee on Manufactures. Sent down for
concurrence Concurred.

Petition of C. C. Farrar and others, praying
that Calais may be made the shire
town of Washington County,
of inhabitants of Pembroke for same
severally read and referred to the Committee
on Division of Towns, in concurrence.

Petition of Asst Spaulding, praying for pension;
William M. Ordow, praying for
continuance of pension severally read
and referred to the Committee on Military
Pensions, in concurrence.

Petition of Samuel Dudley, and others, pray-
ing for an alteration in the Act in-
corporating the Sugar Island Side
Room Company, read and referred
to the Committee on Interior Waters, in con-
currence.

Petition of Solomon L. Homes and others,
praying for a repeal of the License Laws,

Petition of O. B. Walker and others praying
for same severally read and referred
to the Committee on the License Law, in
concurrence.

Mr. Good, from the Committee on Literature and Literary Institutions, reported leave
to withdraw on petition of Henry Saunders.
read and accepted. Sent down for concurrence.
Concurred.

Mr. Littlefield, from the Committee on the Judiciary, reported legislation inexpedient
on an order relative to the usury law, read
and accepted. Sent down for concurrence.
Concurred.

Bill additional to an Act respecting the
Offices and duties of the Attorney General and
County Attornies (reported in new draft by
Mr. Littlefield from the Committee on the
Judiciary to which said Bill had been
referred) and the same, on motion of Mr.
Littlefield, was laid upon the table and ordered
that 500 copies be printed for the use of the
Legislature.

Resolve in favor of the Peoples Bank of
Bangor (reported by Mr. Emory from the
Committee on Banks and Banking, on petition
of John McDonald, President of the Peoples
Bank of Bangor), was read once and tomorrow
noon & clock assigned for a second reading.

Bill to increase the number of the Justices
of the Supreme Judicial Court (reported by
Mr. Littlefield, from the Committee on the

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103. Judiciary in an order relative to increasing the number of Justices of said Court was read once and Wednesday next, eleven o'clock, assigned for a second reading.

Resolve for repair of Gunhouse in Turner; in favor of Amos Doane.

Bill additional exempting certain goods and chattels from attachment, execution and distress. Severally read the second time and passed to be engrossed. Sent down for concurrence. Concurred.

Bill for the limitation of criminal prosecutions, on motion of Mr. Boutelle was taken up, amended and passed to be engrossed. Sent down for concurrence.

Resolve repealing a Resolve constituting the State Treasurer an auditor of accounts against the State (introduced in the House

authorizing the Land Agent to exchange certain lands with Massachusetts. Severally read the second time and passed to be engrossed, in concurrence.

A message was received from the House of Representatives, that, agreeably to an order of the two Branches of the Legislature, designating this day for coming to the choice of a Senator in the Congress of the United States, the House of Representatives had on its part, elected Reuel Williams, of Augusta, Senator in the Congress of the United States, for six years from and after the third day of March next and requested the concu-

In pursuance of an order of the two Houses of the Legislature, designating this day for the election of a Senator in the Congress of the United States for six years from and after the third day of March next, Messrs Littlefield, Kelcher and Williams were appointed a Committee to receive, sort and count the votes. Which Committee having attended to the duties assigned them, reported that the whole number of votes is—

	25
Necessary to a choice	13
Reuel Williams, Has	14
George Evans .	8
John L. Tenney.	2
John Holmes .	1

Reuel Williams was declared duly elected Senator from this State in the Congress of the United States for six years from and after the third day of March next, in concurrence with the House of which the House was informed by Message.

On motion of Mr. Littlefield,
Ordered That the Secretary of State be directed to notify the Governor that the Legislature have this day, by a concurrent vote of the Senate and House of Representatives, elected Reuel Williams of Augusta in the County of Kennebec a Senator to represent this State in the Congress of the United States for six years from and after the third day of March next; and that the Governor be requested to furnish him with certificates and testimonials

105. of his election to enable him to take
his seat in the Senate of the United
States from and after the time aforesaid.
Sent down for concurrence Concurred.

Adjourned.

Attest William Drafton, Secretary.

Friday January 18. 1839.

Mr. Parker, from the Joint Select Committee on the Treasurer's Report, to which was referred the Communication of Jeremiah Goodwin, Treasurer elect, accompanied by his Bond, reported that said Bond, in the opinion of the Committee, is good and sufficient - read and accepted. Sent down for concurrence. Concurred.

Mr. W. M. Reed from the Committee on Division and Alteration of Counties, reported order of notice to next Legislature on petition of Josiah Tibbey and others, and leave to withdraw on petition of J. C. Burnham and others - read and accepted. Sent down for concurrence. Concurred.

Mr. Parker, from the Joint Select Committee to which was referred an order relative to making all roads at the expense of Counties reported that legislation on that subject is inexpedient - read and accepted. Sent down for concurrence. Concurred.

The Committee on Division of Towns reported order of notice on petition of H. G. C. Barrows and another read and accepted, in concurrence.

Mr. Holden submitted the following Order. - That a special message be sent to the Governor and Council, informing that body, that Jeremiah Goodwin has been duly elected Treasurer of State for the

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10th current political year, and has signified his acceptance of that office, and is now ready to take and subscribe the oaths required by the Constitution - read and the same, on motion of Mr. Sharr, was laid upon the table.

On motion of Mr. Cument,
Ordered, That the Governor be requested to lay before the Legislature all papers and documents in his possession relating to the Insane Hospital Sent down for concurrence. Concurred.

Order from the House of Representatives instructing the Committee on Claims, to inquire into the expediency of paying Elisha W. Mitche of Harts, in the County of Somerset, his proportional part of the Surplus Revenue deposited with this State by the General Government aequally to the deposit act of Congress, passed June 1836. read and passed in concurrence.

Order from the House of Representatives directing the Committee on the Judiciary to inquire into the expediency of passing an act abolishing imprisonment for debt, except in cases of fraud - and of updating all laws now in force for the relief of Poor Debtors read and passed in concurrence.

Order from the House of Representatives appointing a Committee of one from each County, consisting of Messrs, Tyler of Newfield, Ruston of North Yarmouth Fuller of Boothbay, Satter of Sullivan, Fowler of Lubec, Drake of

Albion, Smith of Norway, Garcelon of St. Albans, True of Garland, Harkness of Camden, Soreff of Dubee, and Howes of New Sharon, with such as the Senate may join, to receive all claims which may be presented against the State agreeably to the several acts to encourage the culture of wheat and corn read and passed and Messrs. Howard, Shaw and Bradley were joined in concurrence.

Petition of Alexander Porter, praying that a portion of his real estate may be set off from Newtimyard to Strong;

" of Nathl Springer, praying that that part of his farm which lies in Newport may be set off to Brunswick;

" of inhabitants of New Sharon, praying that a portion of the citizens of Mercer may be annexed to New Sharon;

" of Jacob C. Main and others, praying to be set off from Dearham and annexed to Belgrade, severally read and referred to the Committee on Division of Towns, in concurrence.

Petition of Moses Bennett and others, of Broadwin;

" of Nathaniel Mernyman, and others;

" of William R. Fields and others, praying for the incorporation of a new County.

Severally read and referred to the Committee on Division and alteration of Counties, in concurrence.

Petition of Lyssander Cutler and others, of Dexter, praying for an Agricultural Survey of the State;

109. Petition of William Holmes, praying for the appointment of Weighers and Inspectors of potatoes, of John Butterfield and others, praying to be incorporated as the Franklin County Agricultural Society, severally read and referred to the Committee on Agriculture, in concurrence.

Petition of the Directors of the Manufactures and Traders Bank, praying for the reduction of their Capital Stock—read and referred to the Committee on Banks and Banking, in concurrence.

Petition of Ellis Teasford and others, praying that the Act incorporating the Kennebec Log Driving Company may be extended to Dead River—read and referred to the Committee on Interior Waters, in concurrence.

Petition of Philip Grady and others, praying for an Act incorporating the Cumberland Whale Fishery Company—read and referred to the Committee on Manufactures, in concurrence.

Petition of James Thomas and others, praying for an alteration in the Militia Laws—read and referred to the Committee on the Militia, in concurrence.

Petition of John Brown and others, praying that the fisheries in the Kennebec River and its branches may be protected by law—read and referred to the Committee

Petition of Selectmen of Dismal, praying
for the repeal of the License Laws,
read and referred to the Committee on the License
Laws in concurrence.

Resolve in favor of Hannah Fogg (reported
by Mr. Holden from the Committee
on Claims, on petition of Hannah
Fogg) was read once and tomorrow
eleven o'clock assigned for a second reading.

Bill additional to promote the sale ^{and}
and settlement of Public Lands (laid
on the table by Mr. Anton) was read
once and Wednesday next eleven o'clock as-
signed for a second reading.

Resolve in favor of the People's Bank of
Bangor, was read the second time
and passed to be engrossed. Sent down for con-
currence. Concurred.

The Committee on Engrossed Bills reported
as correctly engrossed.

Resolve in favor of James Small and the
same was finally passed.

Adjourned

Attest, William Trafton Secretary.

Saturday, January 19, 1839.

On motion of Mr. Williams,

Ordered, That the Committee on Interior Fisheries be instructed to inquire into the expediency of so altering the law relative to taking fish in the Penobscot waters, as to authorize the taking of the same below the South line of Orland and Sandy Point in Prospect on any day (Sundays excepted) between the first day of April and the twentieth day of July in each year. Sent down for concurrence. Concurred.

On motion of Mr. Constock,

Ordered, That the Secretary of State be requested to procure the printing of the treaty concluded the 17th of August 1821 between this State and the Penobscot tribe of Indians, and attach the same to the Resolves of 1839. Sent down for concurrence. Concurred.

On motion of Mr. Shaw the

Order submitted by Mr. Holden yesterday, directing a "Special Message to be sent to the Governor and Council informing that Bdy, that Jeremiah Goodwin has been duly elected Treasurer of State for the current political year and has signified his acceptance of that office, and is now ready to take and subscribe the oaths required by the Constitution," was taken up and passed. Which message was delivered by Mr. Holden, who reported that Jeremiah Goodwin had taken and subscribed the oaths required by the Constitution to qualify him to enter upon the discharge of his official duties,

Petition of Saiah James and others, praying to be set off from the town of Bear-born and annexed to the town of Waterville read and referred to the Committee on Division of Towns, in concurrence.

Petition of Setho Goodwin and others, praying for an alteration of the Laws respecting the holding of property free from attachment
of Mrs. S. Kendall and others, females of Bangor, praying to be incorporated as the Bangor Female Orphan Asylum—severally read and referred to the Committee on the Judiciary, in concurrence.

Petition of Marcus Paul, praying for compensation in consequence of injuries received while performing military duty—read and referred to the Committee on Military Sen-sing, in concurrence.

Mr. Saguez, from the Committee on Division of Towns, reported order of notice on petition of Alexander Porter— and asked to be discharged from the further consideration of the petition of C. C. Farrar and others, and also the petition of inhabitants of Penobscot, and recommended the reference of said petitions to the Committee on Division and Alteration of Counties—read and accepted. Sent down for concurrence. Concurred.

The President laid before the Senate the Report of the warden of the State Prison and

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113. The same, on motion of Mr. Holden was laid upon the table, and ordered that 500 copies of said Report be printed for the use of the Legislature.

A message was received from the Governor transmitting the Report of the Inspectors of the State Prison at Thomaston, and the same, on motion of Mr. Cross, was laid upon the table, and ordered that 500 copies of said Report be printed for the use of the Legislature.

Bill limiting the powers of County Commissioners (introduced in the House) came up, referred to a Joint Select Committee, consisting on the part of the House of Messrs. Otis of St. George, Parker of Machias, Weeks of Clinton, Lyman of Portland, Dinsmore of Andover, Brackett of Acton, Nelson of Newry, Smith of Vinethaven, Hervey of New Sharon, Packard of Blanchard, Emerson of Castine and Thompson of Eddington, with such as the Senate may join - read and referred and Messrs. Pelcher, Comstock and Gement were joined in concurrence.

Resolve in favor of Hannah Fogg, was read the second time and passed to be engrossed. Sent down for concurrence. Concurred.

The Committee on Engrossed Bills reported as correctly engrossed.
Resolve authorizing the Land Agent to exchange certain lands with Massachusetts;

Resolve repeating a Resolve constituting 114.
the State Treasurer an auditor of
accounts against the State, and
the same were severally
finally passed.

Adjourned

Wm. William Drafter, Secretary.