

Monday January 31. 1831

Met according to adjournment.

Petition of Elisha Sittingill for a Bridge Corporation at Livermore Falls - was read and referred to the Committee on Turnpikes, Bridges and Canals - sent up for concurrence.

The House resumed the consideration of a Resolve authorizing a Special Term of the Supreme Judicial Court in the County of Somerset - which was read and referred to Messrs. Boutelle of Waterville, Williams of Augusta and Smith of Westbrook - and the further consideration thereof postponed to Wednesday next at eleven o'clock.

Ordered that the Senate be requested to take from their files and send to this House the Petition of Samuel Homans - sent up.

Resolve in favor of Joel Miller, Warden of the State Prison was read a first and second time and passed to be engrossed in concurrence with the Senate.

Mr. Mitchell of Portland, was, on request excused from serving on the Committee to transfer the property in the Treasury to and Mr. White of Monmouth appointed in his stead.

Report of the Committee on the State Roads, asking to be discharged from the consideration of "Copies of papers relating to the Baring Road" - Copies of papers relating to the Canada Road - Report of K. Pierce the Agent for the Matanawcook Road - Petition of Assessors of

Houlton Limerick and Hodgdon Plantations for a grant
 &c. Petition of Inhabitants of Dead River for a Road &c. - came
 from the Senate accepted for concurrence and the House concurred
 read - and referred said Report and subjects and Documents
 contained therein to the Committee on State Lands - sent
 up for concurrence.

Bill to incorporate the Maine Association for Improvement
 in the breed of Horses was read a first and second
 time and Wednesday next at eleven o'clock assigned for
 a third reading.

Bill - relating to the practice of Physicians and Surgeons
 was read a third time and passed to be engrossed as amended
 on sheet annexed marked III. sent up for concurrence.

Bill to set off John Lyndell and others from Sedgwick
 to Bluehill was read a third time and passed
 to be engrossed in concurrence with the Senate.

Bill to provide for the packing and inspection of
 pickled and smoked Fish was read a third time and
 passed to be engrossed - sent up for concurrence.

Resolve in aid of Alfred Academy was read a first
 time and tomorrow at eleven o'clock assigned for a second
 reading.

A second Resolve in favor of Joel Miller was read a first
 time and tomorrow at eleven o'clock assigned for a second
 reading.

Petition of the Peoples Society of Waldo County for Abolition
 of Imprisonment for Debt was read and referred to the
 Committee on so much of the Governor's Message as relates to that
 Subject - sent up for concurrence.

Remonstrance of Samuel M. Quincy and others against the passage of a Bill appointing Street Commissioners for the town of Portland was read and referred to the Committee on the Judiciary - sent up for concurrence.

Petition of Levi H. Pratt and others to transfer authority to sell real estate of Minors, from the Judges of the Supreme Judicial Court to the Judges of Probate, was read and referred to the Committee on the Judiciary - sent up for concurrence.

Petition of John Moor and others for a grant to Anson Academy was read and referred to the Committee on Literary Institutions in concurrence with the Senate.

Petition of the Court of Sessions of Lincoln County for alteration of the time of holding the same in Topham was read and referred to the Committee on the Judiciary in concurrence with the Senate.

Petition of the People's Society in the County of Waldo for Legislative aid was read and referred to the Committee on Agriculture - sent up for concurrence.

Report of Committee on the Judiciary that a Resolve granting special powers to the Sheriff of Washington County ought not to pass came from the Senate accepted for concurrence - and the House nonconcurred and ordered the same recommitted to the same committee sent up for concurrence.

Report of Committee on the Judiciary granting leave to withdraw on Petition of the town of Buckfield came from the Senate accepted for concurrence - and the House concurred.

Report of Committee on Division of Towns, referring to the next Legislature, the Petition of John Haskell and James Clements came from the Senate accepted for concurrence, and the House concurred.

Report of Committee on Agriculture asking leave to be discharged from the further consideration of an Order respecting the taking up of Stray Beasts &c. and that the same be referred to the Committee on the Judiciary, came from the Senate accepted for concurrence, and the House concurred and refused the further consideration of said order to the Committee on the Judiciary—sent up for concurrence.

Report of Committee on the State Roads referring the Petition of the town of Brewer to the next Legislature, came from the Senate accepted for concurrence— and the House concurred.

Report of Committee on the Judiciary on an Order of the 19th. instant in relation to costs for Defendants in Criminal prosecutions— that legislation on the subject is inexpedient— came from the Senate accepted for concurrence and the House concurred.

Report of the same Committee to whom was referred an order of the 11th instant relative to the rights of Defendants to file demands in offset— that legislation on the subject is inexpedient— came from the Senate accepted for concurrence— and the House concurred—

*The Committee on Engrossed Bills report as duly engrossed—

Bill— to incorporate the town of Hampton.

— authorizing the town of Wells to assess a tax on Dogs— which were severally passed to be enacted.

And the House adjourned

Attest

Thornton McGaw

Clerk

Tuesday February 1. 1851.

Met according to adjournment.

The Committee on Engrossed Bills reported as duly engrossed Bill - to set off a part of the town of Hermon and annex the same to the town of Hampden - which was passed to be enacted.

Resolve in favor of Joshua Chamberlain was read and referred to Messrs. Parks of Bangor, Boutelle of Waterville and Knowlton of Montville.

Resolve in favor of Alfred Academy was read a second time and passed to be engrossed as taken into a new draft - sent up for concurrence.

Petition of J. M. Lincoln and forty four others in aid of the Petition of E. Richardson and others, for leave to build a Bridge from Eastport to Perry, also;

Petition of Peter Louing Jr. and fifty one others in aid of the same Petition - were severally read and referred to the Committee on Turnpikes, Bridges and Canals - sent up for concurrence.

Resolve in favor of Joshua Chamberlain was read a second time and passed to be engrossed in concurrence with the Senate.

Resolve in favor of Joel Miller was read a second time and passed to be engrossed as taken into a new draft - sent up for concurrence.

Report on Petition of Rufus Jameson and others - also

Report on Petition of Assessors of Houlton Plantation came from the Senate non concurred and were severally uncommitted to the Committee on Incorporation of Towns.

The Committee on Engrossed Bills reported as duly engrossed.
Resolve in favor of Joel Miller Warden of the State
Prison -

_____ in favor of Ezra Hutchins
_____ in favor of Elkanah McLellan - which
were severally finally passed

The same Committee also report as duly engrossed -
Bill respecting the Agencies of Insurance Companies.
_____ for the maintenance of Bastard Children - which
were severally passed to be enacted.

Resolve respecting a General History of Maine was taken up and amended as on sheet annexed marked *Its* - and then referred to the next Legislature - sent up for concurrence.

Petition of Lemmon Stockwell came from the Senate non concurred and referred to the Committee on the Militia for concurrence - and the House acceded from their former vote on the subject and concur with the Senate.

Petition of Charles Merrill and others for a lot of land, on condition that he erect and maintain a public house on the Canada Road - was read and referred to the Committee on State Lands - sent up for concurrence.

Report of the Committee on the Judiciary to whom was referred an order of January 11th. relative to the appointment of a Commissioner or Commissioners to take depositions

without this State &c. - that Legislation on this subject is inexpedient - came from the Senate accepted for concurrence - and the House concurred.

Report on Petition of Bartholomew D. Bois and accompanying papers taken from the last years files of the Senate were read and referred to the Committee on Claims - sent up for concurrence.

Bill making void the Acts and Resolves, passed by the Legislature of the year eighteen hundred and thirty and for other purposes, was read a first and second time, and it was moved to assign Monday next at 11 o'clock in the forenoon for the further consideration of the same - and the question upon assigning that day was decided in the negative by Yeas and Nays as follows, Yeas 60. Nays 78 - and on motion Thursday next at 11 o'clock in the forenoon was assigned for a third reading of the Bill - and in the mean time it was ordered that 200 copies of said Bill and the Report accompanying the same be printed for the use of this House.

(For yeas & nays see page 410)

And the House adjourned

Attest

Thornton McGaw, Clerk

Wednesday February 2. 1831.

Met according to adjournment

On motion of Mr. Cole of Paris Ordered that the Committee on the Judiciary be instructed to inquire if any, what alterations should be made in the law relating to appeals from the Court of Common Pleas in Criminal Cases - sent up for concurrence.

Petition of Joshua Briggs and others that the exclusive right of Navigation between Robbinston and Saint Andrews by Steam or Horse power, may be granted to William E. Robinson - was read and referred to the Committee on Turnpikes, Bridges and Canals - sent up for concurrence.

An Order that the Select Committee who were appointed to receive the property in the office of the Treasury of the State from the late Treasurer Elias Thomas Esq. and to transfer the same to Abner B. Thompson Esq. Treasurer elect, be authorized to settle with said Thomas - came from the Senate accepted for concurrence - and the House concurred.

Petition of Samuel Romans for repeal of the law prohibiting the taking of Fish within sixty rods of the mouth of seven mile Brook was read and referred to the Committee on Interior Fisheries in concurrence with the Senate - sent up.

The Speaker laid before the House the Petition of the President and Directors of the Thomaston Bank for renewal of their Charter, which was read and referred to the Committee on Banks & Bankings sent up for concurrence.

Ordered that the Senate be requested to take from their files the Petition of Josiah Crosby and accompanying papers and send the same to this House.

Petition of the Inhabitants of Bremen for the privilege of sending a Representative their proportionate part of the time, was read and referred to the Committee on Apportionment of Representatives &c. - sent up for concurrence.

Report of the Committee on the Judiciary to whom was referred a Resolve granting special powers to the Sheriff of Washington County - that said Resolve ought not to pass - came again from the Senate, they adhering to their former vote accepting the same, and the House recede from their former vote recommitting said Resolve and accept the Report in concurrence with the Senate.

Petition of Jonathan Farnar and others to have capital punishment abolished - was read and referred to the Committee on the Judiciary - sent up for concurrence.

Petition of J. L. Stevens and others for leave to take fish six days in a week - was read and referred to the Committee on Interior Fisheries in concurrence with the Senate.

Petition of Inhabitants of Brunswick and Topsham to be incorporated into an Athenaeum - was read and referred to the Committee on Literary Institutions in concurrence with the Senate.

On motion of Mr. Clifford of Newfield - Ordered that the Committee on the Judiciary, be instructed to inquire if any and what alterations ought to be made in the Act

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relating to the attachment of personal property passed
March 15. 1831. &c. sent up for concurrence.

The Speaker laid before the House the—
Petition— of Ezekiel Stearns, for relief from loss sustained
by means of receiving an order from the Warden of the
State Prison in payment for services to the State, which
proved unavailable— which was read and referred to the
Committee on Claims— sent up for concurrence.

The Committee on Engrossed Bills, reported as duly engrossed.
Resolve— in favor of Joshua Chamberlain—
— respecting the town of Greenwood— which
were severally finally passed.

The same Committee also reported as duly engrossed.
Bill— to set off John Grindle and others from Sedg-
wick to Bluehill—

Bill— to enable Pierre Robert Carzeaux and Lendall
Pitts Carzeaux to inherit and hold lands within this
State— which were severally passed to be enacted.

The same Committee reported as duly engrossed—
Resolve— authorizing the town of Whiting to raise
money for the purpose of making and repairing high-
ways— which finally passed.

Report— of the Committee on the Judiciary on the
Petition of sundry Inhabitants of Portland for authority
to elect a Board of Street-Commissioners— granting leave
to bring in a Bill— came from the Senate recommended
to the same Committee for concurrence— and the House
concurred.

Message from the Governor.
To the Honorable Speaker of

of the House of Representatives—

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In compliance with the request of the House of Representatives dated Jan'y. 23. 1831. I herewith transmit copies of all the directions which have been given by the Executive in relation to the erection of the State House at Augusta together with the plans of the same.

Also transmit a copy of the account of Daniel Rose late Land Agent recently settled, and also a report made by a committee of the Council in relation to timber cut on Dead River agreeably to the request of the House of Representatives dated Jan'y. 29. 1831.

Council Chamber
February 1. 1831

Samuel E. Smith

Read and so much thereof as relates to the State House at Augusta and so many of the accompanying papers as relate to that subject, referred to the Committee who have under consideration the subject of Public Buildings and so much thereof, as relates to the subject of the account of Daniel Rose, and timber cut on Dead River and the accompanying documents relative thereto, were referred to the Committee on State Lands— sent up for concurrence.

On motion of Mr. Deane of Ellsworth— Ordered that the Land Agent be requested to examine and report the quantity of the Land which has been divided between the Commonwealth of Massachusetts and the State of Maine and now remains the property of this State. In what towns or townships the lands lie— describing the quantity in in each— and also making a distinction between the lands lying north and south of the line running west from the Monument— sent up for concurrence—

An Order came from the Senate for concurrence

instructing the Committee on the Judiciary to inquire into the expediency of altering the law in relation to the sale and conveyance of real estate sold at Auction by Collectors of taxes - and the House concurred.

Petition of John Bennock and others for an alteration in the Charter of Stillwater Canal Corporation &c. was read and referred to the Committee on Turnpikes, Bridges and Canals - sent up for concurrence.

Report of Committee on Incorporation of Towns granting leave to withdraw on Petition of George Seimond and others - came from the Senate for concurrence, recommit to the same Committee - and the House concurred.

Report of the Committee on Parishes granting leave to bring in a Bill on the Petition of the Selectmen of Phillips - came from the Senate for concurrence, recommit to the same Committee - and the House concurred.

Bill to incorporate the Proprietors of the Fulton Steam Mills, was read a second time and tomorrow at 11 o'clock assigned for a third reading.

And the House adjourned

Attest

Thornton McGaw Clerk

Thursday February 3. 1831.

Met according to adjournment.

An Order was moved by Mr. Holden of Brunswick requesting the opinion of the Justices of the Supreme Judicial Court in regard to certain questions in said Order proposed - and it was moved to postpone the order indefinitely - and the question upon the indefinite postponement thereof was taken by Yeas and Nays as follows - Yeas 82 Nays 64 - and Mr. Herrick of Lewiston gave notice that he should move tomorrow for a reconsideration of this question.

(For yeas & nays see page 522)

Bill - making valid the Acts and Resolves passed by the Legislature of the year Eighteen hundred and thirty and for other purposes - was taken up and considered - and it was successively moved by the following members to postpone the further consideration thereof to the following days - to wit - by Mr. Hoyt of Readfield to the 4.th. of April next - by Mr. Russell of New Sharon to the 4.th. of March next - by Mr. Read of Phippsburg to the 20.th of March next - by Mr. Folsom of Eastport to the 23.d. instant by Mr. Magoun of Bath to the 22.d. instant - by Mr. Frost of Topsham to the 21.st. instant - by Mr. Holden of Brunswick to the 19.th. instant - by Mr. Tibbels of Lisbon to the 18.th. instant - by Mr. Sumner of Hallowell to the 17.th. instant - by Mr. Bernard of Alna to the 14.th. instant - by Mr. Shapleigh of Berwick to the 12.th. instant - and by Mr. Boutelle of Waterville to the 10.th. instant - and the several questions upon postponing the further consideration of said Bill to the several days aforesaid were severally taken by Yeas and Nays as follows to wit - upon postponing to the 4.th. of April next Yeas 46 Nays 93 - to the 20.th. of March next Yeas 40. Nays 94. - to the 4.th. of March next

yeas 48. nays 87. to the 22.d. instant yeas 46. nays 84. - to the
the 21.st. instant yeas 45. nays 83. to the 17.th. instant yeas
55 nays 80. to the 15.th. instant yeas 51. nays 82. to the
12.th. instant yeas 52 nays 83. to the 10.th. instant yeas 56
nays 81. (for yeas & nays see pages 414. 416. 418. 421. 423. 426. 428)

It was then moved to postpone the further consideration
of said Bill to Tuesday next and the question thereupon
was taken by yeas and nays as follows - Yeas 60 Nays 81.

(for yeas & nays see page 429)

It was then moved to postpone the same to Monday
next and the question thereupon was taken by yeas and
nays as follows Yeas 59 nays 81. -

(for yeas & nays see page 430)

It was then moved to postpone the same to Saturday
next and the question thereupon was taken by yeas and
nays as follows Yeas 57 nays 79.

(for yeas & nays see page 430)

Certain Amendments to the Bill were then proposed
and adopted - and on motion of Mr. Parks of Bangor
the further consideration thereof was postponed till to-
morrow at 9 o'clock in the forenoon to which time the
House adjourned.

And the House adjourned

Attest

Thornton McGowan Clerk.

Friday February 4. 1831.

Met according to adjournment

The Committee on Engrossed Bills report as duly engrossed.

Resolve — in favor of Joel Miller —

———— in aid of Alfred Academy — which were severally finally passed — sent up for concurrence.

Report — of Committee on Turnpikes, Bridges and Canals granting an order of Notice on Petition of Elisha Pettingill and others — came from the Senate accepted for concurrence and the House concurred.

Report — of the same Committee granting an order of notice on the Petition of Barnabas Brackitt — came from the Senate accepted for concurrence — and the House concurred.

Petition — of Jacob C. Rogers for liberty to flow lands belonging to the State — was read and referred to the Committee on State Lands — sent up for concurrence.

Petition — of the town of Greene to have their portion of Representation assigned them — was read and referred to the Committee on Apportionment of Representatives &c. sent up for concurrence.

Petition — of James B. Churchill and others to be incorporated as a Literary Institution — was read and referred to the Committee on Literary Institutions — sent up for concurrence.

Petition — of the Inhabitants of Blakesburg for Incorporation into a town by the name of Bradford —

was read and referred to the Committee on Incorporation of Towns - sent up for concurrence.

Petition of the Inhabitants of New-Castle for Representation a proportionate part of the time - was read and referred to the Committee on Apportionment of Representatives &c. sent up for concurrence.

Petition of the President, Directors and Company of Kennebunk Bank for liberty to close the concerns of the same on the first of April next - was read and referred to the Committee on Banks and Banking - sent up for concurrence.

Remonstrance of the town of New-Castle against the Petition of Elisha Clark and others was read and referred to the Committee on Division of Towns - sent up for concurrence.

Agreeably to assignment the House resumed the Bill making valid the Acts and Resolves passed by the Legislature of the year eighteen hundred and thirty and for other purposes - which was read a third time and certain amendments to the Bill were proposed and adopted and the question of passing the Bill to be engrossed discussed until the House adjourned to 2 o'clock this afternoon -

Afternoon - Not according to adjournment -

The Speaker laid before the House the Petition of the Selectmen of Thomaston for authority to appoint an additional number of Enginemen - which was read and referred to the Committee on the Judiciary - sent up for concurrence.

The House resumed the consideration of the Bill - making valid the Acts and Resolves passed by the Legislature of eighteen hundred and thirty and for other purposes -

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which was discussed until the House adjourned to half past 6 o'clock this evening.

Evening. Met according to adjournment.

The House resumed the consideration of the Bill last aforesaid which was discussed till a late hour at night when Mr Wyman of Lovell moved to amend the Bill so as to include therein the Acts and Resolves of all former Legislatures of this State - and the question upon so amending was taken by yeas and nays as follows - Yeas 29 Nays 104 - It was then moved to refer the Bill to the next Legislature which motion was discussed and decided in the negative by yeas and nays as follows - Yeas 58. Nays 83 - and the question upon passing the Bill to be engrossed as amended was finally taken by yeas and nays as follows Yeas 83 Nays 58 - and so the Bill was passed to be engrossed.

(For yeas & nays see pages 431. 432. 436)

Mr Wyman of Lovell gave notice that he should to morrow at 11 o'clock in the forenoon move for a reconsideration of the vote last aforesaid.

And the House adjourned

Attest

Thornton M. Goss

Clerk.

Saturday February 5. 1831.

Met according to adjournment.

Report on Petition of Josiah Crosby and accompanying papers sent from the last year's files of the Senate - was read and referred to the Committee on the Militia - sent up for concurrence.

Petition - of Selectmen of Albany for relief respecting roads also for a separate Representation - was read and referred to the Committee on the Judiciary - sent up for concurrence.

Petition - of Francis Joseph - Governor of the Passamaquoddy Tribe of Indians for pecuniary aid -

_____ of the same and others on the same subject were severally read and referred to the Committee on Claims - sent up for concurrence.

Report of Committee on Finance to whom was referred the Petition of the Selectmen of Rensselaer Port - that three hundred Dollars should be deducted from the State Tax for 1830 - was read and accepted - and the House afterwards reconsidered their vote accepting the same and ordered it to lie on the table.

Petition - of the Inhabitants of Fryburg for separate Representation - was read and referred to the Committee on Apportionment of Representatives &c. sent up for concurrence.

Report - of Committee on Literary Institutions, referring to the next Legislature the Petition of Trustees of Monmouth Academy - came from the Senate accepted for concurrence - and the House concurred.

Report of Committee on Parishes, granting an order of notice on Petition of money of Pews in the Congregational Meetinghouse in Limerick - came from the Senate accepted for concurrence - and the House concurred.

Petition of Thomas Dana to be indemnified for a wound received at a Regimental Muster - came from the Senate for concurrence referred to the Committee on Military Pensions - and the House concurred.

Petition of Benjamin Dunn and others for a township of land - came from the Senate referred to the Committee on State Lands for concurrence - and the House concurred.

Petition of the Trustees of Bowdoin College for pecuniary aid - came from the Senate referred to the Committee on Literary Institutions, for concurrence - and the House concurred.

Bill to incorporate the Maine Association for the Improvement in the breed of Horses - was read a third time and passed to be engrossed as taken into a new draft - sent up for concurrence.

The House resumed the consideration of the Report of the Committee to whom was referred the Bill - additional to the several acts now in force respecting Workhouses and Houses of Correction and for the punishment of common Drunkards - and after discussion recommended the same to a Select Committee of the House consisting of Messrs. Perkins of Kennebunk Port - Smith of Portland and Barnard of Alna.

Petition of Joseph Chase for compensation for services and expenses on account of the Public Lands of Maine and Massachusetts - was read and referred to the Com-

matter on State Lands - sent up for concurrence.

Petition of Michael Newbert and 32 others for a Bounty for taking and killing wild cats - was read and referred to the Committee on Agriculture - sent up for concurrence.

And the House adjourned

Attest

Thornton McGraw Clerk