

Monday, February 4, 1839

The Messenger of the Senate, pursuant to an order of the third ultims, directing him to appoint an assistant, appointed Willard Brackett Assistant Messenger in consequence of the resignation of John B. Lane.

Mr. Parker was excused from further service on the Committee on Division of Towns agreeably to his own request, and

Mr. Shaw was appointed in his stead.

Mr. Parker was appointed on the Committee on the N. E. Boundary and Mr. Gross on the Committee on Division of Towns to fill the vacancies in said Committees, occasioned by the resignation of John C. Humphreys - Of which the House was informed by message.

On motion of Mr. Erskine,
Ordered, That the Committee on the Judiciary be instructed to inquire into the expediency of providing by law that no person convicted of crimes against the State shall be sentenced to the State Prison for a less term of time than two years, - and also of providing by law that convicts in the County Gaols may be put to hard labor, Gaolers in each County being responsible for the safe custody of said convicts. Sent down for concurrence. Concurred.

Order from the House of Representatives instructing the Committee on the Judiciary to inquire into the expediency of establishing, by law, the Compensation of the several Sheriffs in this State, for the distribution of such papers

Mon. Feb. 4. 1859.

185. and packages, as the compensation is not already established, and report thereon forthwith - read and passed, in concurrence.

Petition of Stephen Webb Jones and others, praying to be incorporated into a Fire Insurance Company at Gorham - read and referred to the Committee on Ports and Banking. Sent down for concurrence. Concurred.

Petition of Samuel Swasey and others, praying for an alteration in the Fish Laws, read and referred to the Committee on Interior Fisheries. Sent down for concurrence. Concurred.

Remonstrance of the town of Machias against the petition of W. A. Palmer and others for a new town to be called Lewisville - read and referred to the Committee on Incorporation of Towns. Sent down for concurrence. Concurred.

Petition of Robert Low, Treasurer of Piscataquis County, praying for the passage of an act authorizing him to hire money to defray the expenses of the County,
— of John Swan and others, praying that certain real and personal estate may be exempted from attachment and Execution - severally read and referred to the Committee on the Judiciary, in concurrence.

Petition of Benjamin C. Steward, praying for compensation for extra labor done on bridge;

Petition of Levi Cutler, Mayor of the city of 186.

Portland in relation to the Surplus Revenue.
severally read and referred to the Committee on
Claims, in concurrence.

Petition of John Altion and others, praying
for aid to instruct Peol Poles, one
of the Penobscot Tribe of Indians,
in the English Language read and
referred to the Committee on Indian Affairs,
in concurrence.

Remonstrance of Franklin Adams and others against
the petition of Samuel Dudley and
others, for an extension of Corporate
privileges of the Sugar Island Boom
Corporation- read and referred to the
Committee on Interior Waters, in concurrence.

Petition of Henry Little and others, praying
for penal enactments prohibiting
the importation and sale of Ardent
Spirits except for medicinal and
Manufacturing purposes read and re-
ferred to the Committee on License Taxes, in
concurrence.

Petition of Abigail True and other Ladies
of North Yarmouth;
" of John Marston and others;
" of John Shaw and others, on the
subject of Slavery. severally read and referred
to the Committee on Slavery, in concurrence.

Statements of Agricultural Societies, trans-
mitted by Secretary of State to the House-
read and referred to the Committee on Agri-

187 culture, in concurrence.

The Committee on Roads and Bridges, reported order of Notice on petition of Jonathan Treat and others. read and accepted in concurrence.

On motion of Mr. Dumont the Report of the Committee on the Judiciary that the "Bill providing for the election of County Commissioners," and also the Bill directing the method of choosing County Commissioners, Clerks of Courts and County Attorneys, ought not to pass, was taken up and the question of accepting the same, being ordered to be taken by yeas and nays, was decided in the affirmative, as follows, to wit:

Yeas. Messrs. Barker, Bradley, Cornstock, Emery, Gross, Hoagam, Holden, Littlefield, Osgood, Perkins, Prince, Shaw, Smart and Williams 14

Nays. Messrs. Belcher, Brontelle, Bowles, Dumont, Erskine, Sague, Norton, W. M. Reed, and Steward 7

Put down for concurrence. Concurred.

Mr. Littlefield moved a reconsideration of the vote of Saturday whereby the Senate passed to be engrossed, in concurrence, Bill to Divorce Ebenezer Cobb and Mary Cobb, and the further consideration of the same, on motion of Mr. Norton was postponed till tomorrow, eleven o'clock.

Resolved in favor of the Insane Hospital (reported by Mr. Dumont, from the Committee on Public Buildings, to

which was referred so much of the Governor's 188
new Message as relates to the State Prison)

Bill authorizing the President, Directors and
Company of the Manufacturers & Traders'
Bank to reduce their Capital Stock (re-
ported by Mr. Emery, from the Com-
mittee on Banks and Banking, on petition
of the Directors of said Bank)

to set off Fayette Buter and lands
from Penobscot and annex the same
to Castine, (reported by Mr. Sagues
from the Committee on Division of Towns,
on petition of Fayette Buter)

additional to an Act for the protection
of the Matanawcook and Military
Roads (reported by Mr. Bradley from the
Committee on State Roads, on petition of
John T. Nutt and others) severally read
once and the

Bill additional concerning corporations was
taken up and tomorrow, eleven o'clock,
assigned for a second reading of said
Bills and Resolves.

Resolve providing for the repair of the Baring
and Houlton Road,

Bill to set off so much of the farm of
Nathaniel Springer as lies in the
town of Freeport and annex the same
to the town of Brunswick - severally
read the second time and passed to be engrossed.
Sent down for concurrence. Concurred.

The Committee on Engrossed Bills reported
as correctly engrossed.

Resolve in favor of Sebastes Noptum, and
the same was finally passed.

189.

The same Committee reported as correctly suggested
Bill additional to provide for the packing &
inspection of pickled and smoked fish,
additional to incorporate Dummer
Sewall and others, proprietors of the
new meeting house in the town of Bath
into a religious Society by the name of
the Congregational Society in the town of
Bath - and the same were severally
passed to be enacted.

Adjourned

Attest William Drafton, Secretary.

Tuesday, February 5. 1834.

196.

On motion of Mr. Howard,
Ordered, That the Joint Standing Committee on State Lands be directed to inquire into the expediency of providing by law for securing the proceeds of timber cut on unincorporated townships, in which reservations have been made for the support of Schools and other public uses, and of applying said proceeds to the purposes for which such reservations were made. Sent down for concurrence. Concurred.

Order from the House of Representatives instructing the Committee on Indian Affairs, to inquire into the expediency of providing by law that the Indian Agents of the Passamaquoddy and Penobscot Indians, shall deliver to each and every person of said Tribes to whom he shall pay any money, or deliver any article in payment of their annuity, a Bill of such money or article, and shall present his own account of such payments to the next Legislature for examination, also of providing by law, a day on which the Delegates of said Indians shall appear before the Legislature in each year, to present any business they may have with them read and passed, in concurrence.

Order from the House of Representatives, requesting the Senate to take from their files the petition of Thomas Lovell and send the same to the House. read and passed in concurrence. and the said petition, with accompany-

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191 ing papers, was accordingly sent to the House.

Petition of William D. Williamson and others, praying for increase of jurisdiction of the municipal Court for the city of Bangor read and referred to the Committee on the Judiciary. Sent down for concurrence. Concurred.

Petition of the Trustees of Gorham Academy and Teachers Seminary praying for aid read and referred to the Committee on Literary and Literary Institutions. Sent down for concurrence. Concurred.

Petition of E. T. Russell and others, praying for an alteration in the law relating to Hawks and pedlars. read and referred to the Select Committee that has that Subject under consideration. Sent down for concurrence. Concurred.

Petition of Thomas Rice and others, of Rye Brook B. Alwood and others, praying for an act prohibiting the sale of Ardent Spirits, severally read and referred to the Committee on the License Laws, Sent down for concurrence. Concurred.

Petition of Elipha Grove and others, praying that measures be taken to ascertain for what cause and by whose authority one Tappan is confined in prison at Augusta, and to render him relief, came up from the House of Representatives referred to a Select Committee. The Senate non concerned the House in its reference and referred said petition to the Committee on the Judiciary. Sent down for concurrence.

Petition of Ebenezer Fisher and others, praying
for alterations in the present Militia
Laws. read and referred to the Com-
mittee on the Militia, in concurrence.

Petition of Joseph Smith J and others, pray-
ing to be authorized to sell the lower
Meeting House in Hollis. read and
referred to the Committee on Parishes, in concurrence.

Petition of Benjamin T Oliver and others, inhabi-
tants of Georgetown;

" of inhabitants of Georgetown, praying
that all obstructions to the free passage
of fish on the Kennebec River may
be removed;

" of Winship P. Litley and others, inhabi-
tants of Woolwich, in relation to the Ken-
nebec Dam Company;

" of Amos Davis and others, praying
for a charter for a canal from Moose-
head Lake to Wilson's Stream;

Remonstrance of Silman Connor and others;

" of J. H. Muller and others;

" of Ebenezer Webster and others against
an extension of corporate privileges
of the Sugar Island Farm Company.

severally read and referred to the Committee on In-
terior Waters, in concurrence.

Petition of Bradford Cummings, praying for an
additional Act to incorporate the town
of New Simenick;

" of the County Commissioners of Han-
cock County, praying for authority
to borrow money on the credit of the
County;

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Petition of Horace H. Smyth and others, praying that certain property may be exempted from attachment and execution - severally read and referred to the Committee on the Judiciary, in concurrence.

Petition of Nathaniel Hill and others, inhabitants of Syman, praying for the appointment of a Committee to run and settle the line between the towns of Syman and Hollis.

" of sundry inhabitants of Baring, Charlotte and Cooper, praying to be set off from said town and incorporated into a town by the name of Lowell.

" of Josiah P. Morris and others, praying that Moses Allen, and others may be set off from the town of Rome with the farms on which they live, to the town of Tienna.

" of Moses Allen and others, praying for the same.

Remonstrance of the town of Charlotte against the petition of inhabitants of Baring, Charlotte and Cooper, praying to be set off from those towns and incorporated by the name of Lowell - severally read and referred to the Committee on Division of towns, in concurrence.

Petition of Joseph Symonds and others

" Schabed Bucknam . . .

" Joseph Swetser . . .

" J. B. Townsend . . .

" John F. Harris . . .

" Frederick Bowker . . .

" Daniel Kendrick . . . in relation

to the License Laws, severally read
and referred to the Committee on the License
Laws, in concurrence.

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Petition of William A. Crocker and others, on
the subject of Slavery read and referred
to the Committee on Slavery, in concurrence.

Petition of the Proprietors of the Belfast and
Puebec Rail Road Company, praying
for extension of time to perform certain
duties which are required of them by the
Act of incorporation read and referred
to the Committee on Rail Roads and Canals, in con-
currence.

Petition of John Truse, praying that the Land
Agent may be authorized to give him a
deed read and referred to the Committee
on State Lands, in concurrence.

Petition of Isaac Eames and others, praying that
that part of the Law which relates to
fishery in Penobscot Bay and its tribu-
tary waters South of Orphan Island,
may be repealed read and referred
to the Committee on Interior Fisheries, in concurrence.

Petition of Nathan Hills and others, praying for
the repeal of Act giving a bounty on
Wheat and Corn read and referred to the
Committee on Agriculture, in concurrence.

Petition of the Trustees of North Yarmouth Academy
praying for Aid read and referred to the Committee
on Literature and Literary Institutions, in con-
currence.

195. Petition of James H. Boutwell and others, praying for the repeal of the law requiring the use of Broad Rimmed Wheels read and referred to the Committee on State Roads, in concurrence.

The President laid before the Senate a communication from the Secretary of State transmitting a statement of the amount of costs in criminal prosecutions in the several Counties in this State, for the years 1837 and 1838, and also of the amount paid each County Attorney the same years read and referred to the Joint Select Committee that have under consideration the Bill in relation to County Attorneys. Sent down for concurrence. Concurred.

The Committee on Military Pensions reported leave to withdraw on petition of Henry S. Argershead and accepted, in concurrence.

Mr. Jaques, from the Committee on Division of Towns reported order of notice on petition of Daniel Fogg read and the same on motion of Mr. Grosz, was recommitted. Sent down for concurrence. Concurred.

Resolve in favor of the Insane Hospital was read the second time, and the same on motion of Mr. Steward, was recommitted with instructions to report a statement of facts. Sent down for concurrence. Concurred.

Bill additional to an Act respecting mortgages and the right in equity of redemption (laid on the table by Mr. Boutelle) read and referred to the Committee on the Judiciary.

Resolve in favor of the town of Lyman
(reported in the House by the Com-
mittee on Claims) was read once
and tomorrow eleven o'clock assigned for a
second reading.

Bill additional concerning Corporations was
read the second time, and the same, on
motion of Mr. Boutelle, was laid
upon the table.

Bill additional to an act entitled an Act
against Hawks, Pedlars and Petty Chap-
men, approved February 10th. 1821, on motion
of Mr. Smart was taken up and the further
consideration thereof was postponed till Thurs-
day next, eleven o'clock.

On motion of Mr. Esqred, the motion to
reconsider the vote passing to be engrossed,
"Bill to Divorce Ebenezer Cott and Mary Cott"
was taken up, and the further consideration of
the subject, on motion of Mr. Littlefield, was
postponed till tomorrow, eleven o'clock.

Bill additional to an act for the protection
of the Matanawcook & Military Roads,
to set off Fayette Baker and lands,
from Penobscot and annex the same
to Castine
authorizing the President, Directors and
Company of the Manufacturers & Traders'
Bank to reduce their Capital Stock (as
amended), severally read the second time and
passed to be engrossed. Sent down for concurrence. Concurred.

197.

Bill constituting Kalais the shire town of the County of Washington was taken up. Mr. Bowles moved the indefinite postponement of the Bill, and the question to postpone indefinitely, being ordered to be taken by yeas & nays was decided in the negative as follows, to wit:

Yeas Messrs. Belcher, Boutelle, Bowles, Dumont, Laques, W. M. Reed, Steward
Nays Messrs. Barker, Bradley, Crumstock, Emery, Erskine, Gross, Heagan, Holden, Littlefield, Osgood, Perkins, Prince, Shaw and Williams 114

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 the Broomstock Road;
" in favor of Mary Edwards and
Dorothy Ames, and the same were severally finally passed.

The same Committee reported as correctly engrossed.

Bill to change the names of certain persons,
" for the limitation of criminal prosecutions;
" to provide for the expeditious of the State Prison;
" additional to an Act concerning Power
and the same were severally passed to be enacted.

Adjourned.

Attest William Trafton, Secretary.

Wednesday, February 6, 1839.

Mr. Gross announces that Joshua Parsons, Senator elect from the second Senatorial District was in attendance and ready to take and subscribe the necessary oaths. He was conducted by Mr. Gross, to the Governor and Council, before whom he took and subscribed the oaths required by the constitution to qualify him to enter upon the discharge of his official duties, and then took his seat at the Senate Board.

On motion of Mr. Littlefield,
Ordered, That the Committee on the Judiciary be instructed to inquire into the expediency of providing by law, that actions for trespasses committed on the public lands may be commenced in any County in the State. Sent down for concurrence. Concurred.

Order from the House of Representatives, instructing the Committee on Agriculture to inquire into the expediency of procuring, for distribution among the several towns and plantations in this State, Cotté's Manual respecting the growth of the Mulberry tree, with directions for the culture of silk, read and passed in concurrence.

Order from the House of Representatives, instructing the Committee on the Library to inquire into the expediency of selecting a room or rooms to be permanently used as a Library Room, and of adopting rules and regulations in relation to the custody of the books and the use of the same by the members of the Legislature and others.

199. and, if any, what legislation may be necessary for the exchange of the Public Documents, Laws, Resolves, and Judicial Decisions of this State for those of other States and the expediency of an annual appropriation for the purchase of Books read and passed, in concurrence.

Mr. Smart submitted the following.

Order, That—

be a Committee with such as the House may join to inquire if any alteration can be made in the present pauper law to save the great expenses arising from hunting up and removing paupers, proving residences, and litigation arising therefrom, also authorizing the Secretary of State to call on the overseers of the Poor in each city, town and plantation in this State to furnish, as soon as may be, a statistical account of the expenses that have arisen in the business aforesaid.

Likewise to inquire into the expediency of taking our inventory on the first day of April, instead of the first day of May.

Likewise to inquire if any penal law is necessary to punish such persons as wilfully use deception in giving in their inventory, when not under oath.

Likewise to inquire into the expediency of increasing the means of the Poor Debtor to discharge the claims of his creditors, by allowing him to keep certain articles free from attachment that are almost indispensably necessary to enable him to prosecute his business with success read, and the same, on motion of Mr. Littlefield was laid upon the table.

Petition of William Simmons and others 200.
inhabitants of Hungry Island,
praying for their proportion of the
Surplus Revenue read and referred
to the Committee on the Judiciary. Sent down
for concurrence. Concurred.

Petition of the "Hancock Guards", a Company
of Light Infantry, praying for a
loan of arms for the use of said
Company. read and referred to the
Committee on the Militia. Sent down for
concurrence. Concurred.

Petition of William Prescott, praying to be
remunerated for damages sustained
in consequence of the Land Agents
not deducing to him certain Lands. Island
read and referred to the Committee on State
Lands. Sent down for concurrence. Concurred.

Petition of Ebenezer Johnson and others,
" Isaac G. Reed
" Ebenezer Hutchins Jr.
" George W. Darling
" Henry T. Field
praying for the repeal of the License
Laws, severally read and referred
to the Committee on the License Laws, Sent
down for concurrence. Concurred.

Petition of Elisha Snow and others,
" Lincoln Ripley
" Allen Gentry
" Mary Ann Hazz
in relation to the Sale of Ardent
Spirits. severally read and referred to

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211 the Committee on the License Laws, in concurrence.

Petition of Joshua Daws praying to be set off from the town of Windsor and be annexed to the town of Tassabrough - read and referred to the Committee on Division of Towns, in concurrence.

Petition of John Kid and another praying for leave to establish a Ferry from Harpswell Neck to Orr's Island in Harpswell - read and referred to the Committee on Roads and Bridges in concurrence.

Petition of Moses Lincoln and others, praying that some compensation may be made to Thomas Lowell for damage done to him by the Passamaquoddy Tribe of Indians
" of Stephen Stoddard and others, of the town of Perry, praying to be remunerated for damages done them by the Passamaquoddy Indians. Severally read and referred to the Committee on Indian Affairs, in concurrence.

Petition of "Frontier Guards" and others, praying that camp equipments and Rifles may be furnished them.
" of the "Subic Rifle Company", praying to be furnished with Rifles from the State. severally read and referred to the Committee on the Militia, in concurrence.

Petition of C. A. Allen and others, praying

for the appointment of an Inspector 212.
General of Fish.

Petition of inhabitants of Calais, praying for
an alteration of the Fish Law severally
read and referred to the Committee on Interior
Fisheries, in concurrence.

Petition of Martin Paul, and others,
Samuel Tainter, and others, pray-
ing that certain property may be
exempted from attachment and exe-
cution. Severally read and referred
to the Committee on the Judiciary, in con-
currence.

Petition of Thomas Lowell, with accompany-
ing papers, taken from the files and
referred to the Committee on Indian Affairs,
in concurrence.

Mr. Frolic, from the Committee on
Parishes, reported order of notice on petition of
Joseph Smith & and others - read and accepted.
Sent down for concurrence. Concurred.

Mr. Comstock, from the Committee
on Interior Fisheries, reported leave to withdraw
on petition of Samuel Hoasey and others read
and accepted. Sent down for concurrence. Concurred.

The Committee on Division of Towns
reported reference to next Legislation on peti-
tion of Nahum Baldwin and others read
and committed to the Committee on Division
and Alteration of Counties, in concurrence.

On motion of Mr. Dumont

The Senate, by unanimous consent, reconsidered the vote of Saturday last indefinitely postponing the Bill to incorporate the Maine Thompsonian Medical Society, and the same was laid upon the table.

On motion of Mr Littlefield, The Senate reconsidered the vote finally passing and passing to be engrossed the Resolue in favor of Mary Edwards and Octavia Ames and recommitted the same of which the House was informed by message and its concurrence requested.

Mr. Parsons was appointed on the Committee on Roads and Bridges; and also on the Committee on Interior Waters to fill the vacancy in said Committee occasioned by the resignation of John C. Humphreys of which the House was informed by message.

The motion submitted on Monday last by Mr. Littlefield to reconsider the vote whereby the Senate passed to be engrossed, in concurrence the "Bill to Divorce Ebenezer Cobb and Mary Cobb" was taken up, and the Senate reconsidered the vote passing said Bill to be engrossed, and insisting on the former vote refusing said Bill a passage, proposed a Conference and appointed as Conferees Messrs. Boutelle, Barker and Belcher. Sent down for concurrence.

Came up with Messrs Bradbury of New Gloucester, Andrews of Turner & French of Nettleboro' appointed Conferees

Bill for the relief of sureties on Poor Debtors

Bonds in certain cases (reported by Mr. Little 214.)
field from the Committee on the Judiciary
to which was referred the "Bill additional
to an act for the relief of Poor Debtors" was
read once and this day half past twelve o'clock
assigned for a second reading.

Bill further regulating Judicial process
and proceedings was taken up & amended,
and the same, on motion of Mr. Boutelle,
was laid upon the table.

Bill additional to an act for the preser-
vation of Fish in the Penobscot Waters, ap-
proved March 21 1838, was taken up and an
amendment was offered by Mr. Emery, and
the Bill, with the amendment, on motion of
Mr. Heagan, was laid upon the table.

- Resolue authorizing the erection of a Gun House
in Lincoln (reported by Mr. Shaw from
the Committee on the Militia on pe-
tition of Isaac Stevens and others)
- " for the erection of a Gun House in
Larland (reported by same, on petition
of John L. Kimball and others)
- " in favor of John L. Deane, and others,
(reported by Mr. Osgood from the
Committee on the N. E. Boundary to
which was referred a Communication
from the Deputy Secretary of State re-
lative to the accounts of Commissioners
and others, employed to ascertain,
run and locate the boundary line
of the State)
- " in favor of Enock Shunt of Hells
(reported in the House by the Committee

in Military Pensions on petition of
Enoch Stout.)

Bill additional to the several Acts to secure
to owners their property in logs, masts,
spars and other timber (reported by
Mr. Boutelle, from the Committee on
the Judiciary on an order relative to
that subject.)

to repeal an "additional act concerning
the collection of taxes" reported by Mr.
Littlefield from the same Committee,
on an order relative to that subject)

to incorporate the Proprietors of the
Moose Rock Steam Way (reported by
Mr. S. Reed, from the Committee on
Interior Waters, on petition of Dominicus
G. Farley and others) Read
once and tomorrow eleven o'clock assigned
for a second reading.

Resolve in favor of the town of Lyman, was
read the second time and passed to be engrossed,
in concurrence.

Bill limiting the powers of County Commis-
sioners, was taken up and passed to be
engrossed, in concurrence.

Bill for the relief of sureties on Poor Debtors'
Bonds, in certain cases, was read the
second time and passed to be engrossed. Sent
down for concurrence. Concurred.

Adjourned

Attest, William Trafton Secretary.

Thursday, February 7, 1839.

206.

Order from the House of Representatives, instructing the Committee on Literature and Literary Institutions, to inquire into the expediency of making any alterations in the Law providing for the expenditure of the money raised for the support of schools read and passed in concurrence.

Order from the House of Representatives instructing the Committee on Indian Affairs, to inquire into the expediency of recommending some plan for the settlement of the difficulties now subsisting among the Indians of the Pentecost Tribe in relation to their Governor or Governors. read and passed in concurrence.

Petition of Stephen Towell and others, and of Inhabitants of Phippsburg, praying that the Charter of the Kennebec Canal Locks and Canal Company may be annulled. Severally read and referred to the Committee on Interior Waters. Sent down for concurrence. Concurred.

Petition of Anna Haskell and others, ladies of Bangor, respecting Slavery read and referred to the Committee on Slavery, in concurrence.

Petition of Jonah Dunn and others, praying that the School Law may be altered in relation to discharging School masters in certain cases. read and referred to the Committee on Literature and Literary Institutions, in concurrence.

Thurs. Feb. 7. 1839.

Petition of Parker M. Reed and others, inhabitants of Phelpsburg, praying for relief against injuries by Kennebec Dam Corporation.

of Israel Putnam and others, praying that the Proprietors of the Kennebec Dam be compelled to provide fishways agreeably to the provisions of their Charter.

of the President, Directors & Company of the Stillwater Canal Corporation, praying for extension of the time to complete the same severally read and referred to the Committee on Interior Waters, in concurrence.

Petition of the Selectmen of Siston, praying that the County Commission may be authorized to locate a road within said town.

Remonstrance of John Eaton and others, against the petition of Nathaniel Baldwin and others, praying that a part of Mercer, in the County of Kennebec, may be annexed to the town of New Sharon, in the County of Somerset, severally read and referred to the Committee on Division and Alteration of Counties, in concurrence.

Petition of Jacob Dearborn Jr. and others, of Joseph S. Dearborn and others, praying for an alteration of the Militia Law read and referred to the Committee on the Militia, in concurrence.

Petition of Davis Fierce and others, praying that certain property may be exempted from

Petition of Joseph Miller and others, of the town of Lincolnville, praying for an amendment of the Poor Relief Law, read and referred to the Committee on the Judiciary, in concurrence.

Petition of Samuel L. Ford and others
 Enock Page
 Almer Curtis
 John Ham, praying
 for the repeal of the License Laws,
 and that the sale of Ardent Spirits be
 prohibited, severally read and referred
 to the Committee on the License Laws, in concurrence.

Mr. Sagues, from the Committee on Division of Towns, reported reference to next Legislature on petition of Nathaniel Treat and others, and order of notice to next Legislature on petitions of Moses Allen and others, and Amos P. Moses and others, read and accepted. Sent down for concurrence. Concurred.

Mr. Shaw, from the same Committee, reported leave to withdraw on petition of John M. Intire and others, read and accepted. Sent down for concurrence. Concurred.

Mr. Bowles from the Committee on Roads and Bridges, reported leave to withdraw on petition of Baldwin Marble and others, read and accepted. Sent down for concurrence. Concurred.

Mr. Gross, from the Committee on Military Pensions, reported leave to withdraw on petition of Asa Spaulding, read and accepted.

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209. Sent down for concurrence. Concurred.

Mr. Littlefield, from the Committee on the Judiciary, reported leave to withdraw on petition of Reuben Sibbey and others, read and accepted. Sent down for concurrence. Concurred.

The Committee on Interior Waters reported order of notice on petition of Samuel Dudley and others, and leave to withdraw on petition of Cyrus Ingalls and others, read and accepted, in concurrence.

The Committee on Division of Towns reported order of notice on petition of Daniel Fogg, read and accepted, in concurrence.

Petition of Elijah Grover and others, in relation to one Tappan confined in Augusta Gaol came up. The House missing on its vote referring said petition to a Joint Select Committee and the same, on motion of Mr. Perkins, was laid upon the table.

Bill to incorporate the Maine Thompsonian Medical Society, on motion of Mr. Dumont, was taken up and referred to a Joint Select Committee, consisting of Messrs. Dumont, Perkins and Norton with such as the House may join. Sent down for concurrence.

A message was received from the House of Representatives, that that Branch had reconsidered its vote finally passing, and passing to be engrossed.

Resolved in favor of Mary Edwards and

Deborah Ames, and had recommitted the same in concurrence.

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A message was received from the Governor by the Secretary of State transmitting a Communication from Gen Edmund Pendleton Gaines of the U.S. Army accompanied with a diagram of his system of Railroads, designed to lead from the Central and Western States of the Union to the six grand divisions of the National Frontier, and, and the same on motion of Mr. Emery, was referred to the Committee on Rail Roads and Canals. Sent down for concurrence. Concurred.

Bill additional to an Act entitled an Act against Hawkers Pedlars and Petty Chapmen, approved Feb. 11. 1821, on motion of Mr. Smart was taken up and further considered. Mr. Norton moved to amend said Bill by striking out all after the enacting clause and inserting in lieu thereof, a clause repealing the former Act and said Bill with the proposed amendment on motion of Mr. Smart was laid upon the table.

Mr. Dumont from the Committee on Public Buildings to which was recommended the Resolve in favor of the Insane Hospital, reported a statement of facts and the same on motion of Mr. Dumont was laid upon the table and Ordered, on motion of Mr. Hegan, that 1000 copies of said Report and Resolve be printed for the use of the Legislature.

Resolve in favor of Nicholas Pierce (reported

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by Mr. Gross from the Committee on
Military Pensions, on petition of Nicholas
Pierce.),

Resolved in favor of William M. Jordan (reported
by same on petition of William M. Jordan);
Bill to set off Isaac Robinson from Cushing
to Friendship (reported by Mr. Sagues,
from the Committee on Division of Towns,
on petition of Isaac Robinson and William
Bradford)

• additional to establish the Penobscot River
Rail Road Corporation (reported by Mr.
Williams from the Committee on Rail
Roads and Canals, on petition of the Presi-
dent and Directors of the Penobscot River
Rail Road Corporation.);

• to incorporate the Farmers and Mechanics'
Mutual Fire Insurance Company (reported
by Mr. Emery, from the Committee on
Banks and Banking, on petition of Stephen
Webb & others) severally read once &
tomorrow, eleven o'clock, assigned for a second
reading.

Bill additional to an Act for the preservation of
Fish in the Penobscot Waters approved
March 21, 1838, was taken up and the amend-
ment proposed yesterday, by Mr. Emery,
was withdrawn. On motion of Mr. Heagan
the Bill was amended and passed to be engrossed.
Sent down for concurrence. Concurred

Bill further regulating Judicial process and pro-
ceedings, was taken up, further amended,
and passed to be engrossed. Sent down for concu-
rence. Concurred.

Resolve in favor of Enoch Shout of Hollis
was read the second time and passed to be en-
grossed as amended, in concurrence.

* Resolve authorizing the erection of a Gun House
in Lincoln;

" " for the erection of a Gun House in Garland;

" " in favor of John G. Dean, and others;

* Bill additional to the several acts to secure to
owners their property in logs, masts, spars
and other timber;

" " to repeal an additional Act concerning
the collection of Taxes;

" " to incorporate the proprietors of the Moose
Brook Sluice way. severally read the se-
cond time and passed to be engrossed. Sent
down for concurrence. & Concurred.

The Committee on Engrossed Bills, reported
as correctly engrossed.

Bill additional for the support and regulation
of mills, and the same was passed to be
enacted.

On motion of Mr. Holden,
Ordered That the hour on which the Senate
shall meet on each day, till further ordered,
be ten o'clock, except on Monday, on which
day the Senate shall meet at eleven o'clock,
till otherwise ordered. read and passed.

Adjourned.

Attest. William Trafton Secretary.

Friday, February 8. 1839.

On motion of Mr. Smart the Order introduced by him the 6th instant in relation to paupers, the time of taking the inventory of taxable property, and poor debtors was taken up; and the question of passing the same, being ordered to be taken by yeas and nays, was decided in the affirmative as follows, to wit:

Yeas Messrs. Parker, Comstock, Heagans, Holden, Norton, Perkins, Isaac Reed, Wm. M. Reed, Shaw, Smart, Howard and Williams 12.

Nays Messrs. Belcher, Rutelle, Fowles, Dumont, Erskine, Gross, Littlefield, Osgood, Parsons, and Prince 10.

And Messrs. Smart, Parsons and William M. Reed, with such as the House may join, were appointed a Committee to take the subjects of the order into consideration. Sent down for concurrence.

Came up with Messrs. Bryant of Montville, Wade of Dresden, Foss of Kingsbury, Dudley of Lyman, Hoyt of Ripley, Talbot of East Machias and Mosher of Chino, joined in concurrence.

Mr. Holden submitted the following Order. That the Committee on Claims be instructed to issue a public notice, in such Newspapers as they may select, requesting the Aldermen of cities, the Selectmen of Towns, and the assessors of Plantations to furnish certified list of all individuals in their respective cities, towns or plantations, (and who

were residents therein on the 1st day of March, 1837) who are entitled to, but have not received their proportion of the Surplus Revenue. Said information to be forwarded to the respective Representatives in the Legislature, on or before the first day of March next Read, and the same, on motion of Mr. Norton, was amended by striking out the words "their respective Representatives in the Legislature," and inserting in lieu thereof the words, the Secretary of State. And the order as thus amended, on motion of Mr. Norton, was laid upon the table.

Petition of Edward S. Wheeler and others, praying to be set off from the town of Pittsfield and annexed to the town of Canaan read and referred to the Committee on Division of Towns. Sent down for concurrence. Concurred.

Petition of the "Hancock Guards," praying that the Gun House in Castine may be given them for an armory, read and referred to the Committee on the Militia. Sent down for concurrence. Concurred.

Petition of Mary S. Smith and others, and
" William Solomon and others,
praying for the repeal of the License Laws, and the sale of ardent spirits in a less quantity than twenty eight gallons prohibited read and referred to the Committee on the License Laws; Sent down for concurrence. Concurred.

Petition of the Selectmen of South Berwick, and
" of the Selectmen of Dixfield, praying

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for their equitable proportion of the Surplus Revenue, came up from the House of Representatives referred to the Committee on the Judiciary. The Senate concurred the House in its reference and referred the same to the Committee on Claims. Sent down for concurrence. Concurred.

Petition of Samuel Sack and others, of Caldwell, in relation to the Surplus Revenue read and referred to the Committee on the Judiciary, in concurrence.

Petition of the Trustees of Belgrade Academy, praying for aid - read and referred to the Committee on Literature and Literary Institutions, in concurrence.

Account of John Gleason, Agent for the Passamaquoddy Tribe of Indians, for bounty paid said Indians in 1838. read and referred to the Joint Select Committee on Claims for Bounty on Wheat and Corn in concurrence.

Remonstrance of the inhabitants of the town of Waterville against the petition of Isaiah Samue and others, praying that a part of Dearborn be annexed to Waterville. read and referred to the Committee on the Division of Towns, in concurrence.

Petition of Daniel Rillings and others, praying that the militia may be compensated for services - read & referred to the Committee on the Militia, in concurrence.

Petition of Stephen Hovey and others, praying
for leave to sell their meeting house
in New Sharon, read and referred
to the Committee on Parishes, in concurrence.

Petition of Ephraim Kimball and others, pray-
ing for the repeal of the Charter of the
Hancock Brook Canal - read and referred
to the Committee on Interior Waters, in concurrence.

Petition of David Thurston and others
" Thomas Smith " "
" James Clark " "
" Atner Ham " " on the
subject of Slavery - severally read and
referred to the Committee on Slavery, in concurrence.

Petition of Lauriston Ward and others,
" Sylvanus Waterman " "
" Abigail Waterman " "
" Charles Clepp " "
respecting the sale of Ardent Spirits.
severally read and referred to the Committee on
the License Laws, in concurrence.

Mr. William M. Reed, from the Commit-
tee on Division and Alteration of Counties, report-
ed order of notice on petition of John Gay and
others, and also Joseph P. Burrill and others
inhabitants of Somerset County, read and
the Report on motion of Mr. Norton, was
laid upon the table.

Mr. Holden from the Committee on
Claims, to which was referred the petition of
Hiram Q. Alden, asked to be discharged from
the further consideration of said petition and

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217. recommended the reference of the same to the Committee on the Militia - and reported leave to withdraw on petition of John Blakes, and legislation inexpedient in "Resolve in favor of John Dunn" - read and accepted. Sent down for concurrence. Concurred.

Mr. Pelcher, from the Committee on Agriculture, reported leave to withdraw on petition of John Butterfield and others, and that the Bill to obtain Statistical information in relation to certain branches of Industry in the State, ought not to pass - read and accepted. Sent down for concurrence. Concurred.

Mr. Williams, from the Committee on Rail Roads and Canals, reported reference to the next Legislature on the Memorial of Citizens of Belfast and the Report of Col. J. H. Long in relation to the Belfast & Quebec Rail Road - read and accepted. Sent down for concurrence. Concurred.

Mr. Wm. M. Rud, from the Committee on Division and Alteration of Counties, reported reference to the next Legislature on petition of Nahum Baldwin and others - read and accepted. Sent down for concurrence. Concurred.

Resolve in favor of John Truse (reported by Mr. Norton, from the Committee on State Lands, on petition of John Truse)

Bill additional to an act to organize, govern and discipline the Militia of this State reported by Mr. Shaw, from the Committee on the Militias on petition of

Nathaniel C. Reed and John F. Meserve, 218
severally read once, and tomorrow, ten select
assignees for the second reading.

Bill additional to an Act entitled an Act
against Hawkers, Peddlars and Petty
Chapmen, approved February 10. 1821 was
taken up, and the question of passing
the same to be engrossed was decided in
the negative (passage refused) by yeas and
nays as follows, to wit:

Yeas	Messrs Heagan, Perkins & Smart - 3.
Nays	Messrs Bradley, Barker, Belcher, Boutelle, Bowles, Comstock, Dumont, Emery, Erskine, Gross, Holden, Little- field, Norton, Osgood, Parsons, Prince, Isaac Reed, W. M. Reed, Shaw, Howard and Williams - 21.

Sent down for concurrence. Concurred

Bill additional concerning corporations, on
motion of Mr. Littlefield, was taken up and
recommitted. Sent down for concurrence.

* Resolved in favor of Nicholas Pierce,
Bill to incorporate the Farmers and Mechanics'
Mutual Fire Insurance Company sever-
ally read the second time, amended and passed
to be engrossed. Sent down for concurrence. Concurred.

Resolved in favor of William M. Jordan,
Bill additional to establish the Penobscot
River Rail Road Corporation:
to set off Isaac Robinson from Cushing
to Friendship - severally read the second
time and passed to be engrossed. Sent down
for concurrence. Concurred.

Mr. Norton, from the Committee on State Lands, to which was recommended the Resolve in favor of Mary Edwards and Deborah Smes, reported that said Resolve ought to pass, and the same being read was ordered to be re-engrossed. Sent down for concurrence. Concurred.

The Committee on Engrossed Bills, reported as correctly engrossed.

Resolve in favor of Pamariscotta Bank;
 " in favor of the town of Lyman
 and the same were severally
finally passed.

The same Committee reported as correctly engrossed.

Bill limiting the powers of County Commissioners;
 " for the relief of sureties on Poor Debtors' Bonds in certain cases and the same were severally passed to be
enacted.

On motion of Mr. Boutelle,
 Ordered, That the Secretary of State be directed to cause to be published in the Age and Journal, printed in Augusta, an Act for the relief of sureties on Poor Debtors' Bonds in certain cases as soon as the same shall have been signed by the Governor read and passed. Sent down for concurrence. Concurred.

Adjourned.

Attest William Trafton, Secretary.

Saturday, February 9, 1839.

On motion of Mr. Hagan.

Ordered, That the Committee on the Judiciary, be directed to inquire into the expediency of passing a law establishing the salary or rate of Commission of County Treasurers, in order that there may be uniformity throughout the State read and passed. 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 that in all cases where the cost of prosecution is paid by the County in which the trial occurs, the fines, if any, should be paid into the County Treasury, and not into the town or city Treasury as now required by law. read and passed, in concurrence.

Order from the House of Representatives directing the Committee on State Lands to inquire into the expediency of passing a Resolve authorizing and requiring the Land Agent to cause the several townships immediately bordering upon the Averstock River and Averstock road and belonging to the State, to be surveyed into lots of a mile square each. read and passed, in concurrence.

The Order, submitted yesterday by Mr. Holden, in relation to the Surplus Revenue was taken up and indefinitely postponed.

Mr. Holden submitted the following

Sat. Feb. 9. 1839.

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Order: That the Secretary of State be directed to issue a Circular to the Aldermen of Cities, the Selectmen of Towns, and assessors of plantations, requiring them to return to his Office (on or before the first day of March next) certified lists of all such persons in their respective cities, towns and plantations, if any, as would have been entitled to receive from said cities, towns and plantations, a part of the Surplus Revenue, on a distribution of the same ^{per capita}, and who were not returned in the census of said cities, towns &c. taken in 1837. Also the number of persons, if any, who were returned by said cities, &c. in said census, who were not entitled to a share in said Surplus, by the law for the distribution of the same, and the amount, if any, still remaining in the Treasuries of the respective cities &c. where they have undertaken to distribute the same—read and amended, and the same on motion of Mr. Littlefield, was laid upon the table.

Petition of John Rollins, praying for his proportion of the Surplus Revenue—read and referred to the Committee on Claims. Sent down for concurrence. Concurred.

Petition of Isaac Berry and others,
" " Rufus S. Burden " "
" " Henry Darling " "
" " Luther Mudgett " "
" " Seth Nickerson Jun. " " praying
for charter to build a Bridge across
the South Branch of Marsh River
in Prospect. severally read and referred
to the Committee on Roads and Bridges. Sent
down for concurrence. Concurred.

Petition of Alexander Thompson, praying
for remuneration for damages sustained
while doing Military duty read and
referred to the Committee on Military Pensions,
in concurrence.

Petition of Silas S. Swanton and others, and
" of Benjamin Tyler and others, pray-
ing for an appropriation on the State
Road from H. L. O. Ranous to Moose
Head Lake. severally read and referred
to the Committee on State Roads, in concurrence.

Remonstrance of Daniel Sunt and others, of the
town of Sincleville, against any
alteration of the Game Laws, read
and referred to the Committee that has that
subject under consideration, in concurrence.

Petition of James Bell and others.

" " Nelson Savage . . .

" " Samuel Tutts . . . praying
that the act establishing the County
of Piscataquis may be repeated.

Remonstrance of Inham Davis and others against
the town of Bradford being set off
from Penobscot to Piscataquis County.
severally read and referred to the Committee on
Division and Alteration of Counties, in concurrence.

Petition of James Stone and others

" " Abel Dow . . .

" " Ezekiel Robinson . . .

" " Abel Curtis . . .

" " Hezekiah Fletcher . . . in relation
to the License Laws and sale of Ardent
Spirits, severally read and referred to the

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223. Committee on the License Laws, in concurrence.

Petition of Ezekiel Robinson, and others.
" Sarah C. Titcomb "
" Charles P. Chandler "
" James Stone " in relation to Slavery—seriously read and referred to the Committee on Slavery, in concurrence.

Mr. Littlefield, from the Committee on the Judiciary, reported legislation inexpedient on an order relative to the appointment of additional inspectors of Beef and Pork, an order relative to the service of writs on Corporations, and an order relative to abolishing the office of Inspector General of Nails—and leave to withdraw on petition of S. P. Fowler and others, and William O. Williamson, and others, and asked to be discharged from the further consideration of the petition of William Simmons and others, and recommended the reference of the same to the Committee on Claims, read and accepted. Sent down for concurrence. Concurred.

Mr. Bowles, from the Committee on Parishes, reported order of notice on petition of Stephen Humes and others, read and accepted. Sent down for concurrence. Concurred.

Mr. Shaw, from the Committee on Division of Towns, reported leave to withdraw on petition of Nathaniel Hill and others, and Ransom Smith and others—read and accepted. Sent down for concurrence. Concurred.

Mr. Heagans from the Committee on Roads

and Bridges, reported leave to withdraw on petition of the Stockholders of the Upper Bridge Company in Belfast read and accepted. Sent down for concurrence.

The same Committee, on the part of the House, reported leave to withdraw on petition of George W. Wilson and others read & accepted, in concurrence.

A message was received from the Governor by the Secretary of State, transmitting a communication from the Adjutant General, containing various suggestions in relation to matters pertaining to his Department read and referred to the Committee on the Militia. Sent down for concurrence. Concurred.

Mr. Holden moved to reconsider the vote of yesterday whereby the "Bill additional to an Act entitled an Act against Hawkers, Pedlars and Petty Chapmen, approved Feb'y 16. 1821." was refused a passage which motion was decided in the negative.

Resolve in favor of Peol Tomer. Peol Poles and Gen'ral Locatoy's (introduced in the House) was read once & referred to the Committee on Indian Affairs. Sent down for concurrence. Concurred

Resolve authorizing the County Treasurer of Piscataquis County to borrow money on the credit of the County (reported by Mr. Stillfield from the Committee on the Judiciary on petition of Robert Lewis)

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225. Resolve in favor of George Williston (reported in the House by the Committee on Military Pensions, on petition of George Williston) severally read once and Monday next, eleven o'clock, assigned for a second reading.

Resolve to amend the Constitution relative to the Judiciary, (reported in the House by the Committee on the Judiciary, on an order relative to that subject)

Bill to incorporate the Livermore Falls Bridge Company (reported by Mr. Heagan from the Committee on Roads and Bridges, on petition of Nathaniel Mayo and others) severally read once and Tuesday next, ten o'clock, assigned for a second reading.

Resolve authorizing the County Commissioners for Hancock County to hire Money for certain purposes (reported by Mr. Littlefield, from the Committee on the Judiciary, on petition of the County Commissioners of Hancock) was read once and Wednesday next, ten o'clock, assigned for a second reading.

Resolve in favor of John Truse,

Bill additional to an Act to organize, govern and discipline the Militia of this State,
" " additional to an Act respecting mortgages and the rights in equity of redemption. severally read the second time and passed to be engrossed. Sent down for concurrence.
Concurred

Resolve authorizing an exchange of State 226
Securities came up from the House
amended. The Senate reconsidered the
vote of the first inst. passing said
Resolve to be engrossed, adopted the
amendments proposed by the House
and passed the same to be engrossed, in con-
currence.

Adjourned

Attest William Trafton, Secretary.