

Monday February 6, 1843.

Petition of Toppam Robie and others of Rockham

" John Warren " " for alter-
ation of law relative to taxes on
property of corporations.

and

" of Edwin Wilson and others for the
repeal of the license law severally
read and referred to the committee
on the Judiciary in concurrence.

" of Joseph Wilmor and others

" of William Hayden " "

" of John Spofford " "

and

" of Charles Harrington " " all of
Thomaston for an alteration of the
lime law,

and

" of David B. Hinckley and others
praying for a bounty on Manufac-
tured Slate, severally read and referred
to the committee on Manufactures
in concurrence.

" Andrew Pease for abatement on note
given the State for grass, read and

referred to the committee on State Lands in concurrence.

Petition of town of Ripley by their selectmen for an allowance for expenses incurred by them in 1839 for the benefit of the State, read and referred to the committee on claims, in concurrence.

of Piscataquis Mutual Insurance Company praying for an amendment of their charter; read and referred to the committee on the Judiciary. Sent down for concurrence.

of Inhabitants of township No. 6. second range north of Bingham's purchase that they may be incorporated into a town by the name of Easton, read and referred to the committee on Incorporation of Towns, sent down for concurrence.

Remonstrance of Joseph R. Tolson and others against extension of Granite Wharf in Bucksport; read and referred to the committee on Interior Waters in concurrence.

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

the Judiciary to inquire into the expediency of providing by law that all contracts under the sum of twenty dollars made after the twentieth day of March next shall be debts of honor, and that all writs after the said twentieth of March next for debts under twenty dollars be abateable.

That said committee inquire into the expediency of amending the revised Statutes in relation to sheriff's fees.

That the committee on Indian Affairs be directed to inquire into the expediency of authorizing the agent of the Passamaquoddy Indians to purchase two hundred acres of woodland for the use of said tribe.

That the committee on valuation inquire into the expediency of reducing the valuation of the town of Sumner.

On motion of Mr. Anderson the Senate reconsidered its vote of Saturday whereby it passes an order relative to the expenditure of the contingent fund of the Governor and Council and amended the same by adding the words "and for the year 1861," and passes the same as amended.

Sent down for concurrence.

Report of the committee on claims giving leave to withdraw on petition of Columbus Crockett read and accepted in concurrence.

Resolves in favor of Amos Kindall / laid on the table by Mr. Brigham / were read once and Wednesday next at eleven o'clock assigned for a second reading.

Mr. Anderson from the committee on engrossed bills reported as correctly engrossed bill entitled an act to authorize the County Commissioners of the counties of Cumberland and Lincoln to lay out a road over the bridge erected on New Meadows river, at the place called Little Bull rock, and the same was passed to be enacted.

The same committee reported as correctly engrossed

Resolve in favor of Ephraim S. Crockett
and

" " " " certain Passamaquoddy
Indians and the same were finally
passed.

The committee on Literature and Literary Institutions reported legislation inexpedient on order relative to granting aid to Maine Wesleyan Seminary: read and accepted: sent down for concurrence

Resolve in favor of Lutes Rifle company / reported from the committee on the Militia, on petition of Samuel

(513. Staples and others) was read once and to = 191.
morrow at eleven o'clock assigned for a
second reading).

Bill entitled an act in
addition to chapter 112 of the revised Stat-
utes was read a second time and passed
to be engrossed as amended on sheets an-
nexed marked A+B. Sent down for concur-
rence.

On motion of Mr. Merrill,
Ordered: That the committee on the Judiciary
be directed to inquire into the expediency
of amending the law relative to assessors
taking inventories and taxing personal
property in possession of persons who
are not the rightful owners, so that persons
in possession of such property shall, when
required by the assessors of any city, town
or plantation, give in under-oath who the
owners are, or be subject to pay taxes on such
property, and that the city, town or planta-
tion shall have a lien on such property for
the payment of all taxes which shall be so
assessed.

Adjourned.

Levi Haskell, Secretary.

Tuesday February 7 1843.

Petition of William Deming and others of Calais praying for a tax of one per cent on sales at auction read and referred to the committee on the Judiciary in concurrence.

of William Parker and others for repeal of the Pedlar law; read and referred to the committee on Pedlar law in concurrence.

Samuel F. Hursey and others, praying for a reduction of toll on Oldtown Bridge, read and referred to the committee on Roads and Bridges in concurrence.

of James Robinson praying for a Military pension read and referred to the committee on Military pensions. Sent down for concurrence.

of the Judge of Probate of Waldo County that his salary be made equal to that of the other judges in the State in proportion to his duties; read and referred to the committee who have under consideration the petition of John Dunning; sent

1843. down for concurrence.

193.

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

That the Committee on the Judiciary inquire into the expediency of amending the revised Statutes so as to place the practice of Law and Medicine on an equal basis, so far as relates to the admission of applicants to either practice.

Instructing the committee on that valuation to inquire into the expediency of reducing the valuation of the town of Greentush.

Resolved repeating in part a resolve authorizing a loan in behalf of the State, approved March 11. 1841 (introduced in the House) and

Resolved for furnishing cities, towns and Plantations with suitable blank returns (reported from the committee on Literature and Library Institutions on order relative to blank forms of returns of votes) were read once, and tomorrow at eleven o'clock assigned for a second reading.

Resolved in favor of Late Rifle Company was read a second time and on motion of Mr. Garretson laid on the table. -

Bill entitled an act pro

1894.

Tuesday, July 7. -

siding for the appointment of an additional Justice of the Supreme Judicial Court, was read a second time, amended on sheet annexed marked A and on motion of Mr. Nelson laid on the table.

Mr. Anderson from the committee on engrossed bills reported as correctly engrossed,

Bill entitled an act to set off part of the town of Hope, in the County of Waldo and annex the same to the town of Appleton

and

" entitled an act to incorporate the Bartlett Cemetery and the same were passed to be enacted.

Bill entitled an act to annex the Island of Matinecock in the County of Hancock to the County of Lincoln reported from the Committee on Division and Alteration of Counties, on petitions of Freeman Hall and others, and Mark Young and others, was read once, and Wednesday, the fifteenth instant, at eleven o'clock, assigned for a second reading.

Bill entitled an act to authorize the town of Milford to build a part of a certain road in the town of Wentworth and for other purposes,

1843 Bill entitled an act explanatory of the 195.
twenty fourth, fifty seventh, one fifty
eighth sections of the fourteenth chap-
ter of the revised Statutes.

entitled an act in relation to the
tax assessed on members of the Brunswick
village Corporation. -

and

entitled an act to repeal an act
entitled an act to repeal an act
entitled an act to incorporate
the Kennebec Farm Company, were
severally read a second time and
passed to be engrossed: sent down
for concurrence.

On motion of Mr. Ingalls
the report of the Committee on Interior
Waters on order relating to Kennebec Farm
Company, was taken up and the report again
accepted.

On motion of Mr. Ingalls
Bill entitled an act providing for the choice
of Representatives to Congress was taken up,

Mr. Hubbard moved
that the report of the joint select com-
mittee, together with the report and bill of the
minority, on apportionment of Representa-
tives to Congress, be committed to a joint select
committee.

196

Tuesday Feb 7.

The yeas and nays were ordered,
and pending the question of recommitment
the Senate.

Adjourned.

Chas Haskell, Secretary.

Wednesday February 8. 1843.

Petition of Thomas W. Dutton of Vray for relief in account of Military persecutions read and referred to the committee on the Militia in concurrence.

Henry Richardson and another to be released from the payment of interest on the amount of Stamp age claimed by the Land Agent, read and referred to the committee on State Lands in concurrence.

of William Peabody and others that a Military Pension be allowed to James Robinson, read and referred to the committee on Military Pensions sent down for concurrence.

Remonstrance of S. C. Magoun and others against the repeal of the license law, read and referred to the committee on the Judiciary in concurrence.

of James Dodge and others against a reduction of tolls on Samarsetta bridge read and referred to the committee on roads and bridges, sent down for concurrence.

198.

Wednesday Feb. 8.

Order from the House
that the committee on Incorporation
of towns inquire into the expediency of
repealing the act of incorporation of the
town of Passadumkeag; read and passed in
concurrence

Bill entitled an act
to repeal an act entitled "an act author-
izing the erection of a bridge over New Meade-
cows river," passed to be engrossed in the House
was read once, and referred to a select committee
consisting of Messrs. Ingalls, Leavitt and
Mitchell.

On motion of Mr. Nelson
Ordered: That the Secretary take from the
files of the Senate the petition of James
Robinson for a military pension, and the
papers relating to the same, and that they
be referred to the committee on Military
Pensions.

On motion of Mr. Atwood
Ordered: That the committee on State Lands
be required to consider the expediency of
changing the present mode of disposing
of the Timber and Timber lands belonging to
the State, with leave to report by bill or
otherwise. Sent down for concurrence

Mr. Brooks from the

1843. Committee on Engrossed bills reported as 199.
correctly engrossed.

Resolved fixing a valuation to the town
of Masardis, and correcting the
valuation of the County of
Aroostook.

" equalizing the valuation of
Boothbay and Deer Island and

" in favor of Charles H. Buckman
and the same were severally final-
ly passed.

" providing for the distribution
of documents in relation to the
sixth census of the United
States.

" for furnishing cities, towns,
and plantations with suitable
blank returns

and

" in favor of Amos Kendall were
severally read a second time
and passed to be engrossed: sent
down for concurrence.

Resolved for disintering
the remains of Hon. Joshua Cushman and
Charles Waterhouse and depositing the same
in the State tomb (laid on the table by Mr.
Laritt) was read once and Friday next, at

Wednesday Feb'y 8.

eleven o'clock assigned for a second reading.

Mr. Varelton from the committee on division of towns reported order of notice returnable to the present legislature on petition of Joshua Coggins and others, read and accepted: sent down for concurrence.

Bill entitled an act relating to Hawkers and Peddlers, was read a second time, and on motion of Mr. Bridgman laid on the table.

Resolved repeating in part a resolve authorizing a loan in behalf of the State approved March 11. 1841, was read a second time and on motion of Mr. Eastman laid on the table.

Resolved in favor of the town of Greentash reported from the committee on State lands on petition of James G. Folsom and others,
and

Resolved in favor of the town of Passadumkeag reported from the committee on State Lands on petition of Samuel Orcutt and others were read once and tomorrow at eleven o'clock assigned for a second reading.

Thout the Senate proceeded to the consideration of Bill entitled an act providing for the choice of Representatives to congress.

The question being on the motion of Mr. Hubbard to recommit the same was decided in the negative by yeas and nays as follows:

Yea. Messrs. Anderson, Cary, Frazar,
Gardner, Hubbard, Kavanagh,
Main, Sawtelle, and Stanley - 9.

Nay. Messrs. Atwood, Brigham, Brooks,
Burleigh, Cunningham, Eastman,
Eliot, Ingalls, Leavitt, Lowell,
Merritt, Millett, Parry, Patterson,
Smart, Stetson, and Thout - 17.

Adjourned.

Lucy Haskell, Secretary.

Thursday February 9. 1843.

Petition of Arthur L. Grant for a Military Pension read and referred to the committee on military pensions in concurrence.

" of the town of Monmouth for separate representation.

and

" of William Bird and another to be discharged from the recognizance of James Christie read and referred to the committee on the Judiciary in concurrence

" of the inhabitants of Harpswell for law regulating the lobster fisheries read and referred to the committee on Interior Fisheries in concurrence.

" of William J. M. Read & others

and

" Josiah How " " " relative to fugitive Slaves were read and referred to the committee who have under consideration the petition of John E. Godfrey and others in concurrence

and

" of William Robinson and others
severally against the petition
of Greenville C. Waterman and oth-
ers read and referred to the com-
mitted on Division and altera-
tion of counties in concurrence.

" of inhabitants of Bowdoin
against the petition of Rufus
Lyvester and others read and
referred to the committee on
Division of towns in concurrence.

Memorial of Cyrus Sampson and others
relative to building a bridge
across Winthrop pond read
and referred to the committee
on Roads and Bridges in concu-
rence.

Petition of inhabitants of that part of
the Madawaska settlement em-
braced within the limits of the
counties of Penobscot and Piscata-
quis that they may be annexed
to the county of Aroostook referred
to the committee on Division
and alteration of counties sent
down for concurrence.

" of the inhabitants of Madawaska

Settlement to be incorporated into a town road and referred to the committee on Incorporation of towns. Sent down for concurrence.

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

That the chairman of the committee on Military Pensions be authorized to take from the files of the Secretary of State the papers in favor of a pension to Arthur L. Grant.

Instanting the committee on State Roads to inquire into the expediency of erecting a bridge over the St. Croix in the town of Masardis.

Report of the Committee on State Lands giving leave to withdraw on petition of Ira Wadleigh read and accepted in concurrence.

Report of the committee on Roads and Bridges on petition of R. St. Gardner and others came up recommended. The Senate recommended the same with instructions that if they report a bill it shall be for a free bridge, the town or towns through which it passes to have the liberty to assume the bridge at their option.

Sent down for concurrence.

Ordered; That the committee on the Judiciary be directed to inquire into the expediency of amending an act additional to an act establishing the County of Franklin, so that all officers of the County of Franklin having authority to commit any prisoners, or debtors, to jail, shall have the right to commit such prisoners or debtors to the jail in the County of Gloucester. Sent down for concurrence.

On motion of Mr. Dana
Ordered; That the Land Agent be requested to cause a survey to be made of the bridges on the Maine, Mattanawcook and Mars-hill-Military road, and report to this Legislature, as soon as may be, the amount of money that will be required to preserve said bridges from destruction; Sent down for concurrence.

Bill entitled
An act to provide in part for the expenditures of Government introduced in the House, was read once, and on motion of Mr. Leavitt laid on the table and three hundred copies ordered to be printed for the use of the Legislature.

to alter the east line of the town of Oldtown reported from the com-

methe or division of towns to which was referred the entitled an act to alter the east line of the town of Oldtown.

Bill entitled
An act for the preservation of Salmon, Shad and alewives in Penobscot river and bay and their tributary streams reported from the committee on Interior Fisheries on petitions of Solomon Skinner and others and Sylvester Snowman and others were read once and tomorrow at eleven o'clock assigned for a second reading.

Resolved in favor of the town of Passadumungue was read a second time and passed to be engrossed in concurrence.

On motion of Mr. Patterson the Senate proceeded to the consideration of Bill entitled an act providing for the choice of Representatives to Congress.

Mr. Frye moved to amend by striking out all after the enacting clause and inserting the words following:

"Section 1. The counties of York and Oxford shall compose the first district, and be entitled

"The county of Cumberland, shall constitute the second district, and be entitled to one representative."

"The counties of Kennebec and Franklin shall compose the third district, and be entitled to one representative."

"The county of Lincoln, shall constitute the fourth district, and be entitled to one representative."

"The counties of Waldo and Somerset, shall compose the fifth district, and be entitled to one representative."

"The counties of Penobscot and Piscataquis, shall compose the sixth district, and be entitled to one representative."

"The counties of Hancock, Washington and York, shall compose the seventh district, and be entitled to one representative."

"Sec. 2. The Representatives chosen in the several districts shall at the time of their election, be residents therein. The foregoing division of the State into representative districts shall be, and continue in force until an apportionment of Representatives among the several States shall be made by Congress, after the taking of the seventh census."

"Sec. 3. The election of representatives to Congress, shall take place and be on the second Monday of September, one thousand eight hundred and forty three, and

Thursday Feb. 9.

"and one thousand eight hundred and forty four, and thereafter biennially".

"Sec. 4. So much of Section three of an 'act entitled' an act providing for 'the choice of Representatives to Congress,' approved February 28th A. D. 1833, as 'relates to the manner of calling meetings for the choice of Representatives to Congress, and the duties of officers 'of towns in presiding in said meetings and meetings and making returns of 'votes, and also sections four, five, six 'and seven of said act, shall continue 'and be in force except so far as the 'same may have been changed by the 'revised statutes of this State'".

The yeas and nays were ordered but before the question was taken, the Senate,

Adjourned.

Levi Haskell, Secretary.

Friday February 10. 1843.

Memorial of Reuel Williams, Nicholas Emery and William Pitt Put
to commissioners under the
resolve of March 3^d 1832 re-
lative to their doings and fa-
compensation for services, read
and referred to the committee
on the North Eastern Bounda-
ry in concurrence.

of Seth Bradford and others.

Petition of E. D. Moody . . .

of Sewell Prescott . . .
severally in favor of the in-
corporation of the Westbrook
Pond Bridge Company: read
and referred to the committee
on Roads and Bridges in
concurrence.

of William Cobbett and others
praying for the passage of an
explanatory statute concern-
ing the settlement of paupers
in certain cases; and

of E. E. Rawson and others for the

Friday Feb'y 10.

repeal of the existing laws reg-
ulating the sale of spirituous
liquors severally read and referred
to the committee on the Judi-
ciary sent down for concurren-
ce.

Petition of C. P. Foster and others for bounty
on manufactured slate, read and
referred to the committee on
Manufactures in concurrence.

" of Elisha Allen and others select-
ment of Pittsfield to annex part
of Clinton Co. to the town of
Pittsfield read and referred
to the committee on division
and alteration of counties in
concurrence.

" of Somerset Central Agricultu-
ral Society for grant of
land, read and referred to the
committee on Agriculture in
concurrence.

" of the town of Detroit praying
that the corners of the towns
of Detroit and Plymouth may be
established; read and referred to
the committee on Incorporation
of towns in concurrence.

1843. Petition of inhabitants of Frankfurt 211.
for reduction of State valuation,
read and referred to the committee
on State valuation in concu-
rence.

" of John Witter praying to be dis-
charged from the payment of
certain notes: read and referred
to the committee on State Lands
sent down for concurrence.

Order from the House
that the committee on the Judiciary
inquire into the expediency of paying
County Commissioners a fixed sum for
their services, instead of the compensa-
tion they now receive: read and passed
in concurrence.

Mr. Barclay from
the committee on the division of towns
reported leave to withdraw on petition
of Rufus Sympster and others, and
William Glidden and others, and
reference to the committee on Incor-
poration of towns on petition Aaron
Coffin and others severally read and
accepted. Sent down for concurrence.

Mr. Elliot from the
committee on Roads and Bridges re-
ported order of notice returnable to
the present Legislature on petition of

the town of Elliot and inhabitants of Elliot, read and accepted: Sent down for concurrence.

The same committee reported leave to withdraw on petition of Robert H. Gardner and others which was read, and on motion of Mr. Bridgman laid on the table.

On motion of Mr. Smart, Bill entitled an act providing for the appointment of an additional Justice of the Supreme Judicial Court was taken up and passed to be engrossed by yeas and nays as follows:

Yea Messrs. Anderson, Bridgman, Brooks, Cary, Dana, Faye, Hunt, Ingalls, Kavanagh, Leavitt, Main, Mallet, Parris, Sawtelle, Stanley, and Stickland - - - 16.

Nays Messrs. Atwood, Burling, Cunningham, Eastman, Elliot, Garcelon, Lowell, Mitchell, Patterson, Smart, Stearns, and Thout - - - 12.

Mr. Merritt at his request was excused from voting.
Sent down for concurrence.

Bill entitled

1843. An act for the preservation of Salmon, 213.
Shad and Alewives in Penobscot
river and bay and their trib-
utary streams,

and

Resolved for disinterring the remains of
Hon. Joshua Cushman and
Charles Waterhouse and depos-
iting the same in the State
tomb were read a second time
and passed to be engrossed.
Sent down for concurrence.

Bill entitled,

An act to incorporate the town of Han-
over was read once, the amend-
ment on sheet marked A a-
dopted, and on motion of
Mr. Ingalls the bill was laid
on the table.

" to alter the last line of the
town of Oldtown was read a
second time and on motion
of Mr. Burling laid on the
table.

" repeating so much of Section
seven, Chapter four of the
revised Statutes as requires the
Governor to transmit to other
States a copy of the bound pub-
lic documents laid on the table
in the House by Mr. Os. of St. George

Friday Feb. 10.

An act to secure to certain persons the right to draw water from Moose Pond in Waterford (reported from the committee on Interior Waters on petition of Obadiah Brown and others) were severally read once and to morrow at eleven o'clock assigned for a second reading. -

Resolves in favor of the town of Green-
bush was read a second time
and on motion of Mr. Leavitt
laid on the table.

A message was received from the Governor by the Secretary of State transmitting a communication from the Secretary of State of the United States relative to the disputed territory fund, which was read and referred to the committee on the North Eastern Boundary: Sent down for concurrence.

Another message was received from the Governor by the Secretary of State transmitting a detailed statement of the expenditures of the contingent fund of the Governor and Council for the years 1861 and 1862 which was read and referred to a joint select committee consisting of Messrs. Leavitt

§43. and Main with such as the House 215.
may join: Sent down for concurrence.

On motion of Mr. Dana the Senate proceeded to the consideration of Bill entitled an act providing for the choice of Representatives to Congress: the question pending being the amendment offered by Mr Frye, Mr. Cary called for a division of the question. Mr. Brigham moved to amend the amendment in the first section by inserting in the thirtieth line (printed title) after the words Somerset, the words "excepting the town of Vinalhaven" and by inserting in the twentieth line after the word Arrostook, the words "and the town of Vinalhaven in the County of Waldo" and while the question was pending the Senate

Adjourned.

Levi Haskell, Secretary.

— Saturday February 11. 1813. —

Petition of inhabitants of Winstow for
reduction of tolls on Tetastickon
bridge,

and

" of William Gram and others
inhabitants of the town of
Litchfield relative to Winthrop
Pond Bridge severally read and
referred to the committee on
Roads and Bridges, in concurren-
ce.

" of John Holmes District
Attorney of the United States,
for cession of the jurisdiction
to the United States of the
Custom House and Custom
House lot in Portland, read
and referred to the committee
on the Judiciary: Sent down
for concurrence.

" of George M. Freeman and others
for the distribution of acts
which may be passed
by the present and future legis-
latures, read and referred to the
committee on the Library.
Sent down for concurrence.

praying for the examination
of a route for a road from
some point on the Kennebec
river to the North Westerly
part of the State, read and
referred to the committee on State
roads sent down for concurrence

" of Joseph Nash and others pray-
ing that further relief may be
extended to the Insane, read and
referred to the committee on
Hospital for the Insane: sent
down for concurrence

" of Oliver Pierce and another that
title of land may be confirmed
to them read and referred to the
committee on State Lands: sent
down for concurrence.

Report of the committee
on Incorporation of towns giving
leave to withdraw on petition of
Joshua Gastin and others and re-
monstrance of Abraham Butterfield
and others read and accepted in concu-
rence

Mr. Stout from the committee
on engrossed bills, reported as correctly en-
grossed. Bill entitled,

Saturday Feb^y 11.

An act in addition to chapter one hundred and twelve of the revised Statutes,

and

- to repeal an act entitled "an act to repeal an act entitled an act to incorporate the Kennebec Dam Company" also "an act additional to an act to incorporate the Kennebec Dam Company" and the same severally passed to be Enacted.

Mr. Paris from the committee on the Judiciary reported legislation inexpedient on orders relative to protection of poor debtors from creditors

Relative to repealing bill in relation to ferries,

Relative to repealing section thirteenth of chapter twenty seventh of the revised Statutes

Relative to repeal of an act in relation to ferries approved March 14, 1842: also on the subject of the petition of Ebenezer Sawyer and others: severally read and accepted. Sent down for concurrence

Resolve in favor of Daniel Gilbert (reported in the House from the

Feb 3 committee on State Lands on petition 219.
of said Gilbert)

Resolved in favor of Charles Gordan and
Ezra Dean (reported from the
same committee on petition
of Charles Gordan)

" making an appropriation
for the repair of the Houston
and Baring road (reported from
the same committee on order
relative to repair of Houston
and Baring road)

" authorizing the land agent
to locate and open a road from
the Ancoostock to the St John
river (reported from the same
committee on petition of John
H. Rogers and others)

Bill entitled

An act additional to an act estab-
lishing the county of Piscata-
quis (reported from the com-
mittee on the Judiciary on
petition of E. L. Hammond
and others)

" to incorporate the Crown Mechan-
ics Association (reported from
the same committee on petition

of Samuel Buffum and others) were severally read over, and Monday next at eleven o'clock assigned for a second reading.

On motion of Mr. Ingalls the Senate proceeded to the consideration of the Message of the Governor returning with his objections "Resolve in favor of certain Indians of the Penobscot Tribe" which message is in the words following:

"To the President of the Senate: I herewith return a resolve entitled resolve in favor of certain Indians of the Penobscot Tribe" with the reasons for withholding my assent thereto. The resolve provides for the payment of certain Indians of the Penobscot tribe, for the purpose of defraying their expenses to and from the seat of government, the sum of eighty dollars. No appropriation is made for the purpose, but the amount is made chargeable upon the "Indian Fund". A recurrence to the origin of this fund and the obligations of the State connected with it, will disclose my objections to the resolve in question.

This fund constituted the proceeds of a sale of timber under a resolve of March 5, 1830 and of a sale of four townships of land

1832. to the State under a resolve of 221.
March 9, 1832.

By the first resolve the tribe was authorized to sell all their pine timber and the money to be received for the sale, was to be vested in some fund a stock, and the annual interest thereof to be secured and appropriated for the benefit of the Indians, in such manner and for such purposes as the Governor and Council shall direct. Under the resolve of March 9, 1832, the State by its duly authorized agents, on receiving a conveyance of four townships of land, gave a loan to said tribe conditioned to pay them fifty thousand dollars in manner following viz: The said sum to be deposited in the State Treasury, and the interest thereof annually to be paid under the direction of the Governor and Council of the State through the Indian Agent, for the benefit of said tribe, provided it should in their opinion be required for the comfortable support of said tribe.

The Governor and Council having thus been constituted the exclusive trustees of this fund, it is clear that any appropriation of it by the Legislative branch of the Government would be violating the express stipulations of the contract between the State and the Indians.

Saturday Feb 11.

This stipulation in the bond has probably been overlooked by the Legislature who with the more readily pardon me for calling their attention to it, when informed that the Governor and Council, among other efforts to secure a judicious and economical expenditure of said fund, have been hitherto endeavouring to limit the number of delegates to two from each tribe, but that their efforts in this respect will probably prove unavailing while there is a prospect of obtaining appropriations by the Legislature for a larger number.

My immediate predecessor in March 1838, refused his assent to a similar resolve and for like reasons. Council Chamber (John Fairfield)
February 4, 1843.

And the question "Shall the resolve pass notwithstanding the objections of the Governor," was decided in the negative as follows

Yeas None - - - - - 0.

Nays Messrs. Amerson, Atwood, Brooks, Burling, Cory, Eastman, Elliot, Frazz, Garcelon, Hubbard, Hunt, Ingalls, Kavanagh, Leavitt, Lowell, Main, Millett, Mitchell, Paris, Patterson, Smart, Stanley, Stetson & Stickland 24.

select committee on changing the time of meeting of the legislature reported;

Resolved to amend the constitution relating to the time of holding the annual sessions of the legislature, and the time of holding the annual elections, which were read once and laid on the table and ordered to be printed for the use of the legislature

Mr. Brooks also submitted a report of the minority of said committee which was laid on the table and ordered to be printed.

Bill entitled
An act to provide for the erection of a dam across Ayer's Falls on the Penobscot river reported from the committee on Interior Waters to which was referred bill entitled an act to provide for the construction of a dam across Penobscot river was read once and on motion of Mr. Atwood laid on the table and ordered to be printed.

" to amend the sixteenth chapter of the revised Statutes reported from the committee on the Militia on petition of Joseph C. Stevens and others and various other

petitions from different parts of the State for amendment of the Militia law was read once and on motion of Mr. Hunt laid on the table and ordered to be printed.

Bill entitled

An act to incorporate the town of Hanover was taken up, the amendment on sheet marked B adopted; the bill was read a second time and passed to be engrossed in concurrence.

" repealing so much of section seven of chapter four of the revised statutes as requires the Governor to transmit to other States a copy of the bound public documents, was read a second time and passed to be engrossed in concurrence.

" to secure to certain persons the right to draw water from Moose Pond in Watuxford, was read a second time, amended on sheet annex marked A, and on motion of Mr. Ingalls laid on the table.

" providing for the choice of representatives to congress was

1823 taken up and on motion of Mr. 225.
Sturges Tuesday next assigned for its
further consideration.

Resolved in favor of Suber Rifle com-
pany was taken up, and after
some discussion on motion of
Mr. Leavitt laid on the table.

Adjourned.

Chas Haskell, Secretary.