

Monday, February 10, 1840.

On motion of Mr Blake,

Ordered, That the Committee on the Judiciary be instructed to inquire into the expediency of providing that the terms of the Supreme Judicial Court for the hearing of their arguments shall be held at Augusta, Portland and Bangor, instead of the several Counties of the State; and further to inquire if some provision by law may not be made, requiring the opinions of the Court to be published within a year after they are delivered— read and the same, on motion of Mr Robinson, was amended, by striking out the words, "Augusta, Portland and" — and the order on motion of Mr Gross, was laid upon the table.

On motion of Mr Bradley,

Ordered, That the Justices of the Supreme Judicial Court, be requested to give their opinion on the following questions, to wit:

Question 1.\* Have the Legislature the power to grant divorces in cases, where the Supreme Court Have jurisdiction?

Question 2.\* Have the Legislature the power to grant divorces in cases where the Supreme Court Have no jurisdiction?— read, and on motion of Mr Eastman, the same was laid upon the table.

210 Petition of inhabitants of Hungary Island, praying for their proportion of the Surplus Revenue — read and referred to the Committee on Claims, in concurrence.

Petition of inhabitants of Georges Island, praying for their proportion of the Bank tax — read and referred to the Committee on Literature and Literary Institutions, in concurrence.

Petition of John Simson and others of Woolwich, praying for leave to sell their Muting House — read and referred to the Committee on Parishes, in concurrence.

Petition of John Attian and John Neptune, Governor and Lieut. Governor of the Penobset tribe of Indians, praying that certain islands sold without their consent may be restored to them — read and referred to the Committee on Indian Affairs, in concurrence.

Petition of Eli Thurston and others, in relation to the standing Rule recently adopted by the House of Representatives at Washington refusing to consider any petition or paper relative to Slavery — read and referred to the special committee to which was



referred the petition of Samuel M. Pond and others, in concurrence.

Petition of William S. Sewall and others.  
— — — David Shepherd " " pray-  
ing for the passage of an Act granting  
the right of trial by jury to every human  
being where liberty is in question — read  
and referred to the Committee on Slavery, in  
concurrence.

Petition of Samuel Noble, praying for a pecuniary  
compensation for injuries sustained in  
the Military Service,  
— — — of Stephen D. Patten, praying for the same,  
— — — of Amelia Wood whose husband died in the  
service of the State, praying for a pension  
— severally read and referred to the Com-  
mittee on Military Pensions, in concurrence.

Petition of George P. Hayes and others, of the town of  
Laco, praying to be incorporated into a  
Society to be called the "Auburn Sacred Music Society"  
— read and referred to the Committee on  
Literature and Literary Institutions.  
Sent down for concurrence, Concurred.

Petition of H. H. Sherman and others, praying for  
the repeal of the License Law and for  
the passage of a prohibitory law — read

and referred to the Committee on the  
Science Laws.

Sent down for concurrence. Concurred.

Mr. Shaw, from the Committee on Agriculture, reported that the "Bill repealing an Act concerning Stud Horses," ought not to pass, and leave to withdraw on petitions of Samuel M. Flintock and others and William Pitcomb and others—read and accepted.

Sent down for concurrence. Concurred.

Report and account of W. P. Parrott, made to the Land Agent was taken up and referred to the Committee on State Lands.

Sent down for concurrence. Concurred.

Reports granting leave to withdraw on petitions of Amos Davis and others, and John Stinson and others, came up recommitted. The Senate receded from the vote accepting said reports and recommitted them in concurrence.

Bill to incorporate the Leboeumock Sluice way company (reported by Mr. Holt from the Committee on Interior Waters to which said Bill was referred and also the Petition of William Boyd and others)  
— to authorize the First Universalist Society

in Report to appraise their Muting House 213  
and to sell, take down, remove or repair  
the same (reported by Mr Price from the  
Committee on Parishes on petition of  
Solomon Gennison and others)—severally  
read once and tomorrow eleven o'clock  
assigned for a second reading.

Resolve in favor of Jacob Bish,

— in favor of John A. Gill — severally  
read the second time, and laid upon  
the table.

Bill to change the name of the Oxford Bridge  
Corporation,

— additional to the several Acts for the  
relief of Poor Debtors — severally read  
the second time and passed to be en-  
grossed

Sent down for concurrence. Concurred.

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

Adjourned.

(Attest) William Trafton Secretary.

Tuesday, February 11. 1840.

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On motion of Mr. Gross,

Ordered, That the Secretary of the Senate be directed to procure a Case or Depository to be placed in some suitable place in the Senate Chamber, in which may be suitably arranged and kept the necessary Acts and Resolves for the use of the Senate — read and passed.

Order, from the House of Representatives, requesting the Committee on the Judiciary to report a Bill providing for the election of Electors of President and Vice President of the United States — read and passed, in concurrence.

Order, from the House of Representatives, instructing the Committee on Literature and Literary Institutions to inquire into the expediency of making provision for the examination of primary School Teachers in any town that may not have any suitable persons for that duty — read and passed, in concurrence.

On motion of Mr. Blake,

Ordered, That the Committee on Banks and Banking be instructed to institute an inquiry, with power to send for persons and papers, to ascertain if any banks have refused or

delayed payment of their Bills in specie for more than thirty days after demand made at the Bank during the past year. And if said Committee shall be so satisfied that they forthwith issue a summons to such Banks, under the attestation of their Chairman, requiring said Banks to appear within ten days after notice before said Committee to show cause, if any they have, why the Legislature should not declare their charters forfeit and void — read and passed.

Sent down for concurrence.

The Order submitted by Mr Bradley yesterday, requesting the Justices of the S. J. Court to give their opinion in relation to Divorces, on motion of Mr Eastman, was taken up and amended by inserting the word Judicial between the words "Supreme" and "Court", in the first and second questions, and passed as thus amended.

On motion of Mr Vose,

Ordered. That the Committee on the Library be instructed to inquire into the expediency of furnishing the several States in the Union, with the first Volume of Parfield's Reports, at the expense of the State.

Sent down for concurrence.

Petition of the President, and Directors and Company of the Bank of Bangor, praying for



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the reduction of their capital Stock — read and referred to the Committee on Banks and Banking.

Sent down for concurrence. Concurred.

Remonstrance of Daniel Nelson and others, inhabitants of Canaan against the petition to set off a part of said town to Pittsfield — read and referred to the Committee on Division of Towns.

Sent down for concurrence. Concurred.

Petition of David Garland and others, inhabitants of Hinslow, praying that the free navigation of the Kennebec River may be restored — read and referred to the Committee on Interior Waters.

Sent down for concurrence. Concurred.

Petition of John Francis, Governor of the Passamaquaddy tribe of Indians, and Lieutenant Governor and Council of said tribe, praying for an appropriation of money to be paid by the Agent of said tribe to said Governor for the support of the dignity of his office — read and referred to the Committee on Indian Affairs.

Sent down for concurrence. Concurred.

Remonstrance of Asa Clark and others, against the petition of Gustavus L. Wyman, praying to have his farm set off from the town of Norridgewock and annexed to the town of New Higan — read and referred to the Committee on Division of Towns, in concurrence.

Petition of Eleazer Packard, praying that a law may be passed regulating the pay of the Sheriff of Arcostock County,

— of James B. Norrups and others, praying to be furnished with the laws of the State — severally read and referred to the Committee on the Judiciary, in concurrence.

Petition of Daniel Harmon and others, praying that no further time shall be allowed to the proprietors of the town of Amity to comply with the obligations that the State now holds against said proprietors for the purchase of said township — read and referred to the Committee on State Lands, in concurrence.

Petition of Joseph Butterfield and others, praying for the removal of obstructions to the passage of fish in the Penobscot River — read and referred to the Committee on Interior Fisheries, in concurrence.

218 Petition of Sewall Moody and others, praying for the incorporation of North Linton — read and referred to the Committee on Incorporation of Towns, in concurrence.

Petition of Eliphalet Guley and others, in aid of the Sebomook Sluice way,

Amendment of Daniel Davis and others, against the Sebomook Sluice way Company — severally read and referred to the Committee on Interior Waters, in concurrence.

Petition of Hubbard Chandler and others, praying for their proportion of the Surplus Revenue — read and referred to the Committee on Claims, in concurrence.

Petition of John Ward and others, of the town of Willington, in the County of Piscataquis, praying that said town be set off from said County and annexed to the County of Somerset — read and referred to the Committee on Division and Alteration of Counties, in concurrence.

Petition of J. S. Blake and others,

— of John Crosby &c. — praying for a prohibitory law against the sale of ardent spirits — severally read and referred to the Committee on Licence

Mr Isaac Reed, from the Committee on Claims to which were referred the petitions of Jane Fish and Lewis B. Wilson, made a report asking to be discharged from the further consideration of the same, and recommended the reference of the former to the Committee on State Lands and the latter to the Committee on Military Accounts — read and accepted.  
 Sent down for concurrence. Concurred.

Order, from the House of Representatives directing the Committee on Finance to assess and apportion a tax of One Hundred Thousand Dollars upon the several Counties, Cities, Towns and Plantations in this State, with liberty to vary the same, not exceeding three per cent. in apportioning the fractional parts upon the several cities, towns and plantations — read and and passed, in concurrence.

Sent down.

Report of the Committee on the "Revised Statutes" came up from the House of Representatives amended — and said Report, on motion of Mr Robinson, was laid upon the table.

Bill additional to the several Acts now in force to organize, govern and discipline the

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Militia of this State (reported by Mr Isaac Read on petition of Selectmen of Albion and John P. Castner and others,) read once and to-morrow eleven o'clock assigned for a second reading.

Bill to incorporate the town of Smithfield was taken up and further amended, and the same on motion of Mr Rose was laid upon the table.

Bill to recharter the Belfast Upper Bridge Company came up — the House, having insisted on its vote passing the same, proposed a conference and appointed as Conferees Messrs Otis of St. George, Blackstone of Belfast, and Conance of Portland. The Senate, insisting on the vote postponing said Bill indefinitely, concurred in the proposition for a conference and appointed as Conferees Messrs. Barrett, Philbrick and Pae.

Bill to set off certain lands from Pittsfield to Canaan,

— to authorize the First Universalist Society in Newport to appraise their Meeting House and to sell, take down, remove or repair the same (amended) severally read the second time and passed to be engrossed  
Sent down for concurrence. Concurred.



Bill authorizing the erection of a Bridge across the Kinnabee River at Kindalls Mills in Fairfield, came up from the House of Representatives amended.

The Senate, reconsidered the vote passing the said Bill to be engrossed, adopted the amendments proposed by the House and passed the Bill to be engrossed as amended, in concurrence.

Bill to divorce Ebenezer Cobb and Mary Cobb was read the second time, and the same on motion of Mr. Gross, was laid upon the table.

The Committee on Bills in the second reading reported without amendment.

Bill to incorporate the Seboomuck Sawmill Company, and the same on motion of Mr. Bradley, was laid upon the table and ordered that three hundred copies of the Bill be printed for the use of the Legislature.

The Committee on Engrossed Bills, reported as correctly engrossed.

Resolve in favor of William Thompson and the same was finally passed.

The same Committee reported as correctly en-  
grossed

Bill to change the name of the town of East Machias —  
and the same was passed to be  
enacted.

Adjourned.

Attest, William Trafton, Secretary.

Wednesday, February 12, 1846.

Order from the House of Representatives, requesting the Committee on the Judiciary to inquire into the expediency of establishing, by law, that town lines, which have been known by monuments and spotted trees for more than forty years shall be the true boundary lines of the towns— read and passed, in concurrence.

Petition of Samuel Wood Jr. and others, in relation to the rule recently adopted by the House of Representatives in Congress, respecting Slavery petitions— read and referred to the Special Committee to which was referred the petition of Samuel M. Bond and others, in concurrence.

Petition of B. P. Sprague and others,  
 " J. W. Stevens " "  
 " William Stevens " " in relation to Slavery— severally read and referred to the Committee on Slavery, in concurrence.

Remonstrance of Samuel P. Brown and others, against the petition of Axel Spaulding, praying for a military pension— read and referred to the Committee on Military Pensions, in concurrence.

224 Resolves for organizing and disciplining the Militias, read and referred to the Committee on the Militia, in concurrence.

Petition of Joseph Lockbesin, one of the Penobscot Indians, praying that he may have the fee simple of a tract of land vested in himself:

Certificate of bounty paid the Penobscot Indians by their Agent, under an Act of March 6, 1838 — severally read and referred to the Committee on Indians Affairs, in concurrence.

The President laid before the Senate a communication from Benjamin Carr, Warden of the State Prison, in relation to debts paid to and from the Prison — read and referred to the Committee on State Prison.

Sent down for concurrence.

A message was received from the Governor, by Mr Johnson, Secretary of State, transmitting the Report and Account of Ira Fish, agent for constructing the Moosehook Road, together with a communication from the Land Agent submitting said Report and Account to the Governor — read and referred to the Committee on State Roads.

Sent down for concurrence. Concurred.

The Report of the Committee on the "Revised Statutes," on motion of Mr Bradley, was taken up,

On motion of Mr Shaw the Senate insisted on the vote accepting said Report, and proposed a conference and appointed as conferees, Messrs Shaw, Rose and Eastman. Sent down for concurrence.

Came up with Messrs Perry of Oxford, Lyman of Portland and Otis of Fallowell appointed conferees on the part of the House.

Mr Helt, from the Committee on Interior Affairs, reported order of notice to the next Legislature on petition of William Brown and others, — read and the same, on motion of Mr Robinson, was laid upon the table.

Mr Blake, from the Committee on the Judiciary reported legislation inexpedient on petitions of  
 Philip Corvin and others,  
 James C. Harper " "  
 Louis C. Lincoln " "  
 Sumner Patten " " read  
 and the same on motion of Mr Rue, was laid upon the table.

The same Senator from the same Committee, reported legislation inexpedient on an Order relative to guardians being empowered to convey real estate — read and accepted.

Sent down for concurrence. Concurred.

Remonstrance of John Young & others against the petition of Royal Monroe & others being set off from Lewistown to Camden — read & referred to the Committee on Division of Towns, in concurrence.



Report of the Committee on Roads and Bridges, granting leave to withdraw on the petition of inhabitants of Cape Elizabeth and Scarborough, praying for a reduction of toll on Vaughan's Bridge, came up from the House of Representatives recommitted. The Senate receded from the vote accepting said Report and concurred with the House in the recommitment.

The Committee on Claims, reported leave to withdraw on petitions of Thomas H. Brown, Robert Douglas and others, Rufus B. Goggin and William Pufts — severally read and accepted, in concurrence.

The Report of the Committee on Claims, that legislation is inexpedient on an Order in relation to claims for bounty on wheat and corn, was taken up. The Senate nonconcurred the House in the recommitment of said report and adhered to the vote of the 21<sup>st</sup> of January accepting said Report. Sent down for concurrence. Concurred.

Mr Barker, from the Committee on Division of Towns, reported order of notice next Legislature on petition of Benj<sup>n</sup> G. Cook, and that the Bill to annex a part of the town of Norridgewock to the town of Skowhegan ought not to pass — severally read and accepted. Sent down for concurrence. Concurred.

The Report of the Committee on Division of Towns, granting leave to withdraw on petition of G. G. Cook, on motion of Mr. Eastman, was taken up read and accepted. Sent down for concurrence. Concurred.

On motion of Mr. Gross, the order of yesterday directing the printing of

Three hundred copies of the "Bill to incorporate the Seboomuck Sluiceway Company," was reconsidered so far as to include the printing, with said Bill, of the report of William Anson, Surveyor and Civil Engineer, appointed by the Board of Internal Improvements, in pursuance of an Order of the Legislature of March 21, 1839, to make an exploration and survey of the Route for the Seboomuck Sluiceway.

Bill to determine the size of Potato Barrels came up — the House having insisted upon the vote to recommit the same, with instructions to report the Bill in a new draft, proposed a conference and appointed as Conferees Messrs Holmes of Winthrop, and Goodwin of Sweden.

The Senate, insisting on its former vote indefinitely postponing the said Bill, concurred in the proposition for a Conference and appointed as Conferees Messrs Gross, Shaw and Philbrick.

Resolved in favor of Milo L. Bennett and others, (reported by Mr Smith from the Committee on State Lands on petition of Absalom Peters and others,)

Bill additional to the several Acts now in force respecting real actions (reported by Mr Vose from the Committee on the Judiciary on an order in relation to that subject)

— additional to the several Acts to regulate the jurisdiction and proceedings of Courts of Probate, (reported by same on an order relative

to Reports of Commissioners on Insolvent Estates, and on said Bill.)

Bill additional to an Act regulating Judicial process and proceedings, (reported in the House by the same Committee to which said Bill had been committed,)

-- to prevent obstructions in the navigation of Machias River, (reported by Mr Holt from the Committee on Interior Waters, on petition of Jeremiah O'Brien and others,)

-- additional to an Act to provide for the education of youth, (reported by Mr Eastman from the Committee on Literature and Literary Institutions on an order relative to the purchase of the "Common School Library") severally read once, and tomorrow eleven o'clock assigned for a second reading.

Mr Banell, from the Committee of Conference on the disagreeing vote of the two Houses on the "Bill to recharter the Belfast Upper Bridge Company." having met the Conference on the part of the House recommended that the Senate ~~withdraw~~ from the vote to postpone said Bill indefinitely and that the same be passed as amended — and the Bill accordingly passed to be engrossed as amended on sheets annexed, thereto marked A. B. C. D. E. F. and H. in concurrence.

Resolve in favor of Jacob Bish was taken up, and  
Bill to incorporate the town of Smithfield was  
 taken up and further amended, and said  
 Resolve and Bill were severally passed to  
 be engrossed.

Sent down for concurrence, concurred.

Bill additional to the several Acts now in  
 force, to organize, govern and discipline  
 the Militia of this State, was read the sec-  
 ond time and passed to be engrossed.

Sent down for concurrence.

The Committee on Engrossed Bills, reported  
 as correctly engrossed

Resolve in favor of Rufus Gilman,

— in favor of Peter Kimball,

— in favor of Robert Martin, and the same  
 were severally

finally passed.

The same Committee reported as correctly  
 engrossed,

Bill additional to the several Acts now in force exempting certain  
 articles from attachment — and the same, on  
 motion of Mr Robinson, was laid upon  
 the table.

Adjourned.

Attest, William Trafton Secretary

Thursday February 13, 1840.

Order from the House of Representatives, requesting the Committee on Division and Alteration of Counties to take from their files, the petition of Jeremiah Pitton and others, praying that the prayer of Samuel Whitehouse and others (for the incorporation of the towns of Smithfield and of John Sibbey and others, praying to be set off from the town of Waterville) may be granted and return the same to this House — read and the same was refused a passage. Sent down.

Order from the House of Representatives, asking that the accounts of William<sup>W</sup>. Cozens, Moses Greene, George Moulton, and Ebenezer S. Davis be taken from the files of the Committee on Military Accounts and referred to the Committee on Claims — read and the same, on motion of Mr Shaw, was amended by striking out all after the word "Resolved" and inserting That the Committee on Military Accounts be requested to report forthwith on the Accounts of William W. Cozens, Moses Greene, George Moulton and Ebenezer S. Davis, and recommending the payment of the same to the Committee on Claims — and passed the same, as thus amended. Sent down for concurrence. Concurred.

Order, from the House of Representatives, directing the Committee on the Judiciary to inquire into the expediency of so amending the Constitution of this State as to provide for the meeting of the



Legislature once in two years, in the month of June, 231  
instead of the time now provided by law, and the  
session not to exceed sixty days — Also further  
to inquire into the expediency of reducing the  
number of members of the House of Representatives,  
so that the number shall not exceed one  
hundred — read and passed, in concurrence.

Order from the House of Representatives,  
directing the Committee on the Judiciary to inquire  
whether further legislation is necessary to empower  
School Districts to contract with Insurance Companies  
(through their district Agents) for the Insurance  
of School Houses, or other district buildings — read  
and passed, in concurrence.

Petition of Bangor Rifle Company, praying for a  
stand of Arms — read and referred to the  
Committee on the Militia.

Sent down for concurrence. Concurred.

Bill additional to an Act entitled "An Act to abol-  
ish the Court of Common Pleas, and establish  
District Courts, (laid upon the table by Mr. Van)  
read and referred to the Committee on the  
Judiciary.

Sent down for concurrence. Concurred.

Remonstrance of Ephraim Lord and others,

— . — . Daniel Garcelon . . .

— . — . Thomas Smith . . . against

the division of the town of Lisbon;  
Remonstrance of the inhabitants of the town of Rumford  
against the alteration of their town line  
— read and referred to the Committee  
on Division of Towns, in concurrence.

Petition of James W. North and others.  
— . Samuel Painter . . . praying  
for the passage of an Insolvent Law,  
— . of Dan Perry, praying for authority to  
give a deed to convey real estate — severally  
read and referred to the Committee  
on the Judiciary, in concurrence.

Petition of Benjamin Brown, praying for an al-  
lowance for damage sustained while  
transporting Soldiers to Augusta;  
— . of Paul Oyer, praying for his proportion  
of the Surplus Revenue;  
— . of Benjamin P. Chapman, praying for  
remuneration for expenses for sickness  
in the Acostock Expedition — severally  
read and referred to the Committee on  
Claims, in concurrence.

Petition of Frederick Bates &c. and others, praying  
that all plans of proprietors' lands may  
be recorded on the public Records — read  
and referred to the Committee on State  
Lands, in concurrence.

Petition of the inhabitants of Skowhegan, praying for the removal of the Kennebec Dam — read and referred to the Committee on Interior Waters, in concurrence.

Petition of Azariah Griffith, praying for a Military Pension — read and referred to the Committee on Military Pensions, in concurrence.

Petition of J. Wingate Carr, and others, praying that persons who have served for seven years in the Fire department of the City of Bangor, shall be exempted from Military duty — read and referred to the Committee on the Militia, in concurrence.

Petition of Joseph Brankins and others, of the town of Baldwin, County of Cumberland, praying to be annexed to the town of Hiram in the County of Oxford — read and referred to the Committee on Division and Alteration of Counties, in concurrence.

Petition of Jacob<sup>th</sup> Clements, praying for remuneration of expenses incurred in pursuit and arrest of Theodore Paul, a thief and fugitive from justice — read and referred to the Committee on Claims.

Sent down for concurrence. Concurred.

Order, from the House of Representatives, instructing the Committee on Interior Waters to inquire into the doings of the Kennebec Log Driving Company, with power to send for persons and papers — read and passed in concurrence.

The Order, directing the Committee on Banks and Banking to institute an "inquiry" with power to send for persons and papers to ascertain if any Banks have refused or delayed payment of their Bills in specie, came up from the House amended. The Senate nonconcurred the House in its proposed amendment and insisted on the vote passing the same.

Sent down for concurrence. Concurred.

Order, from the House of Representatives, directing the Committee on Finance to apportion the State Tax on cities, towns and plantations in this State, upon a basis of one sixth part upon the polls, and the residue upon property, according to the valuation of 1830 — read and passed in concurrence. Sent down.

Mr. True, from the Committee on Parishes, reported leave to withdraw on petition of Samuel Copeland, and reference to the next Legislature on petition of the Proprietors of the New Meeting House in Saco — severally read and accepted.

Sent down for concurrence. Concurred.

The Report of the Committee on the Judiciary that legislation is inexpedient on an order relative to fraud practiced on the State or upon the settlers in obtaining a deed of township No. 6, in 5<sup>th</sup> Range — came up from the House recommitted — The Senate receded from the vote accepting said Report and recommitted the same, in concurrence.

Mr Bolster, from the Committee on Civilization and Alteration of Counties, reported that the "Bill to set off a certain parcel of land from the town of Denmark in the County of Oxford and annex the same to Bridgeton in the County of Cumberland," ought not to pass — read and accepted. Sent down for concurrence.

Concurred.

Mr Gross, from the Committee on Military Pensions, reported leave to withdraw on petitions of James Robinson, George Sawtell and J. W. Sator and others — severally read and accepted.

Sent down for concurrence. Concurred.

Mr Eaton, from the Committee of Conference on the disagreement of the two Houses in relation to the refusal of an order relative to all Bridges over which County Roads pass shall be supported by the Counties, having met the Conference on the part of the House, made a report recommending that the Senate recede



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from the vote referring said order to the Committee on Roads and Bridges, and refer the same to a Joint Select Committee in concurrence — read and accepted, and Messrs Monill, Fitts, Bolster, Robinson and Philbrick were joined in concurrence.

Resolve For the payment of Bounty to the Penobscot Indians upon Agricultural productions (reported by Mr Robinson, from the Committee on Indian Affairs, on the Account of Henry Richardson, Agent for the Penobscot Tribe of Indians;)

Bill to incorporate the Piscataquis Agricultural Society (reported by Mr Shaw from the Committee on Agriculture, on petition of Joseph Kelsey and others,) — severally read once and tomorrow eleven o'clock as signed for a second reading.

Resolve in favor of Milo L. Bennett and others,  
Bill additional to an Act regulating judicial process and proceedings — severally read the second time and laid upon the table.

On motion of Mr Bradley, the Senate reconsidered the vote of yesterday passing to be engrossed

"Bill additional to the several Acts now in force to organize, govern and discipline the Militia of this State" — read the same was laid upon the table.

- Bill additional to the several Acts now in force respecting real actions,  
 -- additional to the several Acts to regulate the jurisdiction and proceedings of Courts of Probate,  
 -- to prevent obstructions in the navigation of Machias River,  
 -- additional to an Act to provide for the education of youth — severally read the second time and passed to be engrossed.

Sent down for concurrence. Concurred.

The Committee on Engrossed Bills, reported as correctly engrossed.

- Bill to repeal an Act entitled "an Act to encourage the destruction of Wolves and Bears," approved March 6, 1835, also an Act entitled "an Act to encourage the destruction of Wolves," approved February 28, 1837 — and the same on motion of Mr Bradley was laid upon the table.

The same Committee reported as correctly engrossed.

- Bill to extend the time to locate and construct the Portland, Saco and Portsmouth Rail Road — and the same was passed to be enacted.

Adjourned.

Attest, William Trafton, Secretary.

Friday February 14. 1846.

On motion of Mr Robinson.

Ordered, That the Secretary of State be required to furnish the Senate, with an abstract of the report made to the Governor and Council, in December last, by the Attorney General, in pursuance of the requirements of the Act of March 25, 1839 — read and passed.

Ordered, on motion of the same Senator, That the Treasurer of State be required to communicate to the Senate, a statement of the several sums drawn from the Treasury during the past year, for the payment of the salaries of the several officers, (with the exception of the Governor and Judges,) who receive their pay from the Treasury of the State; together with the time when, and the names of the several persons, in whose favor the same were drawn — And also, if any officer aforesaid has been paid an amount exceeding the salary now fixed by law, an exhibit of the services for which such extra allowance was paid, so far as is within the means of the Treasurer to communicate — read and passed.

Order, from the House of Representatives, requesting the Committee on the Judiciary to inquire whether any further legislation is necessary upon registry of collectors' Deeds of land sold for taxes.

Remonstrance of Peol Soekbesin, against the right of Peol Pomak to represent the Penobscot tribe of Indians, at the seat of government, came up, referred to the Committee on Indians Affairs. The Senate concurred the House in its reference, and referred the same to the Governor and Council.

Sent down for concurrence.

Petition of Henry Campbell and others, praying for the passage of an Insolvent Law — read and referred to the Committee on the Judiciary in concurrence.

Petition of Thomas S. Stone and others, praying that the right of trial by jury may be granted to every person whose liberty is in question.

— of Edward H. Wiswell and others, praying for the repeal of all laws in this State, that make any distinction on account of colour — severally read and referred to the Committee on Slavery, in concurrence.

Petition of Solomon Clark, praying for a pension — read and referred to the Committee on Military Pensions, in concurrence.

240 Petition of Sewell Lewis and other Indians of the  
Pinebseot Tribe, praying for the passage of  
an Act authorizing said Tribe to elect their  
Governor by ballot Annually — read and  
referred to the Committee on Indian Affairs.  
in concurrence.

Petition of Thomas Benton and others,

— " — Joseph H. Downs " "

— " — Joseph Merrill " " praying  
for the repeal of the Act establishing the  
County of Acworth.

Remonstrance of Christopher C. Sawyer and others, a  
Committee in behalf of the town of Baldwin,  
against the petition of Joseph Rankins and  
others — severally read and referred to  
the Committee on Division and Alteration  
of Counties, in concurrence.

Mr Smith from the Committee on State  
Lands, reported leave to withdraw on petition  
of S. G. Bodfish — read and the same on motion  
of Mr Blake, was laid upon the table.

Mr Grofs, from the Committee of Conference  
on the part of the Senate, on the disagreement  
of the two Houses on the "Bill regulating the size  
of Potato Barrels," having met the conferees on  
the part of the House, made a report recommend-  
ing that the Senate recede from the vote indefi-  
nitely postponing the Bill and concur with the



House in recommitting the same with instructions to report the Bill in a new draft — read and accepted.

The Committee on the Judiciary reported legislation inexpedient on an order relative to owners of Gristmills keeping weighing apparatus — read and accepted, in concurrence.

Mr Smith, from the Committee on State Lands, reported reference to the next Legislature on petition of Ira Hadleigh — read and accepted.

Sent down for concurrence. Concurred.

Mr Isaac Reed, from the Committee on Rail Roads and Canals, reported order of notice to present Legislature on petition of Elbridge Harris — read and accepted.

Sent down for concurrence. Concurred.

Mr Merrill, from the Committee on the Militia, reported leave to withdraw on petition of Ward Witham — read and accepted.

Sent down for concurrence. Concurred.

Mr Shaw, from the Committee of Conference on the part of the Senate, on the disagreement of the two Houses, on the

242 Report of the Committee on the "Revised Statutes," having met the Conferees, on the part of the House, reported that the Conferees were unable to agree, and therefore recommended that the Senate adhere to the vote accepting said report—read and accepted.

The same Senator, from the Committee on Agriculture, reported legislation inexpedient on the returns of Agricultural Societies—read and accepted. Sent down for concurrence.

Bill to determine the size of potato barrels (reported in a new draft by Mr. Shaw, from the Committee on Agriculture to which said Bill had been recommended) was read once and tomorrow eleven o'clock assigned for a second reading.

Mr. Bradley, moved to take up the second title of the "Revised Statutes," and refer the said title to the Committee on the Militia—and the same on motion of Mr. Eastman, was laid upon the table.

Resolve for the payment of bounty to the Penobscot Indians, upon Agricultural productions;

Bill to incorporate the Piscataquis Agricultural Society—severally read the second

time and passed to be engrossed.

Sent down for concurrence.

Concurred.

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Adjourned.

Attest William Trafton, Secretary.

Saturday, February 15, 1846.

The following orders from the House of Representatives were severally read and passed, in concurrence, to wit:

Requesting the Committee on the Judiciary to inquire into the expediency of so altering the 8<sup>th</sup> section of an Act, entitled "an Act for the relief of Poor Debtors," approved March 24, 1835, as to provide that not more than twelve per cent interest shall be recovered upon any bond, the payment of which shall hereafter be enforced by the provisions of said Act.

— Instructing the Committee on Accounts to make up and present their Roll as are allowed before the twenty ninth day of February instant — and that all accounts presented after that day be referred to the next Legislature —

— Requesting the Committee on State Lands to inquire the expediency of allowing Pandol Whidden a further time to complete his engagements to the State on account of Lands purchased of the same —

— Directing the Joint Select Committee appointed to ascertain whether any reduction be necessary in salaries of certain State and County officers who draw their pay from the State Treasury, to inquire whether any reduction is necessary in the salaries or fees of all officers who draw their pay from the County Treasuries.

the following Order, That the report of the Commissioners appointed to revise the "Public Laws," as received from the printer, be committed by their titles respectively, to Joint Select Committees with instructions to consider the same daily in Committee and report thereon as soon as practicable.

Mr Blake, moved that said order lie on the table — and the question of lying on the table, being ordered to be taken by yeas and nays, was decided in the affirmative as follows, to wit: —

Yeas. Messrs. Barrell, Blake, Crocker, Eastman, Erskine, Merrill, Philbrick, Isaac Reed, Smith, Putman and Vose 11.

Nays. Messrs. Bolster, Bradley, Foster, Gross, Holt, Perkins, Shaw, and True. 8.

On motion of Mr Vose,

Ordered, That the Librarian be requested to furnish the Committee on the Judiciary one copy of all the Laws, public and private, also one copy of the Resolves from the organization of the State, up to the present time, to be returned by them to the Librarian at the close of the session — read and passed.

Sent down for concurrence. Concurred.

Petition of Daniel Brown, praying for compensation for an injury received while doing Military duty;

— of Jot Prince and others, praying for



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aid to the widow of Isaac Leavitt who died in the Arcostock service — read and referred to the Committee on Military Pensions, in concurrence.

Petition of Joseph Hobson and others, in aid of the petition for the Farmer's Bank — read and referred to the Committee on Banks and Banking, in concurrence.

Petition of the Selectmen of Gardiner, praying for allowance of account — read and referred to the Committee on Claims, in concurrence.

Petition of Joel Clapp and others, praying that the charter of the "Maine Episcopal Missionary Society" may be revived — read and referred to the Committee on Parishes, in concurrence.

Petition of Aaron Cover and others, in behalf of the B. Company of Riflemen in Madison — praying for a supply of Rifles — read and referred to the Committee on Militia, in concurrence.

Account of Jonas Farnsworth with the Passamaquaddy Indians — read and referred to the Committee on Indian

Communication from the Treasurer of State in relation to the amount of money paid out of the Treasury to the Warden of State Prison since 24<sup>th</sup> of April last — read and referred to the Committee on State Prison, in concurrence.

The President laid before the Senate a communication from the Treasurer of State in compliance with an order of the Senate, yesterday, giving a statement of the several sums drawn from the Treasury during the past year for the payment of the salaries of the several Officers (with the exception of the Governor and Judges) together with the time when, and the names of the several persons in whose favor the sums were drawn — read and referred to the Joint Special Committee that has that subject under consideration.

Sent down for concurrence. Concurred.

Reports on petitions of J. W. Pabor and others, and the proprietors of the New Congregational Meeting House in Saco, came up severally recommitted. The Senate receded from the vote accepting said reports, and recommitted the same, in concurrence.

Mr. Eastman, from the Committee on Literature and Literary Institutions, reported legislation inexpedient on an Order relative to the expediency of

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repeating the law respecting Superintending School Committees, and an order relative to a Board of Education — severally read and accepted.

Sent down for concurrence. Concurred.

Report of the Committee on Division and Alteration of Counties, referring to the next Legislature the petition of Nahum Baldwin and others, on Motion of Mr. Bolster, was taken up — and the same, on motion of Mr. Shaw, was indefinitely postponed. Sent down for concurrence. Concurred.

Mr. Barrell, from the Committee on Roads and Bridges, reported leave to withdraw on petition of Turners Bridge Company, and the same, on motion of Mr. Gross, was recommitted. Sent down for concurrence. Concurred.

Mr. Gross, from the Committee on Military Pensions, reported leave to withdraw on petition of John Martin — read and accepted. Sent down for concurrence.

Mr. Holt, from the Committee on Interior Waters, reported order of notice to next Legislature on petitions of Caleb Parker and Lucius Allen — severally read and accepted. Sent down for concurrence. Concurred.

Mr Bolster, from the Committee on Division and Alteration of Counties, reported order of notice to the next Legislature on petitions of Solomon Dunning and others and George Hopkins and others, Sanford Kingsbury and others, and John Ward and others, severally read and accepted.

Sent down for concurrence. Concurred.

Bill to determine the size of potato barrels, was read the second time, and the same, on motion of Mr Gross, was laid upon the table.

Rules in favor of Jane Bish (reported by Mr. Smith from the Committee on State Lands, on petition of Jane Bish)

Bill additional to prevent obstructions to Fines (reported by Mr Holt from the Committee on Interior Waters, on an order relative to that subject) severally read once, and Monday next, eleven o'clock assigned for a second reading.

Bill for the appointment of a Committee of public Instruction, reported by Mr. Eastman to which was referred "Bill further regulating primary schools") read once and Tuesday next eleven o'clock assigned for a second reading.

Bill to incorporate the Sebecmook Lumberway Company, on motion of Mr Gross, was taken up and

250 Tuesday next eleven o'clock, assigned for its second reading.

Bill additional to an Act entitled "an Act altering the times of holding the District Court for the Western District in the County of Franklin" (introduced in the House) was read twice and passed to be engrossed, in concurrence.

The Committee on Engrossed Bills reported as correctly engrossed

Bill to regulate the taking of Fish, and for the preservation thereof, in the several rivers, and streams emptying into rivers in this State, and the same, on motion of Mr Price, was laid upon the table.

The same Committee reported as correctly engrossed.

Bill additional to an Act accepting the surrender of the Peoples Bank Bangor — and the same was passed to be enacted.

Adjourned.

Attest, William Trafton, Secretary.