

Monday February 28. 1831.

Met according to adjournment

The House resumed the consideration of the Bill respecting Inholdery, Retailery and Common Victuallery - the discussion of which was on motion suspended -

Bill to incorporate the Proprietors of Lebois Tour Branch Juice was read a third time and passed to be engrossed as amended on sheet annexed marked II - sent up for concurrence

Petition of Charles B. Abbot and others for the preservation of Pickens in Peshaw Pond was read and referred to the Committee on Interior Fisheries - sent up for concurrence.

Remonstrance of the Town of Shapleigh against the Petition of William Goodwin and others to be set off from Shapleigh and annexed to Acton - also - Remonstrance of John Trafton and others on the same subject were severally read and referred to the Committee on Incorporation of Towns - who have under consideration the Petition to which they relate - sent up for concurrence -

Petition of Waldo Plantation for separate representation was read and referred to the Committee on Apportionment of Representatives - sent up for concurrence -

Petition of Solomon H. Mudge and others for an Act incorporating the Portland Rifle Company into an Independent Battalion was read and referred to the Committee on the Militia - sent up for concurrence.

204

Report of Committee on Finance granting leave to withdraw  
on Petition of the town of Abbot was read and accepted.

The Committee on Engrossed Bills report as duly engrossed -  
Bill to establish a Literary Institution in Westbrook which  
was passed to be enacted.

Mr. Deane of Ellsworth laid upon the table certain papers  
and the House on his motion, voted to sit with closed  
doors during the consideration thereof which continued  
till the House adjourned -

And the House adjourned

Attest

Thornton McGowan      Clerk



Tuesday March 1. 1851.

Not according to adjournment

Resolve in favor of Bartholomew B. Bors was read first time and tomorrow at eleven o'clock assigned for a second reading.

Bill to incorporate the town of Bradford came from the Senate for concurrence taken into new draft - and the House recede from their former vote passing the original Bill - adopt the new draft and pass the same to be engrossed in concurrence with the Senate.

Bill to establish the Reed Ferry company was read first and second time and tomorrow at 10 o'clock assigned for a third reading.

Report on Petition of John Austin and others came again from the Senate - they having reconsidered their former vote accepting the same and referred it to the committee on Turnpikes Bridges and canals for concurrence - and the House reconsider their former vote on this subject and refer the same in concurrence.

Petition - of Jonathan Houghlow and others to be formed into a new County

— of James Sanborn on the same subject -

— of the town of Lovell on the same subject -

— of Robert Andrews upon the same subject -

— of the Inhabitants of Denmark on the same subject - were severally read and referred to the committee on Incorporation of Towns - sent up for concurrence -

Petition - of Gardiner Bank for renewal of charter and a

reduction of their capital was read and referred to the Committee on Banks and Banking in concurrence with the Senate.

Report of the Committee on Turnpikes, Bridges and Canals referring to the next Legislature the Petition of Henry W. Fuller and others came from the Senate accepted for concurrence and the House concurred.

Bill for the prosecution and punishment of accessories in felonies was read first and second time and tomorrow at ten o'clock assigned for a third reading.

The Committee on Engrossed Bills report as duly engrossed Bill enlarging the powers of Constables in the towns of Calais, Robinson, Perry and Lubec.

to set off part of the town of Canton and annex the same to the town of Jay which were severally passed to be enacted sent up for concurrence.

The same Committee also report as duly engrossed.

Resolve in favor of Timothy Hall Jr.

— in favor of Joseph Chase

— authorizing the Governor to settle with William Vance which were severally finally passed.

And the House adjourned until 11 o'clock A.M.

Met according to adjournment.

Bill respecting Innholders, Retailers and common Victuallers was taken up and ordered to lie upon the table.

Resolve apportioning the Representatives among the several counties, Towns, Plantations and Slopes, at the second apportionment was taken up agreeably to assignment and

the discussion thereof, on motion suspended.

A Resolution removing the injunction of secrecy as to the proceedings of the Legislature yesterday - so far as to allow a copy to be communicated to the Governor with a request that he would communicate forthwith the same to the President of the United States - came from the Senate accepted for concurrence and the House concurred. //

The House resumed the consideration of the Resolve apportioning Representatives &c. and before any question was taken thereon the House adjourned.

And the House adjourned

Attest

Thornton M. Shaw Clerk

Wednesday March 2. 1831.

Not according to adjournment.

Bill. additional defining the powers of Judicial Court in granting review and for other purposes— was read first and second time and tomorrow at ten o'clock assigned for a third reading.

The Committee on Engrossed Bills report as duly engrossed— Bill to regulate the taking of Fish in Thapscoot River—  
—— to incorporate the Trout Point Wharf Company— which were severally passed to be enacted.

The House resumed the consideration of the Resolve apportioning the Representatives among the several Counties, Towns, Plantations and closes at the second apportionment, and Mr. Herrick of Louisville moved that the Resolve be committed to the Committee on Apportionment of Representatives &c on the part of the House with instructions to admit the members composing the delegations from the several Counties in this State to be heard before them on this subject— and the question upon so committing was taken by Yeas and Nays as follows Yeas 63, Nays 80— Mr Baxter of Bristol then moved to amend the Resolve, by striking out in the County of Lincoln in the 9th. line the words— "Bremer Friendship and Cushing one" and insert in the 10th. line after the words— "Patrickston one" the words— "Bremer one for the years 1832, 1835, 1838, 1841— Cushing, and Friendship one for the years 1833, 1834, 1836, 1837, 1839, 1840"— and the question upon so amending was taken by yeas and nays as follows— Yeas 49, Nays 61. and the discussion of the Resolve was on motion suspended—

(For Yeas & Nays see pages 447, 449)



Mr. Swett of Prospect was appointed a member of the Committee on Interior Fisheries in place of Mr. Hardy of Bucksport excused.

Voted - that when this House adjourn it adjourn until half past two o'clock this afternoon.

And the House adjourned.

Afternoon.

Met according to adjournment.

An Order came from the Senate for concurrence instructing the joint standing Committee to report upon all subjects referred to them respectively on a day as early as may be and the House concurred.

On motion of Mr. Bradbury of Hollis. Ordered that the joint standing Committee on the Judiciary be instructed to inquire into the expediency of repealing an additional Act entitled an Act respecting the appointment of Clerks of the Judicial Courts passed February 21. 1829 - sent up for concurrence.

Report of the Committee on the Judiciary to whom was referred an order of Feby. 19. th. respecting paupers in towns situated on the Eastern frontier, that legislation on this subject is inexpedient - was read and accepted sent up for concurrence.

Bill concerning corporations, laid on the table by Mr. Parks of Bangor was read first and second time and tomorrow at ten o'clock assigned for a third reading.

Petition of William Drummond and others to be incorporated into a Rifle Company was read and referred to the Committee on the Militia - sent up for concurrence.

Petition of Inhabitants of Miram for a new County composed of towns in the County of Cumberland and Oxford was read and referred to the Committee on Incorporation of Towns sent up for concurrence.

The House resumed the consideration of the Resolve apportioning the Representatives &c. and Mr Magoun of Bath moved to amend that part of the Resolve apportioning Representatives to the County of Lincoln so as to give Thomaston two, and one each to all other towns entitled to one - and a Representative for their proportionate part of the time to all other towns in said County as specified in said proposed amendment - and the question upon so amending was taken by yeas and nays as following Yeas 48. Nays 82. - Mr McBrate of Nobleboro moved to amend so much of this Resolve as relates to the County of Kennebec by inserting in the 6th line, after the word, Clinton, the words "including the Gore between Clinton and Pittsfield" also by inserting in the 13th. line after the word, Albion, the words "including the unincorporated territory adjoining thereto" and the question upon so amending was taken by yeas and nays as following - Yeas 84 Nays 24. - Mr Leone of Ellsworth then moved to amend so much of said Resolve as relates to the County of Hancock by striking out all after the word - and - in the 5th. line, and inserting a new apportionment of the residue of said County as specified in said amendment - and the question upon so amending was taken by yeas and nays as following - Yeas 31. Nays 74. and before any further question was taken thereon, the House adjourned until seven o'clock this evening. - (For yeas & nays see pages 451. 454. 456.)

Evening -

Met according to adjournment -

The Committee on Engrossed Bills report as duly engrossed -

Bill authorizing the Inhabitants of the North District in the County of Washington to choose a Register of Deeds which was passed to be enacted - sent up for concurrence.

Bill authorizing the town of Bangor to build a Bridge over Menduskeag Stream was read first and second time and tomorrow at eleven o'clock assigned for a third reading.

Resolve in favor of Charles Mc Nemuz was read first time and tomorrow at eleven o'clock assigned for a third reading.

Report of Committee on the Judiciary to whom was referred an order of Feb. 22d. relative to the right to apportion the State Tax on lands ceded to the United States - Tracts and land sold by the or Massachusetts but not conveyed by deed - that said lands and Tracts ought not to be included in the estimate of the Valuation Committee was read and accepted in concurrence with the Senate.

Report on Petition of Warren Colby, granting leave to withdraw - came from the Senate accepted for concurrence and the House concurred.

Petition of Samuel Whinnery for compensation for detaining a horse thief - was read and referred to the Committee on claims - sent up for concurrence.

The House resumed the consideration of the Resolve Apportioning the Representatives &c. and Mr Coburn of Bloomfield moved to amend that part of said Resolve relating to the County of Somerset by inserting after the word - *Namidgewock* - the words - "one for the years 1832, 1833, 1835, 1836, 1837, 1838, 1840, and 1841" - and after the word - *Eastpond* - insert - "for the years 1834 and 1839 - and the question upon so amending was taken by yeas and nays as follows

Yeas 41. Nays 74. - and the question upon passing the  
Resolve to be engrossed was finally taken by yeas  
and nays as follows. Yeas 72 Nays 37. and the same  
was sent up for concurrence.

(for yeas & nays see page 455)  
o page 460)

And the House adjourned

Attest

Thornton McGaw

Clerk.



Thursday March 3. 1831.

Met according to adjournment

Mr Bourne of Newbury moved to insert in the Records of yesterday's proceedings in this House the following words, to wit - "Moved by Mr Scammon of Pittston that the Resolve be so amended as to take from the town of Green, 1841, and carry it to Windsor which was decided in the negative" - and the question upon so inserting these words was decided in the negative by yeas and nays as follows, Yeas 54. Nays 77.

(For yeas & nays see page 462)

Bill to incorporate the town of Madawaska and for other purposes was read a first and second time and tomorrow at ten o'clock was assigned for a third reading.

Bill concerning corporations was read a third time and passed to be engrossed sent up for concurrence.

Bill additional concerning the assessment and collection of taxes was read a third time and passed to be engrossed as amended on sheet annexed marked A. - sent up for concurrence.

Bill to regulate Banks and Banking came from the Senate passed to be engrossed as further amended. and after considering certain of these amendments, the House ordered it to lie on the table.

Ordered - that the Committee on State Lands be requested to take into consideration the expediency of passing a Resolve authorizing the Land Agent to compromise in favor of the State against insolvent debtors - sent up

for concurrence.

Petition of Elias Thomas for an allowance for clerk hire while Treasurer of State came from the Senate referred to Messrs Megguier, Dole and Steele, with such as the House may join - and the House concurred and joined on their part Messrs Kenick of Alfred, Quimby of Hallowell, Rowe of Belfast, Leammon of Pittston and Counce of Warren.

Message from the Governor -

To the Speaker of the House of Representatives  
For the purpose of complying with the Order of the House of Representatives passed the 26th of February last, requesting the Governor to transmit to that House the names of the owners of Bank Stock within this State with the amount owned by each so far as they may have been returned by the Banks or Bank Commissioners. I have caused examination to be made and no return affording the desired information appear to be on file, or to my knowledge have been received at this department.

Executive Department

March 1. 1831.

Saml. E. Smith

Read and referred to Messrs Clifford of Newfield, Dean of Ellsworth, Parks of Bangor, Williams of Augusta and Bryant of Easton.

Bill - authorizing the town of Bangor to Build a Bridge over Housatonic Stream was read a third time and passed to be engrossed as amended in new draft on sheet annexed marked A. sent up for concurrence.

And the House adjourned until half past six o'clock this evening.

Evening

Met according to adjournment

Bill to regulate the Allowice Fishery, in the town of Franklin was read a third time and passed to be engrossed as amended by striking out the proviso contained on sheet annexed marked B. sent up for concurrence.

Bill additional relating to appeals was read a first and second time and tomorrow at ten o'clock assigned for a third reading.

Bill to incorporate the proprietors of Augusta Hotel was read a first and second time and tomorrow at ten o'clock assigned for a third reading.

Bill for the regulation of Innholders, Retailers and common Victuallers reported by the Committee to whom was referred the original Bill on this subject was read a first and second time and tomorrow at eleven o'clock assigned for a third reading.

Bill to establish the Reed Ferry Company was read a third time and passed to be engrossed as amended on sheet annexed marked A and B sent up for concurrence.

Resolve admitting Seth Faine to practice Law was read first time and tomorrow at eleven o'clock assigned for a second reading.

Resolve for the admission of Oliver W. Bassett to practice law in the Court of Common Pleas, reported in new draft was read first time and tomorrow at eleven o'clock assigned for a second reading.

Bill authorizing the Selectmen of the town of Bangor to appoint a corps of Fire Enginney was read first and

second time and tomorrow at eleven o'clock assigned for a third reading.

Resolve - requiring Banks to make returns of their capital stock was read first time and tomorrow at eleven o'clock assigned for a second reading.

Bill - to incorporate the Sidney mutual Fire Insurance company was taken up and referred to the Committee on Banks and Banking - sent up for concurrence.

Report of M. P. Norton under Resolve of March 5, 1830, on the Petition of S. B. Harvey and others for aid in making a road &c. was read and referred to the Committee on State Lands - sent up for concurrence.

Report on Petition of Charles C. Emerson granting leave to withdraw - came from the Senate accepted for concurrence and the House concurred.

Resolve for clearing out and making passable certain post roads in this State came from the Senate for concurrence, referred to the Committee on State Lands - and the House recede from their vote of Feb'y. 24. passing the same to be engrossed and concur with the Senate.

Report of the Committee on Incorporation of Towns granting leave to withdraw on the Petition of William Goodwin and others - was read and accepted - sent up for concurrence.

Ordered that the committee on the Valuation be directed to deduct from the valuation of the town of Canton and annex to the town of Jay so much of the State real and personal returned by said town of Canton as by an Act of this Legislature has been taken from



said town of Canton and annexed to said town of  
Sax- sent up for concurrence.

Ordered. that Messrs. Williams of Augusta, Smith  
of Westbrook and Scott of North Salem be a Commit-  
tee to ascertain what measures shall be adopted for set-  
tling the claim of the Agent of this State in attending  
to the adjustment of the Massachusetts claims against  
the General Government for military expensitary during  
the late war.

And the House adjourned.

Attest

Thornton McGau

Clerk

Friday March 4. 1831.

Met according to adjournment.

Remonstrance and other papers concerning the division of Berwick, was read and referred to the Committee on Incorporation of Towns - sent up for concurrence.

Remonstrance of Jacob Emery against Petition of John  
Gowen and others that a part of Acton may  
be annexed to Shopleigh

\_\_\_\_\_ of Committee of the Town of Acton on the same subject were severally read and referred to the Committee on Incorporation of Towns - sent up for concurrence.

Petition of Joseph Masterman, for pecuniary aid - was read and referred to the Committee on Military Pensions in concurrence with the Senate

Report on Petition of the Peoples Society in the County of Waldo, granting leave to withdraw - came from the Senate accepted for concurrence and the House concurred.

Resolve in favor of Ezekiel Stearns was read first time and tomorrow at eleven o'clock assigned for a second reading

Bill - additional directing the method of laying out and making provision for the repair and amendment of Highways - came from the Senate passed to be engrossed as amended on sheet annexed marked D. for concurrence - and the House so far accede from their former votes as to adopt the amendments proposed by the Senate and pass the same to be engrossed, as further amended on sheet

on sheet unannexed marked *Is* - sent up for concurrence.

Bill to incorporate the Town of Madawaska and for other purposes was read a third time and passed to be engrossed sent up for concurrence.

A written Message from the Governor was received, read and with the accompanying documents ordered to lie on the table.

Ordered that the Senate be requested to take from their files the petition of John Pittz and others and send the same to this House.

Bill additional relating to Bowdoin College was read a first and second time and tomorrow at eleven o'clock assigned for a third reading.

Resolve in favor of Charles McKenny was read and indefinitely postponed - sent up for concurrence.

The Committee on Engrossed Bills report as duly engrossed - Bill additional concerning Records of Justices of the Peace.

— additional relating to the State Prison which were severally passed to be enacted - sent up for concurrence.

The same Committee also report as duly engrossed - Resolve in favor of ~~Mills~~ which was finally passed sent up for concurrence.

Bill additional defining the powers of Judicial Courts in granting, reviewing and for other purposes came from the Senate for concurrence, passed to be

125  
220,  
engrossed as amended on sheet annexed marked D and  
and the House adopt the amendment of the Senate  
and further amend the Bill on sheet annexed mar-  
ked E. sent up for concurrence.

Bill to regulate Banks and Banking, came again  
from the Senate for concurrence they having reconsid-  
ered their former vote adopted the new draft and  
passed the same to be engrossed as further amended  
on sheet annexed marked D and the House so far  
recede from their former vote as to adopt the amend-  
ments proposed by the Senate in Section 21 Lines 17-19  
and 20. and in Section 28 line 8. also Section 29. also  
Section 33 Line 23. also Section 39. none near the Senate  
in the residue of their proposed amendments and pass  
the same to be engrossed as further amended on sheet  
annexed marked E. sent up for concurrence.

Bill attaining the division line between the Counties of  
Hancock and Washington was read first and second  
time and tomorrow at 10 o'clock assigned for a third  
reading.

And the House adjourned

Attest

Thernton M. Goss

clock



Saturday March 5. 1831

Met according to adjournment

Mr. Thapleigh of Berwick moved to take up the consideration of the following Order offered by Mr. Boutelle of Waterville on the 25th of Feb. last to wit:—"Ordered that \_\_\_\_\_ be a committee of this House to inquire into the expediency of asking the opinion of the Justices of the Supreme Judicial Court as to the construction of the 2 and 3 sections of Article 4th. part first in the Constitution so far as it regards the number of Representatives required to be apportioned" and the question upon ~~the taking up~~ this Order was on motion taken by Yeas and Nays as follows—Yeas 34. Nays 29.

Mr. Knowlton of Montville then moved that the further consideration of said Order be postponed indefinitely and this question was on motion of Mr. Bourne of Newbunk taken by Yeas and Nays and was decided as follows—Yeas 71. Nays 56.

(For yeas & nays see pages 464, 466)

Resolve in favor of William King was read and recommended to the committee who reported the same.

The Committee on Engraved Bills report as duly engraved Bills to establish the Reed Ferry Company which was passed to be enacted sent up for concurrence.

The following communication from the Speaker was then read by the Clerk—

To the Honorable the House of Representatives—  
Having been appointed to a situation in the Judicial department, incompatible with the Station I have the honor to hold in the House. I hereby resign the the Honorable trust committed to me by

the House and also the office of Representative in the Legislature which I hold at the hands of my constituents—

March 5. 1831.

J. Ruggles

Ordered that the thanks of this House be presented to John Ruggles Esq. for the very able and satisfactory manner in which he has discharged the arduous and responsible duties of presiding officer of the House during the present Session, and that he be requested the respects of the members of this House and their best wishes for his continued Health and usefulness—

To which the Speaker replied as follows—  
Gentleman of the House of Representatives.

I cannot repress the deep sensibility with which I am penetrated by the very kind and flattering terms in which you have been pleased to express your approbation of my humble services as Speaker of this House. I claim no other merit than that of having been actuated in the performance of them, by a sincere desire to promote harmony in your proceedings, to advance and facilitate the business of the Session, to preserve the honor and dignity of the House and earn for myself some portion of the approbation you have now bestowed. To pretend that I have not owed in any thing, would be to presume that I have not needed your indulgence and would deprive me of the satisfaction I feel in acknowledging the readiness with which indulgence has always been extended to me.

It becomes me on this occasion to bear testimony to the ability and wisdom which have thus far marked your deliberations and to the unusual industry and perseverance which have enabled you to despatch so much of the business which has come before you. They afford an earnest to the people that the important subjects which remain to

be considered will be disposed of in a manner that will comport with the best interest of the State.

Gentlemen I cannot let this occasion pass which calls upon me to render back into your hands the honorable trust committed to me and to resign my seat in this House without paying a public tribute of affectionate gratitude to my Constituents for their long continued and generous confidence, a confidence which has brought me to be acquainted with so much of private worth and of public virtue as I have always found associated here. Their kindness and yours shall ever be gratefully remembered in whatever situation in life my good or ill fortune may hereafter place me.

Gentlemen when you shall have completed the public business and shall return to your respective families and friends - carry with you assurances of my sincere and fervent aspirations for your individual welfare and happiness - and you long enjoy all that public consideration and all those private and domestic blessings which are the reward of the good citizen and virtuous man.

The Speaker then retired and the Clerk presided during the choice of a Speaker to fill the vacancy occasioned by the resignation of Mr. Ruggley.

A Committee consisting of Messrs. Mitchell of Portland, Sumner of Hallowell, Knowlton of Montville, Chase of Sebco and Hardy of Bucksport, was appointed to receive, sort and count the votes for a Speaker - and on sorting and counting the same, it appeared that the whole number of votes given in was one hundred and thirty one - necessary for a choice sixty six - Benjamin White of Monmouth had eighty one, and was duly elected and being notified of his election, he took the Speakers chair and addressed the House.

Mr. Bradbury of Anson has leave of absence after Monday next during the remainder of the Session.

On motion of Mr M<sup>r</sup>. Crate of Nobleboro' Ordered that a message be sent to the Senate and also to the Governor and Council informing them that John Ruggles Esq has resigned his seat as Speaker of the House of Representatives and that Benjamin White Esquire of Monmouth has been duly chosen in his stead and the clerk by message acquainted the Senate therewith and Mr M<sup>r</sup>. Crate was charged to communicate the same to the Governor and Council.

Ordered that when this House adjourn it adjourn until Monday morning next at ten o'clock.

And the House adjourned

Attest

Thernton McGaw

Clerk.