

Monday, March 3, 1834.

303.

Mr Cobb, from the Committee on Incorporation of Towns, reported that said Committee had acted upon all the business committed to them and asked leave to be discharged, read and accepted. Sent down for concurrence.

Concurred.

The Senate reconsider their vote of the 27th of February whereby they referred the petition of John M. Smith and others to the Committee on the Judiciary and refer the same to the next Legislature.

Sent down for concurrence. Concurred.

On motion of Mr Cobb, ordered that the Joint Standing Committees be required to report forthwith upon all the subjects committed to them.

Sent down for concurrence. Concurred.

Petition of John Hobbs for an increase & continuance of his pension, granted him by a Resolve of the Legislature of 1831, read and referred to the Committee on Military Pensions, in concurrence.

Petition of Philander Soule and others for State Road in the County of Somerset came up from the House of Representatives referred to the Committee on State Roads. The Senate nonconcur the House in the reference of this petition and refer the same to the next Legislature.

Sent down for concurrence.

Concurred.

Petition of Freeman Bradford and others for the incorporation of a Mutual Life Insurance Company came up from the House of Representatives referred to a Joint Select Committee consisting, on the part of the House, of Messrs. Sewell of Portland, Carpenter of Howland and Miller of Waldoboro with such as the Senate may join, read and referred and Messrs. Cogswell and Rogers are joined in concurrence.

Bill to repeal an Act for regulating the taking of fish called Salmon, Shad and Alewives in the Sebasticook River in the town of Clinton (reported by the Committee on Interior Fisheries) came up, read once and recommitted in concurrence.

On motion of Mr. Cobb, ordered, that Messrs. Cobb and Allen be a Committee to inquire what compensation ought to be allowed to the Messenger of the Senate and his Assistant; and also what sum ought to be allowed to the Chaplains of the Senate, with leave to report by resolve or otherwise.

The Committee on the Judiciary, to which was referred an order in relation to the revising and altering the law regulating the selection, empannelling and service of Jurors, reported that legislation on that subject is inexpedient, read and accepted in concurrence.

The Committee on Claims, to which was referred the petition of Samuel G. Bodfish, reported the claim of said petitioner ought not to be allowed, read accepted, in concurrence.

The Joint Special Committee, to which was recommitted a Bill prescribing the mode of making & repairing highways, reported that said Bill ought not to pass, read and accepted in concurrence.

The Committee on Interior Fisheries reported 305.
leave to withdraw on petition of John C. Homer and
others, read and accepted, in concurrence.

Resolve making appropriations for certain Military Purposes, (reported by the Committee on the Militia)
Bill to prevent obstructions to the navigation in Kennebec River, (reported by Mr Rogers from the Committee on the Judiciary, on petition of Rufus W. Page,)

Bill authorizing towns and plantations to raise money for the purpose of purchasing land for public burying grounds, (reported by the same gentleman from the same Committee on petition of Aaron Hill & others)

Bill to change the name of certain persons (reported in the House by the Committee on Change of Names,)

Bill additional to increase the Salary of the Register of Probate in the County of Waldo,

Bill to incorporate the Henduskeag Canal Corporation, (reported by Mr Prescott from the Committee on Turnpikes, Bridges & Canals, to which said Bill had been recommitted,)

Bill additional to incorporate the Gardiner Savings Institution, (reported by the Committee on Banks & Banking, on petition of R. H. Gardiner and others,)

Bill relative to Principal Factors and Agents, (reported by the Committee on the Judiciary, on petition of Solomon H. Mudge,) severally read once and tomorrow at ten o'clock assigned for a second reading.

Bill additional giving remedies on judgments rendered by Courts of County Commissioners and prescribing the mode of levying executions against towns and plantations, (reported by Mr Chandler on an order relative to that subject,)

Bill to incorporate the Wiscasset Benevolent Society, (reported by Mr Farnham from the Committee on

Literature and Literary Institutions on petition of John Blunt and others,) severally read once and tomorrow at nine o'clock assigned for a second reading.

Bill authorizing the town of Fryeburg to purchase a Bridge over Saco River in said town,

Resolve for the benefit of the town of Cornville,
— " — in favor of John Dunning, severally read a second time and passed to be engrossed, in concurrence.

Resolve for establishing an Insane Hospital,

Bill additional to regulate Banks and Banking, severally read a second time and passed to be engrossed. Sent down for concurrence.

Concurred.

Resolve in favor of Anson Academy came up — The House adhering to their vote indefinitely postponing said Resolve. The Senate recede from their vote passing said Resolve to be engrossed & indefinitely postpone the same in concurrence.

Bill to regulate the survey of Lumber in the County of Kennebec was taken up and recommitted.

Sent down for concurrence. Concurred.

Remonstrance of Temple Hinds and others,

— " — of Ezekiel Waterhouse and others,

— " — of E. Craig Jr. and others against the petition of James Ford for appointment of a Surveyor General of Lumber for the County Kennebec, severally read and referred to the Joint Select Committee that have that subject under consideration, in concurrence.

Petition of Selectmen of Hartland for an alteration of a Resolve, passed 1833, for the relief of said town, giving the County Commissioners the privilege of appropriating a certain sum on the Highways, read and referred to the Delegation from the County of Somerset, in concurrence.

307.

Bill concerning Pounds, Beasts impounded, Stray Beasts and lost goods was read a second time and committed to Messrs. Labaree and Farnham.

Mr Smith from the Joint Select Committee reported leave to withdraw on petition of David A. Gove and others, and on petition of Benjamin Spaulding and others, read and accepted. Sent down for concurrence. Concurred.

Resolve for the payment of accounts against the State (reported by the Committee on Accounts) was read and recommitted, in concurrence.

Ordered that when the Senate adjourn, it adjourn to meet again at three o'clock in the afternoon.

Adjourned.

Afternoon.

Resolve providing for the purchase of the two first Volumes of the Laws of Maine came up. The House adhering to their vote indefinitely postponing said Resolve. The Senate recede from their vote passing said Resolve to be engrossed and indefinitely postpone the same, in concurrence.

The Committee on Banks and Banking reported leave to withdraw on petition of James Fitzcomb and others, read and accepted, in concurrence.

Order from the House of Representatives appointing Messrs. Judkins, McCrate, Mildrum, Boynton and Small of Limington a Committee, with such as the Senate may join, to inquire into the expediency of altering an Act for the protection of the Mattanawcook and Military Roads, passed the 20th of February, A.D. 1833, with leave to report by Bill or otherwise, read and passed, and Messrs. Chandler and Kelsey are joined in concurrence.

Bill to repeal an Act to encourage the destruction of Crows, and also an Act entitled an Act to encourage the destruction of Bears, Wolves, Wildcats and Loupevoiers, approved Feb. 11, 1832, came up from the House amended. The Senate receded from their vote passing said Bill to be engrossed, adopt the amendments proposed by the House and pass the same to be engrossed as thus amended in concurrence.

Bill altering the time of holding the Court of Common Pleas in Penobscot County came up from the House of Representatives amended. The Senate receded from their vote passing said Bill to be engrossed, adopt the amendments proposed by the House and pass the same to be engrossed as thus amended, in concurrence.

Mr Kelsey from the Committee on State Lands reported reference to next Legislature on petition of Massachusetts Society for promotion of

agriculture, read and accepted.

Sent down for concurrence. Concurred.

309.

Mr Cogswell from the Joint Select Committee reported reference to next Legislature on petition of Freeman Bradford and others, read and accepted. Sent down for concurrence.

Concurred.

Bill to exempt certain implements of husbandry from attachment and execution and distress for taxes was taken up; and the question of indefinitely postponing said Bill, being ordered to be taken by yeas and nays, was decided in negative as follows, to wit;

Yeas. Messrs Bradbury, Cogswell, Chandler, Emmons, Farnham, Frye, Porter and Williamson, 8.

Nays. Messrs Allen, Bridgman, Howard, Kelsey, Knowlton, Rogers, Smith and Tobin, 8.

Mr Smith moved to amend by adding at A, "one yoke of oxen worth Fifty Dollars or more."

Mr Rogers moved to amend the proposed amendment by adding "and one cart," which last proposed amendment was adopted, and the question of adopting the amendment as amended, being ordered to be taken by yeas and nays, was decided in the affirmative as follows, to wit;

Yeas. Messrs Bradbury, Brown, Cobb, Emmons, Farnham, Frye, Kelsey, Prescott, Rogers and Smith, 10.

Nays. Messrs Allen, Bridgman, Cogswell, Chandler, Howard, Knowlton, Porter, Tobin and Williamson, 9.

And the said Bill, on motion of Mr Frye, was indefinitely postponed.

Sent down for concurrence.

Resolve providing for the appointment of a Select Committee for the purpose of considering the subject

of altering the lines of Counties (reported by Mr Cobb from the Select Committee of this Board, on an order relative to that subject) was read once and a passage refused.

Bill additional to repeal certain provisions of an "Act establishing and regulating the fees of the several officers and other persons therein mentioned (laid on the table by Mr Rogers) was read once and ordered to lie on the table.

Bill additional to an Act for the abolition of imprisonment of honest debtors for debt was read a second time and amended, and a passage refused. Sent down for concurrence.

The Committee on Literature and Literary Institutions reported reference to next Legislature on petition of Ashur Ware & Nathan Weston Jr. read and accepted, in concurrence.

The Committee on Turnpikes, Bridges & Canals reported notice to next Legislature on petition of Cyrus Moore and others, read and accepted, in concurrence.

On motion of Mr Farnham, ordered, that, as the Joint Standing Committee on Literature and Literary Institutions, have no business before them, they now be discharged from any further duties as such. Sent down for concurrence.

Concurred.

Bill additional to incorporate the proprietors of the Bangor Pier Corporation (reported by the Committee on Turnpikes, Bridges & Canals, on petition of the Bangor Pier Corporation) was read once & Wednesday next at eleven o'clock assigned for a second reading.

Bill authorizing the distribution of the Ministerial Funds in the town of Rumford (reported by Mr Knowlton from the Joint Select Committee to which was referred the petition of James H. Tarnham) was read once and tomorrow at nine o'clock assigned for a second reading.

Bill to repeal a part of the third Section of an Act entitled an "Act to establish a medical School in this State" was read a second time and ordered to lie on the table.

The Committee on Engrossed Bills reported as correctly engrossed

Bill additional to provide for the packing and inspection of pickled and smoked Fish and the same was passed to be

enacted.

Adjourned.

Attest,

William Trafton,
Secretary.

Tuesday, March 11, 1834.

Order from the House of Representatives instructing the Committee on the Judiciary to inquire into the Constitutionality of appropriations by the Legislature for the benefit of public Schools, and make report as soon may be, read and passed in concurrence.

On motion of Mr Prescott, ordered, that the Committee on Turnpikes, Bridges & Canals, having disposed of all the business committed to them, be discharged from any further duties, as such, which may be assigned them. Sent down for concurrence.

(Concurred.)

Bill to regulate the Survey of Lumber in the County of Kennebec came up from the House of Representatives committed to the Delegation from the Counties of Kennebec and Somerset, with such as the Senate may join. The Senate non-concur the House in said reference and insist on their vote in recommitting the same.

Sent down for concurrence.

Bill additional respecting the attachment of Real Estate on Mesne Process came up from the House referred to next Legislature, — read and referred, in concurrence.

Bill additional respecting the Inspection of Fish came up from the House indefinitely postponed. The Senate recede from their vote passing said Bill to be engrossed and indefinitely postpone the same in concurrence.

Petition of sundry inhabitants of the town of Jackson for the repeal of the License Laws, read and referred to the next Legislature.

Sent down for concurrence. Concurred.

Bill to restrain the taking of excessive usury (reported by the Committee on the Judiciary, on an order relative to that subject)

Bill additional respecting attachment of property on mesne process, and directing the issuing, extending and serving executions,

Bill to annex the north lot on Chandler's Cove to the town of Hartford (laid on the table by Mr. Tobin)

Bill to incorporate the Sebago Canal Company (reported by the Committee on Turnpikes, Bridges & Canals, on petition of Nathan Merrill & others.)

Bill to incorporate the Proprietors of the Moosehead Dam Company, (in new draft.)

Resolve in favor of Charles S. Eustes, (reported by the Committee on Claims, on petition of said Eustes,)

Resolve making appropriations for certain military purposes,

Resolve in favor of Peol Toma, severally read once and tomorrow at ten o'clock assigned for a second reading.

Bill additional to regulate the manufacture of Stone Lime and Lime Casks, (reported by Mr. Knowlton from the Joint Select Committee, to which was referred the petition of Charles Harrington and others,)

Resolve to authorize settlement of accounts of the late Land Agent, (laid on the table by Mr. Gorton) severally read once and tomorrow at eleven o'clock assigned for a second reading.

Remonstrance of the town of Dutton against the petition of Henry Snow and others, — read and referred to next Legislature, in concurrence.

The Committee on the Judiciary to which was referred an order in relation to proprietors of old meetinghouses selling the same with the land attached to them, reported that legislation on that subject is inexpedient — read and accepted, in concurrence.

Bill to incorporate the Grand Falls Sluiceway Company, (reported by the Company on Turnpikes, Bridges & Canals, in new draft, to which said Bill had been recommitted) was read once and indefinitely postponed. Sent down for concurrence.

Mr Emmons from the Select Committee of this Board to which was referred the Bill entitled an Act in addition to an act regulating Judicial Process and Proceedings, passed by both branches of the Legislature of 1833, and returned by the late Governor to the Senate the House in which it originated, made a report recommending the passage of said Bill, notwithstanding the objections of the late executive, which was read and ordered to lie on the table.

Resolve in favor of Ichabod Buchanan came up from the House recommitted. The Senate noneoneur the House in recommitting said Bill and the same was read once and to-morrow at ten o'clock assigned for a second reading.)

Petition of Charles Dolbier and others for

an Act of incorporation for the purpose of clearing obstructions in the Dead River and for other purposes came up referred to the Committee on Turnpikes, Bridges & Canals. The Senate nonconcur the House in their reference, and refer the same to the next Legislature.

Sent down for concurrence? Concurred.

The Committee on Engrossed Bills reported as correctly engrossed

Bill additional to an Act regulating Divorces— and the vote passing said Bill to be engrossed was, on motion of Mr Emmons, reconsidered.

And the question of passing said Bill to be engrossed being ordered to be taken by yeas and nays, was decided in the affirmative as follows, to wit;

Yeas. Messrs. Bradbury, Bridgman, Brown, Cobb, Croton, Howard, Helsey, Knowlton, Porter, Prescott, Rogers, Smith and Williamson ————— 13.

Nays. Messrs. Allen, Chandler, Emmons, Farnham and Tobin ————— 5.

And the same was passed to be

enacted.

The same Committee reported as correctly engrossed,

Resolve in favor of Isaac Hodsdon, and same was finally passed.

Bill to repeal an "Act establishing the duties to be paid by certain officers therein named," also an "Act establishing the duties to be paid by Attornies," reported by Mr Bradbury from the Joint Select Committee to which was referred an order relative to the repeal of an Act passed June 28, 1820, establishing the duties to be paid by certain officers therein named, read once, and on motion

of W Cogswell ordered to lie on the table and that three hundred copies of said Report and Bill be printed for the use of the Legislature.

Bill authorizing the distribution of the Ministerial Funds in Rumpford,

Bill additional giving remedies on judgments rendered by Courts of County Commissioners and prescribing the mode of levying executions against towns and plantations,

Bill to prevent obstructions to the navigation in Kennebec River,

Bill additional to repeal certain provisions of an Act establishing and regulating the fees of the several officers and other persons therein mentioned,

Bill to repeal a part of the third section of the Act entitled an Act to establish a Medical School in this State, (as amended) severally read a second time and passed to be engrossed.

Sent down for concurrence.

Bill concerning Pounds, Beasts impounded, Stray Beasts and Lost Goods was amended and passed to be engrossed as amended.

Sent down for concurrence.

Bill to incorporate the Orrington Canal and Railway Company came up from the House amended. The Senate reced from their vote passing said Bill to be engrossed, adopt the amendment proposed by the House and pass the same to be engrossed as thus amended, in concurrence.

Bill to annex Chandler's Cove to the town of Livermore came up from the House, ^{amended} The Senate recede from their vote passing said Bill to be engrossed

adopt the amendment proposed by the House and pass the same to be engrossed as thus amended in concurrence.

317.

Bill relative to principal Factors and Agents,
Resolve to authorize the Treasurer of the County of Washington to procure a loan of money, severally read a second time and passed to be engrossed as amended, in concurrence.

Bill to change the name of certain persons,
— "— additional to increase the Salary of the Register of Probate in the County of Waldo,
— "— additional to incorporate the Gardiner Savings Institution, severally read a second time and passed to be engrossed, in concurrence.

Ordered that when the Senate adjourn it adjourn to meet again at three o'clock in the afternoon, (and accordingly the Senate

Adjourned

Afternoon

Mr Smith from the Committee on Manufactures made a report, that they had attended to the several subjects before them, asking leave to be discharged from any further business this Session, — read (and accepted.

Sent down for concurrence. (Concurred.

On motion of Mr Smith, ordered that from and after this day the Senate hold two Sessions each day commencing at nine o'clock in the morning and at two o'clock in the afternoon until otherwise ordered.

Mr Groton ^{from} the Committee on Claims, to which was referred the petition of Hall Clements, reported "that said petitioner take nothing by his petition", read and accepted.

Sent down for concurrence. Concurred.

Bill to exempt certain implements of husbandry from attachment and execution and from distress for taxes came up — The House noneonecuring the Senate in the indefinite postponement of the same and insisting on their former vote passing the same to be engrossed. The Senate noneonecurs the House in passing said Bill to be engrossed and adhere to their vote in the indefinite postponement of said Bill.

Bill to legalize the study of Anatomy in certain cases and to protect the Sepulchres of the Dead came up from the House of Representatives amended and indefinitely postponed. The Senate noneonecurs the House in the first amendment, adopt the second and third, and order the Bill to lie on the table.

The Committee on Engrossed Bills reported as correctly engrossed,

Bill further to prolong the Charter of the Bath Bank and the same was passed to be
enacted.

Adjourned.

Attest, William Drafton, Secretary.

Wednesday, March 5, 1834.

319.

Bill to legalize the study of Anatomy in certain cases and to protect the Sepulchres of the Dead was taken up and recommitted.

Sent down for concurrence. Concurred.

The Senate reconsider their vote of yesterday passing to be engrossed "Bill concerning Pounds, Beasts impounded, Stray Beasts and lost Goods" and further amend said Bill by striking out the words, "and lost Goods", in the title of the Bill and pass the same to be engrossed as thus amended.

Sent down for concurrence. Concurred.

The Senate reconsider their vote of yesterday passing to be engrossed Bill to incorporate the Orrington Canal and Railway Company and refer the same to next Legislature, and order that said Bill be published in all the newspapers printed in Bangor. Sent down for concurrence.

Resolve for the payment of accounts against the State was read a second time and passed to be engrossed, in concurrence.

Bill to provide for the employment and maintenance of the Poor came up from the House of Representatives referred to the next Legislature and to be printed in all the papers that publish the laws of the State, read and referred in concurrence.

Bill to incorporate the Proprietors of the Moosehead Dam Company was read a second time. The Senate nonconcur the House in their first proposed amendment, adopt the other amendments, and further amend said Bill, and pass the same to be engrossed as thus amended.

Sent down for concurrence. Concurred.

Bill additional respecting Innholders, Retailers and Common Victuallers was taken up and committed to Messrs. Bradbury, Melsey and Cobb.

Bill additional respecting the attachment of property on mesne process & directing the issuing, extending and serving executions, (as amended)

Bill to incorporate the Wiscasset Benevolent Society
 — " to annex the north lot on Chandler's Cove to the town of Hartford.

Resolve in favor of Schabod Bucknam

— " } additional for completing the Baring and
 — " } Houlton Road, (laid on the table by M^r Chandler)
 — " } providing compensation to the Chaplains of the
 — " } Senate,

— " } authorizing the settlement of the account of
 — " } Daniel Rose, late Land Agent (as amended)

Bill additional to regulate the manufacture of Stone Lime and Lime Casks, severally read a second time and passed to be engrossed.

Sent down for concurrence.

Report of the Committee on Claims on petition of Hall Clements came up from the House of Representatives committed to a Joint Select Committee consisting, on the part of the House of Messrs Webster of Belfast, Smith of Cumberland and Hobart of Edmunds with such as the Senate may join. The Senate refer the same, and Messrs Knowlton and Prescott are joined in concurrence.

Resolve respecting highways in the County of Waldo came up, having passed to be engrossed & reported as correctly engrossed and indefinitely postponed. The Senate indefinitely postpone the same in concurrence.

Report in relation to the Indigent Blind and
 Resolve to ascertain the number of the Blind in this
 State were taken up and the report amended by
 striking out "thirty" and inserting "twenty four", and
 the Report accepted as ^{thus} amended. And said Resolve
 was read a second time and amended by stri-
 king out "thirty" and inserting "twenty four", and
 passed to be engrossed as thus amended.

Sent down for concurrence. Concluded.

Resolve for the relief of the Indigent
 Blind was read a second time and passed to
 be engrossed. Sent down for concurrence.

Concluded.

Bill "restrain the taking of excessive usury,
 — additional to incorporate the proprietors of the
 Bangor Pier Corporation, (as amended)

— to incorporate the Sebago Canal Company
 Resolve in favor of Peol Toma,

— in favor of Charles L. Eustes, were sever-
 ally read a second time and passed to be engrossed,
 in concurrence.

Mr Farmham, from the Committee on Claims,
 to which was referred the petition of Bartholomew B.
 Boiz, reported that the claim of said petitioner ought
 not to be allowed, read and accepted.

Sent down for concurrence. Concluded.

Mr Chandler, from the Joint Select Com-
 mittee, to which was referred an Order directing
 them to inquire into the expediency of altering an
 Act for the protection of the Matanawook and Mili-
 tary roads, passed February 20th 1833, reported that
 it is inexpedient to alter said Act, read & accepted.

Sent down for concurrence. Concluded.

The Committee on Engrossed Bills reported as correctly engrossed.

Bill to incorporate the Emerson Sluice Company,
 " to incorporate the Bangor & Skowhegan Stage Company,
 " to incorporate the Ticonic Sluiceway Company,
 " additional establishing a Supreme Judicial Court within this State,
 " additional to incorporate the Proprietors of the Meadow Brook Dam and Sluices, and the same were severally passed to be
enacted.

The same Committee reported as correctly engrossed.

Resolve for the benefit of the town of Cornville,
 " in favor of John Dunning, and the same were severally
finally passed.

Bill to incorporate the Mennebec Dam Company came up from the House of Representatives further amended. And while the same was under consideration the Senate

Adjourned.

Afternoon.

Resolve proposing an amendment to the Constitution of this State came up from the House of Representatives further amended. The Senate recede from their vote passing said Resolve to be engrossed so far as to adopt the amendments proposed by the House and pass the same to be engrossed as thus amended, in concurrence.

Mr Rogers, from the Committee on the Judiciary, to which was referred an order instructing them to inquire into the Constitutionality of appropriations for the benefit of public schools, made a report asking to be discharged from the further consideration of the subject, read and accepted.

Sent down for concurrence. Concurred.

The further consideration of the Bill to incorporate the Mennebec Dam Company was resumed. The Senate ~~nonconcur~~ ^{concurred} the the House in their 1st, 4th, 10th, 11th & 13th proposed amendments, but adopt the other amendments proposed by the House, and further amend said Bill. And the question of passing said Bill to be engrossed as thus amended, being ordered to be taken by yeas and nays, was decided in the affirmative as follows, to wit;

Yeas. Messrs. Bradbury, Bridgman, Brown, Cobb, Chandler, Emmons, Farnham, Knowlton, Labaree, Prescott, Rogers, Smith and Williamson, 13.

Nays. Messrs. Frye, Groton, Howard and Nelsey. 4.
Sent down for concurrence.

On motion of Mr Cobb, ordered, that a special message be sent to the Governor and Council informing them, that Mark Harris, Esq. has, by a joint ballot of the Legislature, been elected Treasurer of the State for the current political year, that he has signified his acceptance of that office, and that the Bond, by him presented has been approved by the Legislature.

Mr Cobb was charged with said message.

B24. Bill additional to an Act for the abolition of imprisonment of honest debtors for debt came up — The House nonconcurring the Senate in the amendment proposed by the Senate. Mr. Knowlton moved to indefinitely postpone said Bill. And the question of indefinite postponement was decided in the negative by yeas and nays as follows to wit:

Yeas. Messrs. Bradbury, Brown, Farnham, Knowlton, Smith and Williamson, 6.

Nays. Messrs. Allen, Bridgham, Cogswell, Chandler, Emmons, Frye, Groten, Howard, Labaree, Prescott, and Rogers 12.

And said Bill, on motion of Mr. Prescott, was ordered to lie on the table till tomorrow morning.

Adjourned

Attest, William Trafton, Secretary.

" " "

Thursday, March 6, 1834. 325.

Petition of Nohum Eames for relief by granting him two lots of land, one in the 12th and one in the 13th Ranges of State land north of the Bingham Purchase read and referred to the Committee on State Lands, in concurrence.

Bill to incorporate the Union River Canal and Railway Company came up from the House of Representatives amended. The Senate recede from their vote passing said Bill to be engrossed, adopt the amendment proposed by the House and pass the same to be engrossed as amended, in concurrence.

Bill to establish the Sagadahock Ferry Company came up from the House of Representatives amended. The Senate recede from their vote passing the same to be engrossed, adopt the amendment proposed by the House and pass the same to be engrossed as amended, in concurrence.

Resolve authorizing Elizabeth Clark, Administratrix and Amos Newhall, Guardian to execute a deed,

Resolve for the preservation and repair of the United States Military Road,

Bill requiring the use of Broad Rimmed Wheels in the town of Hallowell, in certain cases, as amended (reported by a Joint Select Committee on petition of inhabitants of Hallowell) severally read a second time and passed, to be engrossed, in concurrence.

The Senate reconsider their vote of yesterday whereby they refer to next Legislature Bill to incorporate the Orrington Canal and Railway Company and pass the same to be engrossed as amended in concurrence.

Bill additional to an Act for the abolition of imprisonment of honest Debtors for debt was taken up, and recommitted with instructions to report a Bill repealing the former laws.

Sent down for concurrence. Concurred.

Bill additional providing for the appointment of Clerks of the Courts in the several Counties and requiring them to render an account of all moneys received came up passed to be engrossed. The Senate nonconcur the House in passing said Bill to be engrossed, and insist on their vote in definitely postponing the same.

Sent down for concurrence.

The Committee on Engrossed Bills reported as correctly engrossed,

Bill altering the time of holding the Court of Common Pleas in Penobscot County,

- " relative to principal Factors and Agents,
 - " to repeal an "Act to incorporate the Adams Ledge Fishing Company" - approved February 1, 1834,
 - " to repeal an Act to encourage the destruction of Crows, approved March 6, 1830. Also an Act entitled an Act to encourage the destruction of Bears, Wolves, Wildcats and Squirrels, approved February 11, 1832,
 - " authorizing the town of Fryeburg to purchase the Bridge over the Saco River in said town,
 - " to set off Cornelius Thompson's lands from Bowdoin and annex them to Lisbon,
 - " to change the names of certain persons,
- and the same were severally passed to be enacted.



Bill additional respecting the collection of taxes on unimproved lands, not taxable by the absence of any town or plantation, (reported by the Committee on the Judiciary, on an order relative to the same.)

Bill additional to the several Acts incorporating the City of Portland,

Bill to incorporate the Eastern Branch Mill Dam Company, (reported by the Committee on Turnpikes, Bridges and Canals, on petition of S. W. Sanford and others)

Bill to prevent the destruction of Pickersel, (reported by the Committee on Interior Fisheries on petition of Adam Powers and others.)

Bill to establish a Municipal Court in the town of Bath, (reported by Mr Groton from the Committee on the Judiciary, on the petition of the town of Bath.)

Bill to repeal an Act establishing the duties to be paid by certain officers therein named, and an Act establishing the duties to be paid by Attornies, (reported by Mr Bradbury, from the Joint Select Committee to which was referred an order relative to that subject,) severally read once and tomorrow at ten o'clock assigned for a second reading.

Bill to provide for the use of Broad Rimmed Wheels in the town of Ellsworth, (reported by the Committee on Turnpikes, Bridges and Canals on petition of Selectmen of Ellsworth) was read once and tomorrow at eleven o'clock assigned for a second reading.

The Committee on Engrossed Bills reported as correctly engrossed,

Resolve in favor of Silas Barnard,

— " — in favor of same,

— " — in favor of Charles Miller and John C.

Glidden, and the same were severally

finally passed.

On motion of Mr Emmons the Bill entitled "An Act in addition to an Act regulating Judicial process & proceedings" (returned the first day of the Session of the present Legislature by the late Governor to the Senate, the House in which it originated with his objections to the same) was taken up. And the question, "Shall the Bill pass, notwithstanding the objections of the Governor," being ordered to be taken by yeas and nays, was decided in the negative as follows, to wit:

Yeas. Messrs. Emmons, Farnham, Frye, Groton, Labaree, Prescott and Williamson, ———— 7.

Nays. Messrs. Allen, Bradbury, Bridgman, Brown, Cobb, Cogswell, Chandler, Howard, Relsey, Knowlton, Manning, Porter, Rogers and Smith, ———— 14.

Resolve in favor of Peleg Mitchell was read once and a passage refused.

Sent down for concurrence. Concurring.

Mr. Porter, from the Joint Select Committee consisting of the Delegation of the County of Somerset, reported reference to next Legislature on petition of Selectmen of Hartland, read and accepted.

Sent down for concurrence. Concurring.

Bill to provide for the instruction of Youth came up from the House further amended. The Senate nonconcur the House in their 4th and 5th proposed amendments on sheet annexed, marked "P," adopt the other amendments proposed by the House, and further amend said Bill and pass the same to be engrossed as thus amended.

Sent down for concurrence. Concurring.

On motion of Mr. Knowlton, Ordered, that when the Senate adjourn it adjourn to meet again at three o'clock in the afternoon.

Adjourned.

Afternoon.

329.

Bill additional to an Act to encourage the destruction of Bears, Wolves, Wild-eats and Loupserviers came up from the House of Representatives indefinitely postponed, and the Senate concurred in the indefinite postponement of the same.

Bill additional to incorporate the Ticonic Steam way Company came up. The Senate nonconcur the House in passing said Bill to be engrossed and indefinitely postpone the same.

Sent down for concurrence.

Petition of Rufus Sewall and others,
" of Isachar Kimball and others for a repeal of the license Laws, severally read and referred to next Legislature, in concurrence.

Bill authorizing towns and plantations to raise money for the purpose of purchasing land for public Burying Grounds was read twice and indefinitely postponed.

Sent down for concurrence.

Bill to establish an Institution for the purpose of promoting the object of instruction and Science and the better qualifying of School Teachers, who shall be engaged in primary Schools was taken up, read once and referred to next Legislature.

Sent down for concurrence. Concurred.

Mr. Allen from the Committee on Interior Fisheries made a report, that said Committee had acted upon all the business before them, and asking to be discharged, read and accepted.

Sent down for concurrence. Concurred.

Bill regulating the Survey of Land was taken up and committed to a Joint Special Committee, consisting, on the part of the Senate of Messrs. Kellogg and Farnham, with such as the House may join. Sent down for concurrence.

Bill enlarging the jurisdiction of Justices of the Peace in civil cases, (reported by a Joint Select Committee on an order relative to that subject) was read once and tomorrow at two o'clock as signed for a second reading.

Bill to incorporate the Hendusheag Canal Corporation was read a second time and passed to be engrossed. Sent down for concurrence.

Adjourned.

Attest William Trafton Secretary.

Friday, March 7, 1834.

331.

Mr Bridgham has leave of absence from and after Monday next, during the remainder of the Session.

Bill to incorporate the Tennessee Dam Company came up from the House further amended. The Senate recede from their vote passing said Bill to be engrossed so far as to adopt the further amendment of the House and pass the same to be engrossed as thus amended, in concurrence.

Bill to legalize the study of Anatomy in certain cases and to protect the Sepulchres of the Dead came up — The House adhering to their former vote in the indefinite postponement of said Bill. The Senate recede from their former votes and indefinitely postpone the same in concurrence.

Bill to repeal an Act establishing the duties to be paid by certain officers therein named, and an Act establishing the duties to be paid by Attornies was read a second time and amended; and the question of passing said Bill to be engrossed, being ordered to be taken by yeas and nays, was decided in the negative as follows, to wit:

Yeas. Messrs. Bradbury, Cogswell, Groton, Kelsey, Rogers, Tobin and Williamson, ————— 7.

Nays. Messrs. Allen, Bridgham, Brown, Chandler, Emmons, Farnham, Frye, Howard, Knowlton, Labaree, Prescott and Smith, ————— 12.

Sent down for concurrence.

Mr Tobin, from the Committee on Division of Towns, reported leave to withdraw on petition of Benjamin Smith and others, read and accepted.

Sent down for concurrence. Concurred.

Resolve in favor of the Trustees of the Fiteomb Belgrade Academy was read once and indefinitely postponed, in concurrence.

Bill making appropriations, in part, for the support of Government, for the year 1834, and for other purposes,

Bill additional to the several Acts incorporating the City of Portland,

" to incorporate the Eastern Branch Mill Dam Company,

" to provide for the use of Broad Rimmed Wheels in the town of Ellsworth, (as amended)

" to incorporate the Wiscasset Benevolent Society, (as amended)

" to incorporate the Portland Band,

" to prevent the destruction of Picherel, severally read a second time and passed to be engrossed in concurrence.

Bill additional to incorporate the City of Bangor (laid on the table by Mr Rogers)

Bill to apportion and assess on the inhabitants of this State a tax of Fifty Thousand, Four Hundred, Ten Dollars, Eighty Eight Cents.

Resolve in favor of Sewall Watson, severally read once and tomorrow at ten o'clock assigned for a second reading

Bill to establish a Municipal Court in the town of Bath was read a second time and passed to be engrossed. Sent down for concurrence. Concurred.

Bill additional respecting the collection of taxes on unimproved lands, not taxable by the assessors of any town or plantation came up. The Senate nonconcur the House in passing said Bill to be engrossed and indefinitely

postpone the same. Sent down for concurrence.

Concurred,

333.

The Committee on Engrossed Bills reported as correctly engrossed

- Bill to incorporate the Kennebec Drain Company,
- " to annex Chandler's Cove to Livermore,
- " additional to incorporate the Gardiner Savings Institution,
- " additional respecting the Salary of Register of Probate in the County of Waldo,
- " to incorporate the Sagadahock Ferry Company,
- " to restrain the taking of excessive usury,
- " additional to an Act to incorporate the Proprietors of the Bangor Pier Corporation,
- " to organize, govern, and discipline the Militia of this State, and the same were severally passed to be enacted.

The same Committee reported as correctly engrossed,

- Resolve making appropriations for certain military purposes
- " proposing an amendment to the Constitution of this State,
- " authorizing the Treasurer of Washington County to procure a loan of money on the faith of said County,
- " for the payment of accounts against the State,
- " in favor of Charles L. Costes,
- " in favor of Red Tombs,
- " in favor of Sabez Bradbury,
- " in favor of Samuel Moore,
- " for the preservation and repair of the United States Military Road, and the same were severally finally passed.

On motion of Mr Prescott, ordered, that when the Senate adjourn, it adjourn to meet again at half-past two o'clock in the afternoon. And accordingly by the Senate

Adjourned.

Afternoon.

Resolve for the benefit of Common Schools, and primary instruction, (in new draft) was read once. Mr Bradbury moved to indefinitely postpone the same. And the question of postponing indefinitely, being ordered to be taken by yeas and nays, was decided in the negative as follows, to wit:

Yeas. Messrs. Bradbury, Cogswell, Emmons, Farnham, Prescott, Rogers and Smith, ————— 7.

Nays. Messrs. Allen, Bridgman, Brown, Cobb, Chandler, Frye, Groton, Howard, Halsey, Knowlton, Potter, Tobin and Williamson, ————— 13.

And tomorrow at eleven o'clock assigned for a second reading.

Bill enlarging the jurisdiction of Justices of the Peace in civil cases was read a second time. Mr Groton moved to amend, by adding after Section 2. And provided also, that in all cases, where the value in controversy before any such Justice of the Peace shall exceed, in value, the sum of Twenty Dollars, the right of trial by Jury shall be preserved to either party claiming the same, agreeably to Article Seventh of the amendments of the Constitution of the United States, and on the request of either party, after the entry of any action and when the amount claimed exceeds Twenty Dollars, said Justice shall continue said action to a time certain

not less than one, nor more than three weeks; and shall forthwith issue his venire directed to the select men of his town requiring them to cause to be drawn from the Jury Box of their town, three or five good men as Jurors, who shall be notified and warned to attend said Court at the time stated, for the purpose of trying the issue on said action before said Justice; and for each issue so tried said Jurors shall severally receive the sum of One Dollar, to be paid in advance by the party desiring said Jury; and in all other respects the same proceedings shall be had in said Court as is had in other Courts of law in regard to Jurors; and provided that when said Jurors fail to attend said trial agreeably to the provisions of this Act, then said Justice shall fill the panel to the number of five by talismen."

And the question of adopting said amendment was decided in the negative by yeas and nays, as follows, to wit:

Yeas. Messrs. Bridgham, Brown, Cogswell, Emmons, Farnham, Groton, Porter, Smith and Williamson, 9.
Nays. Messrs. Allen, Cobb, Frye, Howard, Kelsey, Knowlton, Labaree, Manning, Prescott, Rogers, and Tobin 11.

Said Bill was amended. (And Mr Rogers moved to refer the same to next Legislature.

And the question of referring, being ordered to be taken by yeas and nays, was decided in the negative as follows, to wit:

Yeas. Mr Bradbury, Brown, Cogswell, Chandler, Emmons, Farnham, Groton, Porter and Williamson, 9.
Nays. Messrs. Allen, Bridgham, Cobb, Frye, Howard, Kelsey, Knowlton, Labaree, Manning, Prescott, Smith and Tobin 12.

And said Bill, & motion of Mr Labaree, was ordered to lie on the table for further consideration tomorrow at ten o'clock.

336

Resolve relative to the Charter of Eastern
River Bridge in Dresden, (laid on the table by
Mr Grosh) was read once and indefinitely
postponed.

Adjourned

Attest

William Trafton,
Secretary.

"
"

Saturday, March 8, 1834.

337.

Bill additional to an Act to regulate the taking of Fish called Salmon, Shad and Alewives in the Sebasticook River in the town of Clinton came up from the House of Representatives recommitted. The Senate nonconcur the House and refer said Bill to the next Legislature. Sent down for concurrence.

Bill to establish an Institution for the purpose of promoting the objects of instruction and science and the better qualifying of School Teachers, who shall be engaged in primary schools came up from the House of Representatives indefinitely postponed. The Senate nonconcur the House in the indefinite postponement of this Bill and insist on their former vote referring the same to the next Legislature. Sent down for concurrence.

Bill additional directing the method of laying out and making provision for the repair and amendment of highways and providing for the appointment of County Commissioners was read a second time, amended and a passage refused. Sent down for concurrence.

Mr Bradbury gave notice that he should, on Monday next at eleven o'clock call on some one voting in the majority to move a reconsideration of the vote refusing the said Bill a passage.

Mr Reed, Senator elect, from the tenth Senatorial District, appeared, signifying his acceptance, was conducted by Mr Porter, to the Governor and Council, was qualified and took his seat at the Senate Board.

Bill enabling the owners of Meeting houses to manage the same, (in new draft).

" to appropriation and apportion on the inhabitants of this State a tax of Fifty Thousand, Four Hundred Ten Dollars, Eighty Eight Cents,

Resolve requiring Academies and Seminaries of Learning to make a return to the Secretary of State the condition of their funds and for other purposes,

" for the benefit of common Schools and primary instruction, severally read a second time and passed to be engrossed, in concurrence.

Resolve in favor of John Potter, (laid on the table by Mr Pater),

" authorizing the Governor with the advice of Council to appoint a Superintendent of the Public Buildings, (laid on the table by Mr Frye) severally read a second time and passed to be engrossed,

Sent down for concurrence.

Mr Helsey, from the Committee on State Lands, reported leave to withdraw on petition of Nahum Eames, read and accepted.

Sent down for concurrence. Loggured.

Resolve in favor of Sewall Watson came up. The Senate nonconcur the House in passing said Resolve to be engrossed, and indefinitely postpone the same.

Sent down for concurrence.

Bill additional to incorporate the City of Bangor was read a second time, and on motion of Mr Rogers said Bill was postponed till Monday next at eleven o'clock for further consideration.

The Committee on Engrossed Bills reported as correctly engrossed, Bill to incorporate the Sebago Canal Company. The Senate reconsider their vote passing said Bill to be engrossed; and the same was committed to Messrs Smith, Chandler and Bradbury.

The ^{same} Committee reported as correctly engrossed Bill to incorporate the Proprietors of the Moosehead Dam Company,

- additional to regulate Banks and Banking,
- to incorporate the Orrington Canal and Railway Company,
- requiring the use of Broad Rimmed Wheels in the town of Hallowell in certain cases,
- to incorporate the Union River Canal and Railway Company, and the same were severally passed to be enacted.

The same Committee reported as correctly engrossed,

- Resolve for establishing an Insane Hospital,
- authorizing Elizabeth Clark administratrix and Amos Newhall, guardian to execute a Deed and the same were severally finally passed.

Adjourned

Afternoon

Bill to regulate the survey of Lumber in the County of Kennebec, reported by Mr. Bradbury, (in new draft,) from the Joint Select Committee to which said Bill had been recommitted, was read once and referred to next Legislature. Sent down for concurrence.

The further consideration of the Bill enlarging the jurisdiction of Justices of the Peace in civil cases was resumed and further amended. Mr Cogswell moved to refer said Bill to next Legislature. And the question of so referring was taken by yeas and nays and decided in the affirmative, as follows, to wit:

Yeas. Messrs. Bradbury, Bridgham, Brown, Cogswell, Chandler, Emmons, Harnham, Groton, Labaree, Manning, Porter, Prescott, Read, Rogers, Smith and Williamson, ————— 16.

Nays. Messrs. Allen, Cobb, Frye Howard, Kelsey, Knowlton and Tobin ————— 7.

Sent down for concurrence.

Resolve in favor of Mark Harris, Treasurer of State (laid on the table by Mr Porter) was read a second time and committed to a Joint Special Committee, consisting on the part of the Senate of Messrs. Smith and Manning, with such as the House may join. Sent down for concurrence.

Concurred and Messrs. are joined.

Resolve in favor of Reuel Williams came up from the House of Representatives recommitting with instructions to report a statement of facts.

The Senate reconsider their vote passing said Resolve to be engrossed, and recommit the same in concurrence.

Adjourned.

Attest, William Trafton, Secretary.