

Monday March 2. 1840.

Order, from the House of Representatives, appointing one from each County consisting of Mps Handsom. of Eliot, Dorrance of Portland, Kimball of Litchard, Liverance of Augusta, Wilson of Thomaston, Person of Canaan, Mr Mahon of Eddington, Pitts of Sidham, Rue of Montville, Carey of Houlton, Proctor of Dover, Pothuker of Philips, and Kelsey of Calais, with such as the Senate may join to take into consideration and report the most practicable time for holding an extra session — read and passed and Messrs Bradley, Robinson, Shaw, Barrell and Merrill were joined in concurrence.

Order, from the House of Representatives, requesting the Committee on the Militia to return to the House the Pay Rolls of Courts Martial referred to them January 11<sup>th</sup>, with a communication of the Adjutant General, accompanying the same — read and passed and the said documents were returned to the House of Representatives.

Order, from the House of Representatives, directing the Committee on Indian Affairs, to inquire into the expediency of so amending the present law that the 25 Dollars per month appropriated for the relief of the sick &c may be distributed to the persons needing relief by the Agent himself,

instead of being paid to the Governor as is now done — read and passed in concurrence.

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On motion of William M. Reed,

Ordered, That from and after Tuesday next the Senate will hold two sessions in each day commencing at half past nine o'clock in the morning and at half past two o'clock in the afternoon till otherwise ordered — read and passed.

Remonstrance of Rufus Emery and others, against the passage of a Bill to incorporate the first School District in Bucksport for the purpose of raising money for the support of a high school — read and referred to the Committee on Literature and Literary Institutions, in concurrence.

Report of the Committee on Military Pensions, granting leave to withdraw on petition of Joseph Penroy came up recommitted. The Senate noncon-  
curred the House in the recommitment and adhered to the vote accepting the same.

Laid down for concurrence.

The Committee on Roads and Bridges, reported leave to withdraw on petition of Inhabitants of Buxton and Hollis — read and accepted, in concurrence.



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The Committee on State Lands, reported leave to withdraw on petition of William McTearney and Frederic Bates and others — read and accepted, in concurrence.

Mr. Hammons, from the Committee on Claims, reported leave to withdraw on petitions of Dexter Rifle Company, and Reuben Hamlin and Richard P. Perkins; and reference to the next Legislature on petition of Spencer<sup>Jr</sup> Bowes — severally read and accepted. Sent down for concurrence.

Concurred.

Mr. Barker, from the Committee on Division of Towns, reported leave to withdraw on petition of Inhabitants of Canaan, and Edward J. Wheeler and others — severally read and accepted.

Sent down for concurrence. Concurred.

Mr. Cross, from the Committee on Military Pensions, reported leave to withdraw on petitions of Samuel Noble and Samuel Baker — severally read and accepted. Sent down for concurrence.

Concurred.

Mr. Bradley, from the Committee on State Roads, reported leave to withdraw on petition of Charles M. Gower and others, and Jeremiah Carlton and others — read and accepted.

Sent down for concurrence.

Concurred.

Mr. Philbrick, from the Committee on Interior Fisheries to which was referred the "Abstract from the Returns of Fish Inspectors," reported legislation on that subject inexpedient and recommended that the same be filed in the Office of Secretary of State — read and accepted.

Sent down for concurrence. Concurred.

Mr. Perkins, from the Committee on Banks and Banking, reported leave to withdraw on petition of Stephen Webb Jr. and others, and Joseph Dobson and others; and on memorial of Philip Merrill and Levi Lowell and others —

Bill to incorporate the first school district in Bucksport for the purpose raising money for the support of a high school, came up from the House of Representatives recommitted. The Senate reconsidered the vote passing said Bill to be engrossed, nonconcurred the House in the recommitment of said Bill, and referred the same to the next Legislature.

Sent down for concurrence. Concurred.

Resolve in relation to distribution of the Surplus Revenue now remaining in the Treasury was read the second time and the amendment of the House adopted;

Bill to confer additional powers upon the proprietors of the New Meeting house in Saco was taken up and severally indefinitely postponed. Sent down for concurrence, concurred.

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Bill to divide the town of Orono and incorporate therefrom the towns of Old Town and Stillwater (amended)

to limit the compensation of Sheriff in the County of Franklin,

to ascertain the amount and description of estates and of certain description of persons within this State,

additional to "an Act to prevent the spreading of Small Pox and other contagious sickness.

relative to the Pennebe Log Driving Company,

Resolved in favor of the school on Georges Island (amended)

in favor of Elisha Hilton, (amended)

in favor of Samuel Holden, (amended) — severally read the second time and laid upon the table.

Bill to promote the sale and settlement of wild lands in this, <sup>also</sup> (reported in new draft in the House by the Committee on State Lands to which said Bill had been recommitted) was read once,

authorizing the town of Waterville to dispose of the old Meeting House in said town was taken up and amended, and severally laid upon the table.

Resolved in favor of Benjamin Smith (reported by Mr. Cross, from the Committee on Military Pensions, on petition of Benj. Smith.)

in favor of Chadbourn and Rawson (reported by Mr. Hammons, from the Committee on Claims, on petition of Chadbourn and Rawson)

Resolve For the preservation of the Mans hill Road (re. 321  
 ported by Mr. Bradley from the Committee on  
State Roads, on an order relative to that  
 subject)

For the erection of a gun house in Limerick,  
 (reported by Mr. Merrill from the Committee  
 on the Militia on petition <sup>of</sup> J. F. Morris and  
 others)

in favor of John M. Farland Sr. (reported by  
 Mr. Merrill from the Malden Delegation, on pe-  
 tition of John M. Farland Sr.) — severally  
 read once and tomorrow ten o'clock assign-  
 ed for a second reading.

Resolve in favor of the Insane Hospital, was read the se-  
 cond time and passed to be engrossed, in con-  
 currence.

Bill to incorporate the Machias River Company came  
 up further amended. The Senate reconsidered  
 the vote passing the same to be engrossed, adopted  
 the amendments proposed by the House and  
 passed the same to be engrossed as amended,  
 in concurrence.

Resolve in favor of Ephraim B. M. Condra, (amended)  
 in favor of Albert Hanson,  
 in favor of Amelia Wood,

Bill additional to an Act relative to lands forfeit-  
 ed to the State.

to establish the boundary line between Bath

and Phippsburg,

Bill in relation to a House of Correction in the town of Fallowell,

-- accepting the surrender of the Charter of the Exchange Bank,

-- accepting the surrender of the Charter of the City Bank of Portland,

-- to extend the Charter of the Fallwater Falls company, approved Mar. 24, 1836, (amended by striking out the word "Charter" and inserting limits) severally read the second time and passed to be engrossed.

Sent down for concurrence. Concurred.

The Committee on Engrossed Bills, reported as truly and correctly engrossed,

Resolve in favor of Jane Bisk

-- in favor of Benjamin P. Chapman,

-- in favor of John B. Chase, and the same were severally finally passed.

Resolve in favor of Tobias Thompson, on motion of Mr. Holt, was taken up and the same was finally passed.

The same Committee reported as truly and correctly engrossed.

Bill to prevent obstructions in Machias river,

-- in addition to an Act in relation to a State Library,

-- additional to an Act to incorporate the Maine Episcopal Missionary Society,



Bill to authorize the proprietors of the Congregational  
Meetinghouse in Norway to dispose of the same,  
authorizing the proprietors of the Old Meeting  
house, so called, in Modwich to alter, repair  
and appraise the same, and the same were  
severally passed to be

mailed.

Adjourned.

Attest, William Trafton, Secretary.

Tuesday, March 3, 1840.

Order, from the House of Representatives, requesting the Committee on the Judiciary to inquire if any alteration be necessary in the law providing for the choice of jurors — read and passed, in concurrence.

Order, from the House of Representatives, instructing the Committee on the North Eastern Boundary, to inquire what action, if any, should be had by the Legislature, upon the North Eastern Boundary question, before its adjournment — read and passed, in concurrence.

Order, from the House of Representatives, requesting the Committee on the Judiciary to report, if the forty first Section of the present Militia Law, providing for the making up and allowing accounts for costs in Courts Martial is imperative as to the amount so charged by the certifying Officers — read and passed, in concurrence.

Petition of E. Drummond and others, praying for the passage of an Act for the protection of pickers in "Paltus Pond" — read and the same, on motion of Mr Eastman, was indefinitely postponed. Sent down for concurrence.

Concurred.

Petition of True Bradbury and others, praying for  
the repeal of the Act establishing the County  
of Arcostook,

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— of William C. Atwood and others, members  
of Levant Light Infantry, praying for a sup-  
ply of Arms — severally read and referred  
to the next Legislature, in concurrence.

The communication of the Adjutant General  
accompanying Pay Rolls of Courts Martial  
and Courts of Inquiry — same up referred  
to the Committee on Accounts, — read and  
concurred.

Mr Cross, from the Select Committee of the  
Senate on an Order relative to the pay of the Sec-  
retary and Messenger of the Senate, reported "Reg-  
ulation on that subject inexpedient" — read and  
accepted.

Mr True, from the Committee on Parishes, on  
an Order relative to a general Law for the man-  
agement and sale of Meeting houses, reported that  
the further consideration of the subject, be postponed  
until the Revised Law on Parishes shall be taken up  
— and recommended that a general provision  
on this subject be incorporated therein — read  
and accepted. Sent down for concurrence.

Concurred.

326 Bill for the appointment of a Commissioner of Public Instruction — came up from the House of Representatives amended and indefinitely postponed. The Senate nonconcurring the House in the indefinite postponement of the Bill, and having insisted on the vote passing the same to be engrossed, proposed a conference and appointed as conferees, Messrs. Barrell, Hammond, and Philbrick. Sent down for concurrence. Came up the House, having concurred in the proposition for a conference, and appointed as conferees, Messrs. Prince of Buckfield, Otis of Hallowell, and Hathaway of Paris.

Bill to set off certain lands from Scarborough to Waterville, was taken up. Mr. Eaton proposed certain amendments; and the Bill, with the amendments, on motion of Mr. Smith, was laid upon the table and the further consideration of said Bill and amendments postponed till tomorrow eleven o'clock.

Resolve, in favor of Milo L. Bennett and others, was taken up. Mr. Shaw moved the indefinite postponement of said Resolve. And the question of indefinite postponement being ordered to be taken by yeas and nays, was decided in the negative, as follows, to wit:

Yeas. Messrs. Gross, Hammons, Holt, Perkins, Philbrick, Shaw, Smith and Prue, 8.

Nays. Messrs. Barker, Barrell, Blake, Bolster, Bradley, Eastman, Eaton, Erskine, Foster, Isaac Reed, W. M. Reed, Robinson, Rebels, and Vox, 14.

And said Resolve, on motion of Mr Eastman was laid upon the table.

- Resolve in favor of Daniel F. Parley and others, (reported by the Committee on State Lands, on petition of said Parley and others;)
- in favor of the proprietors of township A. 2, 13<sup>th</sup> range, (reported in the House by the Committee on Finance;)
- for the preservation and repair of the Canada Road, (reported by Mr Bradley from the Committee on State Roads on petition Elisha Hinton and others;)
- directing the Attorney General to perform certain duties, (reported in the House by the Committee on Indian Affairs, on petition of John Attian and John Neptune, Governors of Penobscot Tribe of Indians;)
- Bill relating to the North River Bridge, (reported by the Committee on Roads and Bridges to which said Bill had been referred;)
- additional to an Act to incorporate the trustees of Parsonsfield Seminary, (reported by the Committee on Literature and Literary Institutions on petition of the Trustees of said Seminary;) severally read once and tomorrow ten o'clock assigned for a second reading.

Resolves in favor of John M. Garland &c.

- in favor of Chadbourn and Rawson,
- in favor of Benjamin Smith,



328 — " — For the erection of a Gun house in Limerick,  
— " — For the preservation of the Marsh Hill Road,  
*concurrent vote* severally read the second time and passed  
to be engrossed. Sent down for concurrence.  
*Concurred.*

Bill to divide the town of Orono and incor-  
porate therefrom the towns of Oldtown and  
Stillwater, on motion of Mr Barker was taken  
up, and the vote of yesterday adopting sundry  
amendments was reconsidered, on motion of  
Mr Barker the Bill was amended by striking  
out all after the title and adopting a substitute  
and the same was passed to be engrossed as  
amended — Sent down for concurrence.

The Committee on Engrossed Bills, reported as  
truly and correctly engrossed

Bill respecting the Fire Department in the City of Portland,  
" in addition to an Act to incorporate the Maine Mutual  
Fire Insurance Company,  
" to exempt the proprietors of Burner Centre Bridge from lighting  
said Bridge except at certain seasons — and the  
same were severally passed to be  
enacted.

Adjourned.

(Attest,) William Dapton, Secretary.

Wednesday, March 4, 1840.

Order from the House of Representatives, directing the Committee on Agriculture, to inquire into the expediency of repealing so much of an Act passed the 28<sup>th</sup> day of June 1820 as requires the Inspector General of Butter and Lard to pay a duty of Twenty Dollars — read and passed, in concurrence.

Petition of Simon B. Barndegren and others, praying for an alteration of the laws regulating the collection of Military Fines.

Resolutions adopted at a Convention held at Brownfield respecting the organization of the Militia — severally read and referred to the Committee on the Militia, in concurrence.

Remonstrance of the town of Scarborough against the petition of Willis McKenney and others,  
— of Jonathan Watson and others, against being set off from Scarborough to Freetown — severally read and referred to the Committee on Division and Alteration of Counties, in concurrence.

Mr Bolster, from the Committee on Division and Alteration of Counties, reported leave to withdraw on petition of Willis McKenney and others —

— read and accepted.

Sent down for concurrence. Concurred.

Depositions, (laid before the Senate by the President) taken by the request of the Selectmen of Scarborough to be used before the Committee on the petition of Willis M<sup>r</sup> Kenney and others — read and ordered to be placed with the Report on petition of Willis M<sup>r</sup> Kenney and others.

Sent down for concurrence. Concurred.

Mr Bradley from the Joint Select Committee to which was referred the order relative to the time of holding an extra session of the Legislature, reported that said Committee had designated Thursday the seventeenth day of September next as the most suitable and convenient time for such extra session — read and accepted.

Sent down for concurrence. Concurred.

A message was received from the House of Representatives, by Mr Gerry, the Clerk, that that branch did on the 3<sup>d</sup> inst., elect Jonathan Merrill, Major General of the 3<sup>d</sup> Division, and Charles Megguire Major General of the 5<sup>th</sup> Division of the Militia of this State — and requested the concurrence of the Senate.

On motion of Mr Bolster,

Ordered, That the Senate, forthwith proceeds on its part, to elect a Major General to fill the

vacancy in the third Division of the Militia of this State, occasioned by the discharge of Major General Isaac Hodsdon, and also to elect a Major General to fill the vacancy in the fifth Division of occasioned by the discharge of Major General Joseph S. Sewell.

A Committee was appointed, consisting of Messrs. Bolster, Isaac Reed, and Pine, to receive, sort and count the votes for Major General of the third Division of the Militia of this State — which Committee having attended to the duties assigned it reported, that the number of votes was — — — — — 24.

Necessary for a choice — — — — — 13.

Jonathan Merrill has — — — — — 23,

Samuel H. Blake — — — — — 1.

Jonathan Merrill was declared duly elected Major General, in concurrence with the House, to fill the vacancy in the third Division of the Militia of this State, occasioned by the discharge of Major General Isaac Hodsdon.

The same Committee was directed to receive sort and count the votes for Maj. General for the fifth Division of the Militia of this State, and having attended to that duty, reported that the whole number of votes is 25.

Necessary to a choice — — — — — 13,

Charles Meggire has — — — — — 9,

John D. Feinsman " — — — — — 8,

Wendell P. Smith " — — — — — 7,

Thomas Robinson " — — — — — 1.

No one having a majority of all the votes,

The same Committee proceeded again to receive, sort and count the votes, and, having attended to that duty, reported that the whole number of votes was ————— 24.

Necessary to a choice	13.
Charles Megguire has	9,
John C. Finsman "	7,
Wendell P. Smith "	5,
Thomas Robinson "	2,
Levi L. Potman "	1.

No one having received a majority of all the votes,

The same Committee again proceeded to receive, sort and count the votes, and having attended to that duty, reported that the whole number of votes was ————— 25.

Necessary to a choice	13.
Charles Megguire has	12,
John C. Finsman "	9,
Wendell P. Smith "	3,
Otis C. Gross "	1.

No one having a majority of all the votes, the same Committee was directed again to receive, sort and count the votes for Maj. General for the Fifth Division; and, having attended to that duty reported that the whole number of votes was ————— 23.

Necessary to a choice	12.
Charles Megguire has	13,
John C. Finsman "	8,
Otis C. Gross "	1.
Wendell P. Smith "	1, and there

were two blanks.



Charles Maguire was declared duly elected Major General of the fifth Division, to fill the vacancy occasioned by the discharge of Maj. General Joseph T. Jewett, in concurrence with the House — of which the House was informed by Message.

Report of the Committee on Military Pensions granting leave to withdraw on petition of Joseph Pomroy, came up from the House of Representatives — that branch, having insisted on its vote recommending said Report, proposed a Conference, and appointed Mr Allen of Bangor as Conferee.

The Senate still adhered to the vote accepting said Report. Sent down for concurrence.

Mr Blake, from the Committee on the Judiciary, reported legislation inexpedient on an order relative to fraud practiced on the State or upon the settlers in obtaining a deed of township No. 6. in 3<sup>d</sup> range; and leave to withdraw on petition of David R. Plaw and others, — severally read and accepted.

Sent down for concurrence. Concurred.

The same Senator from the same Committee to which was referred an order in relation to the 41<sup>st</sup> Section of the Militia Law relating to accounts for costs in Courts Martial, reported, that in the opinion of the Committee, said Section is not imperative upon the Legislature as to the allowance of the charges referred to, excepting so

334 For as the compensation therefore specifically named in said section, but that the reasonableness of any other charge is left to the sound discretion of the Legislature - and, therefore, legislation on that subject is inexpedient - read and accepted. Sent down for concurrence.

Concurred.

The Committee on Agriculture reported leave to withdraw on petition of William Smith and others - read and accepted, in concurrence.

Mr Erskine, from the Committee on the State Prison, to which was referred the report of the Warden and Inspectors of State Prison, made the following Report:

That the State is debtor to the Prison as follows -

For the amount of articles purchased in the various departments of labor, for expenditures in and about the Prison, for payment of officers salaries and all disbursements (except the Warden's Salary,) from the 26<sup>th</sup> April to 31<sup>st</sup> December 1839 are

Amount of Stock and tools on hand April 26, 1839 as per Commissioner's Report	}	\$12912.74 9404.28
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Amounting to \$22317.02

The State is credited with the amount received from the sales of manufactures for cloathes to convicts and others and cash received from visitors -

10221.42

## Amount of stock on hand Dec. 31.

1839.	—	—	7719.29
Difference in appraisal	—	—	400.00
Amounting to	—	—	\$20940.71

Leaving a balance against the Prison for its operations for the last eight months ending December 31, 1839 of — \$1974.31

The Warden has received from the State Treasurer, as appears by his Report, \$2565.39 which will leave a balance in favor of the State after paying off the balance against the Prison of \$ 588.95

It further appears by a communication from the Treasurer of State which was referred to your Committee that the Warden has received at two different periods \$2313.00 which was not accounted for in his Report.

The sum of \$1118 was received April 24<sup>th</sup> 1839, two days before he took charge of the Prison, which sum, as the Warden informs your Committee, was drawn in his name and paid over to Mr O'Brien, the former Warden. The sum of \$1195, as the Warden also informs the Committee, was received December 31, 1839, the day to which his account was made up, and credited to next year's account.

The Committee have examined the Report of the Warden, and compared it with the Report of the Inspectors, and find them correct with the exception of the amount paid out in the shoe department for stock, amounting to \$1565.47, which was not brought forward in the general account which will make a difference against the standing of the Prison

as compared with the Report of the Inspectors of \$1565.47. We find also by comparing the Report of the Inspectors, with the Report of the Commissioners, who took account of stock April 26, 1839, a mistake of \$150.00 in favor of the Prison.

Which Report was read and accepted.

Sent down for concurrence. Concurring.

Resolve in relation to distribution of the Surplus Revenue, now remaining in the Treasury of the State - came up - the House of Representatives having insisted on its vote passing said Resolve to be engrossed, proposed a Conference, and appointed as Conferees, Messrs Otis of St. George, True of Montville and Dorance of Portland.

The Senate, insisting on the vote indefinitely postponing said Resolve, concurred in the proposition for a Conference and appointed as Conferees Messrs Vose, Hammons and Smith.

Bill further regulating Divorces, on motion of Mr. Hammons, was taken up and amended, and its passage refused. Sent down for concurrence.

Bill further regulating and establishing the salaries and compensation of certain officers, herein named was read the second time and amended; and the same, on motion of Mr. Eastman, was laid upon the table.

Resolve in favor of Daniel A. Perley and others was read the second time, and the same, on motion of Mr. Bolster, was laid upon the table.

Resolve in favor of Samuel H. Sawyer and others,  
(reported by Mr. Smith, from the Committee on  
State Lands, on petition of Samuel H. Sawyer  
and others;)

— " authorizing the Land Agent to settle claims arising  
from the sale of lands to which the State had no  
title (reported by the same, on "Resolve authorizing  
the Land Agent to settle certain claims for  
public lands;")

Bill for a more speedy recovery on Sheriffs' Bonds,  
(reported by Mr. Blake, from the Committee on  
the Judiciary, on an order relative to that sub-  
ject) — severally read once, and tomorrow  
ten o'clock assigned for a second reading.

Bill to divide the town of Lisbon and incor-  
porate the town of North Lisbon came up  
from the House amended by striking out the words,  
"North Lisbon" in the title and wherever it occurs in the  
Bill, and inserting in lieu thereof the word Webster.  
The Senate reconsidered the vote passing said Bill to be  
engrossed, adopted the amendment proposed by the  
House, and passed the same to be engrossed as thus  
amended, in concurrence.

Resolve directing the Attorney General to perform  
certain duties,

Bill relating to the North Turner Bridge,  
— " additional to an act to incorporate the Trustees  
of Parsonsfield Seminary — severally read the  
second time and passed to be engrossed, in  
concurrence.



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Resolve in favor of Levi Foss of Leeds was taken up and passed to be engrossed in concurrence.

Resolve in favor of the proprietors of Township A 2, 13 range,

— for the preservation and repair of the Canada Road — severally read the second time and passed to be engrossed.

Sent down for concurrence.

The Committee on Engrossed Bills reported as truly and correctly engrossed.

Bill to incorporate the Machias River Company — and the same was passed to be enacted.

Adjourned.

Afternoon

On motion of Mr. Groff,  
Ordered, That a message be sent to the Governor informing him that Jonathan Merrill of Frankfort has, this day, been elected by a concurrent vote of both branches of the Legislature, Major General of the third Division of the Militia of this State to fill the vacancy occasioned by the discharge of Maj. General Isaac Hodsdon — and Charles Megginn of New Gloucester has, by a like vote, been elected Major General of the fifth Division of the Militia of this State to fill the vacancy occasioned by the discharge of Maj. General Joseph S. Jewell.

Which message was delivered by the secretary.

Bill authorizing the town of (Waterville) to dispose 339  
of the old meeting House in said town, on motion of  
Mr True was taken up - and the same was amended  
by striking out at the end of the title the words,  
"said town", and inserting in lieu thereof the words  
West Waterville - and the Bill was passed as thus  
amended. Sent down for concurrence. Concurred.

Resolve repeating in part a Resolve authorizing a  
loan in behalf of the State, approved March 12,  
1839,  
authorizing a loan in behalf of the State (reported  
in the House by the Committee on Finance), several  
times read twice and passed to be engrossed, in  
concurrence.

Resolve in favor of William Emerson was read  
the second time and the same, on motion of Mr.  
Perkins, was laid upon the table.

Adjourned

Attest, William Trafton, Secretary.

Thursday, March 5, 1840.

Order from the House of Representatives directing the Warden of State Prison to deposite, forthwith, in the Secretary of State's Office, the deeds of all lands belonging to the State, which are now in his possession — read and passed, in concurrence.

Resolves relative to the North Eastern Boundary — read and referred to the Committee on the North Eastern Boundary, in concurrence.

The Committee on State Lands reported leave to withdraw on petition of Peter Moulton (and others) — read and accepted, in concurrence.

Mr Holt, from the Committee on Interior Water, reported order of notice to <sup>next</sup> Legislature on petition of Caleb Parker — read and accepted.

Sent down for concurrence.

Mr. Hammons, from the Committee on Claims, reported leave to withdraw on petition of Stephen B. Potter — read (and) accepted.

Sent down for concurrence. Concurred.

Report of Committee on State Lands granting leave to withdraw on petition of S. G. Bodfish, on motion of Mr Shaw, was taken up, read and accepted.

Sent down for concurrence. Concurred.

Resolve in favor of Ira Fish (reported in the House by the Committee on Accounts on an order relative to correcting a mistake in the town of Lincoln

- for bounty on wheat,
- " additional to a Resolve, passed the 17<sup>th</sup> day of March, A.D. 1835, entitled "Resolve in favor of certain Officers and Soldiers of the Revolutionary War, and the widows of deceased Officers" (reported by Mr. Smith from the Committee on State Lands, to which was referred "Resolve in favor of certain Officers and Soldiers of the Revolution";)
- " giving extension of time to pay certain notes and receive a conveyance of land to Mason Greenwood and others, (reported by same on petition of Daniel Brown and others,)
- Bill to establish the shire town of the County of Piscataquis, (reported in the House by the Committee on Division and Alteration of Counties on sundry petitions)
- " repealing part of an Act establishing the duties to be paid by certain officers therein named, (reported by Mr. Shaw, from the Committee on Agriculture, on an order in relation to the Inspector General of Butter and Lard;)
- " additional to an "Act to organize, govern and discipline the Militia of this State", (reported by Mr. Merrill from the Committee on the Militia, on an order relative to fines in pursuance of Court Martial;)
- severally read once and three o'clock in the afternoon as signed for a second reading.

Mr Bolster, from the Committee on Division (and Alteration of Counties, reported reference to the next Legislature on petition of Inhabitants of the town of Abbott, and order of notice to the next Legislature

342 on petition of Richard Libbey and others, James S. Mitchell and others, and John Mc Namara and others  
— read and accepted.

Sent down for concurrence. Concurred.

The Order submitted by Mr Perkins 15<sup>th</sup> February last, in relation to the "Revised Statutes" being committed to select Committee — was taken up and indefinitely postponed.

The Order from the House of Representatives of the 24<sup>th</sup> of February, requesting the Senate to transmit to the House so many of the Manuscript Titles of the "Revised Laws" as may now be in their possession, on motion of Mr Shaw was taken up and indefinitely postponed.

Sent down for concurrence. Concurred.

Bill for the more speedy recovery on Sheriff's bonds, was read the second time, and the same, on motion of Mr Eastman, was laid up on the table, and ordered that three hundred copies of the same be printed for the use of the Legislature.

Resolve in favor of Milo S. Bennet was taken up — and the question of passing the same to be engrossed, being order to be taken by yeas and nays, was decided in the negative, (passage refused) as follows, to wit:

Yeas. Messrs Barrell, Bradley, Eaton, Erskine, Foster, Hammens, Isaac Reed, William M. Reed, Robinson, Tebbets and Vose 11

Nays. Messrs Barker, Bolster, Crocker, Eastman, Groff,



Holt, Merrill, Shaw, Smith, Totman, & True 11 3/43  
Sent down for concurrence.

Mr Vose, from the Conference appointed on the part of the Senate on the subject= matter of the disagreeing votes of the two Houses on the "Resolve in relation to distribution of the Surplus Revenue now remaining in the Treasury of the State," reported that they had conferred freely with the Conference appointed on the part of the House of Representatives, and that they had agreed to recommend, that each House adhere to its former vote — read and accepted.

Resolve in favor of Daniel S. Perley and others was taken up and passed to be engrossed as amended, in concurrence.

Resolve in favor of John A. Dill, on motion of Mr Grosz, was taken up and proposed to be engrossed, in concurrence.

Resolve in favor of Samuel Bassick (reported by Mr Grosz, from the Committee on Military Pensions to which said Resolve had been recommended) was read twice and passed to be engrossed — Sent down for concurrence. Concurred.

\* Resolve in favor of Alden W. Norris,  
Bill to ascertain the amount and description of estates and of certain description of persons within this State,  
— to repeal an act entitled, "an act to incorporate the Kennebec Dam Company," and also an act

341. entitled "an act additional to an act to incorporate the Kennebec Dam Company" (amended) severally taken up and passed to be engrossed.

Sent down for concurrence. \* Concurred

Resolve in favor of Samuel H. Lawrence and others,  
 " authorizing the Land Agent to settle claims arising from the sale of land to which the State had no title — severally read the second time and passed to be engrossed.

Sent down for concurrence. \* Concurred

Bill additional to the several Acts now in force exempting certain articles from attachment, on motion of Mr. Robinson was taken up, and the same, on motion of Mr. Vose, was indefinitely postponed — of which the House was informed by message and its concurrence requested.

The Committee on Engrossed Bills reported as truly and correctly engrossed,

Resolve in favor of Jacob H. Clement,

" in favor of Levi O. Farnham,

" in favor of Sally Grover,

" in favor of Ephraim B. McCondra of Houlton,

" in favor of the Insane Hospital, and the same were severally,

finally passed.

and also

Bill to change the names of certain persons,

" additional to an act to annex Wales to the County of Kennebec — and the same were severally passed to be

enacted.

On motion of Mr Blake.

345

Ordered, That when the Senate does adjourn, it shall adjourn till half past nine o'clock tomorrow morning.

And the Senate accordingly

Adjourned.

Attest William Trafton Secretary.

Friday, March 6, 1840.

The Order of the 27<sup>th</sup> February in relation to holding "an adjourned session of the Legislature for the purpose of considering and acting upon the Report of the Commissioners appointed February 28, 1837, to revise the Public Laws of this State," came up from the House of Representatives amended by adding after the word "session" the words, On at this place.

The Senate reconsidered the vote passing said Order, adopted the amendment proposed by the House of Representatives, and passed the order as amended, in concurrence.

Petition of William Lovely and others of the Aroostook settlement, praying for their proportion of the Surplus Revenue - read and referred to the Joint Select Committee to which was referred the petition of the Inhabitants of Aroostook, in concurrence.

Petition of Benjamin Edmonds Jr. praying for a pension - read and referred to the Committee on Military Pensions, in concurrence.

Mr Eastman, from the Committee on Literature and Literary Institutions, reported legislation inexpedient on the Order relative to the fund reserved for primary schools - and an Order relative to the collection of school District taxes - and reference to the next Legislature on petition of Johnson and David Richardson, Committee of the town of Canaan -

severally read and accepted.

347

Sent down for concurrence. Concurred.

Petition of John Blake and others of Mount Vernon, praying said town may be empowered to choose Agents who shall have the powers of Superintending Committees—read and referred to the next Legislature.

Sent down for concurrence. Concurred.

Bill to divorce Ebenezer Cobb (and Mary Cobb, on motion of Mr Groff, was taken up. The indefinite postponement of the Bill, being the question under consideration was decided in the affirmative by yeas and nays as follows, to wit:

Yeas. Messrs Barker, Barrell, Eastman, Eaton, Foster, Hammons, Perkins, Philbrick, William Ab Reed, Robinson, Smith, Tebbets, Totsman, True and Vose 15.

Nays. Messrs. Blake, Bolster, Bradley, Crocker, Erskine, Groff, Holt, Isaac Reed & Shaw 9.  
Sent down for concurrence.

Bill to change the names of certain persons, (reported in the House;)

Resolve in aid of Titcomb Belgrade Academy, (reported by Mr Eastman, from the Committee on Literature and Literary Institutions, on petition of the Trustees of said Academy) severally read one and three o'clock in the afternoon assigned for a second reading.



348 Petition of Rebecca D. Doane, administratrix on the estate of John G. Doane, praying for allowance for a map or plan designed for the use of the State — read and referred to the Committee on Claims. Sent down for concurrence.

Concurred.

Resolve in favor of William Emerson was taken up and further considered, and the same on motion of Mr Robinson, was laid upon the table.

Adjourned.

Afternoon

Mr. Perkins, from the Committee on Banks and Banking, to which was referred the order relative to reporting a Bill for the repeal of an Act approved March 21<sup>st</sup> 1835, entitled "an Act to regulate Banks by prohibiting the emission and circulation of Bank Bills or notes of a small denomination" — reported that said Act was repealed by an Act passed March 19, 1836 — read and accepted.

Sent down for concurrence. Concurred.

Bill accepting the surrender of the Charter of the Bangor Commercial Bank, (reported by Mr Perkins from the Committee on Banks and Banking on petition of John Fish and others in behalf of the Stockholders of said Bank;)

— to establish, regulate and preserve the Booms

on the Aroostock, Fish and St. John's Rivers, (reported by Mr Smith from the Committee on State Lands, on the Land Agents' Report) - severally read once and tomorrow ten o'clock assigned for a second reading.

Resolve in favor of Ira Fish,

— for the payment of Accounts against the State. (reported in the House by the Committee on Accounts,)

Bill to change the names of certain persons, - severally read the second time and passed to be engrossed, in concurrence.

Resolve additional to a Resolve, passed the 17<sup>th</sup> day of March A. D. 1835, entitled "Resolve in favor of certain Officers and Soldiers of the Revolutionary War, and the widows of deceased Officers,"

— giving extension of time to pay certain notes and to receive a conveyance of land to Mason Greenwood and others,

— in favor of Titcomb Belgrade Academy, - severally read the second time and passed to be engrossed. Sent down for concurrence.

Bill additional to an Act to organize, govern and discipline the Militia of this State,

— repealing part of an Act establishing the duties to be paid by certain officers therein named

— severally read the second time and passed to be engrossed. Sent down for concurrence. Concurred.

Resolve to continue and repair The Boom on the Aroostock River, on motion of Mr Smith, was

350 taken up, and the same was indefinitely postponed.  
Sent down for concurrence. Concluded.

On motion of Mr. Grosz, the Senate re-considered the vote of yesterday whereby the "Resolve in favor of Milo L. Bennet" was refused a passage, and the same, on motion of Isaac Reed, was laid upon the table.

Resolve in favor of William Emerson was taken up and further considered, and the question of passing the same to be engrossed was decided in the affirmative by yeas and nays, as follows, to wit:

Yeas. Messrs. Barrell, Blake, Bradley, Eaton,  
Erskine, Foster, Hammons, Philbrick, I. Reed,  
W. M. Reed, Robinson, Tebbels, and Vose 13  
Nays. Messrs. Barker, Bolster, Eastman, Grosz, Hall,  
Perkins, Shaw, Smith, Totman and True 10  
Sent down for concurrence. Concluded.

Adjourned.

Attest, William Trafton, Secretary.

Order from the House of Representatives, requesting the Committee on the Judiciary to inquire into the expediency of repealing the second section of an Act entitled "An additional Act concerning the assessment and collection of taxes", approved March 12, 1831 - read and passed, in concurrence.

Bill to incorporate the Ebenezer Company came up from the House of Representatives referred to the next Legislature. The Senate reconsidered the vote passing said Bill to be engrossed, and referred the same to the next Legislature, in concurrence.

Resolve in favor of Oliver S. Philbrook, on motion of Mr Grop, was taken up and indefinitely postponed.

Sent down for concurrence. Concurred.

Resolve for the preservation of the Mary Hill Road came up from the House of Representatives amended. The Senate reconsidered the vote passing said Resolve to be engrossed, adopted the amendment of the House and passed the Resolve to be engrossed as amended, in concurrence.

Bill to reduce the Capital Stock of the Bank of Bangor (and Globe Bank, Bangor, (laid on the table by Mr Blake) was read once, and Monday next, ten o'clock assigned for a second reading.

352 Resolve in favor of Wilmet W. Walker, on motion of Mr. Groff, was taken up, and passed to be engrossed. Sent down for concurrence. Concurred.

Bill accepting the surrender of the Charter of the Bangor Commercial Bank,  
to establish, regulate and preserve the Booms on the Arrowstock, Fish and St. John's Rivers — severally read the second time and passed to be engrossed. Sent down for concurrence. Concurred.

Resolve in favor of the School on George's Island.  
in favor of Elisha Hilton,  
in favor of Samuel Holders, on motion of Mr. Robinson, were taken up and severally referred to the next Legislature.

Sent down for concurrence.

Bill additional to an Act to prevent the spreading of Small Pox and other contagious sickness was further considered.

Mr. Holt submitted an amendment, which, with the Bill, was laid upon the table.

Bill establishing a fire department in the town of Eastport, (reported in the House by the Committee on the Judiciary on petition of the Selectmen of Eastport) was read twice and passed to be engrossed, in concurrence.

Bill to incorporate the Sebcoomook Sluiceway Company came up from the House of Representatives referred to the next Legislature — and the same, on motion of Mr. Vose, was laid upon the table.



Resolve in favor of Benjamin Chadbourn, on mo. 353  
tion of Mr Grop, was taken up (and the same  
was finally passed.

The Committee on Engrossed Bills reported as  
truly and correctly engrossed.

Resolve in favor of Stephen Rowell; Fisher Adams,  
Sarah Adams and Asahel W. M<sup>c</sup> Mahon,

— in favor of Levi Topp of Leeds,

— in favor of Kendal Whidden,

— in favor of Amelia Wood,

— repealing, in part, a Resolve authorizing a  
loan in behalf of the State, approved March  
12, 1839,

— authorizing a loan in behalf of the State,

— directing the Attorney General to perform certain  
duties — (and the same were severally

— finally passed.

And also,

Bill accepting the surrender of the charter of the  
Exchange Bank,

— accepting the surrender of the charter of the  
City Bank, Portland,

— additional to an Act to incorporate the Trus-  
tees of Parsonsfield Seminary,

— to establish the Boundary line between Bath  
and Phippsburg,

— in relation to a House of Correction, in the  
town of Hallowell,

— relating to North Turner Bridge,

— to divide the town of Lisbon and incorpo-  
rate the town of Webster, and the same were severally

passed to be enacted.

On motion of Mr Perkins,  
Ordered, That when the Senate does adjourn  
it shall adjourn till Monday morning next  
at ten o'clock—

And the Senate accordingly,

Adjourned

Attest William Trafton,  
Secretary.