

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

STATE OF MAINE.

1877.

Fifty-Sixth Legislature.

AUGUSTA:

SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.

1877.

INDIANA STATE LIBRARY

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
February 1, 1877. }

ORDERED, That the Clerk of the House is hereby directed to have printed the Journal
of the House.

Read and passed.

ORAMANDAL SMITH, Clerk.

JOURNAL OF THE HOUSE.

STATE OF MAINE.

AUGUSTA,
WEDNESDAY, JANUARY 3, 1877. }

Pursuant to the Constitution and Laws of the State, the members of the House of Representatives elect assembled in the Hall of the House, and were called to order by Oramandal Smith, Clerk of the House of 1876.

Prayer was offered by the Rev. Mr. PENNEY of Augusta.

The following communication from the Secretary of State was read by the Clerk :

STATE OF MAINE.

In compliance with section 21, chapter 2 of the revised statutes, I hereby certify the following are the names and residences of the Representatives elect to the Fifty-Sixth Legislature, as appears by the report of the Governor and Council, under date of November 24th, A. D. 1876.

In testimony whereof I have caused the seal of this State to be hereunto affixed at Augusta, this thirtieth day of December, in the year of our Lord one thousand eight hundred and seventy-six.

(Signed) SUMNER J. CHADBOURNE,
Secretary of State.

The certified roll of Representatives elect was called by the Clerk, and one hundred and thirty-nine members elect responded to the call, and a quorum found to be present.

On motion of Mr. HAYNES of Augusta,

Messrs. Haynes of Augusta,
Greeley of Lewiston,
Locke of Portland,
Jordan of Brunswick,
Rogers of Bath,
Stone of Biddeford,
Chadbourne of Waterboro',

were appointed a Committee to wait upon the Governor and inform him that a quorum of the members of the House of Representatives elect were assembled in the Representatives' Hall, and request his attendance to administer to them the oaths required by the Constitution to qualify them to enter upon the discharge of their official duties.

Mr. Haynes subsequently reported that the Committee had discharged the duty, and the Governor was pleased to say he would forthwith attend upon the members elect for the purpose of administering to them the oaths required to qualify them to enter upon their official duties.

Thereupon the Governor, attended by the Council, came in and administered to the members elect, and they subscribed, the oaths required by the Constitution to qualify them to discharge their official duties.

Mr. COOK of Unity, having conscientious scruples against taking an oath was duly qualified by affirmation.

The Governor and Council then retired.

On motion of Mr. JORDAN of Brunswick,

Messrs. Jordan of Brunswick,
Robie of Gorham,
Strickland of Bangor,
Berry of Wayne,
Haskell of Cape Elizabeth,
Russell of Readfield,
Bowers of Saco,

were appointed a Committee to receive, sort and count votes for Speaker of the House.

Having attended to that duty, Mr. JORDAN, from the Committee, reported :

Whole number of votes.....	138
Necessary for a choice	70
Hon. E. B. Nealley had.....	108
Hon. Edwin Stone.....	30

The report was read and accepted, and Hon. E. B. Nealley declared duly elected Speaker of the House of Representatives for the current political year.

The SPEAKER was conducted to the Chair by Mr. STONE of Biddeford, and addressed the House.

On motion of Mr. GREELEY of Lewiston,

Messrs. Greeley of Lewiston,
Hinckley of Bluehill,
Hersom of Berwick,
Alexander of Linneus,
Coffin of Cherryfield,
Goldthwait of Biddeford,
Simpson of Carmel,

were appointed a Committee to receive, sort and count votes for Clerk of the House.

Having attended to that duty, Mr. GREELEY, from the Committee, reported :

Whole number of votes	133
Necessary to a choice	67
Oramandal Smith had	107
Charles B. Morton.....	26

The report was read and accepted, and Oramandal Smith declared duly slected Clerk for the current political year.

On motion of Mr. BROWN of Oldtown.

Messrs. Brown of Oldtown,
Warren of Westbrook,
Blunt of Skowhegan,
Buck of Foxcroft,
Hyler of Thomaston,
Hurd of Porter,
Sprague of Greene,

were appointed a Committee to receive, sort and count votes for Assistant Clerk of the House.

Having attended to that duty, Mr. BROWN, from the Committee, reported :

Whole number of votes	128
Necessary for a choice	65
Edwin C. Burleigh had.....	106
Lucius H. Murch.....	22

The report was read and accepted, and Edwin C. Burleigh declared elected Assistant Clerk of the House for the current political year.

On motion of Mr. CHASE of Bridgton, that gentleman conveyed a message to the Governor informing him of the organization of the House, by the election of Hon. E. B. Nealley as Speaker, and Oramandal Smith, Esq., as Clerk.

The same information was conveyed to the Senate by Mr. WARREN of Westbrook.

On motion of Mr. ROLF of Princeton, that gentleman conducted the Clerk and Assistant Clerk to the Governor to take and subscribe the necessary oaths to qualify them to enter upon the discharge of their official duties.

Mr. Rolf subsequently reported that he had discharged the duty assigned him, and Oramandal Smith, Clerk, and Edwin C. Burleigh, Assistant Clerk, had taken and subscribed the oaths required to qualify them to discharge their official duties.

Thereupon the Clerk and Assistant Clerk appeared and entered upon their official duties.

ATTEST : ORAMANDAL SMITH,
Clerk of the House of 1876.

A message was received from the Senate, by Mr. Keyes of Franklin, informing the House of the organization of that branch by the election of Hon. Thomas W. Hyde as President, and Samuel W. Lane, Esq., as Secretary.

On motion of Mr. CHASE of Bridgton,

Ordered, That J. R. Prescott be Messenger, Edwin H. Crie First Assistant and Charles H. Gatchell Second Assistant Messenger of the House ; Lewis B. Gerrish be Folder, George S. Brooks and W. E. Seaward be Pages of the House.

On motion of Mr. CHASE of Standish,

Ordered, That the rules of the last House be adopted as the rules of this House until otherwise ordered.

On motion of Mr. GREELEY of Lewiston,

Ordered, That the Clerk of the House cause to be prepared for the use of the members a catalogue containing the names, alphabetically arranged, with the residence, post office address, boarding place, occupation, politics, number of seat and a diagram of the House, and the usual number of copies be printed and distributed.

On motion of Mr. HINCKLEY of Bluehill,

Ordered, That the Clerk be directed to invite the clergymen of Augusta, Hallowell and Gardiner, to officiate in rotation as Chaplains during the present session.

On motion of Mr. FELLOWS of Windham,

Ordered, That the Secretary of State be directed to deliver to the Clerk of the House one copy of Worcester's Quarto Dictionary, one copy of Webster's Unabridged Dictionary, one copy of the Holy Bible and one copy Cushing's Manual, and that the same be returned to the Secretary of State after the close of the session.

On motion,

Ordered, That the Clerk of the House be directed to furnish each member, officer and chaplain of the House, one copy of the Kennebec Daily Journal and one other paper printed in the State, such as each member, officer or chaplain may elect.

On motion of Mr. GREELEY of Lewiston,

Ordered, That the House hold one session each day, commencing at 10 o'clock A. M., except Saturdays, when it shall meet at 9 o'clock, until otherwise ordered.

On motion of Mr. CLEAVES of Portland,

Ordered, That all petitions or orders for legislation, except those for redress of wrongs and grievances, which may be presented to this Legislature after Wednesday, January 18th inst., be referred to the next Legislature, and this order be published in the Daily Kennebec Journal, Daily Eastern Argus, Bangor Daily Whig, Bangor Daily Commercial, and Lewiston Evening Journal,

until said date, and this order shall not be suspended or reconsidered except by a vote of two-thirds of the members present.

The foregoing order was sent to the Senate.

The SPEAKER announced the Committee on Election, as follows :

Messrs. Hinckley of Bluehill,
Cleaves of Portland,
Haynes of Augusta,
Stone of Biddeford,
Wentworth of Bradford,
Adams of Deering,
Trussell of St. George.

On motion of Mr. HAYNES of Augusta, the House resolved itself into a Committee of the Whole, for the purposes of considering the election cases of Nahum L. Phinney vs. Rodolphus P. Thompson, Joseph H. West vs. Daniel Deasy, Lucius M. Perkins vs. Benjamin L. Bates, Ambrose P. Jewett vs. George H. Theobald, and Thomas W. Porter vs. Edward H. Treat.

Mr. Haynes was called to the Chair, when the Committee agreed upon the following resolutions, which were reported to the House and adopted :

Resolved, That Nahum L. Phinney is entitled to a seat in this House.

Resolved, That Rodolphus P. Thompson is not entitled to a seat in this House.

Resolved, That Joseph H. West of Franklin is entitled to a seat in this House.

Resolved, That Daniel Deasy of Gouldsboro' is not entitled to a seat in this House.

Resolved, That Benjamin L. Bates of Brooksville is not entitled to a seat in this House.

Resolved, That Lucius M. Perkins of Brooksville is entitled to a seat in this House.

Resolved, That Ambrose P. Jewett of Richmond is entitled to a seat in this House.

Resolved, That George H. Theobald of Richmond is not entitled to a seat in this House.

Resolved, That Edward H. Treat of Enfield is not entitled to a seat in this House.

Resolved, That Thomas W. Porter of Burlington is entitled to a seat in this House.

A communication from the Secretary of State was received from the Senate, transmitting returns of votes for Governor; also the following order:

Ordered, That the returns of votes for Governor given in the several cities, towns and plantations of this State for the current political year be referred to a Joint Select Committee of seven on the part of the Senate, with such as the House may join.

This order came from the Senate read and passed, and

Messrs. Nash of Washington,
Lennox of Lincoln,
Bailey of Cumberland,
Hobson of York,
Sumner of Hancock,
Phillips of Penobscot,
Boardman of Waldo,

appointed on its part.

The order was read and passed in concurrence, and

Messrs. Cook of Lewiston,
Nadeau of Fort Kent,
Chase of Standish,
Howes of New Sharon,
Grant of Ellsworth,
Ballard of Augusta,
Kimball of Rockland,
Haskell of Waldoboro',
Rand of Greenwood,
White of Orono,
Towne of Dover,
Browne of Bowdoinham,
Robbins of Norridgewock,
Woods of Belfast,
Hume of Eastport,
Goldthwait of Biddeford,

joined on part of the House.

Communication from the Secretary of State, transmitting returns of votes for Representatives to the Legislature for the current

political year, was received, read and the returns referred to the Committee on Elections ; also

Communication from the Secretary of State, transmitting returns of votes for Representatives to the Legislature from the towns of Fairfield, Smithfield and Mercer, in the county of Somerset, was received, read and the returns referred to the Committee on Elections.

Communication from the Secretary of State, transmitting returns of votes for Governor, came from the Senate read and the returns referred to the Joint Standing Committee on Gubernatorial Votes, and was read and the returns referred in concurrence.

Mr. ROBIE of Gorham, announced the attendance of Thomas W. Porter of Burlington, Ambrose P. Jewett of Richmond, Nahum L. Phinney of Jay, and conducted them to the Governor and Council, where they took and subscribed the oaths required by the Constitution to qualify them to enter upon the discharge of their official duties.

Mr. Robie subsequently reported that he had discharged the duty assigned him, and the members elect appeared and took their seats in the House.

The SPEAKER announced the Monitors of the House as follows :

1st Division.....	Rolf of Princeton.
2d " 	Lord of Bangor.
3d " 	Ballard of Augusta.
4th " 	Bowers of Saco.
5th " 	Kimball of Rockland.
6th " 	Hinckley of Bluehill.
7th " 	Meador of Waterville.
8th " 	Buck of Foxcroft.

On motion of Mr. GRANT of Ellsworth,

Ordered, That the Clerk make up the pay of Daniel Deasy at ten dollars and usual mileage.

On motion of Mr. CHASE of Standish,

Ordered, That the Clerk make up the pay of Edward H. Treat of Enfield at ten dollars and usual mileage.

On motion of Mr. ROBIE of Gorham,

Ordered, That the Clerk make up the pay of Rodolphus P. Thompson at ten dollars and travel.

On motion of Mr. HINCKLEY of Bluehill,

Ordered, That the Clerk make up the pay of Benjamin L. Bates of Brooksville at ten dollars and usual mileage.

On motion of Mr. CHASE of Bridgton,

Adjourned,

ORAMANDAL SMITH, *Clerk*.

THURSDAY, JANUARY 4, 1877.

Met according to adjournment.

Prayer by the Rev. Mr. MARTIN of Augusta.

Journal of yesterday read and approved.

Papers from the Senate.

Ordered, That the House concurring, the Joint Rules and Orders of 1876 be adopted as the Joint Rules and Orders of this Legislature, until otherwise ordered.

This order came from the Senate read and passed, and was read and passed in concurrence.

Ordered, The House concurring, that a Joint Select Committee be appointed to consider if any changes or amendments are necessary in the Joint Standing Committees of the two branches of the Legislature.

This order came from the Senate read and passed, and

Messrs. Vinton of Cumberland,

Wadsworth of Oxford,

Stevens of Kennebec,

appointed on its part.

The order was read and passed in concurrence, and
 Messrs. Cleaves of Portland,
 Chase of Bridgton,
 Knowles of Cambridge,
 Sprague of Greene,
 Hadlock of Cranberry Isles,
 Morrison of Phillips,
 Wentworth of Bradford,
 were joined on part of the House.

Bill "an act to amend chapter six hundred and forty-nine of the private and special acts of 1871, entitled 'an act for the relinquishment to the United States in certain cases of titles to lands for sites of light stations on the coast and waters of the State of Maine.'"

This bill came from the Senate read twice and passed to be engrossed under suspension of the rules, and was read three times under suspension of the rules and passed to be engrossed in concurrence.

Mr. HASKELL of Waldoboro,' announced the attendance of Mr. Pillsbury of Union.

Mr. MEADER of Waterville, announced the attendance of Mr. Stover of Harpswell.

Mr. BERRY of Smyrna, announced the attendance of Mr. Parkhurst of Maysville.

The members elect were conducted to the Governor, where they took and subscribed the oaths required to qualify them to enter upon their official duties.

They subsequently appeared and took their seats in the House.

On motion of Mr. HINCKLEY of Georgetown,

Ordered, That the Clerk make up the pay of George H. Theobald of Richmond at ten dollars and usual mileage.

Report of the Joint Select Committee on Gubernatorial Votes, came from the Senate read and accepted in concurrence, and is as follows:

Whole number of votes.....	136,823
Necessary for a choice	68,412
Selden Connor had	75,867

John C. Talbot	60,423
Almond Gage	520
Eben F. Pillsbury	3
J. L. Chamberlain	1
H. L. Plaisted	1
J. R. Talbot	1
A. J. Hinkley	1
Byron Farrin	1
Joseph H. Williams	1
Joshua Nye	1
Charles W. Roberts	1
Emory O. Bean	1
Washington Gilbert	1

and Selden Connor having a majority of all the votes returned, is duly elected for the current political year.

The following order came from the Senate :

Ordered, That a Committee of three on the part of the Senate, with such as the House may join, be appointed to wait upon the Hon. Selden Connor, and inform him he has been duly elected Governor of the State of Maine for the current political year.

This order came from the Senate read and passed, and

Messrs. Stevens of Kennebec,
Irish of Oxford,
Sumner of Washington,

were appointed on the part of the Senate.

The order was read and passed in concurrence, and

Messrs. Grant of Ellsworth,
Bodwell of Hallowell,
Bird of Rockland,
Jackson of Portland,
Strickland of Bangor,

were joined on the part of the House.

Mr. GRANT subsequently reported that the Committee had discharged the duty, and the Governor elect was pleased to say, that he accepted the office to which he had been elected, and would meet the Legislature at such time as it might indicate to take and subscribe the oaths of office necessary to qualify him to enter upon the discharge of his official duties.

On motion of Mr. ROBIE of Gorham,

Ordered, That when the House adjourns it be to meet at 2.30 P. M.

A message was received from the Senate, through Mr. Watts of Knox, proposing a Convention of the two branches of the Legislature, this day, at 11 o'clock, in the Hall of the House of Representatives, for the purpose of administering to Hon. Selden Connor, Governor elect, the oaths required by the Constitution to qualify him to enter upon the discharge of his official duties, and receiving from him such communication as he may be pleased to make.

The Clerk was charged with and conveyed a message to the Senate, signifying the concurrence of the House in the proposition for a Convention.

The hour having arrived, the Senate came in, and a Convention was formed.

IN CONVENTION.

On motion of Mr. KEYES of Franklin,

That Senator was charged with a message to Hon. Selden Connor, Governor elect, informing him that the two branches of the Legislature were in Convention assembled in the Representatives' Hall, and ready to administer to him the oaths required by the Constitution to qualify him to enter upon the discharge of his official duties, and receive from him such communication as he may be pleased to make.

Mr. Keyes subsequently reported that he had delivered the message with which he was charged, and the Governor elect was pleased to say he would forthwith attend upon the Convention.

Whereupon, Hon. Selden Connor, Governor elect, attended by the Executive Council and heads of Departments, came in, and in presence of both branches of the Legislature in Convention assembled, before the President of the Senate, took and subscribed the oaths required by the Constitution to qualify him to enter upon the discharge of his official duties.

Hon. S. J. CHADBOURNE, Secretary of State, then made the following

PROCLAMATION.

The votes for Governor, which have been returned to the office of Secretary of State, having been examined and counted by the Legislature, who have declared that a majority thereof were given to Selden Connor, and that he is duly elected, and he having in the presence of the two branches of the Legislature in Convention assembled, taken and subscribed the oaths required by the Constitution to qualify him to discharge the duties of that office, I therefore declare and make known to all persons in this State who are in the exercise of any public trust, as well as all good citizens thereof, that SELDEN CONNOR is *Governor and Commander-in-Chief of the State of Maine*, and that due obedience should be rendered to all lawful acts and commands as such.

God save the State of Maine.

The Governor then communicated to the Convention, by address, information upon the affairs and condition of the State, as follows :

Gentlemen of the Senate and House of Representatives :

I beg to preface the communication you have invited me to make to you, with my respectful and cordial greeting at your entrance upon the exercise of the power entrusted to you, "to make and establish all reasonable laws and regulations for the defence and benefit of the people of this State." The duty which you have been delegated to perform, ranks among the most important and responsible of the services which men can render to their fellows, and requires the exercise of their best faculties, acquirements, and qualities, for its worthy fulfilment. Custom and nearness are apt to cause too light an esteem for the blessings which attend our daily life. Our instant admiration is reserved for the remote, the mysterious, and the rare. It is by reflection alone that we are brought to perceive and own the wonderfulness, the vastness, and the worth of the possessions which we as human beings, and as a people, enjoy. The uncounted millions who have preceded us upon the earth have wrought no diminution of Nature's bounty. Her inexhaustible stores and tireless energies are for us no less than for the eldest born of our race. Rather, we are the favored ones, endowed by birthright with the transmitted

wealth of human experience through the long stretch of bygone generations,—“the garnered wisdom of a thousand years.” We are the rich heirs of all the ages of man’s thought and work. The achievements, the discoveries, and the errors of our predecessors, remain to enrich, to guide and to warn us. In no other regard is our indebtedness to them more apparent than in the laws which define the reciprocal rights and duties of citizens, and the civil state, of the individual and the community.

Regarded in themselves alone, the statutes upon our books commend themselves for their intrinsic worth to the calm approval of good judgment, as the product of sound intelligence, right reasoning and humane sentiments. But when it is sought to trace them to their origin and follow them through the process of development, they become invested with an immeasurably higher character and a more impressive sanction.

The principles upon which they rest had their rise in other lands, in the morning twilight beyond our ancestral annals. The history of the growth of those principles is a record of noble lives, great actions, of wretchedness and misery, of the exercise of all virtues, and the experience of all forms of vicissitude that move to admiration or pity. Whatever great minds have done in unfolding and adapting them, the good and brave have dared and endured in their defence, and unfortunate generations have suffered from their misapplication, and thus led to truth by costly proof of error,—the story of all is inscribed in ineffaceable characters upon the palimpsest whereon are written the laws which constitute the muniments of our freedom, the safeguards of life, reputation and property.

When, therefore, laws so descended are approached for the purpose of adding to or subtracting from them, or qualifying them in any way, the veneration due them should not be forgotten, and every step should be cautious and deliberate. If the legislator of to-day hopes that his own careful work may be preserved in the future from hasty and reckless hands, let him well weigh his action in dealing with the labors of those who have been before him. “The mischiefs resulting to the public from inconsiderate legislation,” which he is called upon to remedy, warn him to give a searching forecast to the consequences of every proposed change or enactment which comes before him.

The traditions of these halls, and your character as representatives of the sentiments as well as the authority of the people, are assurances that a conservative spirit, yet not unfriendly to progress, will direct your deliberations and manifest itself in your acts.

The past year has not been distinguished by any extraordinary events or unexpected conditions specially affecting the interests of the people of the State or the conduct of its government and institutions. Maine, in common with the whole country, and indeed with other countries also, has suffered from the continued inactivity in business, which has discouraged enterprise and compelled capital and labor in many instances to utter idleness, or a profitless exercise. Still, the chief resource of the State—her hillsides, fields, and fertile intervals—has kept faith with the sower of the seed and yielded rich harvests; some manufacturing industries and branches of business have been exempt from the prevailing dullness, and there remain to all the hope and promise of the near dawn of prosperous days.

The laws have been well enforced throughout the State and every department of the government, and all public institutions have been efficiently and economically managed.

THE FINANCES.

The State Treasurer will lay before you a very gratifying exhibit of the condition of his department. The receipts of the treasury for the year amount to \$1,310,605.49; balance in the treasury January 1st, 1876, \$377,093.84; expenditures for the year 1876, \$1,293,277.06; amount in treasury Dec. 31, 1876, \$394,422.27.

It is unnecessary to enter here upon the details of the ordinary business of the treasury. They require no comment, and are so clearly and fully set forth, and so well arranged in the Treasurer's report that any desired information concerning them may be obtained at a glance.

The public debt has been reduced the past year by the payment of \$29,000 for bonds matured, and by the addition of \$114,681 to the sinking fund, and now, after deducting the amount of the sinking fund, \$791,293 81, amounts to \$5,129,107. A portion of the public debt, \$46,500 in amount, falls due on the first of February next, and will be paid from funds in the treasury. On

the first of March, 1878, \$25,000 of the debt matures. The law of February 24, 1875, provides for renewing and extending the bonds next thereafter becoming due; \$307,000, in 1880; \$385,000, in 1883, and \$2,330,000, June 1st, 1889. It is desirable, in my opinion, that no action be taken at the present session of the Legislature to carry into effect the provisions of that law in respect to the issue of the new bonds to be substituted for the old. Since there is no reason for believing that the new bonds can be exchanged more profitably now than a year or two hence, it is well to permit the question whether the bonds due in 1880 shall be redeemed at maturity, or renewed and extended, to remain open for consideration as long as it can be done consistently with prudence. The remainder of the public debt, \$2,826,900, due October 1st, 1889, is provided for by the sinking fund. The Treasurer estimates that if no unusual appropriations be made, and other revenues are maintained, a tax of three and one-fourth mills on the dollar of the present valuation, a reduction of one-half a mill from the rate of the assessment of 1876, will yield a sufficient sum to satisfy the requirements of the State for the current year.

ATTORNEY GENERAL'S DEPARTMENT.

The Maine Central, and certain other railroad companies, have refused to pay the State tax assessed against them, on account of a clause in their charters, which, it is alleged, exempts them from taxation. A stockholder of the Maine Central Company procured a temporary injunction against the State Treasurer from the United States Circuit Court, and a hearing in regard to a permanent injunction was to be had in that court in April last. It was deemed for the interest, and for the honor of the State as well, that the validity of the tax should be first tested before the State court, and accordingly the Attorney General succeeded, owing to the spirit of frankness and courtesy in which he was met by the counsel for the company, in causing a suspension of the hearing before the circuit court and in bringing the case upon its merits before the Supreme Judicial Court of the State, where it was argued at the Law Term in July last.

It is expected that the decision of the court will soon be rendered. If it shall be favorable to the State there is reason to believe that the case will not be farther contested, and that the

delinquent companies will accept the result of this, which is substantially a test case applicable to them all, and pay the taxes due, which amount to over \$147,000.

The Attorney General reports that he has not been informed of any indictments found in any court during the year for any capital offence, or offence hitherto called capital. He adds that it is probable an indictment will be found against Edward M. Smith for the murder of three persons at Bucksport in October.

It would be obviously unjust to draw from the experience of less than a single year, a sweeping and conclusive inference as to the comparative efficacy of the law passed by the last Legislature abolishing death as a punishment for crime, and the law it displaced. I am glad, however, to remark the evident fact that the substitution of imprisonment for life for the death penalty has not been followed by an increase of the crime which it is the object of the law under consideration to punish, or any instance of crime encouraged by the mitigation of the penalty.

I am persuaded that the prevailing sentiment among the friends of the new law is not one of tenderness towards the criminal, but of regard for the safety of society.

The much-mooted question, whether the character of the punishment enters at all into the considerations which prompt to the perpetration of the greatest of offences, has failed to obtain any answer meeting with general acceptance. It is certainly not demonstrable that the penalty of death exercises a more deterring influence upon those disposed to crime, than the penalty of imprisonment for life. The advocates of the latter form of punishment do not claim that its adoption will cause murder to cease or even to be appreciably checked at once or within a short period of time; it is their belief that murder will not at least be emboldened by it, and that the authoritative recognition by society of the inviolability of human life, in forbearing to take that of even the man who has disregarded its sanctity, is in harmony with the spirit of modern social science, and will tend to magnify the offence, increase the detestation of it, and to exert an educational and humanizing influence, which, aided by the many agencies at work for the improvement of the condition of society, will in process of time cause a sensible reduction of crime of every sort.

The recommendations of the Attorney General relative to authorizing the detail of civil officers from any part of the State

to investigate cases of heinous offence, to the payment by the State of the expenses of county attorneys assisting at law courts to present cases from their counties, and to compelling county treasurers to make the returns required of them by law, are all worthy of your careful consideration.

THE ADJUTANT GENERAL'S DEPARTMENT.

No change has occurred in the organized military force of the State, which consists of one regiment and two unattached companies of infantry, and one company of light artillery. Two companies of cadets, one at Bath and one at Waterville, have been furnished with arms and equipment under the law of 1872, authorizing the formation of companies of cadets, not to exceed ten in number, to be composed of boys not subject to military duties under the militia laws. New tents sufficient in number for the present force, made under contract, of the best pattern, quality of material and workmanship, were procured by the Adjutant General in season for the encampment.

An encampment of the volunteer militia, for drill and discipline, lasting four days, was held at Brunswick in September, and was very successful. The men were orderly in their behavior, soldierly in their bearing, and obedient to orders. Marked proficiency in drill was made, showing the value of the encampment as a school of instruction. The general appearance of the command at the closing review, and their marching, were most excellent. The success of this encampment amply warrants my recommendation that provision be made for holding one the present year.

It is greatly to be regretted that the reduced appropriation for soldiers' pensions did not prove sufficient to enable the Adjutant General to respond to all requests for aid which he deemed meritorious. The great excess of the supply of labor over the demand for it, has caused the applications for relief to be unusually numerous. Great care is taken in the granting of pensions, and I advise an appropriation for this purpose of the full amount estimated by the Adjutant General to be required. The important consideration to the people of Maine is, that the soldier who has sacrificed in their cause his ability to support himself and family, should not know want or humiliation.

THE LAND AGENCY.

The receipts of the land office for the year ending November 30th were \$42,399.77, from the several sources and on the various accounts specified in the Land Agent's report.

Conveyances of 22,304.38 acres of land were made to actual settlers. Lands to the amount of 13,054.69 acres were contracted to actual settlers; of the remaining State lands 26,773.39 acres are unsold, and 127,665.97 are in possession of actual settlers, and are to be conveyed when the settling duties shall have been performed.

The islands on the coast, aggregating an area of 663 acres, were sold at public auction for \$1,109.15. It required a great deal of labor and research to ascertain what islands belonged to the State. It is supposed there are a few remaining unsold, concerning which definite information could not be obtained before the sale. They are probably so insignificant in number and value that it would be well, in order to avoid expense, to authorize the Land Agent to sell them in such manner as he may deem advisable.

The duties of the Land Agent have been performed under the immediate direction of the Governor and Council, as required by the act of 1876 relating to the appointment and duties of that officer, and it has been their endeavor to further as far as possible the expressed purpose of that act to prepare for the discontinuance of the land office at the earliest practicable moment. I am convinced that the office cannot be at present advantageously discontinued, and that the transfer of its duties to some other department would neither benefit the public service nor effect an economy.

THE PUBLIC SCHOOLS.

The statistics of the common schools for the school year ending April 1st, 1876, do not differ materially from those for the preceding year. They indicate, however, a continued interest and progress in all that relates to them.

The sum of \$1,053,497 was expended for public schools, to which the State contributed the available amount of \$375,852. Eighty-six school-houses were built during the year, at a cost of \$164,399.

The laws concerning the relations of the State to the schools, work admirably, and are heightened in efficiency by the recent act

requiring sworn fiscal returns to be made to the State Superintendent. It is believed that this law proves of benefit to towns also, in enforcing a strict account of all school moneys belonging to them, from whatever source derived.

I invite you to consider the advisability of providing for the inspection of high schools by authorizing the State Superintendent of Common Schools to appoint a sufficient number of competent persons to aid him in visiting and ascertaining the character of all the schools in their respective vicinities claiming the benefit of the free high school law.

That officer is required to be satisfied that the provisions of the free high school act have been complied with before issuing his certificate for the sum due from the State. While as to most of the provisions of the law, he can readily satisfy himself from the reports of the superintending school committees, whether they have been complied with, it is easy to be perceived that they do not furnish sufficient data to prove that the proper attention has been paid to the specified studies required, and that the schools conform in spirit as well as in letter, to the intent of the law.

It is proper and business-like that the Superintendent should, in person or through his agents, examine these schools before vouching for the justice of their claim upon the State. Besides affording the Superintendent information which should be in his possession, such an inspection would greatly tend to elevate the standard and promote the efficiency of this class of schools.

The virtual institution of high schools by the State, through the aid it proffers for their support, was a wise and timely act, in full accordance with the provision of the Constitution enjoining the encouragement of education upon the Legislature. The system has been four years in operation, and has fairly demonstrated its value. But care should be taken lest by failing to maintain a proper standard, they not only defeat the object of their institution, but injuriously affect the common schools. My recommendation is intended to subserve the interests of both grades.

It is the universally expressed opinion of those having the most knowledge of our schools, that better instruction is the one thing needful to their efficiency. The Normal Schools are doing good service in this behalf to the extent of their capacity. Since the discontinuance of the Teachers' Institutes, a great majority of the

teachers of common schools have had no opportunity for obtaining instruction in the art of teaching. The renewal of Institutes is respectfully suggested for your consideration.

SAVINGS BANKS.

No new savings banks have been organized the past year. Since August, 1875, four of the sixty-four savings banks in the State have become insolvent and been placed in the hands of receivers, and three others have suspended payment. One of these latter, the Waterville Savings Bank, has resumed payment by the action of the depositors. No arrangement has yet been accepted by the depositors of the two other banks.

The amount of deposits and profits of the sixty banks doing business, was, on the sixth of November last, \$27,818,764.70, a decrease during the year of \$4,264,549.58, including \$1,029,963.95 of deposits placed in the hands of receivers. The number of depositors decreased during the year 10,705. The present number is 90,621, and the deposits average \$306.00 to each depositor.

The Winthrop Savings Bank was taken possession of by receivers before the day fixed by law for making returns to the State Treasurer for the six months then nearly expired, and the receivers refused to pay the tax for that period. A suit to recover this tax was brought by the State Treasurer, and prosecuted by the Attorney General to final judgment by the Law Court to the effect that the tax is upon the franchise of savings banks, and the Winthrop bank having ceased to exist before the return for taxation was due from it, nothing remained upon which to assess a tax, and the claim of the State was therefore not a valid one. Applications growing out of this decision will probably be made to the Legislature by several banks for the refunding of taxes alleged to have been improperly paid.

The Commissioners appointed for the purpose under a resolve of the last legislature, have prepared a draft of a general law relating to savings banks which will be reported to you. A principal feature of the new law is the substitution of one-half of one per cent. for the present tax of one per cent. The present rate of taxation, considered relatively to the tax upon other franchises and property, cannot be regarded as discriminating

otherwise than in favor of the banks. The only question is whether it is expedient, as tending to maintain and increase deposits, to reduce the rate. If the Legislature shall favor the affirmative of the question I trust that the reduction made will not exceed one-fourth of one per cent.

THE INSANE HOSPITAL.

The past year has been made notable in the history of the Insane Hospital by the construction of works for supplying the institution with water. The source of the supply is an artificial pond, excavated in that part of the farm east of the highway, and so situated as to be fed by springs, and to receive the drainage of an extensive water-shed. A substantial reservoir has been built on the summit of a hill near the pond, of the capacity of 385,000 gallons. The water is raised from the pond to the reservoir by steam power, and conveyed thence through iron mains to the hospital, and distributed by a system of pipes through the main building, and to the various offices and farm buildings where it is needed. The water is conducted through two filters, one at the outflow from the pond, and one at the outflow from the reservoir, and is perfectly clear and pure where it is drawn for use. Water may be forced at need directly from the pond to the hospital. It is believed that the supply will be ample at all seasons for all uses and exigencies.

While it is a matter of the first necessity to the proper conduct of such an institution that there should be abundance of water for culinary, cleansing and sanitary purposes, and for farm uses, every consideration of humanity and of prudence imperatively demands that the lives of the many inmates of the hospital, and the valuable property of the State should have the fullest protection possible from the dangers of fire. The Trustees have well done their plain duty in making this indispensable provision. The works cost twelve thousand dollars, and have been paid for from the hospital fund.

The inception and execution of this enterprise are highly creditable to all concerned in it.

The amount of the crops raised upon the farm indicates that its productiveness has been increased to a marked extent. This improvement is undoubtedly due in good part to the fertilization

of the soil with the sewage of the hospital, upon a system which was devised by an officer of the hospital, and has been three years in effect. The State Board of Health of Massachusetts have made this system and its operations the subject of investigation, and in their annual report for 1876 they describe it and give it their commendation, as "almost the only system which has stood the test of experience in this country."

The Trustees propose to provide at once for the thorough ventilation of those wards of the hospital which are deficient in this respect.

The reports for the present year, and former years, of the various officers connected with the hospital, make it evident that the capacity of the hospital barely suffices for the present number of patients, and suggest the propriety of seasonably providing for the increase of applications for admission which will attend the growth of the population of the State.

The trustees make no request for an appropriation, and I am informed by them that they expect to be able soon to make a reduction of the rate charged for the support of patients.

The public have always been peculiarly sensitive with regard to the treatment of patients at such institutions, and therefore every care should be taken to inspire the community with confidence in the management of the hospital. The frequent inspections by the visiting committee are a valuable means to that end. Whenever any differences appear between the observations or opinions of the trustees and those of the committee, the attention of the Legislature is called directly to the examination of the matters in question.

COLLEGE OF AGRICULTURE AND THE MECHANIC ARTS.

The leading object of this institution is "to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the Legislature of the State may prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life." Whatever latitude of instruction the terms of the foundation may seem to permit, it must be evident to all who are acquainted with the sentiment of the State, that the prevailing opinion is, that the college should first of all be faithful to its leading object, and so arrange and limit the course of instruction that its pupils

upon completing their course may be prepared to enter at once upon the practice of some industrial pursuit.

The want of facilities for practical instruction has caused the course of study in branches relating to the mechanic arts especially, to be necessarily of a general and theoretical character. The trustees propose, in order to fulfil more directly the object of the college, and to meet the popular expectation, to establish workshops of instruction in the various mechanical trades connected with the working of wood and metals, by means of which students may, by combining the training of hand and eye in actual service at the forge, bench and lathe, with the instruction of the school-room, become intelligent and skilled mechanics. This system has long been in successful operation in Russia, and meets with the enthusiastic approval of the best educators who have examined it. It has already been adopted by one of the foremost schools in this country.

I most heartily approve the recommendation of the trustees, and I urge you to give it the favorable consideration it merits.

The sum estimated to be required to adapt the barn on the college premises and not now in use, to this purpose, and to equip the proposed workshops with the necessary tools and machinery, is very moderate, when the probable benefits of the expense are considered. I am confident that such a union of study and practice would attract many young men, and result in reinforcing manufacturing and mechanical industries with a body of educated, skillful, and ambitious mechanics and artizans, who would give a decided impetus to the development of the industrial resources and capabilities of the State. The State would thus realize a substantial profit from the outlay it has already made in assisting to establish and maintain the college, and the college would by so clear a manifestation of its usefulness, command a grateful and more general appreciation, and a liberal and unquestioning support.

OTHER INSTITUTIONS.

The reports of the State Prison and Reform School will be laid before you. I have no recommendation to give in regard to these institutions. On the several visits I have made to them in company with the Council, I have been most favorably impressed with the manner in which they are conducted.

The Orphan Asylum at Bath and the Industrial School at Hallowell well deserve the care of the State.

THE INDIAN TRIBES.

The lessees of the shores of the Penobscot river belonging to the Penobscot tribe of Indians, have declined to pay the annual rent due under the terms of the lease, and the agent of the tribe has brought suit to compel payment. The lessees allege that the shores are less valuable than when the contract of lease was entered into by them. If application shall be made to the Legislature for relief, by the delinquent parties, I trust you will consider the honor of the State in its character as guardian of the Indians, and take care that whatever relief from the obligations of the contract may be granted, it shall not be done at the expense of the tribe.

The appropriation of last year for the poor of the Passamaquoddy tribe was not sufficient to provide for the pressing needs of the aged, sick, and helpless of the tribe. A small increase of the appropriation for the present year is necessary to enable the agent to prevent want and suffering among them.

RAILROADS.

Twenty miles of railroad have been built the past year; eight miles, by the Piscataquis company in extension of their line from Abbot to Blanchard, and twelve miles, from Fort Fairfield to Caribou in the town of Lyndon, by the Aroostook River company. The Railroad Commissioners report that the roads in the State have continued to improve in condition and management, as evinced by their remarkable exemption from accidents.

I concur in the request of the Commissioners for legislation requiring railroad companies to adopt the system of accounts recommended by a convention of the Railroad Commissioners of New England, and already made obligatory by at least one State. The system does not differ materially from that now in use by the principal companies in the State. A uniform method of keeping them would greatly facilitate investigation into the complicated accounts of railroad companies.

THE COMMISSIONERS OF FISHERIES.

The report of the Commissioners of Fisheries contains an interesting account of the measures which have been taken the past year to re-stock our rivers with salmon and interior waters with land-locked salmon and black bass, and of the good results of the work performed by them in former years. The Commissioners forcibly present the disadvantages under which they prosecute their enterprise, and appeal to you to remove some of the obstacles that stand in the way of the full success of their labors. The justice and good policy of some of the legislation asked for by them seem evident.

In regard to closing for a term of years to all fishing, except with hook and line, the rivers to be re-stocked, I am not informed as to the extent of the hardships such an enactment would cause to those engaged in fishing in the waters of those rivers near the mouths, but, whatever their temporary loss or inconvenience, they would be amply compensated in the future by the increased value of their fisheries, and it is certainly unjust to permit them to neutralize the efforts being made to benefit the people along the whole length of those rivers.

Many citizens of the State are deeply interested in the stocking of our lakes and ponds with game and food fishes, and assist in carrying out the laws relating to the subject by distributing copies of them and procuring the appointment of wardens to be paid by themselves.

In view of the public interest in this undertaking, and of the many advantages that will result to the State from its thorough prosecution, I recommend that a sufficient appropriation be made to enable the Commissioners to continue their work effectively and to protect the interests committed to their care.

NEW SWEDEN.

The Swedish settlement in Aroostook county was organized into a plantation under the name of New Sweden, in April, and fifty-two of its inhabitants have been naturalized. Good school-houses have been built, and four schools are now taught by competent teachers. Fourteen substantial buildings, either framed or built of hewn timber, have been erected the past season; abundant crops have been harvested, and but four families have

received assistance as paupers. The success of this enterprise vindicates the wisdom of its conception and attests the faithfulness of the services of all entrusted with the management of it.

ELECTION LAWS.

I respectfully suggest an amendment to section 32 of chapter 4 of the revised statutes, requiring the Governor to issue a certificate of election to every person who has been declared elected a Representative in Congress. A law of the United States requires the executive of each State to certify the election of any United States Senator who has been chosen by the State, and the laws of this State provide for giving to all State and county officers an official notification of their election. I have not been able to discover any law of the United States, or of this State, providing in express terms for furnishing a certificate of his election to a Representative-elect, or to any person in his behalf. The amendment would conduce to uniformity.

The second and third clauses of section 32 of chapter 4 of the revised statutes, are as follows :

“Blank pieces of paper and votes for persons not eligible to the office shall not be counted as votes, but the number of such blanks and the number and names on ballots for persons not eligible shall be recorded and return made thereof. In case of Representatives to Congress, and to the State Legislature, Registers of Deeds, county and State officers, except where a different rule is prescribed in the Constitution, the person or persons to be voted for at any one time, for any such office, having the highest number of votes given at such election, shall be declared to be elected.” It appears, therefore, that the final determination of the eligibility of persons voted for, so far as the declaration of the election of the officers mentioned in the extract I have quoted, and other officers as well, is affected,—rests with the officers of municipalities who count the ballots and make up the returns, since the Governor and Council have authority to count the votes only which are recorded as such in the returns. I do not regard it as judicious to permit a question of such importance, oftentimes involving testimony and nice points of law, to be decided by the unaided judgment of municipal officers in the brief period afforded them by the necessity of making and sealing the returns at or within a fixed time.

In my judgment, the authority to determine eligibility should be transferred to the Governor and Council, inasmuch as they have ample time for deliberation in examining the returns and it is in their power to obtain the opinion of the Court.

I recommend that the authority conferred upon the Governor and Council by the amendment of section 5 of chapter 78 of the revised statutes, made by the act approved February 1, 1876, to count and declare for any person all votes intentionally cast for such person for a county office, although his name upon the ballot is misspelled or written with only the initial or initials of his Christian name, and to hear testimony upon oath in relation to such votes—be extended to include all officers whose election is declared by them.

It is provided by the laws that when an original return of votes has been lost or destroyed, or there is any question as to the agreement of a return of the vote of a town with the record of the vote of such town, in the number of votes, or the names of the persons voted for, an appeal may be had to the record. I suggest as an additional safeguard of the elective franchise, that when a return is fatally defective by reason of any informality, it may be made lawful to substitute a duly attested copy of the record therefor; and, in order to prevent the carelessness in making returns by municipal officers that might arise from such a provision, that a messenger be sent by the Secretary of State to procure the copy of the record, at the expense of the town whose officers have failed to perform their duty.

BEET SUGAR.

In my address of last year the attention of the Legislature was called to the desirability of taking steps to encourage the introduction of the manufacture of beet sugar. An interesting lecture on the cultivation of beets and the process of manufacturing sugar from them has since been delivered before the State Board of Agriculture, and will be incorporated in the forthcoming report of the Board. Seeds of the best varieties of sugar-beets attainable, were procured and distributed for trial the past season by the Secretary of the Board of Agriculture. Samples of the product from them have been analyzed and found to contain from seven to thirteen per cent. of sugar; a result which indicates that

by a more careful conformity to the approved methods of cultivating them, beets of the best sugar-making qualities can be produced. Several varieties were raised and analyzed at the State College and found rich in sugar.

The Dominion of Canada has offered a bonus of \$7,000 a year, for ten years, to the first company successfully engaging in this manufacture, and a relief of fifty per cent. of the excise duty on their product. I earnestly commend to the Legislature the action of our neighbors in offering a bonus as an example worthy to be followed. The chief hindrance to the introduction of the beet sugar manufacture is the magnitude of the capital necessary to its successful prosecution. The offer of a premium sufficient to afford reimbursement for the preliminary investigations and extra expenses incident to the establishment of a new business, would induce capitalists to turn their attention to it. The beginning once made, I do not doubt that the industry would extend rapidly and widely throughout the State and repay a hundred-fold the bounty which called it into being.

THE STATE HOUSE.

The pressing need of more commodious, healthful and convenient offices and apartments for carrying on the business of the State, and of an orderly arrangement of the public archives, books and property, where they would be more accessible, and also protected from fire, unites with the favorable condition of the Treasury and the cheapness of labor and material, in pointing to the present as the proper time for improving and enlarging the State House. Regarded externally, the building justly excites admiration by its commanding site, the beauty of the material of which it is constructed, and its simple, yet grand architecture. The test of nearly fifty years has disclosed scarcely a flaw in the workmanship employed in the erection of it.

Some of the internal features are all that could be desired. The Senate Chamber, and the rooms assigned to the Executive Council and the Governor are of ample size, admirably proportioned, and in all respects adapted to their respective uses. For the rest, commendation is not so much in order as criticism.

The Hall of the House of Representatives is not capacious enough to admit of comfortable seats for the members, and of suitable accommodations for the public who desire to witness the

proceedings, and is unprovided with ante-rooms. The committee-rooms, where a large portion of the business of the Legislature is transacted, are insufficient in number and totally unfit for that purpose. When crowded, as they often are, in important hearings, the air soon becomes so vitiated as to seriously endanger health.

The State Treasurer and Secretary of State require better facilities for performing the duties of their offices, and for the safe and convenient bestowal of their voluminous and important records.

The Library is difficult of access and its constantly accumulating stores are overrunning into such attic nooks and corners as the Librarian has been so ingenious as to discover.

But it is unnecessary to specify the respects in which the State House, in its present condition, fails to furnish the reasonable accommodations required. The facts are before you. If you seek argument and illustration, look around you.

In 1867 the Governor and Council, under an order of the Legislature of that year, engaged competent architects to make a survey of the State House and to present plans for its re-arrangement and enlargement. Their detailed report and accompanying designs and estimates were laid before the Legislature of 1868, and are now in the custody of the Superintendent of Public Buildings. I refer you to those documents for full information in regard to the building as well as to the addition proposed by them.

ELECTION OF UNITED STATES SENATORS.

During the recess of the Legislature a vacancy has occurred in the representation of this State in the Senate of the United State, caused by the resignation of Lot M. Morrill to accept a position in the Cabinet of the President of the United States. A temporary appointment until the meeting of the Legislature was made as directed by the Constitution. It now devolves upon you to fill the vacancy. The term for which Senator Morrill was elected expires with the present Congress, and it therefore becomes your further duty to choose a Senator for the term beginning on the fourth of March next.

GEORGE WARREN.

George Warren, the member of the Executive Council from the second councillor district, died in the month of July, of last year,

at his home in Westbrook. Mr. Warren was a prominent and respected citizen, an active and successful business man, and a most faithful and efficient officer of the State. At the time of his decease he was serving upon his second term as a Councillor.

CONCLUSION.

Gentlemen, the times in which we are met are filled with solicitude for the welfare of the country. A heated Presidential contest has not been followed, as is customary, by the acknowledged election of the candidate of one party, and the ready submission of the defeated party to the result. But there is no present reason for foreboding. Partisan clamor will be hushed in the majestic presence of the law of the land, when the time comes for it to manifest and assert itself. We cannot doubt that the tribunal upon which devolves the settlement of the vexed question, composed of men chosen of the nation for wisdom and patriotism, will establish the right by clear proof of law and ancient custom, and that the general voice of a law-abiding people will accept their decision.

The frequency and intenseness of our political strifes cast no reproach upon a Republican form of government. They are its legitimate attendants, the conditions necessary for the preservation of it. Before all else—ease, prosperity, freedom from excitement, every consideration of present personal well-being—the Republic which ensures the greatest good of all, is to be regarded and maintained. The worth of a free government cannot be measured by any cost of time, labor, material, or, as our history as a nation shows, by even the sacrifice of the lives of its citizens ;

“Of what avail the plow and sail,
Or land, or life, if freedom fail.”

At the conclusion of the address, the Governor and suite retired.

The purpose of the Convention having been accomplished, it was dissolved, and the Senate retired.

The House was called to order by the SPEAKER.

On motion of Mr. CHASE of Bridgton, the Clerk was charged with and conveyed a message to the Senate proposing a Joint Convention, this day, at 2.45 P. M., for the purpose of electing a Secretary of State, Attorney General, Adjutant General, Treasurer of State, and seven Executive Councillors, and asking the concurrence of the Senate.

Adjourned.

ORAMANDAL SMITH, *Clerk.*

AFTERNOON SESSION.

Met according to adjournment.

On motion of Mr. MEADER of Waterville,

Ordered, That two thousand copies of the address of Governor Selden Connor be printed for the use of this House.

On motion of Mr. GRANT of Ellsworth,

Ordered, That the Clerk make up the pay of J. B. Walker, late Messenger of this House, at the usual mileage and attendance.

On motion of Mr. HOBSON of Wiscasset,

Ordered, That the Secretary of State be directed to furnish the House one copy of the Revised Statutes for each of the Monitors, for the use of their several divisions, and the same be returned to the Secretary of State at the close of the session.

A message was received from the Senate by Mr. Lane, Secretary of the Senate, informing the House of the concurrence of that branch in the proposition for a Convention, for the purpose of electing a Secretary of State, Attorney General, Adjutant General, Treasurer of State and seven Executive Councillors.

Mr. HAYNES, from the Committee on Elections, on the returns of votes for Representative from the towns of Fairfield, Smithfield and Mercer, reported the following resolve :

Resolved, That Orison Burrill of Fairfield, be declared elected, and sworn in a member of this House in place of John H. Nye, deceased.

The report was read and accepted, and on motion of Mr. ROBIE of Gorham ordered printed.

Mr. MEADER of Waterville, announced the attendance of Mr. Burrill of Fairfield, and conducted him to the Governor, where he took and subscribed the oath required by the Constitution to qualify him to enter upon his official duties.

Mr. Burrill subsequently appeared and took his seat in the House.

The hour for the election of a Secretary of State, Attorney General, Adjutant General, Treasurer of State, and seven Executive Councillors, having arrived, the Senate came in and a Convention was formed.

IN CONVENTION.

On motion of Mr. BROWN of the Senate,

Messrs. Brown of Piscataquis,
Irish of Oxford,
Russell of Readfield,
Berry of Smyrna,
Locke of Portland,
Clark of Garland,

were appointed a Committee to receive, sort and count votes for Secretary of State.

Mr. BROWN, from the Committee, subsequently reported :

Whole number of votes.....	149
Necessary to a choice	75
Sumner J. Chadbourne had	128
Alexander M. Robinson	21

The report was read and accepted, and Hon. Sumner J. Chadbourne declared duly elected Secretary of State for the current political year.

On motion of Mr. BRAGDON of the Senate,

Messrs. Bragdon of Hancock,
Lennox of Lincoln,
Greeley of Lewiston,
Phinney of Jay,
Smith of Cornville,
Berry of Wayne,
Hurd of Porter,

were appointed a Committee to receive, sort and count the votes for Attorney General.

Having attended to that duty, Mr. BRAGDON, from the Committee, reported :

Whole number of votes.....	148
Necessary for a choice	75
Hon. L. A. Emery had	131
Hon. David R. Hastings	17

The report was read and accepted, and Hon. L. A. Emery declared duly elected Attorney General for the current political year.

On motion of Mr. SHEPHERD of the Senate,

Messrs. Shepherd of Somerset,
 Learned of Waldo,
 Winslow of Portland,
 Nutt of Pembroke,
 Hutchinson of Atkinson,
 Cook of Unity,
 Towle of Buxton,

were appointed a Committee to receive, sort and count the votes for Adjutant General.

Having attended to that duty, Mr. SHEPHERD, from the Committee, reported :

Whole number of votes.....	149
Necessary for a choice	75
Gen. Jonathan P. Cilley had	126
Hon. Samuel D. Leavitt.....	22
L. A. Emery	1

The report was read and accepted, and Gen. Jonathan P. Cilley declared duly elected Adjutant General for the current political year.

On motion of Mr. THOMPSON of the Senate,

Messrs. Thompson of York,
 Nutter of Cumberland,
 Hadlock of Cranberry Isles,
 Sprague of Greene,
 Brown of Oldtown,
 Greenwood of Hebron,

were appointed a Committee to receive, sort and count the votes for a State Treasurer.

Having attended to the duty assigned it, Mr. THOMPSON, from the Committee, reported :

Whole number of votes	150
Necessary to a choice	76
E. H. Banks has	128
Samuel D. Leavitt	21

and Hon. E. H. Banks was declared duly elected State Treasurer for the current fiscal year.

On motion of Mr. BURLEIGH of the Senate,

Messrs. Burleigh of Aroostook,
Tolman of Cumberland,
Hill of Bucksport,
Shepherd of Camden,
Noyes of Vinalhaven,
West of Franklin,

were appointed a Committee to receive, sort and count votes for seven Executive Councillors.

Mr. BURLEIGH subsequently reported :

Whole number of votes.....	165
Necessary for a choice	78
E. C. Farrington had.....	132
Charles E. Jose.....	132
George A. Preble.....	132
Charles A. Wing.....	132
Andrew Lacy	132
Charles Buffum.....	132
L. R. King.....	132
Alfred S. Kimball.....	23
Charles H. Haskell.....	23
Frank B. Torrey.....	23
B. F. Parrott.....	23
E. W. Farley.....	23
Isaac F. Buzzell.....	23
Jacob Hardison.....	23

The report was read and accepted, and E. C. Farrington, Charles E. Jose, George A. Preble, Charles A. Wing, Andrew Lacy, Charles Buffum, L. R. King, were declared duly elected Executive Councillors for the current political year.

On motion of Mr. VINTON of Cumberland,

Ordered, That the Secretary of the Convention be directed to inform Hon. Sumner J. Chadbourne of his election as Secretary of State, E. H. Banks of his election as Treasurer of State, Hon. L. A. Emery of his election as Attorney General, Gen. Jonathan P. Cilley of his election as Adjutant General, and Hons. E. C. Farrington, Charles E. Jose, George A. Preble, Charles A. Wing, Andrew Lacy, Charles Buffum, L. R. King, of their election as Executive Councillors.

The purpose of the Convention having been accomplished, the Senate retired.

The House was called to order by the SPEAKER.

On motion of Mr. ROBIE of Gorham,

Ordered, That the Senate concurring, when this House adjourns it shall be until Tuesday of next week, at ten o'clock A. M., and that thereafter every secular day shall be deemed a full business day.

This order was sent to the Senate.

A similar order was received from the Senate and passed in concurrence.

Communications from Hon. L. A. Emery accepting the office of Attorney General, from E. C. Farrington, George A. Preble, Charles A. Wing, Andrew Lacy, Charles Buffum and L. R. King, accepting the office of Executive Councillors, came from the Senate read, and were read in concurrence.

A message was received from the Senate, through Mr. Lane, its Secretary, proposing a Convention in the Representatives' Hall, this day, at 4 o'clock P. M., for the purpose of administering to Hons. E. C. Farrington, George A. Preble, Charles A. Wing, Andrew Lacy, Charles Buffum, L. R. King, the oath required by the Constitution to qualify them to enter upon their official duties.

The Clerk was charged with and conveyed a message to the Senate, informing that branch of the concurrence of the House in the proposition for a Convention.

Immediately the Senate came in and a Convention was formed.

IN CONVENTION.

On motion of Mr. KYES of Franklin,

The Secretary of the Convention was directed to notify Hons. E. C. Farrington, George A. Preble, Charles A. Wing, Andrew Lacy, Charles Buffum, L. R. King, that the two branches of the Legislature had assembled in Joint Convention, for the purpose of administering to them the oaths required to qualify them to enter upon the discharge of their official duties.

The Secretary subsequently reported that he had discharged the duty assigned him; and the Councillors elect were pleased to say that they would forthwith attend upon the Convention.

Thereupon Hons. E. C. Farrington, George A. Preble, Charles A. Wing, Andrew Lacy, Charles Buffum and L. R. King, came in, and in the presence of the Convention, before the President of the Senate, took and subscribed the oaths required by the Constitution to qualify them to enter upon the discharge of their official duties.

The Councillors then retired.

On motion of Mr. WHEELWRIGHT of Penobscot,

Ordered, That the Secretary of the Convention inform the Governor of the qualification of Hons. E. C. Farrington, George A. Preble, Charles A. Wing, Andrew Lacy, Charles Buffum and L. R. King, as Executive Councillors for the current political year.

The purpose of the Convention having been accomplished, the Senate retired.

The House was called to order by the SPEAKER, and immediately adjourned.

ORAMANDAL SMITH, *Clerk*.

TUESDAY, JANUARY 9, 1877.

Met according to adjournment.

Prayer by the Rev. Mr. SARGENT of Augusta.

Journal of Thursday read and approved.

Papers from the Senate.

Communications from Hon. S. J. Chadbourne, signifying his acceptance of the office of Secretary of State ;

From Gen. J. P. Cilley, signifying his acceptance of the office of Adjutant General ;

Came from the Senate read, and were read in concurrence.

The report of the Committee on Joint Standing Committees, reporting that no changes were necessary, came from the Senate read and accepted, and was read and accepted in concurrence.

The SPEAKER announced the Standing Committees of the House, as follows :

On Ways and Means.

Messrs. Rogers of Bath,
Hobson of Wiscasset,
Greely of Lewiston,
Hinckley of Bluehill,
Bodwell of Hallowell,
Kimball of Rockland,
Adams of Deering.

On Leave of Absence.

Messrs. Wardwell of Otisfield,
Morrill of Gray,
Haskell of West Gardiner,
Pierce of Hudson,
Babbidge of Swan Island,
Fletcher of Solon,
Hurd of Porter.

On Change of Names.

Messrs. Smith of Alna,
Pierce of Hudson,
York of Cumberland,
Learned of Benton,
Storer of Morrill,
Pillsbury of Union,
Strout of Alexander.

On Bills in the Third Reading.

Messrs. Berry of Smyrna,
Russell of Readfield,
Wilson of Raymond,
Taylor of Sidney,
Grant of Stockton,
Conforth of Pittsfield,
Standish of Eustis.

On Engrossed Bills.

Messrs. Sprague of Greene,
Briggs of Auburn,
Perkins of Brooksville,
Noyes of Vinalhaven,
Wadsworth of Gardiner,
Morrill of Gray,
Chick of Clifton.

On Business of the House.

Messrs. Ballard of Augusta,
Greely of Lewiston,
Shepherd of Camden.

The Joint Standing Committees of the Legislature on part of the Senate, came from that branch, and were joined on part of the House, and are as follows :

On the Judiciary.

Messrs. Kyes of Franklin,
Wheelwright of Penobscot,
Vinton of Cumberland, *of the Senate* ;
Messrs. Cleaves of Portland,
Haynes of Augusta,
Stone of Biddeford,
Wentworth of Bradford,
Locke of Portland,
Chadbourne of Waterboro',
Hume of Eastport, *of the House*.

On Legal Affairs.

Messrs. Stevens of Kennebec,
Phillips of Penobscot,
Wadsworth of Oxford, *of the Senate* ;
Messrs. Chase of Bridgton,
Adams of Deering,
Farrar of Turner,
Lord of Bangor,
Libbey of Poland,
Wadsworth of Manchester,
Morrison of Phillips, *of the House*.

On Financial Affairs.

Messrs. Sturgis of Androscoggin,
Shepherd of Somerset,
Tolman of Cumberland, *of the Senate* ;
Messrs. Rogers of Bath,
Hobson of Wiscasset,
Greely of Lewiston,
Hinckley of Bluehill,
Bodwell of Hallowell,
Kimball of Rockland,
Adams of Deering, *of the House*.

On Federal Relations.

- Messrs. Bailey of Cumberland,
Webb of Penobscot,
Sumner of Washington, *of the Senate* ;
Messrs. Hobson of Wiscasset,
Bird of Rockland,
Winslow of Portland,
Clark of Damariscotta,
Jackson of Portland,
Smith of Alna,
Pillsbury of Union, *of the House*.

On Education.

- Messrs. Shepherd of Somerset,
Phillips of Penobscot,
Brown of Piscataquis, *of the Senate* ;
Messrs. Warren of Westbrook,
Besse of Lincoln,
Hinckley of Georgetown,
Lord of Bangor,
Russell of Readfield,
Smith of Cornville,
Stover of Harpswell, *of the House*.

On Railroads.

- Messrs. Brown of Piscataquis,
Brackett of York,
Stevens of Kennebec, *of the Senate* ;
Messrs. Robie of Gorham,
Smith of Auburn,
Goodwin of Farmington,
Blunt of Skowhegan,
Cook of Lewiston,
Strickland of Bangor,
Woods of Belfast, *of the House*.

On Commerce.

- Messrs. Watts of Knox,
Wheelwright of Penobscot,
White of Hancock, *of the Senate*;
Messrs. Jordan of Brunswick,
Winslow of Portland,
Goldthwaite of Biddeford,
Bird of Rockland,
Nutt of Pembroke,
Noyes of Vinalhaven,
Drisko of Jonesboro', *of the House*.

On Mercantile Affairs and Insurance.

- Messrs. Brackett of York,
Bartlett of Somerset,
Nash of Washington, *of the Senate*;
Messrs. Haynes of Augusta,
Jackson of Portland,
Copeland of Dexter,
Hersom of Berwick,
Simpson of Carmel,
Clark of Damariscotta,
Shepherd of Camden, *of the House*.

On Banks and Banking.

- Messrs. Wheelwright of Penobscot,
Sturgis of Androscoggin,
Hobson of York, *of the Senate*;
Messrs. Grant of Ellsworth,
Hume of Eastport,
Pilsbury of Lewiston,
Burrill of Fairfield,
Hill of Bucksport,
Haskell of Waldoboro',
Bowers of Saco, *of the House*.

On Manufactures.

- Messrs. Hobson of York,
Brown of Piscataquis,
Tolman of Cumberland, *of the Senate* ;
- Messrs. Shaw of Kingman,
Bodwell of Hallowell,
Hersom of Berwick,
Clark of Garland,
Osgood of Hartford,
Goodwin of Farmington,
Wadsworth of Gardiner, *of the House*.

On Agriculture.

- Messrs. Peaks of Penobscot,
Woodbury of Kennebec,
Learned of Waldo, *of the Senate* ;
- Messrs. White of Orono,
Sprague of Greene,
Phinney of Jay,
Robie of Gorham,
Gifford of Vassalboro',
Parkhurst of Maysville,
Goodwin of Monroe, *of the House*.

On Military Affairs.

- Messrs. Sumner of Washington,
Stevens of Kennebec,
Thompson of York, *of the Senate* ;
- Messrs. Hadlock of Cranberry Isle,
Brown of Bowdoinham,
Porter of Burlington,
Little of Bremen,
Garvin of Acton,
Norton of Penobscot,
Chick of Clifton, *of the House*.

On Interior Waters.

- Messrs. Boardman of Waldo,
Nutter of Cumberland,
Jordan of Androscoggin, *of the Senate* ;
Messrs. Meader of Waterville,
Brown of Oldtown,
Pilsbury of Lewiston,
Coffin of Cherryfield,
Kinney of Houlton,
Cyr of Grand Isle,
Sanborn of Parsonsfield, *of the House.*

On State Lands and State Roads.

- Messrs. Burleigh of Aroostook,
Boardman of Waldo,
Irish of Oxford, *of the Senate* ;
Messrs. Chase of Standish,
Nadeau of Fort Kent,
Knowles of Cambridge,
Alexander of Linneus,
Porter of Burlington,
Smith of Hampden,
Standish of Flagstaff, *of the House.*

On Ways and Bridges.

- Messrs. Bragdon of Hancock,
Wadsworth of Oxford,
Lennox of Lincoln, *of the Senate* ;
Messrs. Blunt of Skowhegan,
Jordan of Mariaville,
Hutchinson of Atkinson,
Maddocks of Southport,
Rolf of Princeton,
Towle of Buxton,
Rogers of Bath, *of the House.*

On Fisheries.

- Messrs. White of Hancock,
Thompson of York,
Irish of Oxford, *of the Senate* ;
- Messrs. West of Franklin,
Towne of Dover,
Waitt of Dixfield,
Willard of Sanford,
Grant of Stockton,
Hyer of Thomaston,
Little of Bremen, *of the House.*

On Counties.

- Messrs. Bartlett of Somerset,
Sumner of Washington,
Webb of Penobscot, *of the Senate* ;
- Messrs. Reynolds of Lubec,
Morrill of Gray,
Stackpole of Durham,
Babbidge of Swan Island,
Newbert of China,
Pendleton of Islesboro',
Greenwood of Hebron, *of the House.*

On Towns.

- Messrs. Wadsworth of Oxford,
Burleigh of Aroostook,
Watts of Knox, *of the Senate* ;
- Messrs. Rand of Greenwood,
Fellows of Windham,
Bragdon of York,
Haskell of West Gardiner,
Ireland of Stetson,
Warren of Denmark,
Hutchinson of Atkinson, *of the House.*

On Indian Affairs.

Messrs. Nash of Washington,
Hobson of York,
Bragdon of Hancock, *of the Senate* ;
Messrs. Strickland of Bangor,
Rolf of Princeton,
Perkins of Brooksville,
Harlow of Brewer,
Lord of Kennebunk,
Abbott of Andover,
Clark of Appleton, *of the House.*

On Claims.

Messrs. Woodbury of Kennebec,
Learned of Waldo,
Bailey of Cumberland, *of the Senate* ;
Messrs. Hawes of New Sharon,
Berry of Smyrna,
Newbert of China,
Robbins of Norridgewock,
Cook of Unity,
Morrill of Gray,
Kinney of Houlton, *of the House.*

On Pensions.

Messrs. Webb of Penobscot,
Bragdon of Hancock,
Burleigh of Aroostook, *of the Senate* ;
Messrs. Davis of Montville,
Briggs of Auburn,
Wardwell of Otisfield,
Wilson of Raymond,
Fletcher of Solon,
Colkins of Trescott,
Haskell of West Gardiner, *of the House.*

On Insane Hospital.

- Messrs. Irish of Oxford,
Bailey of Cumberland,
Watts of Knox, *of the Senate*;
Messrs. Buck of Foxcroft,
Ballard of Augusta,
Cook of Lewiston,
Littlefield of Portland,
Averill of Frankfort,
Thomas of Yarmouth,
Cleaves of Kennebunkport, *of the House*.

On Reform School.

- Messrs. Jordan of Androscoggin,
Nutter of Cumberland,
Boardman of Waldo, *of the Senate*;
Messrs. Browne of Bowdoinham,
Warren of Pownal,
Porter of Lyndon,
Conforth of Pittsfield,
Taylor of Sidney,
Trussell of St. George,
Shapleigh of Elliot, *of the House*.

On State Prison.

- Messrs. Thompson of York,
Lennox of Lincoln,
Bartlett of Somerset, *of the Senate*;
Messrs. Seaward of Kittery,
Jewett of Richmond,
Berry of Wayne,
Howes of New Sharon,
Bolster of Norway,
Johnson of Dixmont,
Haskell of Cape Elizabeth, *of the House*.

On Public Buildings.

Messrs. Tolman of Cumberland,
Peaks of Penobscot,
Lennox of Lincoln, *of the Senate*;
Messrs. Littlefield of Portland,
Learned of Benton,
Harlow of Brewer,
Gibson of Machias,
Storer of Morrill,
Roberts of Lyman,
Babbidge of Swan Island, *of the House.*

On Library.

Messrs. Phillips of Penobscot,
Vinton of Cumberland,
Shepherd of Somerset, *of the Senate*;
Messrs. Stone of Biddeford,
Robbins of Norridgewock,
Ballard of Augusta,
Locke of Portland,
Bowers of Saco,
Buck of Foxcroft,
Strout of Alexander, *of the House.*

Communication from the State Treasurer, transmitting his annual report, was received, read, and the report referred to the Committee on Financial Affairs.

Bill "an act to amend section 24, chapter 81, revised statutes, relating to attachment of personal property," was referred to the Committee on the Judiciary.

Memorial of the National Board of Trade, was referred to the Committee on Education.

Petition of F. A. Wilson and others, for change of town line of the town of Haynesville, was referred to the Committee on Towns.

Petition of the Penobscot Log Driving Company, for amendment of charter; and

Bill "an act to prevent the throwing of slabs or other refuse into the Kennebec river;"

Were referred to the Committee on Interior Waters.

The foregoing were sent to the Senate.

On motion of Mr. STRICKLAND of Bangor,

Ordered, That the Committee on the Judiciary inquire into the expediency of providing by law for a lien upon any logs for services of any person who may run and take care of such logs, after the same be rafted, from any boom in the State.

On motion of Mr. SPRAGUE of Greene,

Ordered, That the Committee on Legal Affairs inquire into the expediency of enacting a law requiring returns to be made annually to the Secretary of State of the number of divorces and for what causes granted.

On motion of Mr. SHEPHERD of Camden,

Ordered, That all business of the last Legislature referred to this, be taken from the file and referred to the appropriate committees.

The foregoing orders were sent to the Senate.

Mr. ROBIE of Gorham, announced the attendance of Mr. Pike of Calais.

Mr. BERRY of Smyrna, announced the attendance of Messrs. Alexander and Nadeau, members elect.

Mr. WENTHWORTH of Bradford, announced the attendance of Messrs. Garvin and Shaw, members elect from Acton and Kingman.

The members elect were conducted to the Governor, where they took and subscribed the oaths of office required by the constitution, to qualify them to enter upon their official duties.

The members subsequently appeared and took their seats in the House.

Communication from Hon. Charles E. Jose, Councillor elect, signifying his acceptance, came from the Senate, and was read.

A message was received from the Senate through its Secretary, S. W. Lane, Esq., at 11 o'clock A. M., proposing a Convention in the Representatives' Hall, this day forthwith, for the purpose of administering to Charles E. Jose, Councillor elect, the oath

required by the Constitution to qualify him to enter upon the discharge of his official duties.

The Clerk was charged with and conveyed a message to the Senate informing that branch of the concurrence of the House in the proposition for a Convention.

Thereupon the Senate came in and a Convention was formed.

IN CONVENTION.

On motion of Mr. KYES of Franklin,

The Secretary of the Convention was directed to notify Charles E. Jose that the two branches of the Legislature had assembled in Joint Convention, for the purpose of administering to him the oath required to qualify him to enter upon the discharge of his official duties.

The Secretary subsequently reported that he had discharged the duty assigned him, and the Councillor elect was pleased to say that he would forthwith attend upon the Convention.

Thereupon, Hon. Charles E. Jose, Councillor elect, came in, and in the presence of the Convention, before the President of the Senate, took and subscribed the oath required by the Constitution to qualify him to enter upon the discharge of his official duties.

The Councillor then retired.

On motion of Mr. WHEELWRIGHT of the Senate,

Ordered, That the Secretary of the Convention inform the Governor of the qualification of Hon. Charles E. Jose, as Executive Councillor for the current political year.

Having accomplished the purpose for which it assembled, the Convention was dissolved, and the Senate retired.

The House was called to order by the SPEAKER.

On motion of Mr. BROWN of Oldtown,
Adjourned.

ORAMANDAL SMITH, *Clerk*.

WEDNESDAY, JANUARY 10, 1877.

Met according to adjournment.

Prayer by the Rev. Mr. DREW of Augusta.

Journal of yesterday read and approved.

Papers from the Senate.

Communication from the Secretary of State, transmitting annual report of the Insurance Commissioner for the year 1876, came from the Senate read, and the report referred to the Committee on Mercantile Affairs and Insurance, and was read and the report referred in concurrence.

Communication from same, transmitting reports of Penobscot and Passamaquoddy Indians, came from the Senate read, and reports referred to Committee on Indian Affairs, and was read and the report referred in concurrence.

Communication from same, transmitting annual report of the Visiting Committee of the Insane Hospital for the year 1876, came from the Senate read, and report referred to Committee on Insane Hospital, and was read and the report referred in concurrence.

Communication from same, transmitting annual report of Commissioners of Fisheries, came from the Senate read, and the report referred to Committee on Fisheries, and was read and report referred in concurrence.

Communication from same, transmitting annual report of the Attorney General for the year 1876, came from the Senate read, and the report referred to the Committee on the Judiciary, and was read and report referred in concurrence.

Memorial of the city government of the city of Portland for an amendment to the city charter ; also

Memorial of same in relation to defective highways ; also

Bill "an act to amend section 3, chapter 7, revised statutes, relating to election returns ;" and

Bill "an act to amend chapter 62 of the public laws of 1876, relating to election returns ;"

Came from the Senate referred to the Committee on the Judiciary, and was referred in concurrence.

Petition of White, Averill and others of Oldtown, for abatement of island shore rents in Penobscot river, was referred to the Committee on Indian Affairs in concurrence.

Bill "an act to authorize contract between the Bucksport and Bangor Railroad Company and Trustees of European and North American Railway Company;" also

Petition of Bangor and Piscataquis Railroad Company to amend its charter; and

Petition of Lake Megantic Railroad Company for further time to locate and build said road;

Were referred in concurrence to the Committee on Railroads.

Report of Savings Bank Commission, was referred in concurrence to the Committee on Banks and Banking.

Petition of Emily J. Welts for pension, was referred in concurrence to the Committee on Pensions.

Ordered, That a Joint Select Committee of three on the part of the Senate, with such as the House may join, be appointed on the Governor's Message, who shall report a reference of its several subjects to appropriate Committees.

This order came from the Senate read and passed, and

Messrs. Stevens of Kennebec,
Learned of Waldo,
Nutter of Cumberland,

appointed on its part. And was read and passed in concurrence, and

Messrs. Haynes of Augusta,
Shepherd of Camden,
Pierce of Hudson,
Hurd of Porter,
Briggs of Auburn,
Hobson of Wiscasset,
Hinckley of Georgetown,

were joined on part of the House.

Ordered, That a Joint Select Committee of three on the part of the Senate, with such as the House may join, be appointed to

contract with some suitable persons to do the State Printing and Binding for the current year, subject to the approval of the Legislature.

This order came from the Senate read and passed, and

Messrs. Stevens of Kennebec,
Shepherd of Somerset,
Sturgis of Androscoggin,

appointed on its part. And was read and passed in concurrence, and

Messrs. Ballard of Augusta,
Osgood of Hartford,
Pillsbury of Union,
Kimball of Rockland,
Robie of Gorham,
Berry of Smyrna,
Standish of Eustis,

were joined on part of the House.

Ordered, The House concurring, that a Joint Select Committee of three on the part of the Senate, with such as the House may join, be appointed to negotiate for the purchase of the Maine State Year Book.

This order came from the Senate read and passed, and

Messrs. Vinton of Cumberland,
Learned of Waldo,
Bartlett of Somerset,

appointed on its part. And was read and passed in concurrence, and

Messrs. Farrar of Turner,
Newbert of China,
Fellows of Windham,
Stackpole of Durham,
Chase of Bridgton,
Strout of Alexander,
York of Cumberland,

were joined on part of the House.

Ordered, That the Committee on the Judiciary inquire into the expediency of enacting a law authorizing the appointment of a State Detective, or in some way to provide for the more certain capture of criminals.

This order came from the Senate read and passed, and was read and passed in concurrence.

Petition of Edwin Reed, Mayor of Bath, for an amendment of section 17, chapter 77 of the revised statutes, relating to jurisdiction of the Supreme Judicial Court for the County of Sagadahoc ; also

Petition of members of First Parish of Wells, for authority to sell parish property ; also

Bill "an act additional relating to corporations ;" and

Petition of inhabitants of Plantation No. 8, Hancock County, for an act of incorporation for election purposes ;

Were referred to the Committee on the Judiciary.

Petition of Theodore C. Woodman, for reimbursement for tax paid on account of Bucksport Savings Bank, was referred to the Committee on Banks and Banking.

Petition of J. Lovejoy and others, for the division of town of Alton ; also

Petition of Frank E. Sleeper and James F. Jewell, for a tract of land in the town of Greene to be set off to the city of Lewiston ; and

Remonstrance of the inhabitants of Oakfield plantation and others, against an act of incorporation ;

Were referred to the Committee on Towns.

Petition of J. B. Mitchell, fish warden, and sixteen others of Casco and Naples, for an act to prohibit the taking of land-locked salmon in certain waters ; and

Petition of Robert Jordan and others ;

Were referred to the Committee on Fisheries.

Petition of Assessors of Woodland Plantation, in relation to school money, was referred to the Committee on Education.

Petition of B. T. Larrabee and others of Bridgton, to be set off from Bridgton Center Village Corporation, was referred to the Committee on Legal Affairs.

The foregoing were sent to the Senate.

Mr. ROGERS of Bath, presented bill "an act to amend section 3 of chapter 26 of the public laws of 1872, relating to the altering or widening of streets," and on his motion, the same was laid on the table and ordered printed.

On motion of Mr. FELLOWS of Windham,

Ordered, That the Committees on Education, State Prison, Insane Hospital, Reform School, Agriculture, and Military Affairs, be authorized to visit the various institutions they represent.

On motion of Mr. STOVER of Harpswell,

Ordered, That the Committee on Education inquire into the expediency of so amending section 31, chapter 11, revised statutes, that districts may unite to maintain a graded school for a specified time, at the expiration of which, each district shall resume its district organization.

On motion of Mr. BRIGGS of Auburn,

Ordered, That the Committee on Agriculture inquire what legislation is necessary, if any, for the better protection of sheep owners from the ravages of dogs, and report by bill or otherwise.

On motion of Mr. PIKE of Calais,

Ordered, That the Committee on Financial Affairs inquire into the expediency of providing for some investment of the funds of the State, so that the large balance lying in the treasury without interest may be reduced.

On motion of Mr. BERRY of Smyrna,

Ordered, That the Committee on State Lands and State Roads inquire into the expediency of amending a resolve approved February 6, 1875, entitled "resolve in favor of Crystal Plantation in the county of Aroostook," so that its condition shall require the construction of a turnpiked road of the usual width for all county roads in Aroostook county, with such other amendments of said resolve as they may deem proper.

On motion of Mr. ALEXANDER of Linneus,

Ordered, That the Committee on the Judiciary inquire into the expediency of enacting a law so that men who are engaged in peeling or hauling bark may have a lien thereon for labor performed, also for their teams.

These orders were sent to the Senate.

Mr. PIKE of Calais presented the following resolve, which was adopted :

Resolved, the Senate concurring, That the mayors of cities and selectmen of towns be required to forward to the Secretary of State, at once, a statement of the amount of indebtedness of said towns and cities, distinguishing what part of it is for municipal

and what for other purposes, and stating the amount of absolute and of collateral indebtedness. They shall also state the amount of indebtedness in 1866 ; and the Secretary of State is hereby instructed to send instructions to said officers for the purpose of obtaining said information.

The resolve was sent to the Senate.

On motion of Mr. TRUSSELL of St. George,

Ordered, That the Secretary of State furnish the Messenger of the House one copy of the acts and resolves of 1876, for each member of the present House.

On motion of Mr. CHASE of Bridgton,

Adjourned.

ORAMANDAL SMITH, *Clerk*.

THURSDAY, JANUARY 11, 1877.

Met according to adjournment.

Prayer by the Rev. Mr. PENNEY of Augusta.

Journal of yesterday read and approved.

Papers from the Senate.

Communication from the Secretary of State transmitting annual report of the Trustees and Resident Officers of the Maine Insane Hospital for the year 1876, came from the Senate read, and the report referred to the Committee on Insane Hospital, and was read and the report referred in concurrence.

Bill "an act to extend the time for locating and completing the Northern Aroostook Railroad ;" also

Bill "an act to amend section 31 of chapter 51 of the revised statutes, relating to brakemen on railroad trains ;"

Came from the Senate referred to the Committee on Railroads, and were referred in concurrence.

Bill "an act to amend chapter 27, revised statutes, in relation to innholders, victuallers and intoxicating liquors," was referred in concurrence to the Committee on Temperance.

Petition of Sprague Keen of Bridgton, to be set off with his estate from said town and annexed to the town of Harrison, came from the Senate referred to the Committee on Towns, and was referred in concurrence.

Ordered, That the Committee on Legal Affairs inquire into the expediency of so changing section 34 of chapter 91, revised statutes, as to include cord wood.

This order came from the Senate read and passed, and was read and passed in concurrence.

Ordered, That the Committees on Education, State Prison, Insane Hospital, Reform School, Agriculture and Military Affairs, be authorized to visit the various institutions they represent, the several committees not authorized to invite members and others to accompany them at the expense of the State.

This order came from the Senate read and passed, was amended on motion of Mr. CLEAVES of Portland, as per sheet "A," and passed.

Ordered, That a Committee of three on the part of the Senate, with such as the House may join, be appointed, to whom all matters relating to temperance and the prohibitory liquor law, shall be referred.

This order came from the Senate read and passed, and

Messrs. Wheelwright of Penobscot,

Jordan of Androscoggin,

Nutter of Cumberland,

appointed on its part. And was read and passed in concurrence, and

Messrs. Smith of Auburn,

Abbot of Andover,

Strout of Alexander,

Thomas of Yarmouth,

Knowles of Cambridge,

Hurd of Porter,

Copeland of Dexter,

were joined on the part of the House.

The following order passed by the House, came back from the Senate refused a passage :

Ordered, That all business of the last Legislature referred to this be taken from the files and referred to the appropriate Committees.

The House receded and concurred.

The House subsequently, on motion of Mr. CHASE of Bridgton, reconsidered the foregoing vote and voted to insist, and proposed a Committee of Conference, and the SPEAKER appointed

Messrs. Chase of Bridgton,
Cleaves of Portland,
Town of Dover,

Conferees on its part.

The Senate joined

Messrs. Kyes of Franklin,
Wheelwright of Penobscot,
Stevens of Kennebec,

on its part.

Petition of Olof Ljungren and Magnus Jeppson, for land ; also

Petition of Isaac Varney, for deed of lot of land ; also

Petition of town of Maysville, for appropriation to pay for repairs on Aroostook road, in the town of Maysville ; also

Petition of David Dudley, for deed of lot of land ; also

Petition of Charles G. Perry, for deed of lot of land ; also

Petition of Rufus F. Storer, for deed of lot of land ; also

Petition of Caleb G. Sprague, for deed of lot of land ; also

Petition of Marchant L. Stuart, for deed of lot of land ; and

“ Resolve in favor of roads passing through Indian township in Washington county ; ”

Were referred to the Committee on State Lands and State Roads.

Petition of citizens of Cherryfield, in relation to exportation of deer and partridge ; also

Petition of citizens of Chapman plantation, to legalize doings of ; also

Petition of citizens of Columbia Falls, in relation to the exportation of deer and caribou ; and

Petition of citizens of Addison, in relation to same ;

Were referred to the Committee on the Judiciary.

Petition of M. A. Phillips and others, to make valid the doings of the town of Weld, in the assessment of taxes for the year 1876, with bill accompanying; and

Petition of J. W. Clark and others of Andover, for a charter for telegraph company;

Were referred to the Committee on Legal Affairs.

Petition of E. V. Lyman and 59 others, inhabitants of the town of Mt. Desert, for fish-ways at the outlets of Somes' and Long ponds, and Echo lake, in said town; also

Petition of John Benson and 61 others of the town of Newport, that the office of Fish Commissioner be continued; also

Petition of George Prince, with bill accompanying: and

Bill "an act to prohibit the taking of fish from the Davis brook, in the town of Limington;"

Were referred to the Committee on Fisheries.

Petition of Thomas W. Porter, for reimbursement of money paid and for services rendered on account of men enlisted for the 14th Regiment Maine Volunteers, in 1861; and

"Resolve in favor of reimbursing the town of Greenville for assistance furnished George W. Garland in 1874;"

Were referred to the Committee on Claims.

Bill "an act relating to security of stores and provisions furnished to vessels owned by citizens of this State;" and

Petition of Daniel W. True and others, relating to the same;

Were referred to the Committee on Claims.

Petition of town authorities and others of Gouldsboro', for reimbursement of school money withheld from them in the apportionment of 1875-6, was referred to the Committee on Education.

Petition of the Selectmen of Yarmouth, for the right to build a foot bridge over tide waters between Cousins' island and Little John's island in said town, was referred to the Committee on Interior Waters.

The foregoing were sent to the Senate.

On motion of Mr. CHADBOURNE of Waterboro',

Ordered, That the Committee on the Judiciary inquire into the expediency of amending section 8 of chapter 119 of the revised statutes, by inserting after the word "vessel" in the fourth line of said section, the words "railroad car of any kind;" also of amending section 2 of chapter 120 of the revised statutes, by

inserting in the fourth line of said section, after the word "vessel," the words "railroad car of any kind."

On motion of Mr. SPRAGUE of Greene,

Ordered, That the Committee on Ways and Bridges inquire into the expediency of amending chapter 40 of the laws of 1872, relating to railroad crossings, in order to make the act more effectual.

On motion of Mr. STONE of Biddeford,

Ordered, That the Committee on the Judiciary examine section 116 of chapter 6 of the revised statutes, and report what, if any, amendment of said section is necessary, relating to the taxation of personal property of non-residents.

On motion of Mr. HINCKLEY of Bluehill,

Ordered, That the Committee on Legal Affairs inquire into the expediency of amending chapter 57 of the public laws of 1875, by changing the word "six" in the third line of section 1 to "ten."

On motion of Mr. CLEAVES of Portland,

Ordered, That all petitions relating to the establishment of a State Board of Health, with bill accompanying the same, be taken from the files and referred to the Committee on the Judiciary.

On motion of Mr. SMITH of Hampden,

Ordered, That the Committee on Legal Affairs inquire into the expediency of abolishing imprisonment for debt.

On motion of Mr. BROWNE of Bowdoinham,

Ordered, That the Committee on Fisheries inquire into the expediency of amending or repealing chapter 78 of the public laws of 1876, entitled "an act in relation to the erection of wharves and fish weirs in tide waters."

On motion of Mr. KINNEY of Houlton,

Ordered, That the Committee on Legal Affairs inquire into the expediency of amending section 6 of chapter 30 of the revised statutes, so that treasurers of towns shall not be required to cut off and destroy the ears on the skins of animals upon which bounty is claimed.

On motion of Mr. JEWETT of Richmond,

Ordered, That the Committee on Interior Waters inquire into the expediency of amending chapter 239 of the public laws of 1874, relating to gaming or shooting wild duck.

On motion of Mr. PERKINS of Brooksville,

Ordered, That the Committee on Legal Affairs inquire into the expediency of municipal corporations being required to keep a

full and complete record of all persons moving into and out of their limits, with the last place of residence and the place to which they move, if the same is known.

These orders were sent to the Senate.

On motion of Mr. Mr. BERRY of Smyrna,

Ordered, That the Clerk make up the pay of Joseph D. Randall, at ten dollars and mileage, one way.

The SPEAKER announced the Committee on County Estimates, as follows :

Messrs. Pilsbury of Androscoggin,
Alexander of Aroostook,
Chase of Cumberland,
Phinney of Franklin,
Hinckley of Hancock,
Meader of Kennebec,
Hyler of Knox,
Hobson of Lincoln,
Wait of Oxford,
Copeland of Penobscot,
Buck of Piscataquis,
Hinckley of Sagadahoc,
Smith of Somerset,
Grant of Waldo,
Coffin of Washington,
Bowers of York,

Bill "an act to amend chapter 649 of the private and special laws of 1871, entitled 'an act for the relinquishment to the United States, in certain cases, of title to lands for sites for light stations on the coast and waters of the State of Maine,'" having had three several readings and passed to be engrossed, was reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker, and sent to the Senate.

On motion of Mr. ROGERS of Bath,
Adjourned.

ORAMANDAL SMITH, *Clerk*.

FRIDAY, JANUARY 12, 1877.

Met according to adjournment.

The Clerk announced the absence of the Speaker.

On motion of Mr. SHEPHERD of Camden,
Ordered, That in the absence of the Speaker, H. B. Cleaves of Portland be Speaker *pro tem*.

Mr. Shepherd conducted the Speaker *pro tem*. to the Chair.

Prayer by the Rev. Mr. TILDEN of Augusta.

Journal of yesterday read and approved.

On motion of Mr. GRANT of Ellsworth,
That gentleman conveyed a message to the Governor announcing the election of H. B. Cleaves Speaker *pro tem*.

The same information was conveyed to the Senate by Mr. HADLOCK of Cranberry Isles.

Papers from the Senate.

"Resolve relating to municipal indebtedness," adopted in the House, came back from the Senate amended as per sheet "A," and adopted.

The House recessed, adopted Senate amendment "A," and then adopted the resolve in concurrence.

Petition of County Commissioners of Aroostook county, for an appropriation to defray the expense of verifying a meridian line established in accordance with chapter 43, revised statutes, was referred in concurrence to the Committee on State Lands and State Roads.

Ordered, That the Committee on the Judiciary report upon the expediency of so amending the revised statutes, or enacting a law that no city, town or plantation shall hereafter increase their indebtedness beyond five per cent. of their valuation.

Ordered, That the Committee on Legal Affairs inquire into the expediency of authorizing by statute, trial justices in their counties, to renew executions issued by other trial justices in

cases of the removal, disqualification or death of trial justices who issued such executions originally.

These orders came from the Senate read and passed, and were read and passed in concurrence.

Bill "an act to amend section 2, chapter 65, public laws of 1876, relating to the organization of business corporations;" also

Bill "an act to amend section 4, chapter 125, revised statutes, relating to gambling;" also

Bill "an act to amend section 56, chapter 51, revised statutes;" also

Bill "an act additional to chapter 122, public laws of 1876;" also

Petition of Frederick Gilky and others of Gorham, for the right to sell property of the First Baptist Parish in said town; also

Petition of D. H. Bisbee and others of Camden Village Corporation, for amendment of charter; also

Bill "an act to amend section 8, chapter 86, revised statutes, relating to trustee process;" and

Bill "an act to amend section 18, chapter 81, revised statutes;"

Were referred to the Committee on the Judiciary.

Bill "an act additional to chapter 18, revised statutes, relating to notice of defect in highways," was referred to the Committee on Legal Affairs.

Petition to extend provisions of an act to incorporate the Calais and Eastport Railroad Company, with bill accompanying, was referred to the Committee on Railroads.

Petition of F. W. Stimson, for a lot of land, was referred to the Committee on State Lands and State Roads.

Petition of Caleb Blake and others, for the repeal of chapter 232, special laws of 1876; and

Petition of J. F. Twitchell and others, relating to repeal of certain portions of the game law;

Were referred to the Committee on Fisheries.

The foregoing were sent to the Senate.

On motion of Mr. FELLOWS of Windham,

Ordered, That the Committee on Towns inquire into the expediency of legislation authorizing any town in the State to elect its municipal officers for the term of three years in the same manner as county commissioners are now elected.

On motion of Mr. SHEPHERD of Camden,

Ordered, That the Committee on Federal Relations inquire into the expediency of further legislation in regard to the establishment beyond dispute, of the boundary line between this State and the State of New Hampshire.

On motion of Mr. ROBBINS of Norridgewock,

Ordered, That the Committee on the Judiciary inquire into the expediency of passing an act restricting the sale of opium and its preparations.

On motion of Mr. CHASE of Standish,

Ordered, That the Committee on Federal Relations inquire into the expediency of any recommendations or request by this Legislature to our Maine Representatives in Congress in regard to the repeal or amendment of the present bankrupt law.

On motion of Mr. HINCKLEY of Georgetown,

Ordered, That the Committee on the Judiciary inquire into the expediency of making more definite and effective by amendment, chapter 358 of the special laws of 1873, relating to the throwing of ballast into the Kennebec river, by striking out all between the word "which" in the third line, and the word "on" in the fourth line, and inserting in place the words "lies below the city of Bath."

On motion of Mr. HOBSON of Wiscasset,

Ordered, That the Committee on Agriculture inquire into the expediency of amending sections 6, 7 and 23 of chapter 22 of the revised statutes, relating to line fences.

On motion of Mr. HINCKLEY of Bluehill,

Ordered, That the Committee on Agriculture be directed to ascertain the amount of money paid by the State to agricultural societies for the past three years, the names of societies receiving such money, and the amount paid to each, and report the same to this House.

The foregoing orders were sent to the Senate.

Mr. NADEAU, from the Committee on State Lands and State Roads, reported, on order, "resolve amendatory to chapter 20 of the resolves of 1875, entitled a 'resolve in favor of Crystal plantation, in the county of Aroostook.'"

The report was read and accepted, and the resolve ordered printed.

Mr. WENTWORTH, from the Committee on the Judiciary, reported legislation inexpedient, on order relating to liens on logs.

Mr. STONE, from the same Committee, reported same, on order relating to lien for peeling and hauling bark.

Mr. HUME, from the same Committee, reported ought not to pass, on bill "an act to amend section 24, chapter 81, revised statutes, relating to the attachment of property."

These reports were read and accepted, and sent to the Senate.

Mr. STRICKLAND, from the Committee on Railroads, reported ought to pass, on bill "an act to authorize contract between Bucksport and Bangor Railroad Company and Trustees of European and North American Railway Company."

Printed bill "an act to amend section 3 of chapter 26 of the public laws of 1872."

The report was read and accepted, bills read twice, and tomorrow assigned for the third reading.

On motion of Mr. BOWERS of Saco,
Adjourned.

ORAMANDAL SMITH, *Clerk.*

SATURDAY, JANUARY 13, 1877.

Met according to adjournment.

Prayer by the Rev. Mr. CURTIS of Augusta.

Journal of yesterday read and approved.

Papers from the Senate.

Communication from the Governor, transmitting a list of pardons granted during the past year, came from the Senate read, and was read in concurrence.

Bill "an act to enable jewellers to sell articles left with them for repairs and not called for, under certain conditions;" also

Bill "an act to promote the efficiency of the police force of the city of Portland;" also

Resolve of the city government of Portland, asking for an amendment to the Constitution of the State; and

Resolution of same, relating to taxation of property;

Were referred in concurrence to the Committee on the Judiciary.

Petition of Joseph H. Hamlin and others, to be incorporated into a company called the Harrington and Jonesport Telegraph Company, was referred in concurrence to the Committee on Legal Affairs.

Petition of L. A. Dinsmore and others, for a gratuity to W. W. Walker, was referred in concurrence to the Committee on Pensions.

Ordered, That the Committee on State Lands and State Roads inquire into the expediency of making an appropriation to defray the expenses of arranging and preserving, for convenient use and reference, the records, plans and documents, now in the State Land Office, including those recently received from the Commonwealth of Massachusetts, agreeably to the requirements of chapter 286 of the resolves of 1874.

Ordered, That the Committee on the Judiciary inquire into the expediency of so amending the divorce laws, that either party,

when aggrieved at the amount of alimony allowed, have the right of appeal to the full court.

These orders came from the Senate read and passed, and were read and passed in concurrence.

The Senate order relating to the visiting of public institutions by the proper Committees, which was amended in the House, come back from the Senate, that branch adhering to its former vote.

The House voted to adhere.

The similar order passed by the House, came back from the Senate amended as per sheet "A," and passed.

The House insisted and proposed a Committee of Conference, and the SPEAKER appointed

Messrs. Rand of Greenwood,
Norton of Penobscot,
Chase of Bridgton,

Conferees on part of the House.

Bill "an act to amend chapter 6, section 53, revised statutes, relating to repairs on highways in unincorporated townships;" also

Bill "an act to enlarge the powers of constables in the service of civil process;" and

Petition of citizens of Ellsworth, for a change of day for municipal elections;

Were referred to the Committee on the Judiciary.

Bill "an act authorizing Fred C. Barker to navigate by steam Mooselocmeguntic and Cupsuptic lakes, in Oxford county," was referred to the Committee on Interior Waters.

The foregoing were sent to the Senate.

On motion of Mr. CHASE of Bridgton,

Ordered, That the Committee on the Judiciary inquire into the expediency of repealing or amending chapter 146, public laws of 1876.

On motion of Mr. MEADER of Waterville,

Ordered, That the Committee on State Printing be instructed to procure the printing of one thousand copies additional to the

number otherwise provided for of the Bank Examiner's Report for the year 1876.

On motion of Mr. NADEAU of Fort Kent,

Ordered, That the Committee on State Lands and State Roads inquire into the expediency of making an appropriation to aid in building a bridge over Wallagrass stream in the plantation of Wallagrass, in the county of Aroostook.

On motion of Mr. WENTWORTH of Bradford,

Ordered, That the Committee on Education inquire into the expediency of abolishing the school district system, and adopting a town system by general law.

These orders were sent to the Senate.

On motion of Mr. ROBIE of Gorham,

Ordered, That all resolves appropriating money, shall after reading the report of the Committee, be laid upon the table and printed.

On motion of Mr. CHASE of Bridgton,

Ordered, That when this House adjourns, it be to meet on Monday next, at 2½ o'clock in the afternoon.

On motion of Mr. ROBIE of Gorham,

Ordered, That at 11 o'clock on Tuesday next the House shall proceed to vote for a Senator in Congress for the unexpired term, in consequence of the resignation of the Hon. Lot M. Morrill; also for the full term, commencing the 4th of March, 1877, in accordance with the laws of the United States.

Mr. CHASE, from the Committee of Conference, on order relating to the reference of papers on file to appropriate Committees, reported that the same ought to pass as presented in the House.

The report was read and accepted, and sent to the Senate.

Mr. PILSBURY, from the Committee on Banks and Banking, reported, on petition, "resolve in favor of Theodore C. Woodman, receiver of the Bucksport Savings Bank."

The report was read and accepted, and the resolve ordered printed.

Bill "an act to authorize contract between Bucksport and Bangor Railroad Company and Trustees of European and North American Railway Company;" and

Bill "an act to amend section 3, chapter 26, public laws of 1872, relating to the altering or widening of streets ;"

Were reported from the Committee on Bills in the Third Reading, read the third time, passed to be engrossed, and sent to the Senate.

On motion of Mr. SHEPHERD of Camden,
Adjourned.

ORAMANDAL SMITH, *Clerk.*

MONDAY, JANUARY 15, 1877.

Met according to adjournment.

Prayer by the Rev. Mr. FAY of Augusta.

Journal of Saturday read and approved.

Bill "an act relating to proceedings in court ;" also

Bill "an act additional to section 32, chapter 86, revised statutes, relating to assignment of goods, effects and credits, in hands of trustees ;" also

Bill "an act to revive the charter of the St. Croix and Mattawamkeag Railroad Company ;" and

Petition of George B. Gillsley and 26 others, citizens of Yarmouth, for an act to prohibit pool selling and gambling of every kind on fair grounds, trotting courses, and other places within the State ;

Were referred to the Committee on the Judiciary.

"Resolve in favor of Reuben Burnham," was referred to the Committee on Pensions.

Petition of citizens of Barnard, for repeal of act incorporating said town, was referred to the Committee on Towns.

Petition of inhabitants of Trescott, for bounty on wild animals, was referred to the Committee on Agriculture.

Petition of inhabitants of Kingsbury and Brighton, for an appropriation to complete State road from Kingsbury Mills to Blanchard, in Piscataquis county, was referred to the Committee on State Lands and State Roads.

"Resolve in favor of John Relehan ;" and

Petition of Selectmen of Lubec, for reimbursement of money obtained by the State in 1874;

Were referred to the Committee on Claims.

Bill "an act to protect black bass in Tripp, Upper, Middle and Lower Range ponds, and their tributaries, in town of Poland;" also

Bill "an act for the better protection of fish in Lufkin pond, in the town of Phillips;" also

Petition of E. J. Campbell, for protection of fish in Piscataquis county; also

Petition of O. Templeton and others, for same; and

Petition of Rufus Gibbs and 79 others, against the discontinuance of the office of Fish Commissioner;

Were referred to the Committee on Fisheries.

Petition of inhabitants of Medford, for the repeal of section 2, chapter 98 of an act to amend chapter 239 of public laws 1874, relating to the protection of game, and chapter 106, entitled an act to amend chapter 30, section 9, revised statutes, relating to deer; also

Petition of inhabitants of Milo; also

Petition of inhabitants of Brownville; also

Bill "an act to amend section 6, chapter 6, revised statutes, relating to the exemption from taxation of certain property;" also

Bill "an act to make valid certain doings of the inhabitants of Bridgton Centre Village Corporation, in the town of Bridgton;" and

Bill "an act repealing sections 5, 6, and 8, chapter 30, revised statutes, relating to bounty on bears and wolves;"

Were referred to the Committee on Legal Affairs.

Petition of inhabitants of Mariaville, for aid in maintaining roads and bridges, was referred to the Committee on Ways and Bridges.

The foregoing were sent to the Senate.

On motion of Mr. GRANT of Ellsworth,

Ordered, That the Committee on Reform School be directed to visit the Industrial School for Girls at Hallowell, and inquire into the expediency of making necessary appropriations to meet annual expenditures of said school.

On motion of Mr. HADLOCK of Cranberry Isles,

Ordered, That the Committee on the Judiciary inquire as to the expediency of so amending the law relating to marriage and its

solemnization, that there may be no omission as to the rights and duties of any party whomsoever; and that in all cases every person who performs marriage rites in this State, shall be required to make lawful return thereof.

On motion of Mr. BESSE of Chester,

Ordered, That the Committee on Education inquire into the expediency of having appointed by the Honorable Governor and his Council, a suitable person to make a geological survey of the State of Maine.

On motion of Mr. MORRISON of Phillips,

Ordered, That the Committee on Legal Affairs inquire into the expediency of providing a law to prevent persons from making temporary deposits in savings banks to avoid taxation.

On motion of Mr. CHADBOURNE of Waterboro',

Ordered, That the Committee on the Judiciary inquire into the expediency of amending chapter 127 of the public laws of 1876, entitled an act relating to appeals from county commissioners, by inserting in the sixth line of said section after the word "annulled," "and all appeals taken and allowed in such cases are hereby made valid."

On motion of Mr. PIKE of Calais,

Ordered, That the Committee on the Judiciary inquire into the expediency of limiting the amount of municipal indebtedness; also that the same Committee inquire into the expediency of further provision of law for the payment of damages to persons and property by trustees of insolvent railroad companies; also that the same committee inquire into the expediency of further provision of law relating to insane persons confined in jail.

These orders were sent to the Senate.

Mr. HAYNES, from the Committee on the Judiciary, reported legislation inexpedient, on petition of Eben F. Fletcher and others, for the incorporation of Plantation No. 8.

The report was read and accepted, and sent to the Senate.

Same gentleman, from same Committee, reported ought to pass, on bill "an act relating to the Supreme Judicial Court for the county of Sagadahoc."

The report was read and accepted, and the bill ordered printed under the Rule.

Printed "resolve in favor of Theodore C. Woodman, Receiver of the Bucksport Savings Bank."

"Resolve of 1875 entitled 'resolve in favor of Crystal plantation, in county of Aroostook.'"

The foregoing resolves were read once, and Wednesday of next week assigned for their second reading.

On motion of Mr. STONE of Biddeford,
Adjourned.

ORAMANDAL SMITH, *Clerk.*

TUESDAY, JANUARY 16, 1877.

Met according to adjournment.

Prayer by the Rev. Mr. ADAMS of Augusta.

Journal of yesterday read and approved.

Papers from the Senate.

Petition of Jesse Craig, Local Agent of Township No. 4, Range 4, W. E. L. S., for conveyance of lot No. 22 in said township to Benjamin R. and Joseph C. Walker; also

Petition of John P. Webber, for conveyance of lot of land in Township No. 2, Range 5; and

Petition of B. B. Byron, for deed of lot of land in Township No. 5, Range 3;

Were referred in concurrence to the Committee on State Lands and State Roads.

Bill "an act for the better enforcement of the laws for the protection of game," was referred to the Committee on Fisheries in concurrence.

Ordered, That the Committee on State Lands and State Roads be instructed to inquire as to what arrangement should be made with proprietors to release to settlers claiming lands under the treaty of Washington of August 9, 1842, all interest in their respective lots, in accordance with the stipulations of said treaty, and the conditions of the act of Congress, and the obligations of the State.

Ordered, That the Committee on Federal Relations be directed to inquire into the expediency of any further legislation in regard to the shipment of any game from this State to any other State, and report by bill or otherwise.

These orders came from the Senate read and passed, and were read and passed in concurrence.

Report of Committee on Railroads, reporting ought to pass in new draft, on bill "an act granting further time to the Penobscot and Lake Megantic Railroad Company to locate and complete its railroad," came from the Senate read and accepted, bill read twice, and passed to be engrossed.

The report was read and accepted in concurrence, bill read twice, and recommitted to the Committee on the Judiciary.

Petition of citizens of Harrington, for repeal of an act to change the time and place of holding the term of the Supreme Judicial Court in the county of Washington; and

Petition of citizens of Wesley;

Petition of citizens of Whitneyville;

Petition of citizens of Columbia Falls;

Petition of citizens of Steuben, in aid of same; also

Petition of North Anson and Skowhegan Telegraph Company, for amendment of charter; and

Petition of James F. Grindle of the town of Islesboro', for exclusive right to take ice from Meadow pond, Islesboro', for the term of thirty years;

Were referred to the Committee on Legal Affairs.

Bill "an act to amend section 16, chapter 4, revised statutes, relating to removal of voters from one ward to another in cities containing one thousand voters;" also

Bill "an act relating to elections in cities of more than three thousand voters;" also

Petition of Joseph W. Holden and others; also

Bill "an act to authorize the town of Lyndon to appropriate money in aid of the Aroostook River Railroad Company;" also

Petition of citizens of Ellsworth, to be incorporated under the name of the Fifty Associates of Ellsworth; and

Petition of J. B. Dingley and others, for charter for a free bridge across the Kennebec river;

Were referred to the Committee on the Judiciary.

Petition of C. W. Curtis and 103 others of the town of Dexter, in relation to the Fish Commissioner; and

Bill "an act for the protection of fish in certain ponds in the town of Standish;"

Were referred to the Committee on Fisheries.

Petition of inhabitants of Wellington, for an appropriation to aid in building road; also

Petition of Charles W. Porter, for deed of lot No. 95, Range 2, in Lyndon; and

Petition of Hector Sutherland, for deed of lot of land No. 2, section 20, Township E, Range 2, Aroostook county, to Jessie Sutherland;

Were referred to the Committee on State Lands and State Roads.

Bill "an act to incorporate the Richardson Lake Steamboat Company;" also

Petition of Alton E. Ayer, for right to navigate East pond in Kennebec and Somerset counties; and

Petition of John Gardner and others, to fix toll of logs passing Shin Pond dam;

Were referred to the Committee on Interior Waters.

Bill "an act to amend chapter 297, special laws of 1876, relating to taking of smelts in Monsweag bay," was referred to the Committee on Fisheries.

Petition of Hiram L. Chase and others, for authority to build a dam across tide waters in the town of Phipsburg; and

Petition of C. V. Minot and others, in aid of same;

Were referred to the Committee on Interior Waters.

"Resolve in favor of the county of Aroostook," was referred to the Committee on Claims.

Petition of Mrs. G. K. Jewett and others, for aid for Children's Home, Bangor; and

Petition in aid of Female Orphan Asylum of Portland;

Were referred to the Committee on Military Affairs.

The foregoing were sent to the Senate.

On motion of Mr. PILSBURY of Lewiston,

Ordered, That the Committee on Railroads inquire into the expediency of an act prohibiting loitering or remaining within any station house of a railroad corporation or upon the platform or the

grounds of such station, after being requested to leave the same by any railroad officer; also that the Committee on Interior Waters inquire into the expediency of amending chapter 30 of the public laws of 1875, entitled "an act for the better protection of life."

On motion of Mr. CYR of Grand Isle,

Ordered, That the Committee on Claims inquire into the expediency of paying a bounty on bears killed in the year 1874.

On motion of Mr. WADSWORTH of Gardiner,

Ordered, That the Committee on the Judiciary inquire into the expediency of amending chapter 231 of the acts and resolves of 1869, entitled "an act to authorize the city of Gardiner and the town of Pittston, or either, to raise money to purchase the Gardiner and Pittston bridge," by striking out the words "two-thirds," in the sixth line of the second section, and inserting in lieu thereof the word "majority;" and by striking out the word "six" in the fourth line of section four, and inserting in lieu thereof the word "ten."

On motion of Mr. WEST of Franklin,

Ordered, That the Committee on the Judiciary inquire into the expediency of so amending chapter 91 of the revised statutes, relating to liens on ships and vessels, that a party furnishing materials and labor in the repairs of a vessel, can hold a lien on said vessel under a provision similar to that in the revised statutes of Massachusetts, chapter 151, section 13.

On motion of Mr. WHITE of Orono,

Ordered, That the use of this Hall be tendered to Prof. W. A. Pike, to-morrow evening, for the purpose of speaking on the subject of "Russian System of Industrial Education."

On motion of Mr. SMITH of Alna,

Ordered, That the Committee on Education consider the expediency of so amending the school laws as to secure a uniformity of text-books throughout the State.

On motion of Mr. HINCKLEY of Bluehill,

Ordered, That the Committee on Education inquire into the expediency of abolishing free high schools and the repeal of all laws establishing and maintaining the same.

On motion of Mr. CHICK of Clifton,

Ordered, That the Committee on Fisheries inquire into the expediency of further legislation prohibiting the extermination of

trout in Great Works stream and its tributaries, in the county of Penobscot.

On motion of Mr. SIMPSON of Carmel.

Ordered, That the Committee on Legal Affairs inquire into the expediency of so amending the pauper law, that a person after being absent from his settlement town five years without pauper supplies, shall be liable to be supported in the town where he falls into distress.

On motion of Mr. LIBBY of Poland,

Ordered, That the Committee on Legal Affairs inquire as to the expediency of legislation to the effect that in all civil cases appealed from the decision of any Trial Justice or from any Municipal or Police Court, when the judgment, exclusive of costs, is less than \$20, the trial in the appellant court shall be by a jury of three men instead of twelve, as at present.

These orders were sent to the Senate.

Mr. STONE of Biddeford, offered the following :

Ordered, That an order introduced into this House January 11th, and on the same day passed, directing the Clerk to make up the pay of Joseph D. Randall at \$10 and mileage one way, be and the same is hereby annulled.

This order was laid on the table, on motion of Mr. BERRY of Smyrna.

At the close of the morning hour, consideration of the same was resumed, on motion of Mr. CHASE of Standish. Pending its passage, it was re-tabled, on motion of Mr. CHASE of Bridgton.

Mr. LOCKE of Portland, presented bill "an act in aid of the Deaf and Dumb School of the city of Portland," and on his motion, the same was ordered printed.

Mr. PILSBURY of Lewiston, presented an amendment to House Document No. 4, entitled "resolve in favor of Theodore C. Woodman, Receiver of the Bucksport Savings Bank," and on his motion, the same was ordered printed.

The hour having arrived to vote for a Senator in the Congress of the United States to fill out the unexpired term ending March 4, 1877, caused by the resignation of the Hon. Lot M. Morrill, also for the term of six years from the fourth of March next ; and this

being the second Tuesday subsequent to the meeting and organization of the Legislature of this State, the day designated by sections 14 to 19 inclusive, of chapter 1, title II of the Revised Statutes of the United States, in relation to the election of Senators, the House proceeded openly and by a *viva voce* vote of each member present, on call of the roll, to name a person for Senator in Congress from this State, for the unexpired term ending March 4, 1877, with the following result :

Whole number of votes was 143

Hon. James G. Blaine had 112

Hon. W. P. Haines..... 31

Hon. James G. Blaine had a majority of all the votes.

Those who voted for Mr. Blaine were Messrs.

Abbott,	Conforth,	Johnson,
Averill,	Davis,	Jordan, Brunswick,
Ballard,	Farrar,	Jordan, Mariaville,
Berry of Smyrna,	Fellows,	Kimball,
Berry of Wayne,	Garvin,	Kinney,
Besse,	Gibson,	Knowles,
Bird,	Goodwin, Farmingt'n	Learned,
Blunt,	Goodwin of Monroe,	Libby,
Bodwell,	Grant of Ellsworth,	Little,
Bolster,	Grant of Stockton,	Littlefield,
Bowers,	Greely,	Locke,
Bragdon,	Hadlock,	Lord of Bangor,
Briggs,	Harlow,	Lord of Kennebunk,
Browne,	Haskell, W. Gardiner	Maddocks,
Brown,	Haynes,	Meador,
Buck,	Hersom,	Morrison,
Burrill,	Hill,	Newbert,
Chase of Bridgton,	Hinckley, Bluehill,	Norton,
Chase of Standish,	Hinckley, Georget'n,	Noyes,
Chick,	Hobson,	Nutt,
Clark of Appleton,	Howes,	Osgood,
Clark of Garland,	Hume,	Parkhurst,
Cleaves of Portland,	Hutchinson,	Perkins,
Coffin,	Ireland,	Phinney,
Copeland,	Jackson,	Pierce,
	Jewett,	Pike,

Pilsbury of Lewiston,	Smith of Alna,	Wadsworth, Gardiner
Porter of Lyndon,	Smith of Auburn,	Waite,
Rand,	Smith of Cornville,	Wardwell,
Reynolds,	Smith of Hampden,	Warren of Denmark,
Robie,	Sprague,	Warren of Pownal,
Rogers,	Stackpole,	Warren, Westbrook,
Rolf,	Storer,	Wentworth,
Russell,	Strickland,	West,
Sanborn,	Taylor,	White,
Seaward,	Thomas,	Willard,
Shepherd,	Towne,	Woods—112.
Simpson,	Wadsworth, Manchester,	

Those who voted for Mr. Haines were Messrs.

Adams,	Haskell, C. Elizabeth, Shapleigh,	
Alexander,	Haskell, Waldoboro', Standish of Eustis,	
Babbidge,	Hurd,	Standish of Flagstaff,
Chadbourne,	Hylar,	Stone,
Cleaves, Kenneb'kp't	Morrill,	Stover,
Calkins,	Nadeau,	Strout,
Cyr,	Pendleton,	Towle,
Drisko,	Pillsbury of Union,	Trussell,
Fletcher,	Porter of Burlington,	Wilson,
Goldthwait,	Robbins,	York—31.
Greenwood,		

Absent—Messrs.

Clark, Damariscotta,	Gifford,	Shaw,
Cook of Lewiston,	Nealley,	Winslow—8.
Cook of Unity,	Roberts,	

The House then proceeded openly and by a *viva voce* vote of each member present, on call of the roll, to name a person for Senator in Congress from this State, for the term of six years from the 4th of March next, and with the following result:

Whole number of votes.....	143
Hon. James G. Blaine had.....	112
Hon. W. P. Haines.....	31

And Hon. James G. Blaine had a majority of all the votes cast.

Those who voted for Mr. Blaine were Messrs.

Abbott,	Haskell, W. Gardiner Pierce,	
Averill,	Haynes,	Pike,
Ballard,	Hersom,	Pilsbury of Lewiston,
Berry of Smyrna,	Hill,	Porter of Lyndon,
Berry of Wayne,	Hinckley of Bluehill,	Rand,
Besse,	Hinckley, Georget'n,	Reynolds,
Bird,	Hobson,	Robie,
Blunt,	Howes,	Rogers,
Bodwell,	Hume,	Rolf,
Bolster,	Hutchinson,	Russell,
Bowers,	Ireland,	Sanborn,
Bragdon,	Jackson,	Seaward,
Briggs,	Jewett,	Shepherd,
Browne,	Johnson,	Simpson,
Brown,	Jordan, Brunswick,	Smith of Alna,
Buck,	Jordan, Mariaville,	Smith of Auburn,
Burrill,	Kimball,	Smith of Cornville,
Chase of Bridgton,	Kinney,	Smith of Hampden,
Chase of Standish,	Knowles,	Sprague,
Chick,	Learned,	Stackpole,
Clark of Appleton,	Libby,	Storer,
Clark of Garland,	Little,	Strickland,
Cleaves of Portland,	Littlefield,	Taylor,
Coffin,	Locke,	Thomas,
Copeland,	Lord of Bangor,	Towne, [chester,
Conforth,	Lord of Kennebunk,	Wadsworth, Man-
Davis,	Maddocks,	Wadsworth, Gardiner
Farrar,	Meador,	Waitt,
Fellows,	Morrison,	Wardwell,
Garvin,	Newbert,	Warren of Denmark,
Gibson,	Norton,	Warren of Pownal,
Goodwin, Farmington	Noyes,	Warren of Westbrook
Goodwin of Monroe,	Nutt,	Wentworth,
Grant of Ellsworth,	Osgood,	West,
Grant of Stockton,	Parkurst,	White,
Greely,	Perkins,	Willard,
Hadlock,	Phinney,	Woods—112.
Harlow,		

Those who voted for Mr. Haines were Messrs.

Adams,	Haskell, C. Elizabeth, Shapleigh,	
Alexander,	Haskell, Waldoboro', Standish of Eustis,	
Babbidge,	Hurd,	Standish of Flagstaff,
Chadbourne,	Hylar,	Stone,
Cleaves, Kenneb'kp't	Morrill,	Stover,
Calkins,	Nadeau,	Strout,
Cyr,	Pendleton,	Towle,
Drisko,	Pillsbury of Union,	Trussell,
Fletcher,	Porter of Burlington,	Wilson,
Goldthwait,	Robbins,	York—31.
Greenwood,		

Absent—Messrs.

Clark, Damariscotta,	Gifford,	Shaw,
Cook of Lewiston,	Nealley,	Winslow—8.
Cook of Unity,	Roberts,	

On motion of Mr. STONE of Biddeford,

Adjourned.

ORAMANDAL SMITH, *Clerk.*

WEDNESDAY, JANUARY 17, 1877.

Met according to adjournment.

Prayer by the Rev. Mr. CURTIS of Augusta.

Journal of yesterday read and approved.

Papers from the Senate.

Bill "an act regulating the practice of medicine and surgery;"
also

Bill "an act to legalize the doings of School District No. 15, in the town of Berwick;" and

Bill "an act in relation to the Harbor Commissioners of the city of Portland, and to amend chapter 78 of the public laws of 1876;"

Were referred to the Committee on Legal Affairs in concurrence.

Bill "an act relating to witnesses and evidence," was referred to the Committee on the Judiciary in concurrence.

Petition of the Dunn Edge Tool Company, for a law to prohibit throwing refuse lumber into the Messalonskee stream, was referred in concurrence to the Committee on Interior Waters.

Petition of the towns of Belgrade, Pittsfield and Mt. Vernon, for continuance of the office of Fish Commissioner; also

Petition of citizens of Bangor; also

Petition of citizens of Bucksport, Machias, Orland and Dedham;
also

Petition of Lorenzo Atwood and others; and

Petition of George A. Drew and others of Lewiston, in aid of same; also

Petition of Charles Thayer and 130 others, for repeal or alteration of an act prohibiting the taking of fish from Little Sebago pond; also

Petition of Augustus W. Spaulding, for the protection of fish in North pond; and

Petition of E. P. Emerson and 69 others of Bucksport, for amendment of law relating to catching trout ;

Were referred in concurrence to the Committee on Fisheries.

Petition of Judge of Probate of Penobscot county, for increase of salary, was referred in concurrence to the Penobscot County Delegation.

Ordered, That the Committee on the Judiciary inquire into the expediency of amending section 145 of chapter 6 of the revised statutes, by striking out the words "one year," and inserting instead the words "two years."

Ordered, That the Committee on Ways and Bridges inquire into the expediency of abolishing the highway tax.

Ordered, That the Committee on Mercantile Affairs and Insurance inquire as to the expediency of so amending section 56 of chapter 38 of the revised statutes, relating to the inspection and weight of agricultural products, that the standard weight of a bushel of oats shall be thirty-two pounds, and report by bill.

Ordered, That the Committee on State Lands and State Roads inquire into the expediency of authorizing the Land Agent to take the necessary steps in one of the modes provided by law, to have partition made of lands held in common by the State, in Township No. 18, Range 3, west from the east line of the State, known as the town of Grand Isle, so that the undivided half owned by the State may be set off and held by the State in severalty.

These orders came from the Senate read and passed, and were read and passed in concurrence.

"Resolve relating to a national prohibitory law," came from the Senate read twice, and passed to be engrossed.

The resolve was read twice, and to-morrow assigned for the second reading.

Report of the Joint Select Committee on Governor's Message, came from the Senate read and accepted, and was read and accepted in concurrence.

The Senate Committee on the enlargement of State House, came from the Senate, and

Messrs. Hinckley of Bluehill,
Greely of Lewiston,
Stone of Biddeford,

Messrs. Bodwell of Hallowell,
 Littlefield of Portland,
 Strickland of Bangor,
 Kimball of Rockland,

were joined on part of the House.

Petition of William S. Rogers and others of Auburn, for modification of the statute known as the trustee law ; also

Bill "an act in relation to the Ellsworth Municipal Court ;" also

Petition of E. Merriam, jr., and 98 others of the town of Morrill, for an amendment of section 1, chapter 215, public laws of 1874, relating to giving notice of damage on highways ; also

Petition of E. F. Webb and others, for amendment to section 1, article II of the constitution ; also

Bill "an act to incorporate the Deering Land and Building Company ;" also

Petition of citizens of Saco, for an act to prevent gambling and pool selling at fair grounds and elsewhere ; also

Petition to amend section 27, chapter 91, revised statutes, relating to mortgages of property, liens and their enforcement ; also

Bill "an act to establish a standard of qualification for the practice of medicine in the State of Maine ;" also

Bill "an act additional to an act entitled 'an act to incorporate the city of Bath ;'" also

Bill "an act to amend an act to incorporate the Trustees of the Sailors' Home in Portland ;" also

Bill "an act additional to chapter 7, revised statutes, relating to registers of deeds ;" and

Bill "an act giving authority to the city of Portland, in relation to certain railroads ;"

Were referred to the Committee on the Judiciary.

Petition of the inhabitants of Machias, for the repeal of the Calais Court bill ; also

Petition of inhabitants of Trescott ; also

Petition of the citizens of Addison ; also

Petition of citizens of Jonesboro' ; and

Petition of John G. Adams, for an act legalizing his doings as trial justice ;

Were referred to the Committee on Legal Affairs.

Bill "an act to amend section 6, chapter 120, public laws of 1876, to authorize the formation of railroad corporations ;" also

Bill "an act additional relative to the Orchard Beach Railroad Company;" also

Petition of Charles Maynard and others, for extension of the Bangor and Piscataquis Railroad from some point on its present line to some point in Bangor; also

Petition of Charles E. Allen and others, for repeal or amendment of section 7, chapter 42, revised statutes, relating to logs or timber lodged on lands by freshets; also

Petition of Thomas Goodale, for authority to build locks, dams and side dams, in the towns of Shapleigh and Acton; and

Petition of Franklin Land and Lumber Company, for amendment of charter;

Were referred to the Committee on Interior Waters.

Petition of Henry Kelly and others, to set off F. P. Crowell from the Village Corporation of Fairfield, was referred to the Committee on Towns.

Petition of John Estes, for deed of lot of land in Oakfield, in Aroostook county, was referred to the Committee on State Lands and State Roads.

Petition of town of Topsfield, for reimbursement of State aid lost in transitu; and

Petition of W. W. Walker, for reimbursement;

Were referred to the Committee on Claims.

Petition of Edwin Reed, Mayor of Bath, for an act authorizing the city of Bath to appoint a harbor master, with bill accompanying, was referred to the Committee on Commerce.

Petition of Charles North and others of Portland, to incorporate the Citizens' Mutual Relief Society of Portland, was referred to the Committee on Mercantile Affairs and Insurance.

Bill "an act to amend an act to incorporate the People's Ferry Company and to repeal an act to establish the Sagadahoc Ferry Company and an act to incorporate the Union Ferry Company," was referred to the Committee on Ways and Bridges.

Memorial of the Maine General Hospital, was referred to the Committee on Financial Affairs.

Petition of J. H. Holden and others; and

Petition of John Fogg and others of Etna, for repeal of free high school law;

Were referred to the Committee on Education.

Credentials of Sebattis Dana, delegate from the Penobscot Tribe of Indians, was referred to Committee on Indian Affairs.

Bill "an act for the incorporation of a building association to be located in the town of Wiscasset," was referred to the Committee on Manufactures.

Petition of the officers of the Maine State Pure Blood Jersey Stock Association, with bill accompanying, was referred to the Committee on Agriculture.

Petition of Charles W. Roberts, A. B. Farnham, B. B. Fletcher and 230 others of Bangor, for an act amending chapter 125, public laws of 1876, relating to close-time for trout, with bill accompanying, was referred to the Committee on Fisheries.

The foregoing were sent to the Senate.

On motion of Mr. RUSSELL of Readfield,

Ordered, That the Committee on Education inquire into the expediency of amending chapter 11, section 6 of the revised statutes, by striking out the words "may raise money to" in the first line, and inserting in lieu thereof the words "shall raise money and;" also by striking out the words "or to furnish them at cost to the pupil" in the third and fourth lines of said section. Also that the Committee on Mercantile Affairs and Insurance inquire into the expediency of enacting a law defining the per centage of the actual value of buildings covered by insurance; and also providing for the valuation of said buildings by the assessors at the time of taking the inventory in their several municipalities.

On motion of Mr. KIMBALL of Rockland,

Ordered, That the Committee on the Judiciary inquire into the expediency of amending and defining chapter 227 of the public laws of 1874, relating to the powers and duties of county commissioners.

On motion of Mr. NADEAU of Fort Kent,

Ordered, That the Committee on State Lands and State Roads inquire into the claims of Charles McPherson, William Ouilet, Cyrille Pelletier, Theodore Pelletier, and Bruno Michaud of St. Francis, for labor done under the direction of the Land Agent in 1867; also that the same Committee inquire into the expediency of making an appropriation to aid in building a bridge over Hallowell brook in St. Francis, county of Aroostook.

On motion of Mr. LOCKE of Portland,

Ordered, That the Committee on the Judiciary inquire into the expediency of amending chapter 70 of the revised statutes, relating to the assignment by debtors of their property for the benefit of their creditors.

On motion of Mr. HOBSON of Wiscasset,

Ordered, That the Committee on the Judiciary examine the general laws for the organization of business corporations, savings banks and trust companies, and, if necessary, report an amendment on separate bills for the incorporation of building associations.

On motion of Mr. CHICK of Clifton,

Ordered, That the Committee on Military Affairs inquire into the expediency of providing for commutation for clothing for the Montgomery Guards of Portland.

On motion of Mr. STRICKLAND of Bangor,

Ordered, That the Committee on the Judiciary inquire into the necessity of altering and amending sections 65 and 67, chapter 64 of the revised statutes, in relation to the embezzlement of the property of deceased persons.

On motion of Mr. HAYNES of Augusta,

Ordered, That the Committee on the Judiciary inquire into the expediency of directing the preparation of a suitable index to the public laws enacted since the revision of the statutes, for the use of future legislatures.

On motion of Mr. CLARK of Garland,

Ordered, That the Committee on Fisheries inquire into the expediency of enacting a law for the protection of pickerel and white perch in Garland pond, situated in Garland, near Garland village, in the county of Penobscot.

On motion of Mr. BALLARD of Augusta,

Ordered, That the Committee on the Judiciary inquire into the expediency of so amending chapter 98 of the public laws of 1876, as to prevent the capture of game with snare, net or trap.

On motion of Mr. MEADER of Waterville,

Ordered, That the Committee on Mercantile Affairs and Insurance inquire into the expediency of transferring the duties of the Commissioner of Insurance to the Secretary of State, or otherwise devise some method whereby the State shall receive a more equitable proportion of the revenues derived from this office.

On motion of Mr. CHADBOURNE of Waterboro',

Ordered, That the Committee on the Judiciary inquire into the expediency of amending chapter 86 of the revised statutes, relating to costs in trustee process.

On motion of Mr. ADAMS of Deering,

Ordered, That the Committee on Fisheries inquire into the expediency of providing by general law for the protection of fish in all the waters of the State, and also for the protection to all owners of ponds and streams, of their property in the fish.

On motion of Mr. CYR of Grand Isle,

Ordered, That the Committee on State Lands and State Roads inquire into the expediency of making an appropriation to aid in building a bridge over Isoie Martin's stream in the town of Madawaska, county of Aroostook; also that the same committee inquire into the expediency of making an appropriation to aid in building a bridge over Thebodeau's stream in the plantation of Van Buren, county of Aroostook.

On motion of Mr. TAYLOR of Sidney,

Ordered, That the Committee on the Judiciary inquire into the expediency of submitting to the voters of the State a proposed amendment to the constitution providing for biennial election of State officers, now elected annually; also providing for biennial sessions of the legislature after the year 1878.

The foregoing orders were sent to the Senate.

Mr. PILSBURY of Lewiston, from the Committee on Banks and Banking, reported bill "an act to revise and consolidate the laws relating to the government, powers, duties, privileges and liabilities of savings banks and institutions for savings," with proposed amendments as per sheet "A."

The report was read and accepted, and the bill ordered printed with the several amendments incorporated.

Mr. CHASE of Bridgton, from the Joint Select Committee on Maine State Year Book, on order, reported "resolve for the purchase of the Maine State Year Book and Legislative Manual."

The report was read and accepted, the resolve read once, and ordered printed under the Rule.

Mr. HAYNES of Augusta, presented "resolve providing for the removal of the remains of General Henry Knox from the

cemetery at Thomaston, to the grounds of the State Capitol at Augusta," and on his motion, the same was ordered printed.

Mr. CHADBOURNE, from the Committee on the Judiciary, on order, reported bill "an act amendatory to chapter one hundred and nineteen of the revised statutes, relating to offences against habitations, dwellings, &c.; also amendatory to chapter one hundred and twenty of the revised statutes, relating to larceny and receiving stolen goods."

The report was read and accepted, and the bill ordered printed under the Rule.

Mr. STONE, from the Committee on the Judiciary, reported ought not to pass, on bill "an act to amend section 2, chapter 65 of the public laws of 1876, relating to the organization of business corporations."

Same gentleman, from same Committee, reported leave to withdraw, on petition of First Parish of Wells.

Mr. ROBIE, from the Committee on Railroads, reported legislation inexpedient, on bill "an act to amend charter of the Castine and Ellsworth Railroad Company," referred from the last Legislature.

Mr. HAYNES, from the Committee on the Judiciary, reported reference to the Committee on Interior Waters, on order relating to the throwing of ballast into the Kennebec river.

These reports were read and accepted, and sent to the Senate.

Mr. RAND, from the Committee of Conference, on order relating to Legislative Committees visiting the various State institutions, reported that the Committee were unable to agree.

Pending acceptance of the report, tabled, and to-morrow assigned for its further consideration.

On motion of Mr. BERRY of Smyrna, the order relating to the pay and mileage of Joseph D. Randall, was taken from the table, the question being upon indefinite postponement, and the question was taken by yeas and nays, and the House refused to indefinitely postpone, by nays 130, yeas 8.

Those who voted in the negative were Messrs.

Adams,	Ballard,	Bird,
Averill,	Berry of Wayne,	Blunt,
Babbidge,	Besse,	Bolster,

Bowers,	Hinckley, Georget'n, Rand,	
Bragdon,	Hobson,	Reynolds,
Briggs,	Howes,	Robie,
Browne,	Hume,	Robbins,
Brown,	Hurd,	Rogers,
Buck,	Hutchinson,	Rolf,
Burrill,	Hyler,	Russell,
Chadbourne,	Ireland,	Sanborn,
Chase of Standish,	Jackson,	Shapleigh,
Chick,	Jewett,	Shepherd,
Clark of Appleton,	Johnson,	Smith of Alna,
Clark, Damariscotta,	Jordan, Brunswick,	Smith of Auburn,
Clark of Garland,	Jordan, Mariaville,	Smith of Cornville,
Cleaves, Kenneb'kp't	Kimball,	Smith of Hampden,
Cook of Lewiston,	Knowles,	Sprague,
Coffin,	Learned,	Stackpole,
Calkins,	Libby,	Standish of Flagstaff,
Copeland,	Little,	Stone,
Conforth,	Littlefield,	Storer,
Cyr,	Locke,	Stover,
Davis,	Lord of Bangor,	Strickland,
Drisko,	Lord of Kennebunk,	Strout,
Farrar,	Maddocks,	Taylor,
Fellows,	Meador,	Thomas,
Fletcher,	Morrill,	Towle,
Garvin,	Morrison,	Towne,
Gibson,	Newbert,	Trussell, [chester,
Goldthwait,	Norton,	Wadsworth, Man-
Goodwin, Farmingt'n	Noyes,	Wadsworth, Gardiner
Goodwin of Monroe,	Nutt,	Waitt,
Grant of Stockton,	Osgood,	Wardwell,
Greely,	Parkhurst,	Warren of Denmark,
Greenwood,	Pendleton,	Warren of Pownal,
Harlow,	Perkins,	Wentworth,
Haskell, C. Elizabeth	Phinney,	West,
Haskell, Waldoboro',	Pierce,	White,
Haskell, W. Gardiner	Pike,	Willard,
Haynes,	Pilsbury of Lewiston,	Wilson,
Hersom,	Pillsbury of Union,	Woods,
Hill,	Porter of Lyndon,	York—130.
Hinckley, Bluehill,		

Those who voted in the affirmative were Messrs.
Berry of Smyrna, Nadeau, Standish of Eustis,
Hadlock, Porter of Burlington, Winslow—8.
Kinney, Simpson,

A message was received from the Senate, through Mr. Lane, its Secretary, proposing that the Joint Convention of the Legislature, required by section 15 of chapter 1, title II of the Revised Statutes of the United States, to be convened this day, at 12 o'clock meridian, for the purpose of completing and declaring the election of United States Senator to fill the vacancy caused by the resignation of Hon. Lot M. Morrill, and for completing and declaring the election of United States Senator for the term of six years commencing on the fourth day of March next, be held in the Hall of the House of Representatives, and asking the concurrence of the House.

The Clerk was charged with and conveyed a message to the Senate, informing that branch of the concurrence of the House in the proposition for a Convention.

The hour of twelve, meridian, having arrived, the time fixed by a law of the United States for the two Houses of the Legislature to meet in Joint Assembly, for the purpose of comparing the votes cast for a Senator in Congress, to fill the vacancy caused by the resignation of Hon. Lot M. Morrill; also for the term of six years from the fourth of March next.

The Senate came in and a Convention was formed.

IN CONVENTION.

So much of the records of both branches, as related to the choice of a Senator in Congress, was then read.

The PRESIDENT then announced the result, and declared that the Hon. JAMES G. BLAINE had been elected a Senator in Congress to fill the vacancy caused by the resignation of the Hon. Lot M. Morrill, and for the term of six years commencing March 4, 1877.

On motion of Mr. SHEPHERD of the Senate,

Ordered, That the Secretary of the Convention be directed to inform the Governor that Hon. James G. Blaine has been duly elected by the Legislature a Senator in Congress from this State to fill the vacancy caused by the resignation of Hon. Lot M.

Morrill, and also for the term of six years from the fourth day of March next.

The purpose of the Convention having been accomplished, the Senate retired.

The House was called to order by the SPEAKER.

Mr. SMITH of Cornville, rose and said :

Mr. Speaker and Gentlemen of the House : It becomes my painful duty to announce to you the death of a member elect of this body, the Hon. John H. Nye of Fairfield, one of the prominent business men of Somerset county. And as an expression of our deep sympathy with the family and friends of the deceased, I now offer the following resolutions :

Resolved, That this House receives information of the death of John H. Nye, member elect of this body from the town of Fairfield, with profound grief, and see in this dispensation of Divine Providence the destination of all.

Resolved, That this resolution be entered upon the Journal of the House, and a copy, signed by the Speaker and Clerk, forwarded to the family of the deceased.

The resolution was unanimously adopted.

On motion of Mr. MEADER of Waterville, the Clerk was directed to inform the Senate of the passage of the resolution.

Adjourned.

ORAMANDAL SMITH, *Clerk.*

THURSDAY, JANUARY 18, 1877.

Met according to adjournment.

Prayer by the Rev. Mr. CURTIS of Augusta.

Journal of yesterday read and approved.

Papers from the Senate.

Bill "an act in relation to the Municipal Court for the city of Bath;" also.

Bill "an act in relation to municipal courts;" also

Bill "an act to authorize the appointment of police officers at camp-meetings;" and

Bill "an act providing for the examination of judgment debtors;"

Were referred in concurrence to the Committee on the Judiciary.

Remonstrance of Hon. Fred. Atwood and 64 others of Winterport, against any change of the game laws of the State, was referred in concurrence to the Committee on Legal Affairs.

Petition of John W. Brown and others, for an act restricting the killing of seal in Casco bay, with bill accompanying, were referred in concurrence to the Committee on Fisheries.

Petition of Hiram F. Evans, for deed of lot of land in Silver Ridge plantation, was referred in concurrence to the Committee on State Lands and State Roads.

Petition of inhabitants of Lincoln, to continue the office of Fish Commissioner, was referred in concurrence to the Committee on Fisheries.

Petition of the inhabitants of Newfield, for more stringent penalties against the liquor traffic; also

Petition of Mrs. M. Stevens, President of the Woman's Temperance Union of Deering, for the prohibition of pool selling and gambling on fair grounds; also for the prohibition of the sale of native wine and cider; also

Petition of Obadiah Durgin and others of York county, in aid of same ; also

Petition of Thomas Gray, for an act to prohibit gambling and rum selling at State and county fairs ; also

Petition of David Torrey and others of Deering, in aid of same ; and

Petition of Leonard B. Chapman and others of Deering, in aid of same ;

Were referred in concurrence to the Committee on Temperance.

Bill "an act to amend section 3, chapter 26, public laws of 1872, relating to the altering of streets," passed to be engrossed in the House, came back from the Senate referred to the Committee on the Judiciary.

House receded and concurred.

Ordered, That the Committee on State Lands and State Roads be instructed to inquire into the propriety of refunding to E. W. Shaw and F. R. Webber the money paid by them to the State for lands to which the State had no legal title, together with interest thereon and expenses incurred to said parties.

Ordered, That the Committee on the Judiciary be instructed to inquire into the expediency of amending section 28 of chapter 18 of the revised statutes, by striking out the word "may" in the third line of said section, and inserting the word "shall," and report a bill or otherwise.

Ordered, That the Judiciary Committee inquire what, if any, further provision of law is requisite in order to insure safety from fire to assemblies and collections of persons in halls, hotels, mills, and other places of public resort.

Ordered, That the Committee on Financial Affairs inquire into the expediency of refiling and indexing the legislative papers of the State.

Ordered, That the Committee on Legal Affairs inquire whether any change is necessary in the act approved February 23, 1876, relating to tramps and vagrants.

These orders came from the Senate read and passed, and were read and passed in concurrence.

Report of the Androscoggin County Delegation, reporting indefinite postponement of petition of M. T. Ludden and others, referred from the last Legislature.

Report of the Committee on the Judiciary, reporting ought not to pass, on bill "an act to enable jewellers to sell articles left with them for repairs and not called for."

Report of same Committee, reporting legislation inexpedient, on order relating to appeals in divorce cases.

Report of same Committee, reporting same, on "resolve of city of Portland relating to constitutional amendments."

These reports came from the Senate read and accepted, and were read and accepted in concurrence.

Petition of E. A. Barnard and others of the city of Calais, for authority to said city to take stock and loan its credit to the St. Croix and Mattawamkeag Railroad ; also

Petition of D. W. Sawyer and others of School District No. 1 in the town of Boothbay, for a village charter, with bill accompanying ; also

Petition of George Minot and others, relating to the protection of game ; also

Petition of citizens of Saco, for change in trustee law ; also

"Resolve relating to the purchase of Webb's railroad laws;" also

Bill "an act to authorize the York Manufacturing Company to reduce its capital stock ;" also

Petition of Portland Institute and Public Library, for passage of a law for the punishment of persons guilty of wanton destruction of books in the public libraries of the State ; also

Petition of inhabitants of Rockland, to authorize the city government to pave the streets of said city ; also

Bill "an act in relation to executions ;" also

Petition of P. M. Hobson and others, citizens of Standish, for a law to prevent gambling and tippling at fairs ; also

Petition of W. S. McIntire and others of Standish, Buxton and Gorham, in aid of same ; also

Bill "an act to supply the people of Augusta with pure water ;" also

Bill "an act to amend section 8, chapter 17, revised statutes, relating to nuisances ;" also

Petition of E. F. Packard and others of Auburn, for a modification of the trustee law ;

Petition of John Pickard and others of Auburn ;

Petition of L. B. Kinsley and others of Auburn ;
Petition of Ara Cushman and others of Auburn ; and
Petition of M. Crafts and Company of Auburn, in aid of same ;
also

Bill "an act to amend an act to establish a municipal court in the city of Biddeford ;"

"Resolve providing for a seal of the State ;"

Bill "an act giving county commissioners jurisdiction over the repairs of ways ;"

Petition of J. S. Cushing and others of Portland, for modification of trustee law to exempt two months' wages ;

Petition of A. G. Moore and 60 others of Augusta ;

Petition of Benjamin Greene and 36 others of Brunswick ;

Petition of L. J. Abbott and others of Waterville ;

Petition of J. E. Brown and others of Hallowell ;

Petition of Horace Hadley and others of Lewiston ;

Petition of T. W. Kanada and others of Lewiston ;

Petition of Nelson Dingley Jr. and others of Lewiston ;

Petition of C. P. Barker and 308 others of Lewiston ;

Petition of James Dumpsey and others ;

Petition of E. P. Davis and others of Lewiston ;

Petition of R. C. Reynolds and others of Lewiston ;

Petition of A. P. Winslow and others of Lewiston ;

Petition of W. F. Goulding and others of Lewiston ; and

Petition of Frank Starbird and others of Auburn, in aid of same ;

Were referred to the Committee on the Judiciary.

Petition of inhabitants of Baileyville, for aid on roads in said town ; also

Petition of Albion W. Stratton of Washburn, for deed of lot of land ; also

Petition of towns of Blanchard and Shirley, for aid on roads ;
also

Petition of Vital Daigle, for deed of land in Fort Kent ; also

Petition of citizens of Northern Aroostook, for aid in building bridge at Caribou ; also

Petition of Benjamin Alexander, for deed of lot of land ; and

Petition of S. W. Stratton of Washburn, for deed of land ;

Were referred to the Committee on State Lands and State Roads.

Petition of A. G. Lebroke and others of Piscataquis county, for change of law in relation to close-time for trout in Moosehead lake ; also

Bill "an act to prohibit the taking of fish from the Duck pond, in the towns of Westbrook and Windham ;" also

Bill "an act to protect fish in the St. Croix river ;" also

Petition of inhabitants of Carthage, for repeal of law of 1876, relating to the taking of trout from Rangely stream ; also

Remonstrance of inhabitants of Dixfield, against discontinuance of the office of Fish Commissioner ; and

Bill "an act amending an act entitled 'an act for the better protection of lobsters ;' "

Were referred to the Committee on Fisheries.

Petition of the Penobscot Indians, in regard to changing the election laws ; also

Petition of J. C. Talbot and others of East Machias, for an act for the protection of cranberries, with bill accompanying ; also

Petition of John H. Walker and 15 others, for protection of citizens against damage by ball playing ; also

Petition of members of North Waldo Agricultural Society ; also

"Resolve relating to the purchase of certain reports ;" also

Bill "an act changing the name of Maine Street Methodist Episcopal Church Society, Lewiston ;" also

Petition of Maine Street Methodist Episcopal Free Church, for change of name ; also

"Resolve in relation to the binding of the acts and resolves of the State ;" also

Petition of Edwin Reed, for an act to confer upon the Mayor of the city of Bath power to appoint city marshal, deputy marshal, and policemen thereof, with bill accompanying ; also

Bill "an act authorizing the town of Woolwich to elect a director in the People's Ferry Company ;" also

Petition of John E. Saunders and others, to legalize certain doings of the proprietors' of the Methodist Meeting House at Mechanic Falls, in the town of Minot ; also

Petition of citizens of Cherryfield, for repeal of the Calais Court bill ; and

Bill "an act to amend section 17, chapter 116, revised statutes, relating to the regulating of fees and costs ;" "

Were referred to the Committee on Legal Affairs.

Bill "an act additional to chapter 49, revised statutes, relating to life insurance;" and

Bill "an act to amend the charter of Union Mutual Life Insurance Company;"

Were referred to the Committee on Mercantile Affairs and Insurance.

Petition of J. P. Cilley, attorney for Lincolnville Railroad, for amendment of charter of said company, with bill accompanying, was referred to the Committee on Railroads.

Petition of John W. Berry and others, for the location of a militia company at Gardiner, was referred to the Committee on Military Affairs.

Petition of Edwin Reed and others, for an act to make free Merrymeeting Bay bridge, with bill accompanying; also

Petition of same, for an act to make free Arrowsic bridge, with bill; and

Petition of inhabitants of Somerset county, for appropriation to build a road from Flag Staff to Dead river plantation;

Were referred to the Committee on Ways and Bridges.

Petition of members of Cumberland bar, to increase salary of the Judge of Probate of Cumberland county;

Petition of Charles E. Gibbs and others of Bridgton;

Petition of Samuel Haskell and others of Cape Elizabeth; and

Petition of Marcus M. Small and others of Westbrook, in aid of same;

Were referred to the Cumberland County Delegation.

"Resolve in regard to reimbursement to the Agent of the Penobscot Indians;" also

Petition of Penobscot Indians, to amend the game laws of the State; also

Petition of same, in regard to repairs on their church; also

Petition of same, in regard to old and poor people; and

Petition of same, in regard to salary of their governor;

Were referred to the Committee on Indian Affairs.

Petition of Denison Manufacturing Company, for right to flow Tripp's pond in Poland, was referred to the Committee on Interior Waters.

Petition of G. W. Burns and 112 others of Vinalhaven, for an act prohibiting the sale of native wines; and

Petition of E. Martin and 123 others of Winterport, praying for an amendment to the liquor law in regard to intoxicated persons ;

Were referred to the Committee on Temperance.

Bill "an act to incorporate the Bath Trotting Park ;" and

Bill "an act to amend section 1, chapter 314 of the private and special laws of 1873 ;"

Were referred to the Committee on Agriculture.

Petition of Selectmen of the town of Lexington, for reimbursement ; also

Petition of Caleb Sherman, for refunding of the value of stumpage of timber cut from lots No. 9 and 31 in Oakfield plantation by the State ; also

"Resolve in favor of the town of Chester ;" and

Petition of the town of Linneus, for reimbursement of money paid to the State in the year 1864 ;

Were referred to the Committee on Claims.

Bill "an act to authorize the Lincolnville Railroad Company to build a wharf in tide waters of Penobscot bay ;" and

Bill "an act relating to the appointment and duties of port wardens ;"

Were referred to the Committee on Commerce.

The foregoing were sent to the Senate.

A communication was received from the Senate, informing the House that in the absence of the President of that body, it had made choice of Hon. E. Kyes, President *pro tempore*.

On motion of Mr. HOBSON of Wiscasset,

Ordered, That the Committee on Federal Relations inquire into the expediency of legislation to prevent frauds in elections, by requiring electors whose right to vote is challenged, to vote in a sealed envelope, with his name written on the same, and such vote not to be counted until the right of such elector to vote is established by a proper tribunal ; also that the same Committee inquire into the expediency of pecuniary aid by the State to railroads proposed or in process of construction through unincorporated sections of the State, or railroads which are proposed to be built mostly by foreign capital. Also that the Committee on the Judiciary inquire whether any further legislation is expedient for the greater security of property against loss by fires.

On motion of M. STONE of Biddeford,

Ordered, That the Committee on Legal Affairs inquire into the expediency of authorizing court stenographers to administer oaths.

On motion of Mr. IRELAND of Stetson,

Ordered, That the Committee on the Judiciary be instructed to consider any change or modification that may be necessary in chapter 49 of the revised statutes, relating to insurance companies.

On motion of Mr. BERRY of Smyrna,

Ordered, That the Committee on Claims inquire into the expediency of reimbursing the town of Smyrna for money paid the State by said town in 1864.

On motion of Mr. SHEPHERD of Camden,

Ordered, That the Committee on Legal Affairs inquire into the expediency of amending section 1, chapter 93 of the public laws of 1876, relating to the recording of assignments of wages.

On motion of Mr. SPRAGUE of Greene,

Ordered, That the Committee on Legal Affairs inquire into the expediency of so amending section 2, chapter 60 of the revised statutes, relating to divorces, that its provisions may better serve the interests of domestic peace and morality.

On motion of Mr. ABBOTT of Andover,

Ordered, That the Committee on Legal Affairs inquire into the expediency of changing the time for viewing roads in unincorporated places by the county commissioners.

On motion of Mr. RUSSELL of Readfield,

Ordered, That the Committee on Legal Affairs inquire into the expediency of amending the laws relating to the taxation of animals which are temporarily in this State for the purpose of being wintered by parties residing in other States, so that said animals shall be exempt from taxation upon the sworn statement of the fact by the parties in whose possession such animals are found the first day of April.

On motion of Mr. HASKELL of West Gardiner,

Ordered, That the Committee on Ways and Bridges inquire into the expediency of requiring the several counties to keep in repair all bridges on county roads costing one thousand dollars or more when built.

On motion of Mr. LORD of Bangor,

Ordered, That the Committee on Legal Affairs inquire into the

expediency of amending section 13, chapter 123 of the public laws of 1873, relating to imprisonment of criminals.

On motion of Mr. HURD of Porter,

Ordered, That the Committee on the Judiciary inquire into the expediency of reporting some law to prohibit the taking of wild pigeons by nets.

On motion of Mr. PILSBURY of Lewiston,

Ordered, That the Committee on Legal Affairs inquire into the expediency of amending chapter 81, section 13 of the revised statutes, so as to allow corporations to bring civil actions in the county where their treasurer resides.

On motion of Mr. CLARK of Appleton,

Ordered, That the Committee on Legal Affairs inquire into the expediency of so amending the law that in all cases against towns for injuries received through defects in highways when a second hearing is asked for, the parties making such application shall give bonds for the payment of costs; also that the Committee on Claims inquire into the expediency of repealing the law for the payment of bounties on bears.

On motion of Mr. ROGERS of Bath,

Ordered, That the Committee on Fisheries inquire into the expediency and necessity of enacting a law to regulate the menhaden or porgy fisheries in the waters of this State.

On motion of Mr. CHASE of Bridgton,

Ordered, That the Committee on Legal Affairs inquire into the expediency of amending chapter 60 of the public laws of 1876, so that administrators, executors and trustees, when they reside beyond the limits of this State, may make oath to their several accounts before a Commissioner of the State of Maine or United States Consul; also that the Cumberland County Delegation inquire into the expediency of any increase in the salaries of their county officers.

On motion of Mr. ALEXANDER of Linneus,

Ordered, That the Committee on Legal Affairs inquire into the expediency of so amending section 34, chapter 91 of the revised statutes, relating to liens on lumber, as to include cord-wood and hemlock bark.

On motion of Mr. GREENWOOD of Hebron,

Ordered, That the Committee on Legal Affairs inquire into the

expediency of amending the pauper law, so that plantations of five hundred or more inhabitants shall be liable for the support of their paupers the same as towns.

On motion of Mr. MORRISON of Phillips,

Ordered, That the Committee on Legal Affairs inquire into the expediency of repealing or amending section 7 of chapter 6 of the revised statutes.

On motion of Mr. WADSWORTH of Manchester,

Ordered, That the Committee on Legal Affairs inquire into the expediency of so amending chapter 44 of the revised statutes, that its practical operation shall not discriminate against the citizens of our own State.

On motion of Mr. NADEAU of Fort Kent,

Ordered, That the Committee on the Judiciary inquire into the expediency of legalizing the doings of County Commissioners of Aroostook county in locating a county road from New Sweden to Fort Kent; also that the Committee on State Lands and State Roads inquire into the expediency of making an appropriation to aid in building the road between Lyndon, New Sweden and Fort Kent; also that the Committee on Financial Affairs inquire into the expediency of making provision in the appropriation bill for the enforcement of chapter 175 of the resolves of 1876.

On motion of Mr. HADLOCK of Cranberry Isles,

Ordered, That the Committee on Finance inquire into the expediency of amending chapter 45 of the revised statutes, by adding to section 1 the words, "provided however, that if more than 8 per cent. be received, the excess shall be recoverable at any time within one year from the time of payment."

On motion of Mr. SMITH of Hampden,

Ordered, That the Committee on Financial Affairs inquire into the cost of furnishing the State with the Maine reports, and ascertain what reduction can be made in the price of same.

On motion of Mr. ROBIE of Gorham,

Ordered, That the Superintendent of Common Schools be and is hereby requested to make such examination as he may deem necessary, looking to the establishment of a normal school in the western part of the State, and all parties interested are hereby authorized to communicate with him, setting forth the advantages of locality, and the pecuniary benefits that may be offered to

secure the school, and report by bill or otherwise to the next Legislature.

The foregoing orders were sent to the Senate.

Mr. WEST, from the Committee on Fisheries, reported ought to pass, on bill "an act to amend chapter 263 of the special laws of 1876."

Same gentleman, from same Committee, reported same, on bill "an act for the protection of fish in certain ponds, in the town of Standish."

Mr. SPRAGUE, from the Committee on Agriculture, reported, on petition, bill "an act to amend an act entitled 'an act to incorporate the Maine State Pure Blood Jersey Stock Association.'"

Mr. CHASE, from the Committee on Legal Affairs, reported, on petition, bill "an act relating to Bridgton Centre Village Corporation."

Printed bill "an act relating to the Supreme Judicial Court for the county of Sagadahoc."

The foregoing reports were read and accepted, bills read twice, and to-morrow assigned for the Third Reading.

Mr. FARRAR, from the Committee on Legal Affairs, reported ought not to pass, on bill "an act to enlarge the powers of constables in the service of civil process."

Mr. CHASE, from the same Committee, reported legislation inexpedient, on order relating to the returns of divorces and the causes therefor.

Mr. MORRISON, from the same Committee, reported same, on order relating to the amendment of pauper law.

Mr. ADAMS, from the same Committee, reported same, on order relating to amendment of chapter 57 of the public laws of 1875.

Mr. GRANT, from the Committee on Fisheries, reported leave to withdraw, on petition of O. Templeton and others.

Same gentleman, from the same Committee, reported same, on petition of E. V. Lyman and others of the town of Mt. Desert.

Mr. WEST, from the Committee on Fisheries, reported reference to the Committee on Legal Affairs, on petition of J. F. Twitchell and others.

The foregoing reports were read and accepted, and sent to the Senate.

Mr. LITTLE, from the Committee on Fisheries, reported ought not to pass, on bill "an act to prohibit the taking of fish from the Davis brook, sometimes called Whale Back brook, in the town of Limington."

The report was read and recommitted to the Committee on Legal Affairs, on motion of Mr. STONE of Biddeford, and sent to the Senate.

"Resolve relating to a national prohibitory law," was reported from the Committee on Bills in the Third Reading, read the second time, passed to be engrossed, and sent to the Senate.

The report of the Committee of Conference, on order relating to authorizing the visiting of the various institutions of the State, was taken from the table accepted.

The House then voted to recede, and concurred with the Senate in the amendment of the order, and its passage as amended.

On motion of Mr. MEADER of Waterville,
Adjourned.

ORAMANDAL SMITH, *Clerk.*

FRIDAY, JANUARY 19, 1877.

Met according to adjournment.

Prayer by the Rev. Mr. QUINBY of Augusta.

Journal of yesterday read and approved.

Papers from the Senate.

Petition of John T. Hall and others, relating to the formation of savings and building associations ; also

Bill "an act additional to chapter 67 of the revised statutes, relating to the appointment of guardians ;" and

Bill "an act to amend section 14 of chapter 6 of the revised statutes, relating to the taxing of personal property ;"

Were referred to the Committee on the Judiciary in concurrence.

Petition of the Belfast Foundry Company, for change of corporate name to that of Castle Iron Works ; and

• Petition of William H. Castle and others of Belfast, for incorporation as the Belfast Granite Works ;

Were referred to the Committee on Manufactures in concurrence.

Bill "an act authorizing the Land Agent to sell islands on the coast of Maine ; and

Petition of Joel Valley and others, praying that settling duties be remitted to all holders of land certificates in the town of Blaine ;

Were referred to the Committee on State Lands and State Roads in concurrence.

Petition of Ai Waterhouse, for an amendment of the act of February 18, 1876, for the better protection of game ; and

Petition of R. S. Ayer and 14 others of Montville, praying for an act incorporating Mount Repose Cemetery in said town ;

Were referred to the Committee on Legal Affairs in concurrence.

Petition of Oak Lodge of Good Templars, No. 96, of Deering, for a law prohibiting pool selling and gambling at fair grounds, base ball and trotting parks; also

Petition of John E. Warren and others of Westbrook for same; also

Petition of Gardner Leighton Jr. and others of North Yarmouth, for same; also

Petition of Hartwell Little and others of Brunswick, for same; and

Petition of E. A. Lewis and others of Bucksport, praying for amendment of liquor law;

Were referred to the Committee on Temperance in concurrence.

Petition of Woodman, True and Company and others of Portland, for increase of salary of Judge of Probate of Cumberland county, was referred to the Cumberland County Delegation in concurrence.

Bill "an act to amend chapter 313 of the private and special laws of 1876, to extend the time for the location and completion of the Somerset Railroad," was referred to the Committee on Railroads in concurrence.

Petition of Warren Johnson, for balance due for services as State Superintendent of Common Schools for the year 1876; and

Petition of town of Harrington, for reimbursement for money paid the State in 1864;

Were referred to the Committee on Claims in concurrence.

Remonstrance of Simeon Carpenter, against any amendment or change in the act to incorporate the Shin Brook Dam Company, was referred to the Committee on Interior Waters in concurrence.

Memorial of S. B. Morrison, concerning the enlistment and examination of members of the Jameson Guards, was referred to the Committee on Military Affairs in concurrence.

Petition of S. W. Lane, for pay for certain services, was referred to the Committee on Financial Affairs in concurrence.

Ordered, That all petitions, memorials and other papers, requesting legislation on the subject of temperance, gambling at fairs and

kindred subjects, be referred to the Joint Select Committee on Temperance.

Ordered, That the Committee on Military Affairs be directed to inquire whether the members of the Jameson Guards of Bangor, enlisted within the last four years, were examined and enlisted according to law, and report thereon, with power to send for persons and papers.

Ordered, That the Committee on the Judiciary inquire into the expediency of so amending the Constitution of the State, as to provide for biennial elections for Governor, Senators and Representatives to the State Legislature, and other State officers; also for biennial sessions of the Legislature, and report by resolve or otherwise.

Ordered, That the Committee on State Lands and State Roads inquire into the expediency of repealing chapter 175 of the resolves of 1876, approved February 23, and entitled a "resolve relating to claims of settlers on proprietors' lands," and report by bill or otherwise.

Ordered, That the Committee on the Judiciary inquire into the expediency of amending section 6 of chapter 6 of the revised statutes, by inserting after the word "society," in the third line of the fourth paragraph thereof, the words, "or a society of individuals incorporated for that purpose," so that said paragraph, as amended, shall read as follows: *Fourth*. All houses of religious worship and the pews and furniture within the same, except for parochial purposes; and all tombs and rights of burial and property held by a religious society, or a society of individuals incorporated for that purpose as a parsonage.

Ordered, That the Committee on the Judiciary inquire into the expediency of changing the law so as to prevent an appeal of cases from police and trial justice courts to the Supreme Judicial Court, where judgment rendered in the former do not exceed twenty dollars.

Ordered, That the Committee on the Judiciary be instructed to inquire if any legislation is necessary for the protection of citizens who may remove from one town to another in this State, within three months next preceding an election for state and county officers, in his right of suffrage, and if so, report by bill or otherwise.

Ordered, That the Committee on Education be directed to

inquire into the expediency of amending the school laws, so as to require school agents to furnish proper vouchers for the expenditure of all moneys, before drawing the same from the municipal authorities; also to inquire into the expediency of so amending the school laws that money drawn from the State cannot be expended by districts or towns in repairing or building school-houses.

Ordered, That the Committee on Education be directed to inquire into the expediency of providing some method for the better instruction of school teachers, and report by bill or otherwise.

These orders came from the Senate read and passed, and were read and passed in concurrence.

Report of the Committee on Pensions, reporting leave to withdraw, on petition of Emily J. Welts.

Report of the Committee on Fisheries, reporting same, on petition of Caleb Blake and others.

Report of the Committee on Federal Relations, reporting reference to Committee on the Judiciary, on order relative to the shipment of game from this State.

These reports came from the Senate read and accepted, and were read and accepted in concurrence.

Petition of citizens of Franklin, in relation to close-time for trout fishing; and

Petition of citizens of Ellsworth, in aid of same;

Were referred to the Committee on Fisheries.

Petition of E. M. Shaw and Jesse Davis of Lisbon, for modification of trustee process; also

Petition of W. D. Pennell and others of Lewiston, for same; and

Bill "an act in relation to the equity powers of the Supreme Judicial Court; "

Were referred to the Committee on the Judiciary.

Petition of Nelson Turney, for deed of lot of land; and

Petition of citizens of Aroostook county, for extension of charter of the Aroostook Steamboat Company;

Were referred to the next Legislature.

Ordered, That the use of the Representatives' Hall be tendered the Hon. Neal Dow of Portland, on Monday evening, for the purpose of delivering his lecture entitled "England and the English."

On motion of Mr. WEST of Franklin,

Ordered, That all petitions, orders, &c., relating to the game laws of the State, be referred to the Committee on Legal Affairs, and it is hereby ordered, that other Committees having papers before them relating to the subject be relieved from further consideration of the same.

This order was sent to the Senate.

Mr. HAYNES, from the Committee on the Judiciary, reported legislation inexpedient, on order relating to amendment of law relating to marriage.

Mr. ROLF, from the Committee on Ways and Bridges, reported leave to withdraw, on petition of David Newbegin and others, referred from the last Legislature.

Mr. CHASE, from the Committee on State Lands and State Roads, reported same, on petition of Hiram L. Chase.

Mr. NEWBERT, from the Committee on Claims, reported same, on petition of W. W. Walker for reimbursement.

Mr. COOK, from the same Committee, reported same, on petition of town of Topsfield, for reimbursement of State aid.

The foregoing reports were read and accepted, and sent to the Senate.

Mr. PORTER, from the Committee on State Lands and State Roads, reported, on petition, "resolve in favor of F. W. Stimson."

Mr. ALEXANDER, from the same Committee, reported, on petition of town of Wellington, "resolve in favor of the town Wellington."

Mr. CHASE, from the same Committee, reported, on petition of Isaac Varney, "resolve in favor of Isaac Varney."

Mr. KNOWLES, from the same Committee, reported, on petition of David Dudley, "resolve in favor of David Dudley."

Mr. SMITH, from same Committee, reported, on petition of M. L. Stevens, "resolve in favor of M. L. Stevens."

Mr. ALEXANDER, from same Committee, reported, on petition of John Estes, "resolve in favor of John Estes."

Mr. LOCKE, from the Committee on the Judiciary, reported in a new draft, bill "an act to amend section 56, chapter 51, revised statutes, and additional to chapter 122, public laws of 1876 "

Same gentleman, from same Committee, reported ought to pass in a new draft, on bill "an act to amend section 18 of chapter 81,

revised statutes, relating to service on corporations in civil actions ;" also

Reported same, on bill "an act to amend section 8 of chapter 86, revised statutes, relating to trustee process as heretofore amended ;" also

Reported same, on bill "an act in relation to executions ;" also

Reported same on bill "an act additional relating to corporations."

Mr. WENTWORTH, from the same Committee, reported, on order relating to or amending chapter 146, public laws of 1876, bill "an act to repeal chapter 146, public laws of 1876, relating to ways, and to revive the provisions of section 39 of chapter 18, revised statutes."

The foregoing reports were read and accepted, and bills and resolves ordered printed under the Rule.

Mr. MEADER, from the Committee on Interior Waters, reported ought to pass, on bill "an act to amend the charter of the Penobscot Log Driving Company."

The report was read and accepted, bill read twice, and tomorrow assigned for its third reading.

"Resolve for the purchase of the Maine State Year Book," was read once, and Wednesday next assigned for its second reading.

Printed bill "an act to revive and consolidate the laws relating to the government, powers, duties, privileges and liabilities of savings banks and institutions for savings," was read twice, and Tuesday next assigned for its third reading.

Bill "an act relating to the Supreme Judicial Court for the county of Sagadahoc ;" also

Bill "an act to amend an act entitled 'an act to incorporate the Maine State Pure Blood Jersey Stock Association ;'" also

Bill "an act relating to Bridgton Centre Village Corporation ;" and

Bill "an act to amend chapter 263 of the special laws of 1876 ;"

Were reported from the Committee on Bills in the Third Reading, read the third time, and passed to be engrossed, and sent to the Senate.

Bill "an act for the protection of fish in certain ponds, in the town of Standish," was reported from the Committee on Bills in the Third Reading, read the third time, pending passage to be engrossed, tabled on motion of Mr. CHASE of Standish.

Bill "an act to authorize contract between Bucksport and Bangor Railroad Company and Trustees of European and North American Railway Company," having been read three times, and passed to be engrossed, was reported from the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker, and sent to the Senate.

On motion of Mr. JORDAN of Brunswick,
Adjourned.

ORAMANDAL SMITH, *Clerk.*

SATURDAY, JANUARY 20, 1877.

Met according to adjournment.

Prayer by the Rev. Mr. PENNEY of Augusta.

Journal of yesterday read and approved.

Papers from the Senate.

Communication from the Secretary of State, transmitting annual report of the Trustees and President of the State College of Agriculture and the Mechanic Arts, for the year 1876, came from the Senate read and the report referred to the Committee on Agriculture, and was read and the report referred in concurrence.

Report of the Committee on Financial Affairs, reporting, on report of Treasurer of State, came from the Senate read and accepted, and was accepted in concurrence.

Bill "an act to amend chapter 77, revised statutes, relating to entering judgments," was referred to the Committee on the Judiciary in concurrence.

Petition of Henry Darling and others of Bucksport, for revival of the organization of the Trustees of the Parsonage Fund, was referred to the Committee on Legal Affairs in concurrence.

Bill "an act amendatory of the acts providing for loan of credit of the city of Bangor, in aid of the construction of the Bangor and Piscataquis Railroad;" and

Bill "an act to amend section 71, chapter 51, revised statutes, relating to Railroad Commissioners;"

Were referred in concurrence to the Committee on Railroads.

Petitions of citizens of Bridgton, for an act to prohibit pool selling on base ball grounds and trotting parks, was referred in concurrence to the Committee on Temperance.

Ordered, That the Committee on the Judiciary inquire into the expediency of repealing section 31, chapter 86, revised statutes, relating to disclosures of trustees.

This order was read, and referred to the next Legislature.

Report of Committee on State Lands and State Roads, reporting leave to withdraw, on petition of B. B. Byron, came from the Senate read and accepted, and was read and accepted in concurrence.

Report of Committee on Towns, reporting, on petition of Sprague Keen, bill "an act to set off certain real estate from the town of Bridgton and annex the same to the town of Harrison," came from the Senate read and accepted, bill read twice, and passed to be engrossed.

The report was read and accepted, bill read twice, and Monday assigned for its third reading.

The vote whereby the House referred to the next Legislature, petition of Nelson Turney, and petition of citizens of Aroostook, for amendment of charter of Aroostook Steamboat Company, was reconsidered, and the petitions referred, the first to the Committee on State Lands and State Roads, the latter to the Committee on Interior Waters.

Petition of citizens of Deblois, relating to repeal of Calais Court bill; also

Petition of inhabitants of Machiasport, in aid of same; also

Remonstrance of citizens of Ellsworth, in relation to the protection of game; also

Remonstrance of citizens of East Machias, against making any change in game laws; and

Remonstrance of citizens of Machias, in aid of same;

Were referred to the Committee on Legal Affairs.

The foregoing were sent to the Senate.

Mr. ROBIE of Gorham, presented the following:

Ordered, That the several Joint Standing Committees of the Legislature be and are hereby directed to report finally on or before Monday, the 29th of January, and that thereafter the House hold two sessions each day, the morning session to commence at 9 o'clock.

This order was sent to the Senate.

Mr. PORTER, from the Committee on State Lands and State Roads, reported, on petition, "resolve in favor of Olof Ljungren and Magnus Jeppson."

Same gentlemen, from same Committee, reported, on petition, "resolve in favor of Charles G. Perry."

Mr. CHASE, from same Committee, reported, on petition, "resolve in favor of Jessie Sutherland."

Mr. WAIT, from the Committee on Fisheries; reported, on petition, bill "an act amendatory of chapter 125, public laws of 1876, for the protection of land-locked salmon."

Mr. ROBIE, from the Committee on Railroads, reported ought to pass, on bill "an act to amend section 6 of chapter 120, public laws of 1876, to authorize the formation of railroad corporations."

Mr. WADSWORTH, from the Committee on Legal Affairs, reported ought to pass, on bill "an act repealing sections 5, 6, 7 and 8, chapter 30, revised statutes, relating to bounty on bears and wolves."

These reports were read and accepted, and bills and resolves ordered printed under the Rule:

Mr. WOODS, from the Committee on Railroads, reported, on order, bill "an act to prevent loitering in station houses of railroad corporations."

The report was read and accepted.

Mr. ROBIE of Gorham, proposed an amendment, and on his motion, the bill was ordered printed with the amendments incorporated.

Mr. WAIT, from the Committee on Fisheries, reported, on order, bill "an act to prevent the taking of trout in Great Works stream and its tributaries, in the towns of Amherst, Clifton and Bradley."

Mr. CHASE, from the Committee on Legal Affairs, reported ought to pass, on bill "an act to make valid certain doings of the inhabitants of Bridgton Centre Village Corporation, in the town of Bridgton."

Mr. ROBIE, from the Committee on Railroads, reported ought to pass, on bill "an act additional relative to the Orchard Beach Railroad Company."

Printed bill "an act relating to executions."

Printed bill "an act amendatory to chapter 119 of the revised statutes, relating to offences against habitations, dwellings, etc. ; also amendatory to chapter 120 of the revised statutes, relating to larceny and receiving stolen goods."

These reports were read and accepted, bills read twice, and Monday assigned for their third reading.

Mr. CHASE, from the Committee on Legal Affairs, reported legislation inexpedient, on order relating to trials in Appellate Courts."

Mr. FARRAR, from same Committee, reported same, on order relating to abolition of imprisonment for debt."

Mr. HOWES, from the Committee on Claims, reported same, on order relating to paying bounty on bears."

Mr. MADDOCKS, from the Committee on Ways and Bridges, reported leave to withdraw, on petition of inhabitant of Maria-ville.

These reports were read and accepted, and sent to the Senate.

Bill "an act to amend the charter of the Penobscot Log Driving Company," was reported from the Committee on Bills in the Third Reading, read the third time, and passed to be engrossed, and sent to the Senate.

Adjourned.

ORAMANDAL SMITH, *Clerk.*

MONDAY, JANUARY 22, 1877.

Met according to adjournment.

In the absence of the Speaker, the House was called to order by the Clerk.

On motion of Mr. HADLOCK of Cranberry Isles, a call of the House was had; and it being ascertained that no quorum was present, the Clerk declared the House adjourned until to-morrow at ten o'clock.

ORAMANDAL SMITH, *Clerk.*

TUESDAY, JANUARY 23, 1877.

Met according to adjournment.

Prayer by the Rev. Mr. NEWCOMBE of Hallowell.

Journal of Saturday read and approved.

Papers from the Senate.

Petition of inhabitants of Vinalhaven, for reimbursement of money paid in 1864, was referred to the next Legislature under the Rule.

The foregoing petition was sent to the Senate.

Report of Committee on Legal Affairs, reporting legislation inexpedient, on order relating to trial justices reviewing executions issued by other trial justices.

This report came from the Senate read and accepted, and was read and accepted in concurrence.

Report of same Committee, reporting same, on order relating to municipal corporations keeping a full and complete record of persons moving into and out of their limits, came from the Senate read and accepted, and was read and recommitted in the House to the Committee on Legal Affairs.

A communication from the Secretary of State, transmitting annual report of Warden and Inspectors of the Maine State Prison, came from the Senate read and the report referred to the Committee on State Prison, and was read and report referred in concurrence.

Petition of Samuel Robinson and others, for redress of wrongs, was referred to next Legislature under the Rule.

Petition of Otis S. Tibbetts and others, that the valuation of Township No. 18 may be reduced; also

Bill "an act in relation to proceedings in criminal cases;" also

Bill "an act to incorporate the Harper Manufacturing Company;" and

Petition of inhabitants of Eastport, for repeal of the Calais Court bill;

Were referred to the Committee on the Judiciary.

Remonstrance of the citizens of Dennysville, against any change in the game laws; also

Remonstrance of the citizens of Machiasport, in aid of same; also

Remonstrance of citizens of Whitneyville, in aid of same; also

Remonstrance of inhabitants of Oldtown, against repeal of the trustee law; and

Bill "an act authorizing views by juries in all cases;"

Were referred to the Committee on Legal Affairs.

Bill "an act to authorize the formation of mutual savings fund, loan and building associations," was referred to the Committee on Banks and Banking.

Remonstrance of citizens of Orono, against the discontinuance of the office of Fish Commissioner, was referred to the Committee on Fisheries.

Remonstrance of the inhabitants of Fairfield, against any law to prevent throwing of slabs and other refuse into the Kennebec river, was referred to the Committee on Interior Waters.

Remonstrance of inhabitants of Haynesville, against the division of said town, was referred to the Committee on Towns.

Petition of citizens of Parkman, for land to be set off from Parkman and annexed to Cambridge; and

Petition of the citizens of Cambridge, in favor of same;

Were referred to the next Legislature under the Rule.

The foregoing were sent to the Senate.

Mr. LORD, from Committee on Legal Affairs, reported legislation inexpedient, on order relating to town treasurers cutting the ears from skins of animals upon which bounty is claimed.

This report was read and accepted, and sent to the Senate.

Mr. FELLOWS, from the Committee on Towns, reported, on order, bill "an act entitled an act authorizing any town in the State to elect its municipal officers for a term of three years, in the same manner as county commissioners are now elected.

Mr. LOCKE, from the Committee on the Judiciary, reported ought to pass, on bill "an act to amend section 4 of chapter 125, revised statutes, relating to gambling."

The reports were read and accepted, and the bills ordered printed under the Rule.

Mr. MORRISON, from the Committee on Legal Affairs, reported, on petition, bill "an act to make valid the doings of the town of Weld."

Printed bill "an act to prevent loitering without right within the station houses or about the premises of railroad corporations."

Printed bill "an act to amend section 6 of chapter 120, public laws of 1876, to authorize the formation of railroad corporations."

Printed bill "an act to repeal chapter 146, public laws of 1876, relating to ways, and revive the provisions of section 39, chapter 18, revised statutes."

Printed bill "an act to amend section 56, chapter 51, revised statutes, and additional to chapter 122, public laws of 1876."

Printed bill "an act to amend section 8, chapter 86, revised statutes, relating to trustee process as heretofore amended."

Printed bill "an act to amend section 18, chapter 81, revised statutes, relating to service on corporations in civil actions."

Printed bill "an act additional relating to corporations."

Printed bill "an act repealing sections 5, 6, 7 and 8, chapter 30, revised statutes, relating to bounty on bears and wolves."

"Resolve authorizing the Land Agent to convey by deed, to John Estes, a lot of land."

"Resolve in favor of the town of Wellington."

"Resolve in favor of F. W. Stimson."

"Resolve in favor of Isaac Varney."

"Resolve in favor of M. S. Stewart."

"Resolve in favor of David Dudley."

The report was read and accepted, bills read twice, resolves once, and to-morrow assigned for the third reading of the bills, and Wednesday of next week for the second reading of the resolves.

Bill "an act amendatory of chapter 125, public laws of 1876, for the protection of land-locked salmon, trout and bass," was read twice, and to-morrow assigned.

Subsequently the House reconsidered the foregoing vote, on motion of Mr. CHASE of Bridgton, and recommitted the bill to the Committee on Fisheries.

Bill "an act to make valid certain doings of the inhabitants of Bridgton Center Village Corporation in the town of Bridgton."

Bill "an act to set off certain real estate from the town of Bridgton and annex the same to the town of Harrison."

Bill "an act in relation to executions."

Bill "an act to prevent the taking of trout in Great Works stream and its tributaries in the towns of Amherst, Clifton and Bradley."

Bill "an act additional relative to the Orchard Beach Railroad Company."

Bill "an act amendatory to chapter 119 of the revised statutes, relating to offences against habitations, dwellings, etc.; also amendatory to chapter 120 of the revised statutes, relating to larceny and receiving stolen goods."

The foregoing bills were reported from the Committee on Bills in the Third Reading, read the third time, passed to be engrossed, and sent to the Senate.

Bill "an act in aid of the deaf and dumb school of Portland," was taken from the table, on motion of Mr. LOCKE of Portland, and referred to the Committee on Education, and sent to the Senate.

Bill "an act to revise and consolidate the laws relating to the government, powers, duties, privileges and liabilities of savings banks and institutions for savings," came up by special assignment, and was amended as per sheets "A," "B," "C," "D," "E," "F" and "G."

Pending adoption of amendment "H," the House adjourned, on motion of Mr. WADSWORTH of Manchester.

ORAMANDAL SMITH, *Clerk*.

WEDNESDAY, JANUARY 24, 1877.

Met according to adjournment.

Prayer by the Rev. Mr. CRANE of Hallowell.

Journal of yesterday read and approved.

Papers from the Senate.

Communication from the Secretary of State, transmitting the returns of lists of stockholders of corporations for the year 1876, in accordance with section 22 of chapter 46, revised statutes, came from the Senate read, and was read in concurrence.

Remonstrance of Penobscot Tribe of Indians, against any change in relation to their election laws, came from the Senate referred to Committee on Legal Affairs, and was referred in concurrence.

The order relating to disclosures of trustees, referred to the next Legislature by the House, came from the Senate, that branch insisting upon its vote passing the same and proposing a Committee of Conference, and appointing

Messrs. Vinton of Cumberland,
Stevens of Kennebec,
Thompson of York,

Conferees on its part.

House receded and concurred in the proposition for a Conference, and the SPEAKER joined

Messrs. Cleaves of Portland,
Buck of Foxcroft,
Chadbourne of Waterboro',

on its part.

Report of the Committee on Railroads, reporting ought to pass, on bill "an act to amend chapter 313 of the private and special laws of 1876, to extend the time for the location and completion of the Somerset Railroad."

Report of Committee on Fisheries, reporting ought to pass, on bill "an act to amend chapter 279 of the special laws of 1876, relating to catching of smelts in Monsweag bay and river."

These reports came from the Senate read and accepted, bills read twice, the last amended as per sheet "A," and passed to be engrossed.

The reports were read and accepted in concurrence, bills read twice, and to-morrow assigned for their third reading.

Report of Committee on Ways and Bridges, reporting, on order, bill "an act to abolish the highway tax," came from the Senate read and accepted, bill read twice, and referred to the Committee on the Judiciary, and was referred in concurrence.

Report of Committee on Fisheries, reporting, on petition, bill "an act to restrict the killing of seal in Casco bay," came from the Senate read and accepted, bill read twice and passed to be engrossed, and was read twice, and Tuesday of next week assigned for the third reading.

Bill "an act to amend section 53 of chapter 11 of revised statutes, relating to the election of Superintending School Committees;" also

Bill "an act to amend section 50, chapter 40 of revised statutes;" and

Bill "an act to amend an act to incorporate the Masonic Trustees of Lewiston;"

Were referred to the Committee on the Judiciary.

Petition of citizens of Winthrop, for the continuance of the office of Fish Commissioners; also

Petition of J. H. Douglass and 29 others, in aid of same; also

Petition of Cyrus Wormell and 75 others of Bethel, in aid of same; also

Petition of W. W. Whitcomb and 43 others of Norway, in aid of same; and

Petition in the interest of trout fishing;

Were referred to the Committee on Fisheries.

"Resolve amendatory of chapter 156 of the resolves of 1876, entitled 'resolve in favor of John Ryan;'" and

Petition of William Loverin, in relation to roads in Baileyville;

Were referred to the Committee on State Lands and State Roads.

Petition of George Burnham, jr., and 140 citizens of the State, against any change in the game laws; and

Petition of the citizens of Machias, for repeal of the Calais Court bill ;

Were referred to the Committee on Legal Affairs.

Petition of William D. Orr, for deed of lot of land, was referred to the next Legislature.

Petition of Edwin Gray and others, to authorize towns and plantations to form insurance companies, was referred to the next Legislature.

The foregoing were sent to the Senate.

On motion of Mr. CHASE of Bridgton,

Ordered, That the use of Representatives' Hall be tendered to A. F. Lewis, Esq., of Fryeburg, on Friday evening of this week, for the purpose of delivering his lecture entitled "Salt Lake City and Mormon Life."

On motion of Mr. STONE of Biddeford,

Ordered, That the Governor and Council be requested to communicate to this House the number of convicts now confined in each jail workshop authorized by chapter 133 of the public laws of 1873, under sentence from one to three years, inclusive ; and also the number of jail workshops now in the State, when and where built, the cost of each, and of the equipment thereof.

Mr. LORD, from the Committee on Education, reported legislation inexpedient, on order relating to amendment of section 59 of the school laws.

Mr. RUSSELL, from same Committee, reported same, on order relating to abolition of the district system.

Mr. ALEXANDER, from the Committee on State Lands and State Roads, reported same, on various orders referred from the last Legislature.

Same gentlemen, from same Committee, reported leave to withdraw, on petition of Nelson Turney.

Mr. SMITH, from the same Committee, reported leave to withdraw, on petition of Joel Valley and others.

Mr. PORTER, from the same Committee, reported same, on petition of Caleb G. Sprague.

Mr. JORDAN, from the Committee on Commerce, reported same, on petition of Daniel W. True.

Mr. CHADBOURNE, from the Committee on the Judiciary, reported reference to the Committee on Legal Affairs, on various petitions and orders relating to change of game laws.

Mr. JORDAN, from the Committee on Commerce, reported ought not to pass, on bill "an act accompanying various petitions of John H. Stimson and others."

These reports were read and accepted, and sent to the Senate.

Mr. HAYNES, from the Committee on the Judiciary, reported, on petition, bill "an act relating to the Camden Village Corporation."

The report was read and accepted.

Subsequently the House reconsidered the foregoing vote, and recommitted the report and bill for correction.

Mr. STONE, from the Committee on the Judiciary, reported, on petition, bill "an act additional to 'an act to incorporate the city of Rockland.'"

Same gentleman, from same Committee, reported ought to pass, on bill "an act in relation to the Ellsworth Police Court."

Mr. HAYNES, from the same Committee, reported, on petition, bill "an act to authorize the Second Baptist Society of Gorham to sell and convey all of its personal and real estate."

Mr. JORDAN, from the Committee on Commerce, reported ought to pass, on bill "an act to incorporate the Cornelius Pond Ice Company."

Same gentleman, from same Committee, reported ought to pass, on bill "an act to authorize the city of Bath to appoint a harbor master and regulate the anchoring of vessels in the port of Bath."

Printed bill "an act entitled 'an act authorizing any town in the State to elect its municipal officers for a term of three years, in the same manner as county commissioners are now elected.'"

"Resolve in favor of Olof Ljungren and Magnus Jeppson."

"Resolve in favor of Jessie Sutherland."

"Resolve in favor of Charles G. Perry."

The foregoing reports were read and accepted, bills read twice, resolves once, and to-morrow assigned for the third reading of the bills, and Wednesday next for the second reading of the resolves.

Mr. WENTWORTH, from the Committee on the Judiciary, reported ought to pass, on bill "an act in relation to proceedings in criminal cases."

Mr. CLEAVES, from the same Committee, reported same, on bill "an act to limit municipal indebtedness."

Mr. HAYNES, from the same Committee, reported in a new draft, bill "an act additional to chapter 101 of the public laws of the year 1876, relating to the equity powers of the Supreme Judicial Court," and that the same ought to pass.

Mr. SMITH, from the Committee on State Lands and State Roads, on petition, reported "resolve in favor of Albion W. Stratton."

The same gentleman, from the same Committee, on petition, reported "resolve in favor of S. W. Stratton."

Mr. CHASE, from the same Committee, on petition, reported "resolve in favor of Benjamin Alexander."

The foregoing reports were read and accepted, and bills and resolves ordered printed under the Rule.

By his own request, Mr. HUME of Eastport, was excused from further service on the Judiciary Committee, and Mr. PIKE of Calais, appointed in his stead.

Bill "an act to amend section 8, chapter 86 of the revised statutes, relating to trustee process as heretofore amended;"

Bill "an act to amend section 56, chapter 51 of the revised statutes, and additional to chapter 122 of the public laws of 1876;"

Bill "an act to amend section 18 of chapter 81, revised statutes, relating to service on corporations in civil actions;"

Bill "an act additional relating to corporations;"

Bill "an act to repeal chapter 146, public laws of 1876, relating to ways, and revive the provisions of section 39 of chapter 18, revised statutes;"

Bill "an act to amend section 6 of chapter 120 of the public laws of 1876, to authorize the formation of railroad corporations;"

Bill "an act to prevent loitering, without right, within the station houses, or about the premises of railroad corporations;"

Bill "an act to make valid the doings of the town of Weld;"

"Resolve for the purchase of the Maine State Year Book and Legislative Manual;"

"Resolve amendatory of chapter 20, resolves 1875, entitled 'resolve in favor of Crystal plantation;'" and

"Resolve in favor of Theodore C. Woodman, Receiver of the Bucksport Savings Bank;"

Were reported from the Committee on Bills in the Third Reading, bills read the third time, resolves the second time, the last two amended as per sheets "A," passed to be engrossed, and sent to the Senate.

Bill "an act repealing sections 5, 6, 7 and 8, chapter 30, revised statutes, relating to bounty on bears and wolves," was reported from the Committee on Bills in the Third Reading, read the third time, and tabled, on motion of Mr. NADEAU of Fort Kent.

Bill "an act to consolidate the laws relating to the government, powers, duties, privileges and liabilities of savings banks and institutions for savings," pending when the House adjourned, was taken from the table, further considered, and amended as per sheet "H."

Pending adoption of amendment "I," the House adjourned, on motion of Mr. PILSBURY of Lewiston.

ORAMANDAL SMITH, *Clerk.*

THURSDAY, JANUARY 25, 1877.

Met according to adjournment.

Prayer by Rev. Mr. NEWCOMBE of Hallowell.

Journal of yesterday read and approved.

Papers from the Senate.

The order relating to final reports of the several Committees, passed by the House, came back from the Senate amended as per sheet "A," and passed.

The House insisted, and proposed a Committee of Conference, and the SPEAKER appointed

Messrs. Cleaves of Portland,
Perkins of Brooksville,
Porter of Burlington,

Conferees on its part.

Communication from Hon. E. H. Banks, signifying his acceptance of the office of State Treasurer, and transmitting his official bond.

The communication was read and bond referred to the Committee on Financial Affairs in concurrence.

Report of the Joint Special Committee on Enlargement of State House, came from the Senate read and accepted, and was read and recommitted.

Report of the Committee on the Judiciary, reporting legislation inexpedient, on order relating to protection of citizens removing from one town to another, came from the Senate read and accepted, and was read and accepted in concurrence.

Report of the Committee on Fisheries, reporting ought to pass, on "resolve for the appointment of a commission to reconstruct the laws relating to fisheries and the protection of fish," came from the Senate read and accepted, resolve read twice, amended as per sheet "A," and passed to be engrossed.

Report read and accepted in concurrence, resolve read once, and to-morrow assigned for its second reading.

"Resolve in favor of the town of Anson," was referred to the Committee on State Library.

"Resolve relating to the colors of the 17th Maine Regiment," was referred to the Committee on Legal Affairs.

Petition of citizens of Westbrook, for increase of salary of Judge of Probate of Cumberland county, was referred to the Cumberland County Delegation.

Credentials of Tomah Peol Tomah, representative of the Passamaquoddy tribe of Indians, was referred to the Committee on Indian Affairs.

Petition of citizens of State of Maine, for the protection of trout, was referred to the Committee on Fisheries.

"Resolve concerning an amendment of the Constitution of Maine, relating to elections;" also

Bill "an act to amend section 15 of chapter 67, revised statutes, relating to guardians;" also

Bill "an act to amend an act entitled 'an act to extend the time for locating the route of the Portland, Rutland, Oswego and Chicago Railway;'" also

Bill "an act to amend chapter 82, section 87, revised statutes, relating to the admission of evidence;" and

Bill "an act to amend section 27, chapter 84, revised statutes, relating to offsets;"

Were referred to the Committee on the Judiciary.

The foregoing were sent to the Senate.

On motion of Mr. ROGERS of Bath,

Ordered, That the Committee on Ways and Means consider what amount it will be necessary to raise by a State tax to meet the demand upon the State Treasury for the ensuing year, and report thereon as early as may be practicable.

Mr. STONE of Biddeford, presented bill "an act to amend section 8 of chapter 78 of the revised statutes, relating to the adjournment of the session of the county commissioners' court, and on his motion the same was ordered printed.

Mr. WHITE, from the Committee on Agriculture, on order relating to money paid by the State to agricultural societies, reported statement of same, which on motion of Mr. HINCKLEY of Bluehill, was ordered printed.

Mr. LOCKE, from the Committee on the Judiciary, on petition, reported bill "an act to prevent destruction of books, pictures and statues, in public libraries."

Mr. CHADBOURNE, from the same Committee, on order, reported bill "an act additional to chapter 127 of the public laws of 1876, entitled 'an act in relation to appeals from county commissioners.'"

Mr. PIKE, from the same Committee, reported ought to pass, on bill "an act giving county commissioners jurisdiction over the repairs of ways."

Mr. CHASE, from the Committee on Legal Affairs, reported ought to pass, on bill "an act authorizing views by juries in all cases."

Mr. PILSBURY, from the Committee on Interior Waters, on order, reported bill "an act amendatory to chapter 30 of the public laws of 1875, relating to the better protection of life and property."

Mr. NADEAU, from the Committee on State Lands and State Roads, on petition, reported "resolve in favor of John M. Brown."

Mr. GRANT, from the Committee on Fisheries, on order, reported bill "an act to amend section 4 of chapter 78 of the public laws of 1876, relating to the erection of fish weirs and wharves in tide waters."

Mr. LITTLE, from the same Committee, reported ought to pass, on bill "an act amending an act entitled 'an act for the better protection of lobsters.'"

The reports were read and accepted, and bills ordered printed under the Rule.

Mr. LORD, from the Committee on Legal Affairs, reported ought to pass, on "resolve relating to the purchase by the State of certain Maine Reports."

The same was read once, ordered printed, and Wednesday of next week assigned.

Mr. MEADER, from the Committee on Interior Waters, reported ought to pass, on bill "an act to prevent the throwing of slabs and other refuse into the Kennebec river and its tributaries."

Read twice, ordered printed, on motion of Mr. BURRILL of Fairfield, and Tuesday next assigned.

Mr. ADAMS, from the Committee on Legal Affairs, reported reference to the next Legislature, on order relating to amendment of chapter 6, revised statutes.

Mr. BROWN of Oldtown, from the Committee on Interior Waters, reported same, on petition of Thomas Goodale.

Mr. WHITE, from the Committee on Agriculture, reported legislation unnecessary, on bill "an act to incorporate the Bath Trotting Park."

Mr. HOBSON, from the Committee on Financial Affairs, reported legislation inexpedient, on order relating to amendment of chapter 45, revised statutes.

Mr. KIMBALL, from same Committee, reported same, on order relating to cost of furnishing the State with Maine Reports.

Mr. JORDAN, from the Committee on Commerce, reported same, on bill "an act to authorize the Lincolnville Railroad Company to build a wharf in Penobscot bay."

Mr. CHADBOURNE, from the Committee on the Judiciary, reported same, on order, relating to examination and amendment of section 116, chapter 6, revised statutes.

Mr. STONE, from same Committee, reported same, on order relating to costs in trustee process.

Mr. WARREN, from the Committee on Education, reported same, on order relating to abolition of free high school law.

Mr. PERKINS, from the Committee on Indian Affairs, reported leave to withdraw, on petition of Penobscot Indians.

Mr. LIBBY, from the Committee on Legal Affairs, reported same on petition of Penobscot Indians relating to elections.

Mr. HUTCHINSON, from the Committee on Towns, reported same on petition of J. Lovejoy and others.

Mr. BRIGGS, from the Committee on Pensions, reported ought not to pass, on "resolve in favor of Reuben Burnham."

Mr. WENTWORTH, from the Committee on the Judiciary, reported same, on "resolve for the purchase of Webb's Railroad Laws by the State."

Mr. LOCKE, from same Committee, reported same, on bill "an act to incorporate the Harper Manufacturing Company."

Mr. STONE, from same Committee, reported same, on bill "an act entitled 'an act to incorporate the Deering Land and Building Company.'"

Mr. CHADBOURNE, from same Committee, reported same on bill "an act additional to chapter 7, revised statutes, relating to registers of deeds."

Mr. WADSWORTH, from the Committee on Legal Affairs, reported same, on bill "an act to regulate the practice of medicine."

Mr. PERKINS, from the Committee on Indian Affairs, reported reference to the Committee on Legal Affairs, on petition of Penobscot tribe of Indians for amendment of game laws.

The foregoing were read and accepted, and sent to the Senate.

Mr. WENTWORTH, from the Committee on the Judiciary, reported ought to pass, on bill "an act to authorize the town of Lyndon to appropriate money in aid of the Aroostook River Railroad Corporation."

Mr. IRELAND, from the Committee on Towns, reported on petition, bill "an act to set off F. P. Crowell from the Fairfield Village Corporation."

Mr. GIFFORD, from the Committee on Agriculture, reported ought to pass, on bill "an act to amend section 1, chapter 314, private and special laws of 1873."

Mr. SHEPHERD, from the Committee on Mercantile Affairs and Insurance, reported same on bill "an act to amend the charter of the Union Mutual Life Insurance Company."

Mr. CLEAVES, from the Committee on the Judiciary, reported ought to pass, on bill "an act to authorize the York Manufacturing Company to reduce its capital stock."

Mr. CLEAVES, from the Committee on the Judiciary, reported ought to pass, on bill "an act to incorporate the Fifty Associates of Ellsworth."

Printed bill "an act to amend section 4, chapter 125, revised statutes, relating to gambling."

Printed bill "an act to limit municipal indebtedness."

"Resolve in favor of S. W. Stratton."

"Resolve in favor of Benjamin Alexander."

The foregoing reports were read and accepted, bills read twice, resolves once, to-morrow assigned for the third reading of the bills, and Wednesday next for the second reading of the resolves.

Mr. CLEAVES, from the Committee on the Judiciary, reported ought to pass, on bill "an act to incorporate the Trustees of the Sailors' Home in Portland."

The report was read and accepted, bill read three times, rules being suspended, passed to be engrossed, and sent to the Senate.

Bill "an act to authorize the Second Baptist Society of Gorham to sell and convey all of its personal and real estate."

Bill "an act to authorize the city of Bath to appoint a harbor master for the port of Bath, and establish regulations for the anchoring of vessels in said port."

Bill "an act additional to an act to incorporate the city of Rockland."

Bill "an act to incorporate the Cornelius Pond Ice Company."

Bill "an act additional to chapter 298, special laws of the year 1876, establishing the Ellsworth Municipal Court."

Bill "an act for the protection of fish in certain ponds in the town of Standish."

Bill "an act entitled an act authorizing any town in the State to elect its municipal officers for a term of three years in the same manner as the county commissioners are now elected."

The foregoing were reported from the Committee on Bills in the Third Reading, read the third time, and passed to be engrossed, and sent to the Senate.

Bill "an act to amend chapter 313 of the private and special laws of 1876, to extend the time for the location and completion of the Somerset Railroad," was reported from the Committee on Bills in the Third Reading, read the third time, and passed to be engrossed in concurrence.

Bill "an act to abolish the highway tax," was reported from the Committee on Bills in the Third Reading, read the third time, and tabled, on motion of Mr. NADEAU of Fort Kent.

The vote whereby bill "an act to repeal chapter 146, public laws of 1876, relating to ways, and revive the provisions of section 39, chapter 18, revised statutes," was passed to be engrossed, was reconsidered, and the bill laid on the table, on motion of Mr. BESSE of Chester.

Bill "an act relating to Bridgton Centre Village Corporation."

Bill "an act to amend an act entitled 'an act to incorporate the Maine State Pure Blood Jersey Stock Association.'"

Bill "an act to amend the charter of Penobscot Log Driving Company."

Bill "an act relating to the Supreme Judicial Court for the county of Sagadahoc."

"Resolves relating to a National Prohibitory Law."

The foregoing bills having had three several readings and the resolve two, and passed to be engrossed, were reported from the Committee on Engrossed Bills as truly and strictly engrossed, bills passed to be enacted, resolve finally passed, signed by the Speaker, and sent to the Senate.

Bill "an act to amend chapter 263 of the special laws of 1876," having had three several readings and passed to be engrossed, was reported from the Committee on Engrossed Bills as truly and strictly engrossed. Pending its passage to be enacted, re-committed to the Committee on Bills in the Third Reading for correction, on motion of Mr. PIKE of Calais.

Bill "an act to revise and consolidate the laws relating to the government, powers, duties, privileges and liabilities of savings banks and institutions for savings," came up at the close of the morning hour, and was further amended as per sheets "I," "J," "K," "L," "M," "N," "O" and "P;" also amended amendment "D," and passed the bill to be engrossed.

Bill "an act repealing sections 5, 6, 7 and 8, chapter 30, revised statutes, relating to bounty on bears and wolves," was taken from the table, when the question was taken upon the indefinite postponement of the bill, and the House refused to indefinitely postpone. So the bill was passed to be engrossed by yeas and nays, and sent to the Senate.

Those who voted in the affirmative were Messrs.

Adams,	Chase of Bridgton,	Fellows,
Babbidge,	Chase of Standish,	Garvin,
Besse,	Clark of Appleton,	Gibson,
Bird,	Clark, Damariscotta,	Gifford,
Blunt,	Clark of Garland,	Goldthwait,
Bowers,	Cleaves, Kenneb'kp't	Goodwin, Farmingt'n
Briggs,	Cleaves of Portland,	Goodwin of Monroe,
Browne, Bowdoin'm,	Copeland,	Grant of Stockton,
Chadbourne,	Farrar,	Hadlock,

Harlow,	Locke,	Rogers,
Haskell, W. Gardiner	Lord of Bangor,	Shepherd,
Haynes,	Lord of Kennebunk,	Simpson,
Hersom,	Maddocks,	Stackpole,
Hill,	Meador,	Stone,
Hinckley, Bluehill,	Morrill,	Storer,
Hobson,	Newbert,	Strickland,
Hume,	Norton,	Taylor,
Hutchinson,	Noyes,	Thomas,
Hyer,	Nutt,	Trussell, [chester,
Ireland,	Osgood,	Wadsworth, Man-
Jackson,	Pendleton,	Wadsworth, Gardiner
Jordan, Brunswick,	Perkins,	Warren of Pownal,
Kimball,	Pilsbury of Lewiston,	Warren, Westbrook,
Knowles,	Rand,	Winslow,
Learned,	Reynolds,	Woods,
Libby,	Robbins,	York—79.
Little,		

Those who voted in the negative were Messrs.

Abbott,	Davis,	Robie,
Alexander,	Drisko,	Roberts,
Averill,	Fletcher,	Rolf,
Ballard,	Greenwood,	Shapleigh,
Berry of Smyrna,	Hurd,	Shaw,
Brown,	Jordan, Mariaville,	Smith of Alna,
Burrill,	Kinney,	Smith of Hampden,
Chick,	Littlefield,	Sprague,
Cook of Lewiston,	Morrison,	Standish of Eustis,
Cook of Unity,	Nadeau,	Towne,
Coffin,	Pike,	Waitt,
Calkins,	Pillsbury of Union,	Wardwell,
Conforth,	Porter of Burlington,	Wentworth,
Cyr,	Porter of Lyndon,	White—42.

Adjourned.

ORAMANDAL SMITH, *Clerk.*

FRIDAY, JANUARY 26, 1877.

Met according to adjournment.

Prayer by the Rev. Mr. LaLACHEUR of Hallowell.

Journal of yesterday read and approved.

Papers from the Senate.

Communication from the Secretary of State, transmitting the Railroad Commissioners' report for the year 1876, came from the Senate and was read, and the report referred to the Committee on Railroads in concurrence.

Bill "an act to repeal section 31, chapter 86, revised statutes," came from the Senate, and was referred in concurrence to the Committee on the Judiciary.

Petition of William Loverin and others, relative to roads in Baileyville, referred to the Committee on State Lands and State Roads in the House, came back from the Senate referred to the next Legislature.

House recessed and concurred.

Report of the Committee on Manufactures, reporting leave to withdraw, on petition of William W. Castle and others.

Report of the same Committee, reporting same, on petition of William W. Castle, President of the Belfast Foundry Company.

Report of the Committee on Legal Affairs, reporting same, on petition of inhabitants of Milbridge and others.

Report of the Committee on Indian Affairs, reporting same, on petition of White Averill and others.

Report of the Committee on Pensions, reporting reference to Committee on Claims, on petition of S. O. Dinsmore and others.

The foregoing reports came from the Senate read and accepted, and were read and accepted in concurrence.

Report of the Committee on the Judiciary, reporting ought not to pass, on bill "an act to amend the revised statutes, relating to election returns," came from the Senate recommitted, and was recommitted in concurrence.

Report of the Committee on State Printing and Binding, reporting contract for the State Printing with Sprague, Owen and Nash.

Report of the Committee on State Printing and Binding, reporting a contract for the State Binding with E. H. W. Smith and Company.

The foregoing reports came from the Senate read and accepted, and the contracts approved.

The reports were read and accepted, and the contracts approved in concurrence.

Report of the Committee on the Judiciary, reporting ought to pass, on bill "an act additional relating to the city of Portland, limiting its powers to create debt."

Report of the same Committee, reporting same, on bill "an act to promote the efficiency of the police force of the city of Portland."

These reports came from the Senate read and accepted, bills read twice and passed to be engrossed.

The reports were read and accepted in concurrence, bills read twice, and to-morrow assigned for their third reading.

Petition of E. Randall and others, to make free Merrymeeting Bay Bridge;

Petition of Isaiah Perry and others, in aid of same;

Were referred to the Committee on Ways and Bridges.

"Resolve in favor of Swedish settlers," was referred to the Committee on State Lands and State Roads.

Bill "an act to amend section 10, chapter 131, revised statutes, relating to allegations in indictments," was referred to the Committee on Legal Affairs.

Bill "an act requiring accounts and claims against towns to be verified by oath," was referred to the Committee on the Judiciary.

Petition of Charles P. Church and others, for continuance of the office of Fish Commissioners, was referred to the Committee on Fisheries.

The foregoing were sent to the Senate.

Mr. CHASE, from Committee on State Lands and State Roads, on petition, reported "resolve in favor of the town of Baileyville."

Mr. SMITH of Hampden, from same Committee, reported in new draft, "resolve in favor of roads passing through the Indian township in Washington county," and that same ought to pass.

Mr. KNOWLES, from same Committee, on petition, reported "resolve in favor of bridge in the town of Lyndon."

Mr. STONE, from the Committee on the Judiciary, reported ought to pass, on bill "an act relating to proceedings in court."

Mr. LOCKE, from same Committee, reported same, on bill "an act to amend section 8 of chapter 17 of the revised statutes, relating to nuisances."

Mr. HADLOCK, from the Committee on Military Affairs, on order, reported "resolve providing clothing for the Portland Montgomery Guards."

Mr. SIMPSON, from the Committee on Mercantile Affairs and Insurance, on order, reported bill "an act to amend section 56 of chapter 38 of the revised statutes, relating to weights and measures of agricultural products."

The foregoing reports were read and accepted, bills and resolves ordered printed under the Rule.

Mr. BERRY, from the Committee on Claims, reported ought not to pass, on "resolve in favor of John Relehan."

Mr. STONE, from the Committee on the Judiciary, reported same, on bill "an act relating to elections in cities containing more than three thousand voters."

Mr. WENTWORTH, from same Committee, reported legislation inexpedient, on order relating to the amendment of sections 65 and 67 of chapter 64, revised statutes, relating to embezzlement of property of deceased persons.

Mr. CHADBOURNE, from same Committee, reported same, on order relating to the amendment of chapter 227, public laws of 1874.

Mr. JORDAN, from the Committee on Ways and Bridges, reported same, on order requiring counties to keep in repair certain bridges costing more than one thousand dollars.

Mr. KINNEY, from the Committee on Claims, reported same, on order relating to repeal of law for bounty on bears.

Mr. ALEXANDER, from the Committee on State Lands and State Roads, reported leave to withdraw, on petition of the towns of Blanchard and Shirley.

Mr. CLEAVES, from the Committee on the Judiciary, reported same, on petition of Warren Leighton and others, for repeal of Calais Court bill.

Mr. COOK, from the Committee on Claims, reported same, on petition of town of Greenville for reimbursement for assistance furnished George W. Garland in 1876.

Mr. TOWLE, from the Committee on Ways and Bridges, reported same, on petition of Virgil R. Hall and others.

Mr. HAYNES, from the Committee on the Judiciary, reported ought not to pass, on bill "an act to amend section 27, chapter 91, revised statutes, relating to mortgages of property and liens and their enforcement."

Mr. BROWN, from the Committee on Interior Waters, reported legislation inexpedient on petition of John Gardner and others.

Mr. CYR, from the Committee on Interior Waters, reported reference to the Committee on Legal Affairs, on order relating to amendment of chapter 239, public laws of 1874, relating to shooting of wild duck.

Mr. LOCKE, from the Committee on the Judiciary, reported reference to the Hancock County Delegation, on petition of citizens of Ellsworth, for a change of day for municipal elections.

Mr. HAYNES, from the Committee on the Judiciary, reported reference to the Committee on Banks and Banking, on petition of John L. Hall and others.

The reports were read and accepted, and sent to the Senate.

Mr. WENTWORTH, from the Committee on the Judiciary, reported ought not to pass, on bill an act to establish a State Board of Health.

Pending acceptance of report, tabled, on motion of Mr. CLEAVES of Portland.

Mr. HAYNES, from the Committee on the Judiciary, reported ought to pass, on bill "an act additional to an act entitled 'an act to supply the people of Augusta with pure water.'"

Same gentleman, from same Committee, reported recommitted bill with title "an act to amend the charter of the Camden Village Corporation."

Mr. LOCKE, from same Committee, reported ought to pass, on bill "an act to amend an act entitled 'an act to incorporate the Masonic Trustees of Lewiston.'"

Same gentleman, from same Committee, reported same, on bill "an act additional to 'an act to incorporate the city of Bath.'"

Mr. MORRISON, from the Committee on Legal Affairs, reported, on petition, bill "an act to make valid the doings of John G. Adams."

Same gentleman, from same Committee, reported, on petition, bill "an act to authorize James F. Grindle to take ice from Meadow pond in the town of Islesboro'."

Mr. COFFIN, from the Committee on Interior Waters, reported, on petition, bill "an act to authorize the town of Yarmouth to build a foot bridge over tide waters."

Mr. MEADER, from same Committee, reported, on petition, bill "an act authorizing Alton E. Ayer to dredge bars, remove boulders and navigate East pond by steam."

Mr. PORTER, from the Committee on State Lands and State Roads, reported "resolve amendatory of chapter 156 of the resolves of 1876, entitled 'resolve in favor of John Ryan.'"

Printed bill "an act additional to chapter 101, public laws of 1876, relating to the equity powers of the Supreme Judicial Court."

Printed bill "an act in relation to proceedings in criminal cases."

"Resolve in favor of Albion W. Stratton."

Mr. WARREN, from the Committee on Towns, reported, on petition, bill "an act to set off from the town of Greene a certain tract of land and annex the same to the city of Lewiston."

The foregoing reports were read and accepted, bills read twice, resolves once, and to-morrow assigned for the third reading of the bills and second reading of the resolves, save the last two, which were assigned to Wednesday of next week.

Mr. ROGERS, from the Committee on Ways and Means, asked leave to lay upon the table bill "an act to provide in part for the expenditures of government," and on his motion the same was ordered printed.

Bill "an act to amend chapter 263, special laws of 1876, relating to the fishing interest in Lufkin pond;"

Bill "an act to set off the farm of F. P. Crowell from the Fairfield Village Corporation;"

Bill "an act to authorize the town of Lyndon to appropriate money in aid of the Aroostook River Railroad Company;"

Bill "an act to amend the charter of Union Mutual Life Insurance Company;"

Bill "an act to amend section 1, chapter 314 of the private and special laws of 1873, relating to legalizing the doings of the East Kennebec Agricultural and Horticultural Society ;"

Bill "an act to authorize the York Manufacturing Company to reduce its capital stock ;"

Bill "an act to limit municipal indebtedness ;"

Bill "an act to amend section 4 of chapter 125, revised statutes, relating to gambling ;"

Bill "an act to incorporate the Fifty Associates of Ellsworth ;"

Bill "an act in relation to executions ;"

Bill "an act to set off certain real estate from the town of Bridgton, and annex the same to the town of Harrison ;"

Having had three several readings, passed to be engrossed, were reported from the Committee on Engrossed Bills as truly and strictly engrossed, signed by the Speaker, and sent to the Senate.

Bill "an act to amend section 8 of chapter 78, revised statutes," was taken from the table read twice, and to-morrow assigned for the third reading.

Bill "an act to abolish the highway tax," was taken from the table, pending passage to be engrossed, and was indefinitely postponed, on motion of Mr. MORRISON of Phillips.

The vote of the House, whereby "resolve in favor of the town of Wellington" was assigned to Wednesday of next week, was reconsidered under suspension of rules, and the resolve recommended to the Committee on State Lands and State Roads.

The foregoing were sent to the Senate.

The vote of the House, insisting upon passing the order relative to final reports of Committees, was reconsidered. The House then adopted Senate amendment "A," and passed the order as amended.

On motion of Mr. JORDAN of Brunswick,
Adjourned.

ORAMANDAL SMITH, *Clerk.*

SATURDAY, JANUARY 27, 1877.

Met according to adjournment.

Prayer by the Rev. Mr. HARDING of Hallowell.

Journal of yesterday read and approved.

Papers from the Senate.

Communication from the Secretary of State, transmitting report of the Trustees and Superintendent of the State Reform School, came from the Senate read and the report referred to the Committee on Reform School, and was read and report referred in concurrence.

Report of the Committee on the Judiciary, reporting ought not to pass, on bill "an act providing for the examination of judgment debtors."

Report of same Committee, reporting legislation inexpedient, on order relating to safety in public buildings.

Report of the Committee on Claims, reporting leave to withdraw, on petition of Warren Johnson, for balance of pay as State Superintendent of Common Schools.

Report of Committee on Railroads, reporting ought not to pass, on bill "an act to amend section 31, chapter 51 of revised statutes, relating to brakemen on railroad trains."

Report of same Committee, reporting same, on bill "an act to amend section 71, chapter 51, revised statutes, relating to railroad commissioners."

Report of Committee on Ways and Bridges, reporting same, on bill "an act authorizing and regulating the construction of the Deering Boulevard and Water Park."

Report of Committee on Financial Affairs, recommending the approval of the official bond of Hon. Esreff H. Banks, State Treasurer elect.

These reports came from the Senate read and accepted, and were read and accepted in concurrence.

Report of Committee on Temperance, reporting, on sundry petitions, bill "an act against pool selling and lotteries."

The report was read and accepted in concurrence, bill read twice, and Tuesday next assigned for the third reading.

Report of Committee on Education, reporting, on petition, "resolve in favor of the town of Woodland."

Report of Committee on State Lands and State Roads, reporting, on order, "resolve relating to the partition of lands in Township No. 18, in Range 3, known as the town of Grand Isle."

These reports came from the Senate read and accepted, resolves read twice, and passed to be engrossed.

The reports were read and accepted in concurrence, resolves read once, and Wednesday next assigned for their second reading.

Petition of inhabitants of Fort Kent, for aid on road from Caribou to Fort Kent; also

Petition of O. R. Sirois and others of Madawaska, for aid on road; also

Petition of C. E. Beal, for grant of land; also

Remonstrance of inhabitants of Abbot, against setting off a portion of Parkman to Cambridge; also

Remonstrance of inhabitants of Parkman, against division of said town; also

Remonstrance of citizens of Cambridge, in aid of same; also

Remonstrance of citizens of Foxcroft; and

Remonstrance of citizens of Guilford, in aid of same; also

Remonstrance of the Selectmen of Cape Elizabeth, against granting to the County Commissioners of Cumberland county right to lay out road across tide waters in said town; also

Remonstrance of J. C. York and 89 others of Cape Elizabeth, in aid of same; also

Remonstrance of Ezra Scammon and 103 others of Cape Elizabeth; and

Remonstrance of Samuel Haskell and 108 others of Cape Elizabeth;

Were referred to the Committee on Ways and Bridges.

Bill "an act to amend section 21, chapter 113, revised statutes;" also

Bill "an act for the better protection of life in buildings used for public purposes;" and

Bill "an act to amend section 30, chapter 91, revised statutes;"

Were referred to the Committee on the Judiciary.

Mr. ROLF of Princeton, presented "resolve in favor of Sabattis Dana;" and

"Resolve in favor of Tomah Peol Tomah."

The resolves were read twice, under suspension of rules, and passed to be engrossed.

The foregoing were sent to the Senate.

On motion of Mr. CLARK of Appleton,

Ordered, That the papers relating to the claim of Benjamin Smith of Appleton, for a pension, be taken from the files and referred to the Committee on Pensions.

On motion of Mr. ROBBINS of Norridgewock,

Ordered, That the order requesting the Judiciary Committee to inquire into the expediency of restricting the sale of opium and its preparations, be taken from said Committee and referred to the Committee on Temperance.

These orders were sent to the Senate.

On motion of Mr. BALLARD of Augusta,

Ordered, That when this House adjourn, it adjourn to meet on Monday next, at 2 o'clock P. M.

Mr. WADSWORTH, from the Committee on Legal Affairs, reported ought to pass, on "resolves in relation to the binding of the acts and resolves of this State."

Mr. LORD, from same Committee, reported same, on bill "an act to amend chapter 6, section 53 of the revised statutes, relating to repairs of ways in unincorporated townships."

Mr. LITTLE, from the Committee on Fisheries, on report of Commissioners of Fisheries, reported "resolve making appropriation for the propagation of fish."

The foregoing reports were read and accepted, bills and resolve ordered printed under the Rule.

Mr. ALEXANDER, from the Committee on State Lands and State Roads, reported reference to the next Legislature, on order relating to claims of Charles McPherson and others.

Same gentleman, from same Committee, reported same, on order, relating to building road between Lyndon and New Sweden.

Mr. MORRISON, from the Committee on Legal Affairs, reported same, on order relating to municipal corporations keeping records of persons moving into and out of their limits.

Mr. LIBBY, from the same Committee, reported legislation inexpedient, on order relating to amendment of chapter 91, revised statutes.

Mr. CHASE, from the Committee on State Lands and State Roads, reported same, on order relating to bridge over Martin stream.

Mr. FARRAR, from same Committee, reported same, on order for viewing roads by county commissioners in unincorporated places.

Mr. LIBBY, from the Committee on Legal Affairs, reported same, on order relating to law concerning injuries on defective highways.

Mr. MORRISON, from same Committee, reported same, on order relating to taxation of animals temporarily in this State.

Mr. HAYNES, from the Committee on the Judiciary, reported same, on order relating to the amendment of chapter 98, public laws of 1876.

Mr. KINNEY, from the Committee on Interior Waters, reported reference, with order of notice, to the next Legislature, on petition of Charles E. Allen and others.

Mr. PERKINS, from the Committee on Indian Affairs, reported leave to withdraw, on petition of Passamaquoddy Indians, referred from last Legislature.

Mr. FARRAR, from the Committee on Legal Affairs, reported leave to withdraw, on petition of John W. Walker and others.

Mr. STONE, from the Committee on the Judiciary, reported same, on petition of E. F. Webb and others, for amendment of the Constitution.

Mr. FARRAR, from the Committee on Legal Affairs, reported ought not to pass, on bill "an act to amend section 17 of chapter 116, revised statutes, relating to fees and costs.

These reports were read and accepted, and sent to the Senate.

Mr. WENTWORTH, from the Committee on the Judiciary, reported leave to withdraw, on petition of C. A. Barnard and others.

Pending acceptance, recommitted, on motion of Mr. CLEAVES of Portland.

Mr. FARRAR, from the Committee on Legal Affairs, reported ought not to pass, on bill "an act additional to chapter 18, revised statutes, relating to notice of defective highways."

The report was read and accepted.

Subsequently the vote was reconsidered, on motion of Mr. BROWN of Oldtown, and Thursday next assigned.

Mr. STONE, from the Committee on the Judiciary, reported ought to pass, on bill "an act to establish a municipal court in the city of Biddeford."

Mr. MEADER, from the Committee on Interior Waters, reported, on order, bill "an act amendatory to chapter 358, special laws of the year 1873, to prevent the throwing of ballast into the Kennebec river."

Mr. LIBBY, from same Committee, reported ought to pass, on bill "an act to make valid certain acts and doings of the proprietors of the Methodist Meeting House of Mechanic Falls, in the town of Minot."

Mr. WADSWORTH, from the Committee on Legal Affairs, reported same, on bill "an act to authorize the town of Woolwich to elect a director to represent stock owned by said town in the People's Ferry Company."

Same gentleman, from same Committee, reported same, on bill "an act to prohibit the taking of fish from the Davis brook, sometimes called Whale's Back brook, in the town of Limington."

Printed bill "an act amendatory of an act entitled 'an act for the better protection of lobsters.'"

Printed bill "an act additional to chapter 127, public laws of 1867, entitled 'an act in relation to appeals from county commissioners.'"

Printed bill "an act to prevent destruction of books, pictures, statues and paintings, in public libraries."

"Resolve in favor of a bridge in the town of Lyndon."

"Resolve in favor of John M. Brown."

The foregoing reports were read and accepted, bills read twice, resolves once, Monday assigned for the third reading of the bills, and Wednesday next for the second reading of the resolves.

Mr. LORD, from the Committee on Legal Affairs, reported ought to pass, on bill "an act changing the name of the Maine Street Methodist Episcopal Free Church Society, Lewiston."

The report was read and accepted, bill read three times, rules being suspended, and passed to be engrossed, and sent to the Senate.

Printed bill "an act amendatory to chapter 30, public laws of 1875, relating to the better protection of life and property;"

Printed bill "an act to amend section 4 of chapter 78 of the public laws of 1876, relating to the erection of fish weirs and wharves in tide waters;"

Were read twice, and Tuesday next assigned for their third reading.

Bill "an act additional to chapter 101 of the public laws of 1876, relating to the equity powers of the Supreme Judicial Court."

Bill "an act entitled an act to amend the charter of the Camden Village Corporation."

Bill "an act to authorize the town of Yarmouth to build a foot bridge over tide waters."

Bill "an act to amend section 8 of chapter 78, revised statutes, relating to the adjournment of the session of the county commissioner's court"

Bill "an act additional relating to the city of Portland limiting its powers to create debt."

Bill "an act authorizing Alton E. Ayer to dredge bars, remove boulders and navigate East pond by steam."

Bill "an act to authorize James F. Grindle to take ice from Meadow pond, in the town of Islesboro'."

Bill "an act additional to an act entitled 'an act to incorporate the city of Bath.'"

Bill "an act additional to an act entitled 'an act to supply the people of Augusta with pure water,' " approved March 12, 1870.

Bill "an act to make valid the doings of John G. Adams, a trial justice."

Bill "an act to amend an act entitled 'an act to incorporate the Masonic Trustees of Lewiston.'"

Bill "an act in relation to proceedings in criminal cases."

“Resolve amendatory of chapter 156 of the resolves of 1876, entitled ‘resolve in favor of John Ryan.’”

These bills and resolve were reported from the Committee on Bills in the Third Reading, bills read the third time, resolve the second time, and passed to be engrossed, and sent to the Senate.

“Resolve for the appointment of a commission to reconstruct the laws relating to fisheries, and protection of fish,” was reported from the Committee on Bills in the Third Reading, read the second time, Senate amendment “A” amended as per sheet “A,” and adopted, and passed to be engrossed, and sent to the Senate.

Bill “an act to promote the efficiency of the police force of the city of Portland,” was reported from the Committee on Bills in the Third Reading, read the third time, and passed to be engrossed in concurrence.

Bill “an act additional relative to the Orchard Beach Railroad Company.”

Bill “an act amendatory of chapter 119, revised statutes, relating to offences against habitations, dwellings, etc.; also amendatory to chapter 120, revised statutes, relating to larceny and receiving stolen goods.”

Bill “an act to prevent the taking of trout in Great Works stream and its tributaries, in the towns of Amherst, Clifton and Bradley.”

Bill “an act to make valid certain doings of the inhabitants of Bridgton Centre Village Corporation, in the town of Bridgton.”

These bills having been read three times and passed to be engrossed, were reported from the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker, and sent to the Senate.

Adjourned.

ORAMANDAL SMITH, *Clerk.*

MONDAY, JANUARY 29, 1877.

Met according to adjournment.

Prayer by the Rev. Mr. ADAMS of Augusta.

Journal of Saturday read and approved.

Petition of C. S. Hobbs of Norway, for deed of lot of land in Aroostook county; and

“Resolve in favor of C. S. Hobbs of Norway;”

Were referred to the Committee on State Lands and State Roads.

Bill “an act to prevent trespass,” was referred to the Committee on the Judiciary.

Remonstrance of William B. Lewis and others of the town of Perkins; also

Remonstrance of William A. Perry and others of Phipsburg; also

Remonstrance of William J. Emerson and others of Bowdoin; also

Remonstrance of James M. Hagar and 200 others of Richmond; and

Remonstrance of S. Donnell and 209 others of Bowdoinham, against making free Merrymeeting bay bridge;

Were referred to the Committee on Ways and Bridges.

Bill “an act to amend an act incorporating the East Oxford Agricultural Society,” was referred to the Committee on Agriculture.

Bill “an act to amend chapter 557, private and special laws of 1874, entitled an act to establish the compensation of the County Commissioners of Knox county,” was referred to the Committee on Legal Affairs.

Mr. SMITH, from the Committee on State Lands and State Roads, reported leave to withdraw, on petition of Henry W. Poor and others.

Mr. CHADBOURNE, from the Committee on the Judiciary, reported legislation inexpedient, on order relating to amendment of section 145 of chapter 6, revised statutes.

Same gentleman, from same Committee, reported same, on order relating to the submission of an amendment of the Constitution of Maine.

The foregoing reports were read and accepted and sent to the Senate, save the last, which pending acceptance, was tabled, on motion of Mr. HAYNES of Augusta; and the pending question being upon recommitment of the report, on motion of Mr. PIKE of Calais.

Mr. PERKINS, from the Committee on Indian Affairs, on petition, reported "resolve making appropriations for the Penobscot tribe of Indians."

Mr. KNOWLES, from the Committee on State Lands and State Roads, on order, reported "resolve in favor of St. Francis plantation."

Mr. NADEAU, from same Committee, on order, reported "resolve in favor of the plantation of Wallagrass."

Mr. CHADBOURNE, from the Committee on the Judiciary, reported ought to pass, on bill "an act to amend section 53 of chapter 11 of the revised statutes, relating to the election of superintending school committees."

The same gentleman, from same Committee, reported in new draft, bill "an act to amend section 3 of chapter 26 of the public laws of 1872, relating to the altering or widening of streets," and that same ought to pass.

The same gentleman, from same Committee, reported same, on "resolve providing for a seal of the State."

Mr. CHASE, from the Committee on Legal Affairs, on order, reported bill "an act to amend chapter 60 of the public laws of 1876, relating to administrators, executors and trustees."

The foregoing reports were read and accepted, and bills and resolves ordered printed under the Rule.

Mr. CHASE, from the Committee on Legal Affairs, reported ought to pass in new draft, on bill "an act to amend charter of the Northern Waldo Agricultural Society."

Printed bill "an act authorizing views by juries in all cases."

Printed bill "an act relative to proceedings in court."

Printed bill "an act to amend section 56, chapter 38, revised statutes, relating to weights and measures of agricultural products."

Printed bill "an act to amend section 8, chapter 17, revised statutes, relating to nuisances."

"Resolve providing clothing for the Portland Montgomery Guards."

"Resolves relating to the purchase of certain Maine Reports by the State."

"Resolve in favor of roads passing through the Indian township, in Washington county."

"Resolve in favor of town of Baileyville."

The report was read and accepted, bills read twice, resolves once, to-morrow assigned for the third reading of the bills, and Thursday next for the second reading of the resolves, save the last, which was assigned to Wednesday next under suspension of Rules.

Bill "an act to prevent destruction of books, pictures, statues and paintings, in public libraries ;"

Bill "an act amendatory to chapter 358, special laws of 1873, to prevent the throwing of ballast into the Kennebec river ;"

Bill "an act to prevent the taking of fish from the Davis brook, sometimes called Whale's Back brook, in the town of Limington ;"

Bill "an act to amend 'an act to establish a municipal court in the city of Biddeford ;"

Bill "an act to make legal and valid certain doings of the proprietors of the Methodist Meeting House of Mechanic Falls, in the town of Minot ;"

Bill "an act additional to chapter 128, public laws of 1876, entitled 'an act in relation to appeals from county commissioners ;'"

Bill "an act amendatory to an act entitled 'an act for the better protection of lobsters ;'"

Were reported from the Committee on Bills in the Third Reading, read the third time, passed to be engrossed, and sent to the Senate.

"Resolve relating to the partition of lands in Township No. 18, Range 3, known as the town of Grand Isle," was reported from the Committee on Bills in the Third Reading, read the second time, and passed to be engrossed in concurrence.

Bill "an act additional relatng to railroad corporations."

Bill "an act to amend section 18, chapter 81, revised statutes, relating to service on corporations in civil actions."

Bill "an act to make valid the doings of the town of Weld."

Bill "an act to amend chapter 313 of the private and special laws of 1876, to extend the time for the location, construction and completion of the Somerset Railroad."

Bill "an act to prevent loitering without right within the station houses or about the premises of railroad corporations."

Bill "an act to amend section 56 of chapter 51 of revised statutes, and additional to chapter 122, public laws of 1876."

"Resolve in favor of Theodore C. Woodman, Receiver of Bucksport Savings Bank."

"Resolve amendatory of chapter 20 of resolves of 1875, entitled 'resolve in favor of Crystal plantation, county of Aroostook.'"

"Resolve for the purchase of Maine State Year Book and Legislative Manual."

The foregoing bills having had three several readings and the resolves two, and passed to be engrossed, were reported from the Committee on Engrossed Bills as truly and strictly engrossed, bills passed to be enacted, resolves finally passed, signed by the Speaker, and sent to the Senate.

Bill "an act to amend section 8, chapter 86, revised statutes, relating to trustee process," as heretofore amended, having had three readings and passed to be engrossed, was reported from the Committee on Engrossed Bills as truly and strictly engrossed, pending passage to be enacted, was laid on the table, on motion of Mr. CHASE of Bridgton.

On motion of Mr. ROBIE of Gorham,
Adjourned.

ORAMANDAL SMITH, *Clerk.*

TUESDAY, JANUARY 30, 1877.

Met according to adjournment.

Prayer by the Rev. Mr. PARK of Gardiner.

Journal of yesterday read and approved.

Papers from the Senate.

Bill "an act to amend chapter 223, public laws 1871, in relation to railroad corporations," was referred in concurrence to the Committee on Railroads.

Communication from the Secretary of State, transmitting annual report of the Bank Examiner for 1876, came from the Senate read, and the report referred to the Committee on Banks and Banking; was read, and the report referred in concurrence.

Report of the Governor and Council, reporting on resolve referred by the last Legislature, entitled "resolve in favor of certain towns and plantations," came from the Senate read, and referred to the Committee on Claims, and was referred in concurrence.

The order relating to claim of Benjamin Smith of Appleton, passed by the House, came back from the Senate referred to the next Legislature.

The House recessed and concurred.

Report of the Committee on Fisheries, reporting legislation unnecessary, on sundry petitions against discontinuance of the office of Fish Commissioner.

Report of the Committee on Indian Affairs, reporting reference to the Governor and Council, on "resolve in favor of the Agent of the Penobscot tribe of Indians."

Report of the Committee on Legal Affairs, reporting legislation inexpedient, on order relating to the amendment of the pauper law.

Report of same Committee, reporting same, on order relating to amendment of section 1, chapter 93, public laws of 1876.

Report of same Committee, reporting same, on order relating to amendment of section 13, chapter 81, revised statutes.

The foregoing reports came from the Senate read and accepted, and were read and accepted in concurrence.

Report of the Committee on Interior Waters, reporting ought to pass in new draft, on bill "an act to prevent the throwing of refuse wood, timber or fibrous material created by the sawing of lumber, into the Piscataquis river."

Report of the Committee on State Lands and State Roads, reporting same, on bill "an act authorizing the sale of islands belonging to the State."

Report of the Committee on the Judiciary, reporting, on order, bill "an act in relation to county treasurers."

Report of same Committee, on order, reporting bill "an act in relation to county attorneys."

Report of same Committee, reporting, on order, bill "an act to facilitate the detection and punishment of certain offences."

Report of the Committee on Railroads, reporting ought to pass, on bill "an act further extending the time within which to file the location, and also to complete the Northern Aroostook Railroad."

Report of same Committee, reporting same, on bill "an act amendatory of the acts providing for loans of credit of the city of Bangor in aid of the construction of the Bangor and Piscataquis Railroad."

Report of same Committee, reporting, on petition, bill "an act additional to the acts which constitute the charter of the Bangor and Piscataquis Railroad Company."

These reports came from the Senate read and accepted, bills read twice, and passed to be engrossed.

The reports were read and accepted in concurrence, bills read twice, and to-morrow assigned for their third reading.

Bill "an act authorizing any town in the State to elect its municipal officers for a term of three years in the same manner as county commissioners are now elected," passed to be engrossed in the House, came back from the Senate indefinitely postponed.

The House insisted, and proposed a Committee of Conference, and the SPEAKER appointed

Messrs. Kimball of Rockland,
Hinckley of Georgetown,
White of Orono,

on its part.

Communication from the Secretary of State, transmitting a list of county estimates, was received, read and the estimates referred to the Committee on County Estimates.

Bill "an act to amend section 153 of chapter 6, revised statutes, relating to the powers of town treasurers," was referred to the Committee on the Judiciary.

"Resolve in favor of the town of Stockton," was referred to the Committee on the Library.

Bill "an act to enable the city of Bangor to aid the Bangor and Piscataquis Railroad Company in the construction of its railroad from some point in Bangor to some point on the line of its present road," was referred to the Committee on Railroads.

Bill "an act to amend section 35, chapter 27 of the revised statutes, relating to the illegal sale of intoxicating liquors," was referred to the Committee on Temperance.

Petition of J. H. P. Merrow and others of Bowdoinham, to make free Merrymeeting bridge; also

Petition of P. K. Millay and others of Bowdoinham, for same; also

Petition of Humphrey S. Varney of Bowdoinham, for same; also

Petition of Wildes O. Hunter of Topsham, for same; and

Remonstrance of J. E. Mallett and 96 others of Topsham, against passage of an act to make free Merrymeeting bridge;

Were referred to the Committee on Ways and Bridges.

The foregoing were sent to the Senate.

Mr. BERRY of Smyrna, offered the following, which was referred to the next Legislature under the rule:

Ordered, That the Committee on Education inquire into the expediency of so amending the laws that townships having fifty or more inhabitants, may, upon application of three or more of the regular voters thereof, be organized into a plantation for school and election purposes.

Mr. CHADBOURNE, from the Committee on the Judiciary, reported legislation inexpedient, on order relating to legalization of the doings of the County Commissioners of Aroostook.

Mr. ADAMS, from the Committee on Legal Affairs, reported same, on order relating to court stenographer.

Mr. WADSWORTH, from same Committee, reported same, on order relating to amendment of chapter 44, revised statutes.

Mr. LORD, from same Committee, reported same, on order relating to amendment of an act approved February 23, 1876, relating to tramps and vagrants.

Mr. FARRAR, from same Committee, reported same, on order relating to amendment of section 34, chapter 91, revised statutes.

Mr. LOCKE, from the Committee on the Judiciary, reported same, on order relating to an index to the public laws for the use of future legislatures.

Mr. CHADBOURNE, from same Committee, reported same, on order to amend chapter 91, revised statutes, relating to liens on ships.

Mr. MEADER, from the Committee on Interior Waters, reported reference to the next Legislature, with order of notice, on petition of Denison Paper Manufacturing Company.

Mr. HAYNES, from the Committee on the Judiciary, reported same, on order relating to amendment of chapter 231 of acts and resolves of 1869.

Mr. LOCKE, from the Committee on the Judiciary, reported ought not to pass, on bill "an act to amend chapter 82, section 87, revised statutes, relative to admission of evidence."

Same gentleman, from same Committee, reported same, on bill "an act to amend section 27, chapter 84, revised statutes, relating to offsets."

Mr. ALEXANDER, from the Committee on State Lands and State Roads, reported leave to withdraw, on petition of town of Wellington.

Mr. CHADBOURNE, from the Committee on the Judiciary, reported same, on petition of city of Lewiston.

Same gentleman, from same Committee, reported same, on petition of Philo Thurston and others; also

Reported same, on petition of M. N. McCusick and others, relative to sale of hides; also

Reported same, on petition of Melvin Grant and 136 others.

Mr. ADAMS, from the Committee on Legal Affairs, reported same, on petition of R. S. Ayer and others of Montville.

Mr. SMITH, from the Committee on State Lands and State Roads, reported same, on petition of Nelson Turney.

Mr. BERRY, from the Committee on Claims, reported reference to the Governor and Council, on "resolve in favor of town of Chester."

Mr. CLEAVES, from the Committee on the Judiciary, reported reference to the Committee on Temperance, on order relating to the sale of opium.

Mr. FARRAR, from the Committee on Legal Affairs, reported reference to the Committee on the Judiciary, on remonstrance of inhabitants of Oldtown.

Mr. STONE, from the Committee on the Judiciary, reported reference to the Committee on Banks and Banking, on order relating to the organization of business corporations.

The foregoing reports were read and accepted, and sent to the Senate.

Mr. CHICK, from the Committee on Military Affairs, on petition, reported "resolve in favor of the Bangor Children's Home."

Mr. HADLOCK, from same Committee, on petition, reported "resolve in favor of the Female Orphan Asylum, Portland."

Mr. PIKE, from the Committee on the Judiciary, on order, reported bill "an act to amend chapter 137 of the revised statutes, in relation to disposal of criminals."

Mr. LOCKE, from same Committee, reported ought to pass, on "resolve concerning an amendment of the Constitution of Maine, relating to electors."

Mr. KNOWLES, from the Committee on State Lands and State Roads, on petition, reported "resolve in favor of Rufus F. Stone."

Mr. NADEAU, from same Committee, on petition, reported "resolve in favor of the town of Maysville."

Mr. SPRAGUE, from the Committee on Agriculture, on order, reported bill "an act additional to chapter 30 of the revised statutes, relating to mischievous dogs."

Mr. ROLF, from the Committee on Indian Affairs, on petition, reported "resolve in favor of the Passamaquoddy Indians."

Mr. LORD, from the Committee on Legal Affairs, reported in new draft, bill "an act to amend section 10 of chapter 131 of the revised statutes, relating to indictments," and that same ought to pass.

The foregoing reports were read and accepted, and bills and resolves ordered printed under the Rule.

Mr. WADSWORTH, from the Committee on Legal Affairs, reported, on petition, bill "an act relating to the police force of the city of Bath."

Mr. HADLOCK, from the Committee on Military Affairs, reported ought to pass, on "resolve relating to the colors of the 17th Maine Regiment."

Mr. LORD, from the Committee on Legal Affairs, reported same, on bill "an act to amend chapter 6, section 53, revised statutes, relating to repairs of ways in unincorporated townships."

Mr. PIKE, from the Committee on the Judiciary, reported ought to pass, on bill "an act to amend chapter 40, section 50, revised statutes, relating to Pleasant river."

Same gentleman, from same Committee, reported same, on bill "an act to revive the charter of the St. Croix and Mattawamkeag Railroad Company."

"Resolve in relation to the binding of the acts and resolves of this State."

These reports were read and accepted, bills read twice, resolves once, and to-morrow assigned for the third reading of the bills and second reading of the resolves.

Mr. COFFIN, from the Committee on Interior Waters, reported reference to the next Legislature, on petition of Fred C. Barker;

Mr. BROWN, from same Committee, reported same, on petition of Charles A. J. Farrar;

Were read, and pending acceptance, tabled, on motion of Mr. ABBOTT of Andover.

Bill "an act authorizing views by juries in all cases;"

Bill "an act relative to proceedings in court;"

Bill "an act to amend section 8, chapter 17 of revised statutes, relating to nuisances;"

Bill "an act to amend section 4 of chapter 78, public laws of 1876;"

Bill "an act to amend the charter of the Northern Waldo Agricultural Society;"

Were reported from the Committee on Bills in the Third Reading, read the third time, passed to be engrossed, and sent to the Senate.

Bill "an act to amend section 4 of chapter 78, public laws of 1876, relating to the erection of fish weirs and wharves in tide waters," was reported from the Committee on Bills in the Third Reading, read the third time, amended as per sheet "A," on motion of Mr. PIKE of Calais, and passed to be engrossed.

Bill "an act to amend chapter 279, special laws of 1876, relating to catching smelts in Monsweag bay and river," was reported from the Committee on Bills in the Third Reading, and read the third time.

Senate amendment "A" adopted, and passed to be engrossed in concurrence.

Bill "an act against pool selling and lotteries," was reported from the Committee on Bills in the Third Reading, read the third time, and passed to be engrossed in concurrence.

Bill "an act to amend section 8 of chapter 86, revised statutes, relating to trustee process," as heretofore amended, having had three several readings, and passed to be engrossed, was reported from the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker, and sent to the Senate.

Bill "an act to restrict the killing of seal in Casco bay," was taken from the table, and passed to be engrossed in concurrence.

Bill "an act to repeal chapter 146, public laws of 1876, relating to ways, and revive the provisions of section 39, chapter 18, revised statutes."

Bill "an act amendatory to chapter 30, public laws of 1875, relating to the better protection of life and property."

Bill "an act to amend section 56, chapter 38, revised statutes, relating to weights and measures of agricultural products."

The foregoing were taken from the table, the last amended as per sheet "A," and passed to be engrossed.

Bill "an act to amend section 6 of chapter 120 of public laws of 1876, to authorize the formation of railroad corporations," was taken from the table, and indefinitely postponed.

The report of the Committee on the Judiciary, reporting legislation inexpedient, on order relating to biennial elections and biennial sessions of the Legislature, was taken from the table, the question being upon recommittal of the report; and upon that question, the yeas and nays were ordered, and the question being so taken, the report was recommitted, by yeas 112, nays 13.

Those who voted in the affirmative were Messrs.

Abbott,	Goldthwait,	Parkhurst,
Adams,	Goodwin, Farmington	Pendleton,
Alexander,	Goodwin of Monroe,	Perkins,
Averill,	Grant of Stockton,	Pierce,
Berry of Smyrna,	Greely,	Pillsbury of Lewiston,
Berry of Wayne,	Greenwood,	Pillsbury of Union,
Besse,	Hadlock,	Porter of Burlington,
Bird,	Harlow,	Robie,
Blunt,	Haskell, C. Elizabeth,	Roberts,
Bodwell,	Haskell, Waldoboro',	Robbins,
Bolster,	Haskell, W. Gardiner	Rogers,
Bragdon,	Hill,	Russell,
Briggs,	Hinckley of Bluehill,	Seaward,
Browne,	Hinckley, Georget'n,	Simpson,
Brown,	Howes,	Smith of Alna,
Buck,	Hume,	Smith of Auburn,
Burrill,	Hurd,	Smith of Cornville,
Chadbourne,	Hutchinson,	Smith of Hampden,
Chase of Standish,	Hyler,	Sprague,
Chick,	Ireland,	Stackpole,
Clark of Appleton,	Jordan, Brunswick,	Standish of Eustis,
Clark, Damariscotta,	Jordan, Mariaville,	Stone,
Cleaves, Kenneb'kp't	Kimball,	Storer,
Cleaves of Portland,	Knowles,	Strickland,
Cook of Lewiston,	Learned,	Strout,
Cook of Unity,	Little,	Towne,
Coffin,	Locke,	Wadsworth, Gardiner
Calkins,	Lord of Bangor,	Waitt,
Copeland,	Lord of Kennebunk,	Wardwell,
Cyr,	Maddocks,	Warren of Denmark,
Davis,	Meader,	Wentworth,
Drisko,	Morrill,	West,
Farrar,	Nealley,	White,
Fellows,	Newbert,	Willard,
Fletcher,	Norton,	Wilson,
Garvin,	Nutt,	Winslow,
Gibson,	Osgood,	York—112.
Gifford,		

Those who voted in the negative were Messrs.

Babbidge,	Hobson,	Standish of Flagstaff,
Ballard,	Johnson,	Stover, [chester,
Bowers,	Sanborn,	Wadsworth, Man-
Chase of Bridgton,	Shepherd,	Woods—13.
Haynes,		

On motion of Mr. NORTON of Penobscot,
Adjourned.

ORAMANDAL SMITH, *Clerk.*

WEDNESDAY, JANUARY 31, 1877.

Met according to adjournment.

Prayer by the Rev. Mr. TILDEN of Augusta.

Journal of yesterday read and approved.

Papers from the Senate.

Bill "an act to incorporate the Bath Driving Park," came from the Senate referred to the Committee on the Judiciary, and was ordered printed under rule, on motion of Mr. ROGERS of Bath.

Report of the Committee on Legal Affairs, reporting legislation inexpedient, on memorial of S. B. Morrison, concerning the enlistment and examination of members of the Jameson Guards.

Report of same Committee, reporting legislation inexpedient, on order relating to the repealing or amending of section 7, chapter 6 of the revised statutes.

Report of same Committee, reporting same, on order in relation to amending section 2, chapter 60 of revised statutes, relating to divorce.

Report of the Committee on Claims, reporting leave to withdraw, on petition of S. O. Dinsmore and others, praying that W. W. Walker be allowed a gratuity. .

Report of the Committee on State Lands and State Roads, reporting leave to withdraw, on petition of Vital Daigle for land.

The foregoing reports came from the Senate read and accepted, and were read and accepted in concurrence.

Report of the Committee on the Judiciary, reporting ought to pass, on bill "an act to amend section 16 of chapter 77 of the revised statutes, relating to the powers of the Supreme Judicial Court."

Report of same Committee, reporting same, on bill "an act additional to chapter 67 of the revised statutes, relating to the appointment of guardians."

Report of same Committee, reporting in new draft and that same ought to pass, on bill "an act to amend section 14 of chapter 6 of the revised statutes, relating to taxation of personal property."

Report of same Committee, reporting in new draft and ought to pass, on bill "an act in relation to municipal and police courts."

Report of Committee on Legal Affairs, reporting ought to pass, on bill "an act to confirm the doings of School District No. 15, in Berwick."

Report of same Committee, reporting on petition of Henry Darling and others of Buckport, bill "an act to revive the organization of the Trustees of the Parsonage Fund at Bucksport."

Report of the Committee on State Lands and State Roads, reporting on petition of Jesse Craig, Local Agent of Township 4, Range 4, Aroostook county, "resolve in favor of Benjamin R. Walker and Joseph C. Walker."

Report of same Committee, reporting on petition of Francis A. Reed, "resolve authorizing the Governor and Council to adjust with Francis A. Reed a note held by the State against him."

Report of same Committee, reporting on petition of John P. Webber, "resolve in favor of John P. Webber."

Report of the Committee on Ways and Bridges, reporting on petition of Jeremiah Page and others, "resolve in favor of Township No. 1, North Division, county of Penobscot."

"Resolve in favor of the Joint Standing Committee on Education."

The foregoing reports came from the Senate read and accepted, bills and resolves read twice, (the last one under suspension of the rules,) and passed to be engrossed.

The reports were read and accepted in concurrence, bills read twice, resolves once, and to-morrow assigned for the third reading of the bills and second reading of the resolves.

Report of the Committee on the Judiciary, reporting ought to pass, on bill "an act to limit municipal indebtedness," came from the Senate read twice, amended as per sheet "A," and indefinitely postponed.

The House insisted and proposed a Committee of Conference, and the SPEAKER appointed

Messrs. Pike of Calais,
Stone of Biddeford,
Robie of Gorham,

on its part.

Bill "an act to change the name of the town of Lyndon to Caribou," was referred to the Committee on Towns.

Remonstrance of citizens of Monson, against division of the town of Parkman; and

Petition of Lewis McDonald, for leave to extend wharf into tide water off Fox island;

Were referred to the next Legislature.

The foregoing were sent to the Senate.

On motion of Mr. ROBIE of Gorham,

Ordered, That the House hereafter hold afternoon sessions; and that when the House adjourn, it be to meet at 2 o'clock P. M.

Mr. SHEPHERD, from the Committee on Mercantile Affairs and Insurance, reported legislation inexpedient, on order relating to the transfer of duties of Insurance Commissioner to some other department.

Mr. HAYNES, from same Committee, presented a minority report on the same matter, with bill, and on his motion the reports were laid on the table pending acceptance.

Mr. ROGERS, from the Committee on Ways and Bridges, reported reference to the next Legislature, on petition of Somerset county for appropriation.

Mr. NEWBERT, from the Committee on Claims, reported same, on petition of Caleb Sherman.

Mr. CLEAVES, from the Committee on the Judiciary, reported same, on petition of D. W. Sawyer and others.

Mr. BESSE, from the Committee on Education, reported same, on order relative to the geological survey of the State of Maine.

Mr. GOODWIN, from the Committee on Railroads, reported same, on petition of S. D. Leavitt.

Mr. WHITE, from the Committee on Agriculture, reported same, on petition of inhabitants of Prescott.

Mr. IRELAND, from the Committee on Towns, reported same, on petition of John Clough and others, with order of notice.

Mr. BROWN, from the Committee on Interior Waters, reported legislation inexpedient, on petition of Dunn Edge Tool Company.

Mr. SMITH, from the Committee on Education, reported same, on order relating to amending school laws so as to secure uniformity of text-books.

Mr. RUSSELL, from the Committee on Education, reported reference to the State Superintendent of Schools, on various petitions from the last Legislature, for a normal school at North Bridgton.

Mr. CLEAVES, from the Committee on the Judiciary, reported same, relating to amendment of chapter 49 of the revised statutes.

Mr. BERRY, from the Committee on Claims, reported same, on order relating to claim of town of Smyrna.

Mr. WENTWORTH, from the Committee on the Judiciary, reported same, on order relating to the appointment of a State detective.

Same gentleman, from same Committee, reported same, on order relating to the greater security of property.

Mr. CHASE, from the Committee on Legal Affairs, reported same, on order relating to temporary deposits in savings banks.

Mr. SHEPHERD, from the Committee on Mercantile Affairs and Insurance, reported same, on order relating to defining the value of buildings.

Mr. BROWN, from the Committee on Interior Waters, reported same, on petition of J. B. Blanchard.

Mr. CLEAVES, from the Committee on the Judiciary, reported ought not to pass, on bill "an act to amend section 30, chapter 91, revised statutes."

Mr. PIKE, from the same Committee, reported same, on bill "an act to revive the charter of the St. Croix and Mattawamkeag Railroad Company."

Mr. STONE, from the same Committee, reported same, on bill "an act to amend section 16, chapter 4, revised statutes, relating to the removal of voters from one ward to another in cities."

Mr. WENTWORTH, from the same Committee, reported same, on bill "an act to amend section 21, chapter 113, revised statutes."

Mr. MADDOCKS, from the Committee on Ways and Bridges, reported leave to withdraw, on petition of W. E. Goold and others.

Mr. FELLOWS, from the Committee on Towns, reported same, on petition of Milford Crosby and others.

Mr. SMITH, from the Committee on Education, reported same, on petition of municipal officers of the town of Gouldsboro'.

Mr. ROLF, from the Committee on Indian Affairs, reported same, on petition of Penobscot tribe of Indians.

Mr. HASKELL, from the Committee on Towns, reported same, on petition of Thomas Hersey and others of Bangor, for incorporation of the town of Home.

Mr. LOCKE, from the Committee on the Judiciary, reported same, on petition of citizens of Chapman plantation.

Mr. BRIGGS, from the Committee on Pensions, reported reference to the Governor and Council, on memorial of Mrs. Spencer G. Bowes.

Report of Committee on Claims, reporting reference to Governor and Council, on petition of Thomas W. Porter, praying for reimbursement of money paid and for services rendered on account of men enlisted for the 14th Regiment of Maine Volunteers, in the war of 1861.

The foregoing were read and accepted, and sent to the Senate.

Mr. BERRY, from the Committee on Claims, reported leave to withdraw, on petition of towns of Lubec, Linneus, Harrington and Lexington.

The report was accepted.

Subsequently reconsidered, and recommitted.

Mr. HUTCHINSON, from the Committee on Towns, reported, on petition, bill "an act to repeal an act entitled, 'an act to incorporate the town of Barnard.'"

Mr. CYR, from the Committee on Interior Waters, reported, on petition, bill "an act to extend the charter of the Aroostook Steamboat Company."

Mr. CLEAVES, from the Committee on the Judiciary, reported ought to pass, on bill "an act to amend an act entitled 'an act to

extend the time for locating the route of the Portland, Rutland, Oswego and Chicago Railway,' approved February 19, 1873."

Mr. BLUNT, from the Committee on Ways and Bridges, reported ought to pass, on bill "an act to amend an act to incorporate the People's Ferry Company, and to repeal an act establishing the Sagadahoc Ferry Company, and an act to incorporate the Union Ferry Company."

Mr. MEADER, from the Committee on Interior Waters, reported, on petition, bill "an act to amend an act entitled 'an act to incorporate the Franklin Land and Lumber Company.'"

Mr. WENTWORTH, from the Committee on the Judiciary, reported ought to pass, on bill "an act granting further time to the Penobscot and Lake Megantic Railroad Company to locate and complete its road."

Mr. CHASE, from the Committee on Legal Affairs, reported, on petition, bill "an act to incorporate the Andover and Bryant's Pond Telegraph Company."

Mr. WOODS, from the Committee on Railroads, reported ought to pass, on bill "an act to amend the charter of the Lincolnville Railroad Company."

Mr. CHASE, from the Committee on Legal Affairs, reported ought to pass, on bill "an act to amend chapter 557 of the private and special laws of the year 1874, entitled 'an act to establish the compensation of the County Commissioners of Knox county.'"

Printed bill "an act to amend chapter 60, public laws of 1876, relating to administrators, executors and trustees."

Printed bill "an act to amend section 3, chapter 26, public laws of 1872, relating to altering or widening of streets."

Bill "an act to amend section 53, chapter 11, revised statutes, relating to the election of superintending school committees."

The reports were read and accepted, bill read twice, and tomorrow assigned for their third reading.

"Resolve making appropriation for the propagation of fish."

"Resolve in favor of the plantation of Wallagrass."

"Resolve in favor of St. Francis plantation."

"Resolve making appropriations for the Penobscot tribe of Indians."

"Resolve providing for a seal of the State."

"Resolve in favor of the county of Aroostook."

The foregoing resolves were read, and assigned for to-morrow for their second reading, under suspension of the rules.

Mr. CLEAVES of Portland, presented bill "an act providing for bridge guards on railroads," and on his motion, the same was ordered printed.

Mr. LORD of Bangor, presented bill "an act to incorporate the Bangor Board of Health," and on his motion the same was ordered printed.

Mr. ROLF, from the Committee on Ways and Bridges, on petition, reported bill "an act to make free Arrowsic bridge," and on motion of Mr. JEWETT of Richmond, the same was laid on the table and ordered printed.

Mr. MADDOCKS, from same Committee, on petition, reported bill "an act to make free Merrymeeting bridge," and on motion of Mr. JEWETT of Richmond, the same was laid on the table and ordered printed.

Mr. STANDISH, from the Committee on State Lands and State Roads, reported "resolve in favor of C. S. Hobbs."

Mr. PARKHURST, from the Committee on Agriculture, reported ought to pass, on bill "an act to amend an act entitled 'an act to incorporate the East Oxford Agricultural Society,' approved February 28, A. D. 1861."

Mr. SHEPHERD, from the Committee on Mercantile Affairs and Insurance, reported ought to pass, on bill "an act additional to chapter 49, revised statutes, relating to life insurance."

Mr. ROBIE, from the Committee on Railroads, reported ought to pass, on bill "an act requiring railroad corporations to be holden for labor."

Same gentleman, from same Committee, reported same, on bill "an act to obtain uniform returns from railroad corporations."

Mr. STRICKLAND, from same Committee, reported same, on bill "an act to enable the city of Bangor to aid the Bangor and Piscataquis Railroad Company in the construction of its railroad from some point in Bangor to some point in the line of its present road."

Mr. PIKE, from the Committee on the Judiciary, reported, on order relative to municipal indebtedness, "resolve for an amendment to the Constitution."

Same gentleman, from same Committee, reported "resolve relating to biennial sessions and elections, entitled 'resolve for amendment of the Constitution.'"

Mr. LOCKE, from same Committee, reported, on petition, bill "an act to amend part sixth of section 55, chapter 86 of the revised statutes, relating to trustee process."

Same gentleman, from same Committee, reported ought to pass, on bill "an act giving authority to the city of Portland in relation to certain railroads."

Mr. PILSBURY, from the Committee on County Estimates, reported "resolve laying a tax on the several counties of the State."

Mr. BIRD, from the Committee on Commerce, reported in new draft, bill "an act to amend chapter 147 of the public laws of 1873, relating to the appointment and duties of port wardens."

Mr. STOVER, from the Committee on Education, on order, reported bill "an act to amend section 31, chapter 11 of the revised statutes."

Mr. ADAMS, from the Committee on Legal Affairs, on order, reported bill "an act to amend section 13, chapter 133 of the public laws of 1873, relating to the punishment of criminals."

Mr. CHASE, from same Committee, reported in new draft, bill "an act in relation to Portland harbor and the Harbor Commissioners of Portland."

Mr. FELLOWS, from the Committee on Towns, reported ought to pass, on bill "an act to amend chapter 241 of the public laws of 1874, relating to cemeteries."

Mr. ROLF, from the Committee on Indian Affairs, reported ought to pass, on "resolve in favor of the Agent of the Penobscot tribe of Indians."

Mr. ADAMS, from the Committee on Financial Affairs, reported ought to pass, on "resolve relating to salary of Clerk of Superintendent of Schools."

Mr. HOBSON, from the Committee on Federal Relations, on order, reported bill "an act to prevent illegal voting."

The foregoing reports were read and accepted, bills and resolves ordered printed under the Rule.

Mr. HAYNES, from the Committee on the Judiciary, reported for the minority, bill "an act to establish a State Board of

Health," and on his motion the bill was ordered printed and laid on the table.

"Resolve in favor of F. W. Stimson."

"Resolve in favor of Isaac Varney."

"Resolve in favor of bridge in the town of Lyndon."

"Resolve in favor of the town of Baileyville."

"Resolve in favor of the town of Woodland."

"Resolve in favor of Albion W. Stratton."

"Resolve in favor of M. L. Stewart."

"Resolve in favor of S. W. Stratton."

"Resolve relating to the binding of the acts and resolves of this State."

"Resolve authorizing the removal of the colors presented to the 17th Regiment Maine Volunteers by the merchants of Portland."

"Resolve in favor of Jessie Sutherland."

"Resolve in favor of Olof Ljungren and Magnus Jeppson."

"Resolve in favor of Charles C. Perry."

"Resolve in favor of Benjamin Alexander."

"Resolve in favor of David Dudley."

"Resolve in favor of John M. Brown."

"Resolve authorizing the Land Agent to convey by deed to John Estes a lot of land."

Bill "an act to amend chapter 40, section 50, revised statutes, relative to Pleasant river."

Bill "an act relating to the police force of the city of Bath."

Bill "an act to authorize the town of Woolwich to elect a director to represent stock owned in said town in the People's Ferry Company."

Bill "an act further extending the time within which to file the location and also to complete the Northern Aroostook Railroad."

Bill "an act to facilitate the detection and punishment of certain offences."

Bill "an act additional to the acts which constitute the charter of the Bangor and Piscataquis Railroad Company."

The foregoing bills and resolves were reported from the Committee on Bills in the Third Reading, bills read the third time, resolves the second time, and passed to be engrossed, and sent to the Senate, the last three in concurrence.

Bill "an act to amend chapter 6, section 53, revised statutes, relating to repairs of ways in unincorporated places," was reported from the Committee on Bills in the Third Reading, read the third time, and tabled, on motion of Mr. BESSE of Chester.

Bill "an act to set off from the town of Greene a certain tract of land and annex the same to the city of Lewiston," was reported from the Committee on Bills in the Third Reading, read the third time, and passed to be engrossed.

Subsequently foregoing vote reconsidered, and the bill laid on the table, on motion of Mr. SPRAGUE of Greene.

The majority and minority reports from the Committee on Mercantile Affairs and Insurance, on order relating to the Insurance Commissioner, were taken from the table, when Mr. HAYNES of Augusta, moved to substitute the minority report for the majority.

Pending consideration of the question, the House adjourned to meet at 2½ o'clock P. M.

ORAMANDAL SMITH, *Clerk.*

AFTERNOON SESSION.

Met according to adjournment.

Consideration of the question pending at adjournment, was resumed.

When, on motion of Mr. CLEAVES of Portland, the House resolved itself into a Committee of the Whole, Mr. Cleaves in the Chair.

Mr. Nye, Insurance Commissioner, appeared before the Committee and made some explanation, when the Committee rose and reported progress to the House.

After further consideration, on motion of Mr. MEADER of Waterville, the yeas and nays were ordered on the question of substitution, and the House refused to substitute, by a vote of 41 in the affirmative to 80 in the negative.

Those who voted in the affirmative were Messrs.

Averill,	Bolster,	Goodwin, Farmingt'n,
Babbidge,	Bragdon,	Greenwood,
Bird,	Buck,	Haskell, C. Elizabeth,
Bodwell,	Goldthwait,	Haskell, W. Gardiner,

Haynes,	Newbert,	Wadsworth, Man-
Hinckley, Georget'n,	Pendleton,	Waite, [chester,
Howes,	Phinney,	Wardwell,
Hurd,	Pierce,	Warren of Denmark,
Hyler,	Seaward,	Wentworth,
Jewett,	Standish of Flagstaff,	White,
Johnson,	Storer,	Willard,
Kinney,	Stover,	Winslow,
Knowles,	Strickland,	York—41.
Meador,	Towne,	

Those who voted in the negative were Messrs.

Abbott,	Farrar,	Perkins,
Adams,	Fellows,	Pike,
Alexander,	Fletcher,	Pilsbury of Lewiston,
Ballard,	Garvin,	Porter of Burlington,
Berry of Smyrna,	Grant of Ellsworth,	Reynolds,
Berry of Wayne,	Grant of Stockton,	Robie,
Besse,	Hadlock,	Roberts,
Bowers,	Harlow,	Robbins,
Briggs,	Hill,	Rolf,
Brown,	Hobson,	Russell,
Burrill,	Hume,	Sanborn,
Chase of Bridgton,	Hutchinson,	Shaw,
Chase of Standish,	Jackson,	Shepherd,
Chick,	Jordan, Brunswick,	Simpson,
Clark of Appleton,	Jordan, Mariaville,	Smith of Alna,
Clark, Damariscotta,	Learned,	Smith of Auburn,
Cleaves, Kenneb'kp't Libby,		Smith of Cornville,
Cleaves of Portland,	Little,	Smith of Hampden,
Cook of Lewiston,	Locke,	Sprague,
Cook of Unity,	Lord of Bangor,	Stackpole,
Coffin,	Lord of Kennebunk,	Standish of Eustis,
Calkins,	Maddocks,	Stone,
Copeland,	Morrill,	Strout,
Conforth,	Nealley,	Wadsworth, Gardiner
Cyr,	Noyes,	West,
Davis,	Nutt,	Woods—80.
Drisko,	Osgood,	

Bill "an act to amend chapter 263 of the special laws of 1876, relating to the fishing interest in Lufkin's pond."

Bill "an act additional to 'an act to incorporate the city of Rockland.'"

Bill "an act additional to chapter 298 of the special laws of the year 1876, establishing the Ellsworth Municipal Court."

Bill "an act for the protection of fish in certain ponds, in the town of Standish."

Bill "an act to authorize the city of Bath to appoint a harbor master for the port of Bath, and establish regulations for the anchoring of vessels in said port."

Bill "an act to incorporate the Cornelius Pond Ice Company."

Bill "an act repealing sections 5, 6, 7 and 8, chapter 30, revised statutes, relating to bounty on bears and wolves."

Bill "an act additional, relating to the city of Portland limiting its power to create debt."

Bill "an act to promote the efficiency of the police force of the city of Portland."

Bill "an act to restrict the killing of seal in Casco bay."

Bill "an act to authorize the Second Baptist Society of Gorham to sell and convey all of its personal and real estate."

Bill "an act to amend 'an act to incorporate the Trustees of the Sailors' Home in Portland.'"

"Resolve for the appointment of a commission to reconstruct the laws relating to fisheries and the protection of fish."

"Resolve relating to the partition of lands in Township No. 18, in Range 3, known as the town of Grand Isle."

"Resolve in favor of Sabattus Dana."

"Resolve in favor Tomah Peol Tomah."

The foregoing bills having had three and the resolves two several readings, and passed to be engrossed, were reported from the Committee on Engrossed Bills as truly and strictly engrossed, bills passed to be enacted, resolves finally passed, signed by the Speaker, and sent to the Senate.

On motion of Mr. STONE of Biddeford,
Adjourned.

ORAMANDAL SMITH, *Clerk.*

THURSDAY, FEBRUARY 1, 1877.

Met according to adjournment.

Prayer by the Rev. Mr. BATES of Hallowell.

Journal of yesterday read and approved.

Papers from the Senate.

Final reports from the Committees on State Prison, Indian Affairs, Legal Affairs, Fisheries, Mercantile Affairs and Insurance, Interior Waters, Agriculture, Pensions, Claims, Railroads, Ways and Bridges, Towns, State Lands and State Roads, Insane Hospital, Military Affairs, and Federal Relations.

Report of the Committee on Legal Affairs, reporting reference of various petitions, orders, &c., relating to the game laws of the State, to a commission to be appointed by the Governor to amend the game and fish laws.

Report of the Committee on Towns, reporting leave to withdraw, on petition of J. H. Whitney and others, for incorporation of the town of Lakeville.

Report of the Committee on Financial Affairs, reporting legislation inexpedient, on order relating to re-filing and indexing the legislative papers of the State.

Report of the Committee on Claims, reporting legislation unnecessary, on report of Governor and Council, on resolve of the last Legislature in favor of certain towns and plantations.

Report of the Committee on Agriculture, reporting legislation inexpedient, on order relating to the amendment of law relating to line fences.

Report of the Committee on State Lands and State Roads, reporting legislation unnecessary, on order relating to appropriation for preserving for convenient use the plans and documents in the State Land Office.

Report of the Committee on the Judiciary, reporting legislation inexpedient, on order relating to appeals from trial justices.

Report of the Committee on Railroads, reporting ought not to pass, on bill "an act to amend chapter 223 of the public laws of 1871, in relation to railroad corporations."

Report of the Committee on the Judiciary, reporting same, on bill "an act for the better protection of life in buildings occupied for public purposes."

Report of same Committee, reporting same, on bill "an act in relation to the municipal court for the city of Bath."

Report of the Committee on Fisheries, reporting reference to the commission to be appointed for revising the fish and game laws, on order providing for a general law for the protection of fish in all the waters of the State.

Report of the Committee on Claims, reporting reference to the Washington County Delegation, on petition of Otis Tibbetts and others, for reduction of valuation of Township No. 18, in Washington county.

The foregoing reports came from the Senate read and accepted, and were read and accepted in concurrence.

Report of the Committee on the Judiciary, recommitted by the House with instructions to report an amendment to the Constitution, came back from the Senate the order of the House amended as per sheet "A," and recommitted.

The House recessed and concurred.

Report of the Committee on Military Affairs, reporting "resolve providing for the payment of expenses of the Committee on Military Affairs," came from the Senate read and accepted, resolve read twice, and passed to be engrossed under suspension of rules.

The report was read and accepted, resolve read twice, and passed to be engrossed under suspension of rules in concurrence.

Report of the Committee on Legal Affairs, reporting ought to pass, on bill "an act for the protection of cranberries in the towns of Machias and East Machias."

Report of same Committee, reporting, on petition, bill "an act to extend the powers of the North Anson and Skowhegan Telegraph Company."

Report of same Committee, reporting, on petition, bill "an act to incorporate the Harrington and Jonesport Telegraph Company."

Report of the Committee on State Lands and State Roads, reporting, on order, "resolve relating to settlers' lots under the Treaty of Washington."

The foregoing reports came from the Senate read and accepted, bills and resolves read twice, the last amended as per sheet "A," and passed to be engrossed.

The reports were read and accepted in concurrence, bills read twice, resolve once, and to-morrow assigned for the third reading of the bills and second reading of the resolve.

"Resolve in favor of the Joint Standing Committee on Agriculture," came from the Senate read twice, and passed to be engrossed under suspension of the rules, was read once, and to-morrow assigned for the second reading.

Bill "an act to amend section 6 of chapter 120, public laws of 1876, to authorize the formation of railroad corporations," indefinitely postponed in the House, came back from the Senate non-concurred.

House insisted, and proposed a Committee of Conference, and the SPEAKER appointed

Messrs. Pilsbury of Lewiston,
Locke of Portland,
Kimball of Rockland,

on its part.

Petition of William J. Winslow and others, for an act to prevent the taking of smelts from Sheepscot river; and

Remonstrance from the county officers of Piscataquis county, against division of the town of Parkman;

Were referred to the next Legislature under the rule.

The foregoing were sent to the Senate.

On motion of Mr. ROBIE of Gorham,

Ordered, That the Speaker of the House be requested to invite ex-Governor Joshua L. Chamberlain to deliver his "Centennial Address on the State of Maine," which he delivered in Philadelphia in November last, on Tuesday evening, February 6th, at half past seven, and that a message be sent to the Senate for a joint convention of both branches in the Hall of the House of Representatives to listen to said address. Also that the Clerk of the House have printed the Journal of the House. Also that after to-day all resolves, bills and acts requiring legislation, be referred to the next Legislature, and this order shall not be rescinded except by a three-fourths vote.

The last order was sent to the Senate.

Mr. GRANT, from the Committee on Fisheries, reported ought to pass, on bill "an act additional to an act restricting the killing of seal in Casco bay."

Mr. HINCKLEY, from the Hancock County Delegation, reported, on petition of citizens of Ellsworth, for change of election day for municipal elections in the city of Ellsworth, bill "an act changing the time of the municipal election in the city of Ellsworth."

Bill "an act giving county commissioners jurisdiction over the repairs on ways."

Printed bill "an act to amend section 10, chapter 131, revised statutes, relating to indictments."

Printed bill "an act to amend chapter 137, revised statutes, in relation to disposal of criminals."

"Resolve in favor of Rufus F. Stone."

"Resolve in favor of the Female Orphan Asylum, Portland."

"Resolve in favor of the Bangor Children's Home."

"Resolve in favor of the town of Maysville."

The reports were read and accepted, bills read twice, resolves once, and to-morrow assigned, save the first two, which were assigned to this afternoon.

"Resolve concerning an amendment to the Constitution of Maine, relating to elections," was read once, and tabled, on motion of Mr. WADSWORTH of Manchester.

Mr. CHADBOURNE, from the Committee on the Judiciary, reported ought to pass, on bill "an act to prevent incompetent persons from conducting the business of apothecaries."

Mr. PIKE, from same Committee, reported same, on bill "an act requiring accounts and claims against towns, cities, &c., to be verified by oath."

The same gentleman, from same Committee, on order, reported bill "an act to amend chapter 77 of the revised statutes, relative to equity powers of the Supreme Judicial Court."

Mr. WENTWORTH, from same Committee, reported same, on bill "an act to amend section 65 of chapter 6 of the revised statutes, relating to damage on ways, as amended by chapter 215 of the public laws of 1874, and chapter 97 of the public laws of 1876."

Mr. LORD, from the Committee on Education, on order, reported

bill "an act to establish training classes for teachers of common schools."

The same gentleman, from same Committee, on order, reported bill "an act to provide for the more careful expenditure of school money in towns."

Mr. BERRY of Wayne, presented bill "an act to authorize Samuel Cunningham to navigate Androscoggin pond and Dead river by steam."

Mr. STRICKLAND of Bangor, presented bill "an act to amend section 9 of chapter 116 of the revised statutes, relating to board of prisoners in county jails."

Mr. SPRAGUE of Greene, presented bill "an act to amend section 2 of chapter 60 of the revised statutes, relating to divorce."

Mr. NADEAU of Fort Kent, presented "resolve relating to claims of settlers on proprietors' lands."

The foregoing reports were read and accepted, bills and resolve ordered printed under the Rule.

Mr. HAYNES, from the Committee on the Judiciary, reported ought not to pass, on bill "an act to establish a standard of qualification for the practice of medicine in the State of Maine," and pending acceptance of report, the bill was laid on the table, and on motion of same gentleman, ordered printed.

Mr. PIKE, from the Committee on the Judiciary, reported legislation inexpedient, on order relating to assignment of debtors.

Mr. GRANT, from the Committee on Fisheries, reported on various petitions for legislation on the matter of fisheries, reference to a commission to be appointed to reconstruct the laws relating to fisheries and the game laws.

Mr. GOODWIN, from the Committee on Manufactures, reported legislation inexpedient, on bill "an act to incorporate the People's Loan and Building Association."

Mr. HAYNES, from the Committee on the Judiciary, reported reference to the next Legislature, on petition of J. B. Dingley and others, for a free bridge across the Kennebec river.

Mr. BESSE, from the Committee on Education, reported same, on order relating to amendment of chapter 11, revised statutes.

Mr. CHADBOURNE, from the Committee on the Judiciary, reported leave to withdraw, on petition of C. A. Barnard and others.

Mr. STOVER, from the Committee on Education, reported ought not to pass, on bill "an act in aid of the Deaf and Dumb School in the city of Portland."

Mr. HAYNES, from the Committee on the Judiciary, reported same, on bill "an act additional to section 3, chapter 86, revised statutes, relating to assignments of goods, effects and credits, in the hands of trustees."

The foregoing were sent to the Senate.

Bill "an act to incorporate the Bryant's Pond and Andover Telegraph Company."

Bill "an act additional to chapter 30, revised statutes, relating to mischievous dogs."

Bill "an act to repeal an act entitled 'an act to incorporate the town of Barnard.'"

Bill "an act to amend an act entitled 'an act to incorporate the Franklin Land and Lumber Company.'"

Bill "an act granting further time to the Penobscot and Lake Megantic Railroad Company to locate and complete its railroad."

Bill "an act to amend an act to incorporate the People's Ferry Company, and to repeal an act to establish the Sagadahoc Ferry Company, and an act to incorporate the Union Ferry Company."

Bill "an act to amend the act to incorporate the Lincolnville Railroad Company, approved February 18, 1874."

Bill "an act to amend section 3 of chapter 26, public laws of 1872, relating to the altering or widening of streets."

Bill "an act to amend section 53, chapter 11, revised statutes, relating to the election of superintending school committees."

Bill "an act to amend an act entitled 'an act to extend the time for locating the route of the Portland, Rutland, Oswego and Chicago Railway,' approved February 19, 1873."

Bill "an act to extend the charter of the Aroostook Steamboat Company."

Bill "an act to amend chapter 557 of the private and special laws of 1874, entitled 'an act to establish the compensation of the County Commissioners of Knox county.'"

Bill "an act to amend chapter 60, public laws of 1876, relating to administrators, executors and trustees."

Bill "an act changing the time of the municipal election in the city of Ellsworth."

Bill "an act additional to an act restricting the killing of seal in Casco bay."

"Resolve relating to the purchase by the State, of Maine Reports."

"Resolve providing for a seal of the State."

"Resolve in favor of the plantation of Wallagrass."

"Resolve making appropriation for the propagation of fish."

"Resolve in favor of the county of Aroostook."

"Resolve in favor of St. Francis plantation."

"Resolve making an appropriation for the Penobscot tribe of Indians."

"Resolve in favor of roads passing through the Indian township, in Washington county."

"Resolve providing clothing for the Montgomery Guards."

The foregoing bills and resolves were reported from the Committee on Bills in the Third Reading, the bills read the third, resolves the second time, and passed to be engrossed, and sent to the Senate.

"Resolve in favor of Joint Standing Committee on Education."

"Resolve in favor of Township No. 1, North Division, county of Penobscot."

"Resolve in favor of John P. Webber."

"Resolve in favor of Benjamin R. Walker and Joseph C. Walker."

"Resolve authorizing the Governor and Council to adjust with Francis A. Reed a note held by the State against him."

Bill "an act to revive the organization of the Trustees of the Parsonage Fund at Bucksport."

Bill "an act amendatory of the acts providing for loans of credit of the city of Bangor in aid of the construction of the Bangor and Piscataquis Railroad Company."

Bill "an act to amend section 16 of chapter 77, revised statutes, relating to the powers of the Supreme Judicial Court."

Bill "an act to confirm the doings of School District No. 15 in Berwick."

Bill "an act in relation to municipal and police courts."

Bill "an act additional to chapter 67, revised statutes, relating to the appointment of guardians."

Bill "an act to amend section 14, chapter 6, revised statutes, relating to taxation of personal property."

The foregoing bills and resolves were reported from the Committee on Bills in the Third Reading, bills read the third time, resolves the second, and passed to be engrossed in concurrence.

On motion of Mr. CLEAVES of Portland, the Clerk conveyed a message to the Senate requesting return of resolve entitled "resolve in favor of a bridge in the town of Lyndon."

Subsequently the resolve was returned, when on motion of Mr. CLEAVES, House reconsidered its vote passing the same to be engrossed. The resolve was then amended as per sheet "A," and passed to be engrossed, and sent to the Senate.

Bill "an act to authorize James F. Grindle to take ice from Meadow pond in the town of Islesboro'."

Bill "an act additional to chapter 101 of the public laws of the year 1876, relating to the equity powers of the Supreme Judicial Court."

Bill "an act to authorize the York Manufacturing Company to reduce its capital stock."

Bill "an act to amend an act entitled 'an act to incorporate the Masonic Trustees of Lewiston.'"

Bill "an act to amend section 8 of chapter 78 of the revised statutes, relating to the adjournment of the sessions of the County Commissioners' court."

Bill "an act to amend section 4 of chapter 125 of the revised statutes, relating to gambling."

Bill "an act additional to an act entitled 'an act to incorporate the city of Bath.'"

Bill "an act to amend section 1 of chapter 314 of the private and special laws of 1873, relating to legalizing the doings of the East Kennebec Agricultural and Horticultural Society."

Bill "an act to incorporate the Fifty Associates of Ellsworth."

Bill "an act in relation to proceedings in criminal cases."

Bill "an act additional to an act entitled 'an act to supply the people of Augusta with pure water,' approved March 12, 1870."

Bill "an act to authorize the town of Yarmouth to build a foot bridge over tide waters."

Bill "an act to make valid the doings of John G. Adams a Trial Justice."

Bill "an act to set off the farm of F. P. Crowell from the Fairfield Village Corporation."

Bill "an act to amend the charter of the Union Mutual Life Insurance Company."

Bill "an act to change the name of the Main Street Methodist Episcopal Free Church Society of Lewiston."

Bill "an act authorizing Alton E. Ware to dredge bars, remove boulders and navigate East pond by steam."

Bill "an act against pool selling and lotteries."

"Resolve amendatory of chapter 156 of the resolves of 1876, entitled 'resolve in favor of John Ryan.'"

The foregoing bills having had three and the resolve two several readings, were passed to be engrossed, reported from the Committee on Engrossed Bills as truly and strictly engrossed, bills passed to be enacted, the resolve finally passed, signed by the Speaker, and sent to the Senate.

Bill "an act to prevent throwing slabs and other refuse matter into the Kennebec river and its tributaries," was taken from the table, and further assigned to to-morrow afternoon, February 2, on motion of Mr. BURRILL.

Mr. WADSWORTH of Manchester, moved a reconsideration of the vote whereby the majority report from the Committee on Mercantile Affairs and Insurance, reported legislation inexpedient, on order relating to the salary of Insurance Commissioner, was accepted, and on the question the yeas and nays were ordered, on motion of Mr. CLEAVES of Portland.

Mr. PORTER of Burlington, at this juncture, moved an adjournment; and on this question, the yeas and nays were ordered, on motion of Mr. STONE of Biddeford, and being so taken, the House refused to adjourn, by yeas 59, nays 81.

Those who voted in the affirmative were Messrs.

Abbott,	Brown,	Cook of Lewiston,
Adams,	Burrill,	Copeland,
Alexander,	Chase of Bridgton,	Cyr,
Ballard,	Chase of Standish,	Davis,
Berry of Smyrna,	Chick,	Fletcher,
Besse,	Clark of Appleton,	Gibson,
Bowers,	Clark, Damariscotta,	Grant of Stockton,
Briggs,	Cleaves of Portland,	Hadlock,

Harlow,	Nadeau,	Smith of Cornville,
Hersom,	Nealley,	Smith of Hampden,
Hill,	Norton,	Standish of Eustis,
Hinckley of Bluehill,	Nutt,	Stone,
Hobson,	Osgood,	Strout,
Hume,	Parkhurst,	Towle,
Jackson,	Pike,	Warren of Denmark,
Jordan, Brunswick,	Porter of Burlington,	Warren of Pownal,
Jordan, Mariaville,	Reynolds,	Warren of Westbrook
Learned,	Shepherd,	White,
Locke,	Simpson,	Woods—59.
Morrison,	Smith of Alna,	

Those who voted in the negative were Messrs.

Averill,	Haynes,	Robbins,
Babbidge,	Hinckley, Georget'n,	Rogers,
Berry of Wayne,	Howes,	Rolf,
Bird,	Hurd,	Russell,
Blunt,	Hutchinson,	Sanborn,
Bodwell,	Hyder,	Shapleigh,
Bolster,	Ireland,	Shaw,
Browne,	Jewett,	Smith of Auburn,
Buck,	Johnson,	Sprague,
Chadbourne,	Kimball,	Stackpole,
Clark of Garland,	Kinney,	Standish of Flagstaff,
Cook of Unity,	Knowles,	Storer,
Coffin,	Little,	Stover,
Calkins,	Lord of Bangor,	Strickland,
Conforth,	Lord of Kennebunk,	Taylor,
Drisko,	Maddocks,	Thomas,
Farrar,	Meador,	Towne,
Fellows,	Morrill,	Trussell, [chester,
Garvin,	Newbert,	Wadsworth, Man-
Gifford,	Noyes,	Wadsworth, Gardiner
Goldthwait,	Pendleton,	Waitt,
Goodwin, Farmington	Phinney,	Wardwell,
Goodwin of Monroe,	Pierce,	Wentworth,
Greely,	Porter of Lyndon,	West,
Greenwood,	Rand,	Willard,
Haskell, C. Elizabeth,	Robie,	Winslow,
Haskell, W. Gardiner	Roberts,	York—81.

The motion to reconsider was then laid on the table, and afternoon assigned for further consideration, on motion of Mr. CHASE of Bridgton.

Adjourned.

ORAMANDAL SMITH, *Clerk.*

AFTERNOON SESSION.

Met according to adjournment.

Consideration of the motion of Mr. WADSWORTH of Manchester, for reconsideration of the vote of the House whereby it accepted the majority report of the Committee on Mercantile Affairs and Insurance, pending when the House adjourned, was resumed, when the House reconsidered its vote, by yeas 75, nays 64.

Those who voted in the affirmative were Messrs.

Abbott,	Haskell, W. Gardiner, Roberts,	
Adams,	Haynes,	Robbins,
Alexander,	Hinckley of Bluehill,	Russell,
Averill,	Hinckley, Georget'n,	Sanborn,
Babbidge,	Howes,	Shapleigh,
Berry of Wayne,	Hurd,	Smith of Auburn,
Bodwell,	Hyer,	Stackpole,
Bolster,	Ireland,	Standish of Flagstaff,
Bragdon,	Jewett,	Storer,
Buck,	Johnson,	Stover,
Cleaves, Kenneb'kp't	Kimball,	Strickland,
Cook of Unity,	Kiuney,	Strout,
Coffin,	Knowles,	Taylor,
Calkins,	Learned,	Thomas,
Conforth,	Lord of Kennebunk,	Towne,
Cyr,	Maddocks,	Trussell, [chester,
Drisko,	Meador,	Wadsworth, Man-
Fellows,	Morrill,	Waite,
Gibson,	Newbert,	Wardwell,
Goldthwait,	Norton,	Warren of Denmark,
Goodwin, Farmingt'n,	Noyes,	Wentworth,
Goodwin of Monroe,	Pendleton,	West,
Greely,	Phinney,	Willard,
Greenwood,	Pierce,	Winslow,
Haskell, C. Elizabeth,	Rand,	York—75.

Those who voted in the negative were Messrs.

Ballard,	Grant of Stockton,	Pike,
Berry of Smyrna,	Hadlock,	Porter of Burlington,
Besse,	Harlow,	Porter of Lyndon,
Bird,	Hersom,	Reynolds,
Blunt,	Hill,	Robie,
Bowers,	Hobson,	Rogers,
Briggs,	Hume,	Rolf,
Brown,	Hutchinson,	Shaw,
Burrill,	Jackson,	Shepherd,
Chase of Bridgton,	Jordan, Brunswick,	Simpson,
Chase of Standish,	Jordan, Mariaville,	Smith of Alna,
Chick,	Libby,	Smith of Cornville,
Clark, Damariscotta,	Little,	Smith of Hampden,
Clark of Garland,	Locke,	Sprague,
Cleaves of Portland,	Lord of Bangor,	Standish of Eustis,
Cook of Lewiston,	Morrison,	Stone,
Copeland,	Nadeau,	Wadsworth, Gardiner
Davis,	Nealley,	Warren of Pownal,
Farrar,	Nutt,	Warren, Westbrook
Fletcher,	Osgood,	White,
Garvin,	Perkins,	Woods—64.
Gifford,		

The vote whereby the House refused to substitute the minority report was then reconsidered, and the minority report substituted for the majority report, and the report accepted, and the bill ordered printed.

Mr. HAYNES presented amendment "A" to the bill, and on his motion the same was ordered printed.

"Resolve concerning an amendment to the Constitution of Maine relating to electors," was taken from the table, and to-morrow assigned for its second reading.

Bill "an act to amend chapter 6, section 53, revised statutes, relating to repairs of ways in unincorporated townships," was taken from the table, and further assigned to to-morrow, Feb. 2.

Bill "an act to set off from the town of Greene a certain tract of land and annex the same to the city of Lewiston," was taken from the table, when Mr. SPRAGUE of Greene, moved its

indefinite postponement. Pending which question, the bill was tabled, and to-morrow assigned for its further consideration, on motion of Mr. RAND of Greenwood.

On motion of Mr. SHEPHERD of Camden,
Adjourned.

ORAMANDAL SMITH, *Clerk.*

FRIDAY, FEBRUARY 2, 1877.

Met according to adjournment.

Prayer by the Rev. Mr. JAMES of Hallowell.

Journal of yesterday read and approved.

Papers from the Senate.

Final reports from the Committees on Manufactures, Education and Commerce, came from the Senate read and accepted, and were read and accepted in concurrence.

Report of the Committee on Manufactures, reporting reference to the next Legislature, on petition of the National Board of Trade, came from the Senate read and accepted, and was read and accepted in concurrence.

Report of the Committee on Claims, reporting leave to withdraw, on petition of Warren Johnson for balance of services, came from the Senate recommitted to the Committee on the Judiciary.

House non-concurred and adhered.

Report of the Committee on the Judiciary, reporting ought to pass, on bill "an act to authorize the appointment of police officers at camp-meetings," came from the Senate read and accepted, bill read twice, and indefinitely postponed.

The report was read and accepted in concurrence, and bill indefinitely postponed in the House.

Report of the Committee on Claims, reporting legislation inexpedient, on order relating to the claim of the town of Smyrna for reimbursement for money paid the State in 1864, which was

recommitted by the House, came from the Senate non-concurred and the report accepted.

The House receded and concurred.

Report of Committee on State Library, reporting ought to pass, on "resolve in favor of the town of Anson."

Report of same Committee, reporting same, on "resolve in favor of the town of Stockton."

The foregoing reports were read and accepted in concurrence, resolves read once, rules being suspended, and to-morrow assigned for the second reading.

Report of the Committee on Military Affairs, reporting on petition, bill "an act additional to chapter 29 of the public laws of 1869, concerning the militia."

Report of the Committee on the Judiciary, reporting ought to pass, on bill "an act to amend section 153 of chapter 6, revised statutes, relating to the powers of town treasurers."

Report of the Committee on Military Affairs, reporting on Governor's Message, a "resolve for the appointment of a commission to revise the militia laws."

The foregoing reports came from the Senate read and accepted, bills and resolve read twice, the last amended as per sheet "A," and passed to be engrossed.

The reports were read and accepted in concurrence, bills read twice, resolve once, and to-morrow assigned for third reading of bills and second reading of resolve.

Mr. THOMAS, from the Committee on Temperance, reported reference to the next Legislature, on bill "an act to regulate the sale of opium and its preparations."

The foregoing report was read and accepted, and sent to the Senate.

A message was received from the Senate, by its Secretary, S. W. Lane, Esq., informing the House that in the absence of the President, Hon. J. S. Wheelwright of Penobscot had been elected President *pro tem*.

Mr. BRAGDON, from the Committee on Towns, reported, on petition, bill "an act to change and fix the limits of the town of Haynesville."

Bill "an act to amend part sixth of section 55 of chapter 86, revised statutes, relating to trustee process."

Printed bill "an act to amend section 13, chapter 133, public laws of 1873, relating to punishment of criminals."

Bill "an act to obtain uniform returns from railroad corporations."

Bill "an act giving authority to the city of Portland in relation to certain railroads."

Printed bill "an act in relation to Portland harbor, and to the harbor commissioners of Portland harbor."

Printed bill "an act requiring railroad corporations to be holden for labor."

"Resolve authorizing the Land Agent to convey by deed to John Estes a lot of land."

"Resolve in favor of the town of Stockton."

"Resolve in favor of the Passamaquoddy Indians."

The foregoing report was read and accepted, bills read twice, resolves once, and to-morrow assigned for the third reading of the bills and second reading of the resolves.

Bill "an act to provide in part for the expenditure of government;"

Bill "an act to amend chapter 137, revised statutes, in relation to disposal of criminals;"

Bill "an act to amend section 10, chapter 131, revised statutes, relating to indictments;"

Bill "an act giving county commissioners jurisdiction over the repairs of ways;"

"Resolve in favor of the town of Maysville;"

"Resolve in favor of the Female Orphan Asylum, Portland;"

"Resolve in favor of the Bangor Children's Home;"

"Resolve in favor of Rufus F. Stone;"

Were reported from the Committee on Bills in the Third Reading, bills read the third time, resolves the second time, passed to be engrossed, and sent to the Senate.

Bill "an act to incorporate the Harrington and Jonesport Telegraph Company;"

Bill "an act to extend the powers of the North Anson and Skowhegan Telegraph Company;"

"Resolve in favor of the Joint Standing Committee on Agriculture;"

"Resolve relating to settlers' lots under the treaty of Washington;"

Were reported from the Committee on Bills in the Third Reading, bills read the third time, resolves the second time, Senate amendment "A" adopted to the last, and passed to be engrossed in concurrence.

Bill "an act to amend 'an act to establish a Municipal Court in the city of Biddeford.'"

Bill "an act to make legal and valid certain acts and doings of the proprietors of the Methodist Meeting House of Mechanic Falls in the town of Minot."

Bill "an act to prohibit the taking of fish from the Davis brook, sometimes called Whale's Back brook, in the town of Limington."

Bill "an act additional to chapter 127 of the public laws of 1876, entitled 'an act in relation to appeals from county commissioners.'"

Bill "an act to prevent destruction of books, pictures, statues and paintings in public libraries."

Bill "an act amendatory to chapter 358 of the special laws of the year 1873, to prevent the throwing of ballast into the Kennebec river."

Bill "an act to amend the charter of the Camden Village Corporation."

The foregoing bills having had three several readings, and passed to be engrossed, were reported from the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker, and sent to the Senate.

Bill "an act to amend section 1, chapter 13, public laws of 1875," having had three several readings and passed to be engrossed, was reported from the Committee on Engrossed Bills as truly and strictly engrossed, pending passage to be enacted, recommitted to the Committee on Bills in the Third Reading.

Adjourned.

ORAMANDAL SMITH, *Clerk.*

AFTERNOON SESSION.

Met according to adjournment.

Bill "an act to prevent the throwing of slabs and other refuse into the Kennebec river and its tributaries," was taken from the table, read the third time, and referred to the next Legislature, on motion of Mr. BURRILL of Fairfield.

Remonstrance of citizens of Gardiner ; also

Remonstrance of citizens of the town of Anson ; also

Remonstrance of citizens of Burnham ; also

Remonstrance of citizens of Skowhegan ; also

Remonstrance of citizens of Clinton ; and

Remonstrance of citizens of Pittsfield, against the passage of the act to prevent the throwing of slabs and other refuse into the Kennebec river and its tributaries, was presented, and read and referred with the bill.

Report of Committee on Legal Affairs, reporting ought not to pass, on bill "an act additional to chapter 18, revised statutes, in relation to defects in highways," was taken from the table, and the report accepted.

"Resolve concerning an amendment to the Constitution of Maine relating to electors," was taken from the table, read the second time, amended as per sheet "A," which was amended as per sheet "B." The resolve then passed to be engrossed.

Bill "an act to set off from the town of Greene a certain tract of land, and to annex the same to the city of Lewiston," was taken from the table, pending its passage to be engrossed, indefinitely postponed, on motion of Mr. SPRAGUE of Greene.

Report of the Committee on Interior Waters, reporting reference to the next Legislature, with order of notice, on petition of Fred. C. Barker, was taken from the table and accepted.

Report of same Committee, reporting same, on petition of Charles A. J. Farrar, with bill, was taken from the table. Report refused acceptance, bill substituted instead, and referred to the next Legislature under Rule 52 by the Chair, on a point of order founded on said rule, taken by Mr. PILSBURY of Lewiston.

Bill "an act to amend chapter 6, section 53, revised statutes, relating to repairs of ways in unincorporated places," was taken from the table, amended as per sheet "A," on motion of Mr. BESSE of Chester, and passed to be engrossed.

Bill "an act for the protection of cranberries in the towns of Machias and East Machias," was taken from the table, amended as per sheet "A," which was amended as per sheet "B." The bill was then passed to be engrossed, and sent to the Senate.

On motion of Mr. ROBIE of Gorham,

Ordered, That the Clerk of the House be directed to make up a calendar of all matters now before the House, so that the members of the House may be made acquainted with the actual condition of each bill, act and resolve.

On motion of Mr. KIMBALL of Rockland,

Ordered, That when this House adjourns, it be until 10 o'clock to-morrow morning.

On motion of Mr. SHEPHERD of Camden,

Ordered, That the Clerk of the House notify his Excellency the Governor, and Council, that there will be a Joint Convention of both chambers of the Legislature, on Tuesday evening, February 6th, at half-past seven, to listen to the Centennial Address from Ex-Governor Joshua L. Chamberlain on the State of Maine, and invite them to be present.

Papers from the Senate.

Report of the Committee on State Lands and State Roads, reporting ought to pass, on "resolve in favor of Swedish settlers."

Report of the Committee on the Judiciary, reporting ought to pass, on bill "an act to amend section 3, chapter 7, revised statutes, relating to election returns."

These reports came from the Senate read and accepted, bill and resolve read twice, and passed to be engrossed.

The reports were read and accepted in concurrence, bill read twice and resolve once, and to-morrow assigned for the third reading of the bill and second reading of resolve.

Adjourned.

ORAMANDAL SMITH, *Clerk*.

SATURDAY, FEBRUARY 3, 1877.

Met according to adjournment.

Prayer by the Rev. Mr. BLAISDELL of Gardiner.

Journal of yesterday read and approved.

Papers from the Senate.

Final reports of the Committees on Temperance, Banks and Banking, and Public Buildings, came from the Senate read and accepted, and were read and accepted in concurrence.

Report of the Committee on Temperance, reporting reference to the next Legislature, on bill "an act to amend section 35 of chapter 27, revised statutes, relating to the alleged sale of intoxicating liquors," came from the Senate read and accepted.

"Resolve relating to the sale of Lassell's island, in Penobscot bay," came from the Senate referred to the Governor and Council, and was referred in concurrence.

Report of the Committee on Agriculture, reporting on Governor's Message, "resolve in favor of the Maine State College of Agriculture and the Mechanic Arts."

"Resolve in favor of the Joint Standing Committee on Financial Affairs."

"Resolve in favor of the Joint Standing Committee on State Prison."

The foregoing report came from the Senate read and accepted, resolves read twice, the last two under suspension of rules, and passed to be engrossed.

The report was accepted in concurrence, the first two resolves read once, and Monday assigned, the last read twice under suspension of rules, and passed to be engrossed in concurrence.

Bill "an act against pool selling and lotteries," passed to be enacted in the House, came back from the Senate, bill amended by striking out the second section, and as amended, passed to be engrossed.

House adhered to its former vote.

Bill "an act to amend section 56, chapter 38, revised statutes, relating to weights and measures of agricultural products," passed to be engrossed by the House, came back from the Senate indefinitely postponed.

House recessed and concurred.

Report of the Committee on the Judiciary, reporting ought to pass, on bill "an act to further amend section 28, chapter 18, revised statutes, relating to ways," came from the Senate read and accepted, bill read twice, and indefinitely postponed.

The report was read and accepted, and the bill indefinitely postponed in concurrence.

Communication from the Governor was received relating to jail workshops, which was read and ordered printed.

Mr. NADEAU, from the Committee on State Lands and State Roads, reported leave to withdraw, on petition of Joseph Webster.

On motion of Mr. WENTWORTH of Bradford,

Ordered, That when the House adjourns, it be to Monday next, at 10 o'clock A. M.

On motion of Mr. SHEPHERD of Camden,

Ordered, That the Clerk prepare and have printed each day, until adjournment, a calendar similar to the one prepared by him by force of order of February 2.

Mr. HINCKLEY, from the Committee of Conference, on bill "an act relating to municipal officers," reporting that the House should recede and concur, was refused acceptance, and a second Committee of Conference proposed, and

Messrs. Fellows of Windham,

Hobson of Wiscasset,

Goodwin of Farmington,

were appointed Conferees.

Mr. NADEAU, from the Committee on State Lands and State Roads, reported, on petition, "resolve in favor of Charles W. Porter." Report accepted, and resolve ordered printed.

Mr. RAND, from the Committee on Towns, reported ought to pass, on bill "an act to change the name of the town of Lyndon to Caribou."

Printed bill "an act to amend section 44, chapter 49, revised statutes, relating to the office of Insurance Commissioner."

The report was read and accepted, bills read twice, and Monday assigned for the third reading.

Printed bill "an act to make free Merrymeeting bridge;" and

Printed bill "an act to make free Arrowsic bridge;"

Were read twice, and referred to the next Legislature.

On motion of Mr. BOWERS of Saco, the Clerk was charged with and conveyed a message to the Senate, requesting a return of House Doc. No. 61, entitled "an act to provide in part for the expenditure of government."

On motion of Mr. WADSWORTH of Manchester, a similar message was conveyed requesting a return of House Doc. No. 45, entitled "an act giving county commissioners jurisdiction over the repairs of ways;" also

A similar message was conveyed, on motion of Mr. CHASE of Bridgton, requesting a return of the report of the Committee on Claims, reporting reference to the Committee on the Judiciary, on claim of Warren Johnson.

On motion of Mr. CLEAVES of Portland, a similar message was sent to the Senate, requesting a return of the reports of the Committee on Interior Waters, reporting reference to the next Legislature, on petition of Charles A. J. Farrar, with a bill, and on petition of Fred. C. Barker.

Mr. CLEAVES moved a reconsideration of the votes whereby the House refused to accept the former report and substituted the bill instead, and by which the latter report was accepted, and the motions were tabled and Tuesday assigned.

"Resolve in favor of Passamaquoddy Indians."

Bill "an act to amend section 13, chapter 133, public laws of 1873, relating to the punishment of criminals."

Bill "an act to amend section 1 of chapter 13 of public laws of 1875, relating to close-time for lobsters."

Bill "an act to obtain uniform returns from railroad corporations."

Bill "an act requiring railroad corporations to be holden for labor."

Bill "an act giving authority to the city of Portland in relation to certain railroads."

Bill "an act to change and fix the limits of the town of Haynesville."

Bill "an act in relation to Portland harbor and to the harbor commissioners of Portland harbor."

"Resolve in favor of the town of Stockton."

The foregoing bills and resolve were reported from the Committee on Bills in the Third Reading, bills read the third time, resolve the second time, the last amended as per sheet "A," and passed to be engrossed, and sent to the Senate.

Bill "an act to incorporate the Bath Driving Park."

Bill "an act additional to chapter 49, revised statutes, relating to life insurance."

Bill "an act to prevent incompetent persons from conducting the business of apothecaries."

"Resolve laying a tax on the several counties."

"Resolve in favor of C. S. Hobbs of Norway."

"Resolve for amendment to the Constitution."

"Resolve for amendment of the Constitution."

The foregoing bills were read three times, the resolves twice, under suspension of rules, the first amended as per sheet "A" and passed to be engrossed, and sent to the Senate.

"Resolve in favor of Swedish settlers;"

Bill "an act to amend section 153 of chapter 6, revised statutes, relating to the powers of town treasurers;"

Bill "an act to amend section 3, chapter 7, revised statutes, relating to election returns;"

Were reported from the Committee on Bills in the Third Reading, bills read the third time, resolve read twice, and passed to be engrossed in concurrence.

Bill "an act to amend part six of section 55, chapter 86, revised statutes, relating to trustee process;" and

"Resolve in favor of the town of Anson;"

Were reported from the Committee on Bills in Third Reading, bill read third time, resolve second time, and both tabled, on motion of Mr. STONE of Biddeford.

Bill "an act relative to proceedings in court."

Bill "an act to amend section 4 of chapter 78 of the public laws of 1876, relating to the erection of fish weirs and wharves in tide waters."

Bill "an act authorizing the sale of islands belonging to the State."

Bill "an act to prevent the throwing of refuse wood, timber or fibrous material, created by the sawing of lumber, into the Piscataquis river "

Bill "an act authorizing views by juries in all cases."

Bill "an act further extending the time within which to file the location and also to complete the Northern Aroostook Railroad."

Bill "an act to amend chapter 279 of the special laws of 1876, relating to catching smelts in Monsweag river and bay."

Bill "an act amendatory to chapter 30 of the public laws of 1875, relating to the better protection of life and property."

Bill "an act to amend the charter of the Northern Waldo Agricultural Society."

Bill "an act in relation to county treasurers."

Bill "an act to facilitate the detection and punishment of certain offences."

"Resolve in favor of the town of Woodland."

The foregoing bills having had three and the resolve two several readings, and passed to be engrossed, were reported from the Committee on Engrossed Bills as truly and strictly engrossed, bills passed to be enacted, resolve finally passed, signed by the Speaker, and sent to the Senate.

Bill "an act in relation to county attorneys," having had three several readings and passed to be engrossed, was reported from the Committee on Engrossed Bills as truly and strictly engrossed, pending passage to be enacted was indefinitely postponed, and sent to the Senate.

"Resolve providing for the removal of the remains of General Knox from the cemetery at Thomaston to the State grounds at Augusta," was taken from the table and referred to the next Legislature.

Adjourned.

ORAMANDAL SMITH, *Clerk.*

MONDAY, FEBRUARY 5, 1877.

Met according to adjournment.

In the absence of the Speaker, the House was called to order by the Clerk.

On motion of Mr. HADLOCK of Cranberry Isles,

Ordered, That in the absence of the Speaker, B. T. CHASE, Esq., of Bridgton, be chosen Speaker *pro tem*.

Mr. Chase was conducted to the chair by Mr. Hadlock.

Prayer by the Rev. Mr. HUTCHINS of Gardiner.

Journal of Saturday read and approved.

Papers from the Senate.

Communication from the Secretary of State, transmitting annual report of Managers of the Maine Industrial School for Girls, came from the Senate read, and was read in concurrence.

Final report of the Committee on Reform School, was accepted in concurrence.

Report of the Committee on the Judiciary, reporting ought to pass, on bill "an act to amend chapter 62, public laws of 1876, relating to election returns;"

Report of same Committee, reporting same, on bill "an act relating to witnesses;"

Report of same Committee, reporting same, on bill "an act to amend section 32, chapter 4, revised statutes, relating to elections;"

Report of the Committee on Ways and Bridges, reporting, on order, relating to amendment of law relating to railroad crossings, bill "an act to amend section 16, chapter 40, public laws of 1872, relating to railroad crossings;"

Came from the Senate read and accepted, bills read twice and passed to be engrossed.

The reports were read and accepted in concurrence, bills read three times, rules being suspended, and passed to be engrossed in concurrence.

Bill "an act to repeal chapter 146, public laws of 1876, relating to ways, and to revive the provisions of section 39, chapter 18, revised statutes," passed to be engrossed by the House, came back from the Senate amended as per sheet "A," and passed to be engrossed.

The House adopted Senate amendment "A," further amended the bill, and laid it on the table, pending indefinite postponement, on motion of Mr. NADEAU of Fort Kent.

Bill "an act to prevent throwing of slabs and other refuse into the Kennebec river and its tributaries," which was referred to the next Legislature by the House, came back from the Senate non-concurred, and passed to be engrossed.

The House insisted, and proposed a Committee of Conference, and the SPEAKER appointed

Messrs. Bowers of Saco,
Lord of Bangor,
Nutt of Pembroke,

on its part.

Bill "an act for the protection of cranberries in the towns of Machias and East Machias," which was amended by sheets "A" and "B," and passed to be engrossed in the House, came back from the Senate, House amendments rejected, and the bill indefinitely postponed.

House recessed and concurred.

Mr. CHASE of the Cumberland County Delegation, reported, on order relating to increase of salaries of county officers of said county, bill "an act establishing the compensation of the County Commissioners for Cumberland county."

Mr. FELLOWS, from the same Delegation, reported, on petition of Woodman True and 23 others, and various other petitions, bill "an act to establish the salary of the Judge of Probate of the county of Cumberland."

Printed bill "an act requiring accounts and claims against towns and cities to be verified by oath."

Printed bill "an act to amend chapter 77, revised statutes, relative to the equity powers of the Supreme Judicial Court."

Printed bill "an act to incorporate the Bangor Board of Trade."

Printed bill "an act to amend chapter 241 of the public laws of 1874, relating to cemeteries."

Printed bill "an act to amend an act entitled 'an act to incorporate the East Oxford Agricultural Society,' approved February 28, 1861."

Printed bill "an act to provide for the more careful expenditure of school money in towns."

Printed bill "an act to amend section 31, chapter 11, revised statutes, 1871, relating to powers of school districts."

The foregoing reports were read and accepted, bills read three times under suspension of rules, and passed to be engrossed, and sent to the Senate.

Printed bill "an act additional to chapter 29, public laws of 1869, concerning the militia;" and

Printed bill "an act to amend section 65 of chapter 6 of revised statutes, relating to damage on ways, as amended by chapter 215 of public laws of 1874, and chapter 97, public laws of 1876;"

Were read twice, and afternoon assigned.

"Resolve in favor of Charles W. Porter."

Bill "an act providing for bridge guards on railroads."

Bill "an act to amend chapter 147, public laws of 1873, relating to the appointment and duties of port wardens."

These bills were read three times, resolve twice, and passed to be engrossed, the last one amended as per sheet "A," and sent to the Senate.

"Resolve in favor of the Penobscot tribe of Indians."

"Resolve in favor of the Maine General Hospital."

"Resolve relating to salary of Clerk of Superintendent of Schools."

Bill "an act to amend section 9, chapter 116, revised statutes, relating to board of prisoners in county jails."

Bill "an act to prevent illegal voting."

Bill "an act to establish training schools for teachers of common schools."

Bill "an act to authorize Samuel Cunningham to navigate Androscoggin lake and Dead river by steam."

These bills were read twice, and each of them tabled.

"Resolve relating to claims of settlers on proprietors' lands," was read once, and tabled until to-morrow, pending question

being upon indefinite postponement, moved by Mr. CLEAVES of Portland.

The report of the Committee on the Judiciary, reporting ought not to pass, on bill "an act to establish a standard of qualification for the practice of medicine," came up on acceptance of report, and was tabled, and to-morrow P. M., assigned for further consideration, on motion of Mr. HAYNES of Augusta.

"Resolve for the appointment of a Committee to revise the militia laws."

"Resolve in favor of the Joint Standing Committee on Financial Affairs."

Bill "an act to amend section 32, chapter 4 of the revised statutes, relating to elections."

Bill "an act relating to witnesses and evidence."

The foregoing bills and resolves were read, the bills three times, resolves twice, under suspension of rules, and passed to be engrossed in concurrence.

Printed bill "an act to amend section 2, chapter 60, revised statutes, relating to divorce," was read twice, and indefinitely postponed.

Bill "an act to amend section 153 of chapter 6 of the revised statutes, relating to the powers of town treasurers."

Bill "an act to amend an act to incorporate the People's Ferry Company, and to repeal an act to establish the Sagadahoc Ferry Company, and an act to incorporate the Union Ferry Company."

Bill "an act to amend section 3 of chapter 7 of the revised statutes, relating to election returns."

Bill "an act to incorporate the Harrington and Jonesport Telegraph Company."

Bill "an act to amend section 16 of chapter 77 of the revised statutes, relating to the powers of the Supreme Judicial Court."

Bill "an act to amend section 14 of chapter 6 of the revised statutes, relating to the taxation of personal property."

Bill "an act to amend chapter 60 of the public laws of 1876, relating to administrators, executors and trustees."

Bill "an act to extend the charter of the Aroostook Steamboat Company."

Bill "an act to repeal an act entitled 'an act to incorporate the town of Barnard.'"

Bill "an act to amend an act to incorporate the Lincolnville Railroad Company."

Bill "an act to authorize the town of Woolwich to elect a director to represent stock owned by said town in the People's Ferry Company."

Bill "an act additional to chapter 67 of the revised statutes, relating to the appointment of guardians."

Bill "an act to amend chapter 557 of the private and special laws of the year 1874, entitled 'an act to establish the compensation of the County Commissioners of Knox county.'"

Bill "an act to revive the organization of the Trustees of the Parsonage Fund at Bucksport."

Bill "an act to amend chapter 40, section 50, of the revised statutes, relative to Pleasant river."

Bill "an act granting further time to the Penobscot and Lake Megantic Railroad Company to locate and complete its railroad."

Bill "an act additional to 'an act restricting the killing of seal in Casco bay.'"

Bill "an act to amend section 3 of chapter 26 of the public laws of 1872, relating to the altering and widening of streets."

Bill "an act relating to the police force of the city of Bath."

Bill "an act to authorize the town of Lyndon to appropriate money in aid of the Aroostook River Railroad Company."

Bill "an act to incorporate the Bryant's Pond and Andover Telegraph Company."

Bill "an act to amend an act entitled 'an act to extend the time for locating the route of the Portland, Rutland, Oswego and Chicago Railway,' approved February 19, 1873."

Bill "an act amendatory of the acts providing for loans of credit of the city of Bangor in aid of the construction of the Bangor and Piscataquis Railroad."

Bill "an act to confirm the doings of School District No. 15 in Berwick."

"Resolve in favor of St. Francis plantation."

"Resolve in favor of S. W. Stratton."

"Resolve in favor of Charles G. Perry."

"Resolve in favor of the town of Baileyville."

"Resolve in favor of Jessie Sutherland."

- "Resolve in favor of the plantation of Wallagrass."
- "Resolve authorizing the Land Agent to convey by deed to John Estes a lot of land."
- "Resolve in favor of John P. Webber."
- "Resolve in favor of Olof Ljungren and Magnus Jeppson."
- "Resolve in favor of Benjamin R. Walker and Joseph C. Walker."
- "Resolve in favor of David Dudley."
- "Resolve in favor of the county of Aroostook."
- "Resolve authorizing the removal of the colors presented to the 17th Regiment of Maine Volunteers by the merchants of Portland."
- "Resolve providing for clothing for the Portland Montgomery Guards."
- "Resolve in favor of Isaac Varney."
- "Resolve in favor of Township No. 1, North Division, county of Penobscot."
- "Resolve in favor of F. W. Stimson."
- "Resolve providing for a seal of the State."
- "Resolve authorizing the Governor and Council to adjust with Francis A. Reed a note held by the State against him."
- "Resolve making appropriation for the propagation of fish."
- "Resolve in favor of M. L. Stewart."
- "Resolve in favor of John M. Brown."
- "Resolve in favor of Albion W. Stratton."
- "Resolve in favor of roads passing through Indian township, in Washington county."
- "Resolve in favor of Joint Standing Committee on State Prison."
- "Resolve in favor of Swedish settlers."
- "Resolve making appropriation for the Penobscot tribe of Indians."
- "Resolve in favor of Benjamin Alexander."
- "Resolves in relation to the binding of the acts and resolves of this State."

The foregoing bills having had three and the resolves two several readings, passed to be engrossed, were reported from the Committee on Engrossed Bills as truly and strictly engrossed, bills passed to be enacted, resolves finally passed, signed by the Speaker, and sent to the Senate.

"Resolve relating to the purchase by the State of certain Maine reports," pending final passage, was indefinitely postponed, on motion of Mr. PIKE of Calais.

Bill "an act to extend the powers of the North Anson and Skowhegan Telegraph Company," pending passage to be enacted, tabled.

Bill "an act to amend an act entitled 'an act to incorporate the Franklin Land and Lumber Company,'" pending passage to be enacted, tabled, on motion of Mr. MEADER of Waterville.

Bill "an act in relation to municipal and police courts," pending passage to be enacted, tabled, on motion of Mr. CLEAVES of Portland.

The majority report of the Committee on the Judiciary, reporting ought not to pass, on bill "an act to establish a State Board of Health;" and

The minority report of the Committee on the Judiciary, reporting ought to pass, on bill "an act to establish a State Board of Health;"

Were taken from the table, the question being upon acceptance of the majority report.

Mr. HAYNES of Augusta, moved to substitute the bill for said report.

Pending consideration of this question, the House
Adjourned.

ORAMANDAL SMITH, *Clerk.*

AFTERNOON SESSION.

Met according to adjournment.

The consideration of question pending at adjournment, was resumed; and the House finally refused to substitute the bill, and accepted the majority report.

Bill "an act to amend section 44, chapter 49, revised statutes, relating to the office of Insurance Commissioner," was taken from the table and read twice.

Mr. HAYNES of Augusta, offered amendment "A," which was adopted.

Mr. SHEPHERD of Camden, moved the indefinite postponement of the bill, and on this motion the yeas and nays were ordered. The question being so taken, the House refused to indefinitely postpone, by yeas 60, nays 62.

Those who voted in the affirmative were Messrs.

Abbott,	Fletcher,	Osgood,
Adams,	Garvin,	Perkins,
Ballard,	Gifford,	Pike,
Berry of Smyrna,	Grant of Stockton,	Pilsbury of Lewiston,
Besse,	Hadlock,	Porter of Burlington,
Blunt,	Hinckley of Bluehill,	Porter of Lyndon,
Briggs,	Hobson,	Reynolds,
Browne,	Hume,	Robie,
Burrill,	Hutchinson,	Rolf,
Chase of Bridgton,	Hyler,	Shepherd,
Chase of Standish,	Jackson,	Simpson,
Chick,	Jordan, Brunswick,	Smith of Alna,
Clark, Damariscotta,	Jordan, Mariaville,	Smith of Cornville,
Clark of Garland,	Locke,	Smith of Hampden,
Cleaves, Kenneb'kp't	Lord of Bangor,	Stone,
Cleaves of Portland,	Morrison,	Taylor,
Cook of Lewiston,	Nealley,	Trussell,
Cook of Unity,	Newbert,	Wadsworth, Gardiner
Copeland,	Norton,	White,
Davis,	Nutt,	Woods—60.

Those who voted in the negative were Messrs.

Averill,	Greely,	Howes,
Babbidge,	Ireland,	Hurd,
Berry of Wayne,	Cyr,	Ireland,
Bird,	Drisko,	Jewett,
Bolster,	Farrar,	Kimball,
Bowers,	Fellows,	Kinney,
Bragdon,	Goldthwait,	Knowles,
Brown,	Goodwin, Farmington	Learned,
Buck,	Goodwin of Monroe,	Maddocks,
Chadbourne,	Harlow,	Meadar,
Coffin,	Haskell, W. Gardiner	Noyes,
Calkins,	Haynes,	Pendleton,
Conforth,	Hinckley, Georget'n,	Pierce,
		Roberts,

Robbins,	Storer,	Waite,
Rogers,	Stover,	Wardwell,
Russell,	Strickland,	Warren of Denmark,
Sanborn,	Strout,	Wentworth,
Seaward,	Thomas,	West,
Shapleigh,	Towle,	Willard,
Standish of Eustis,	Towne,	[chester, Winslow—62.
Standish of Flagstaff,	Wadsworth,	Man-

The question of passing the same to be engrossed, was then taken by yeas and nays, on motion of Mr. NEALLEY of Bangor, and received a passage, by yeas 67, nays 56.

Those who voted in the affirmative were Messrs.

Averill,	Haskell, W. Gardiner,	Robbins,
Babbidge,	Haynes,	Rogers,
Berry of Wayne,	Hinckley of Bluehill,	Russell,
Bird,	Hinckley, Georget'n,	Sanborn,
Bolster,	Howes,	Seaward,
Bragdon,	Hume,	Shapleigh,
Brown,	Hurd,	Standish of Eustis,
Buck,	Hylar,	Standish of Flagstaff,
Chadbourne,	Ireland,	Storer,
Clark of Garland,	Jewett,	Stover,
Cleaves, Kenneb'kp't	Kimball,	Strickland,
Coffin,	Kinney,	Strout,
Calkins,	Knowles,	Thomas,
Conforth,	Learned,	Towle,
Cyr,	Maddocks,	Towne, [chester,
Drisko,	Meadar,	Wadsworth, Man-
Farrar,	Newbert,	Wardwell,
Fellows,	Norton,	Warren of Denmark,
Gibson,	Noyes,	Wentworth,
Goldthwait,	Pendleton,	West,
Goodwin, Farmingt'n,	Pierce,	Willard,
Goodwin of Monroe,	Roberts,	Winslow—67.
Harlow,		

Those who voted in the negative were Messrs.

Abbott,	Berry of Smyrna,	Bowers,
Alexander,	Besse,	Briggs,
Ballard,	Blunt,	Browne,

Burrill,	Hutchinson,	Reynolds,
Chase of Bridgton,	Jackson,	Robie,
Chase of Standish,	Jordan, Brunswick,	Rolf,
Chick,	Jordan, Mariaville,	Shepherd,
Clark, Damariscotta,	Locke,	Simpson,
Cleaves of Portland,	Lord of Bangor,	Smith of Alna,
Cook of Lewiston,	Morrison,	Smith of Cornville,
Cook of Unity,	Nadeau,	Smith of Hampden,
Copeland,	Nealley,	Stone,
Davis,	Nutt,	Taylor,
Fletcher,	Osgood,	Trussell,
Garvin,	Perkins,	Wadsworth, Gardiner
Gifford,	Pike,	Waite,
Grant of Stockton,	Pilsbury of Lewiston,	White,
Hadlock,	Porter of Burlington,	Woods—56.
Hobson,	Porter of Lyndon,	

“Resolve in favor of the Maine State College of Agriculture and the Mechanic Arts,” was taken from the table, and passed to be engrossed in concurrence.

“Resolve in favor of the Agent of the Penobscot tribe of Indians,” was taken from the table, passed to be engrossed, and sent to the Senate.

Bill “an act giving county commissioners jurisdiction over the repairs of ways,” returned from the Senate, was taken from the table, the vote passing the same to be engrossed reconsidered, and the same indefinitely postponed, on motion of Mr. WADSWORTH of Manchester.

Bill “an act to authorize Samuel Cunningham to navigate Androscoggin pond and Dead river by steam,” was taken from the table, read three times, and passed to be engrossed, and sent to the Senate.

The motion of Mr. CLEAVES of Portland, to reconsider votes of the House accepting reports of Committee on Interior Waters, on petition of Fred C. Barker, and refusing to accept report of same Committee on petition of Charles A. J. Farrar, and the vote

substituting the bill accompanying the last report, was taken from the table and re-assigned to to-morrow.

Adjourned.

ORAMANDAL SMITH, *Clerk.*

TUESDAY, FEBRUARY 6, 1877.

Met according to adjournment.

Prayer by the Rev. Mr. LEFFINGWELL of Gardiner.

Journal of yesterday read and approved.

Papers from the Senate.

Report of the Committee on State Library, reporting ought to pass, on "resolve in favor of Maine State Library."

Report of the Committee on State Prison, reporting "resolve in favor of the Maine State Prison."

Report of the Committee on State Lands and State Roads, reporting, on order, "resolve in favor of Elisha W. Shaw, Franklin R. Webber and Byron Porter."

Report of same Committee, reporting, on petition, "resolve in favor of the town of Kingsbury."

Report of same Committee, reporting, on order relating to repeal of chapter 175 of the resolves of 1876, relating to claims of settlers on proprietors' lands, "resolve repealing chapter 175 of the resolves of 1876."

Report of same Committee, reporting, on petition, "resolve authorizing the Land Agent to quiet settlers on a section of land in the town of Presque Isle."

Report of same Committee, reporting, on petition, "resolve in favor of Van Buren plantation."

Report of the Committee on the Judiciary, reporting ought to pass, on bill "an act to repeal section 31, chapter 86, revised statutes, relating to trustee disclosures."

Report of the Committee on Education, reporting on Governor's message, "resolve in favor of the Western Normal School."

Report of the same Committee, reporting on same, bill "an act

to amend chapter 76, public laws of 1876, entitled 'an act relating to normal schools.' "

" Resolve providing for payment of certain rents now in suit to the Agent of the Penobscot tribe of Indians."

" Resolve authorizing the Land Agent to convey certain lots of land in Townships numbered 4 and 5, Range 13, in the county of Piscataquis."

" Resolve providing for the annual encampment of the Maine Volunteer Militia."

These reports came from the Senate read and accepted, bills and resolves read twice, rules being suspended, and passed to be engrossed.

The reports were read and accepted in concurrence, bills read twice, resolves once, to-morrow assigned for the third reading of bills, and Wednesday for second reading of resolves.

Report of the Committee on Agriculture, reporting ought to pass, on bill "an act to encourage the introduction of the manufacture of beet sugar," came from the Senate read and accepted, bill read twice, rules being suspended, and passed to be engrossed.

The report was read and accepted, bill read three times under suspension of rules, and passed to be engrossed in concurrence.

Report of the Committee on State Library, reporting ought to pass, on "resolve in favor of compiling and printing the school laws."

Report of the Committee on State Lands and State Roads, reporting on petition of County Commissioners of Aroostook county, "resolve in favor of an appropriation to carry into effect the provisions of chapter 58 of the public laws of 1869, in relation to the establishment of meridian lines."

Report of the Committee on Military Affairs, reporting on Governor's message, "resolve in favor of the Military Asylum at Bath."

Bill "an act to amend an act entitled 'an act providing for division of rents of island shores to the Penobscot Indians and for other purposes.'"

These reports came from the Senate read and accepted, bills and resolves read twice, and passed to be engrossed.

The reports were read and accepted in concurrence, bills read

twice, resolves once, to-morrow assigned for the third reading of the bills, and Wednesday for the second reading of the resolves.

Report of the Committee on Banks and Banking, reporting ought to pass, on bill "an act to provide for the organization of loan and building associations," came from the Senate read and accepted, bill read twice, and passed to be engrossed.

The report was read and accepted, bill read three times, rules being suspended, and passed to be engrossed in concurrence.

Bill "an act to amend section 9, chapter 116, revised statutes, relating to support of prisoners in jail," came from the Senate read and passed to be engrossed, and was read and laid on the table, on motion of Mr. STRICKLAND of Bangor.

"Resolve in favor of the town of Stockton," amended as per sheet "A," and passed to be engrossed in the House, came back from the Senate, that branch insisting on its former vote passing the resolve to be engrossed, and proposing a Committee of Conference, with

Messrs. Boardman of Waldo,
Stevens of Kennebec,
Shepherd of Somerset,

appointed as Conferees on its part.

The House concurred in the proposition for a Conference, and the SPEAKER announced

Messrs. Pike of Calais,
Stone of Biddeford,
Morrison of Phillips,

Conferees on its part.

Bill "an act additional to chapter 30 of revised statutes, relating to mischievous dogs," passed to be engrossed by the House, came back from Senate amended as per sheet "A," and passed to be engrossed.

The House receded and concurred.

Bill "an act changing the time of the municipal election in the city of Ellsworth," passed to be engrossed by the House, came back from the Senate amended as per sheet "A," and passed to be engrossed, and was tabled, on motion of Mr. STONE of Biddeford.

Bill "an act to make free Arrowsic bridge," referred by the House to the next Legislature, came back from the Senate non-concurred, amended as per sheets "A," "B," "C" and "D," and passed to be engrossed.

The House adhered to its former vote.

Bill "an act to make free Merrymeeting bridge," referred to the next Legislature by the House, came back from the Senate non-concurred, amended as per sheets "A," "B," "C," "D" and "E," and passed to be engrossed.

Mr. ROGERS of Bath, moved to recede and concur. The House refused. He moved then to insist and appoint conferees, which the House also refused.

The House then adhered, on motion of Mr. JEWETT of Richmond.

Report of the Committee on the Judiciary, reporting on memorial of the city of Portland, bill "an act to amend section 65, chapter 18, revised statutes, relating to damage on ways, as amended by chapter 215, public laws of 1874, and chapter 97, public laws of 1876," came from the Senate read and accepted, bill read twice, amended as per sheets "B," "C" and "D," and passed to be engrossed.

The report was read and accepted in concurrence, bill read twice, and afternoon assigned.

Petition of Henry F. Butler and others of the town of Ripley, for protection of pickerel in Roger's pond, was referred under rule to the next Legislature.

Bill "an act additional to chapter 29, public laws of 1869, concerning the militia;"

Bill "an act to amend section 65 of chapter 6 of the revised statutes, relating to damage on ways, as amended by chapter 215, public laws of 1874, and chapter 97 of the public laws of 1876;"

Were reported from the Committee on Bills in the Third Reading, read the third time, and passed to be engrossed, the first in concurrence.

The vote of the House, passing bill "an act to incorporate the Bangor Board of Trade" to be engrossed, was reconsidered, on motion of Mr. LORD of Bangor, and the bill laid on the table, and afternoon assigned.

Bill "an act to repeal chapter 146, public laws 1876, relating to ways, and to revive the provisions of section 39 of chapter 18, revised statutes," was taken from the table, vote adopting House amendment "B" reconsidered, Senate amendment "A" adopted, and passed to be engrossed in concurrence.

Bill "an act to amend section 53 of chapter 11 of the revised statutes, relating to the election of superintending school committees."

Bill "an act additional to the acts which constitute the charter of the Bangor and Piscataquis Railroad Company."

"Resolve providing for the payment of the expenses of the Committee on Military Affairs."

"Resolve in favor of the Joint Standing Committee on Agriculture."

"Resolve relating to settlers' lots under the Treaty of Washington."

The foregoing bills having had three several readings, and the resolves two, and passed to be engrossed, were reported from the Committee on Engrossed Bills as truly and strictly engrossed, bills passed to be enacted, resolves finally passed, signed by the Speaker, and sent to the Senate, save the last, which vote was reconsidered and assigned for afternoon, on motion of Mr. CHASE of Standish.

Bill "an act to amend an act entitled an 'act to incorporate the Franklin Land and Lumber Company,'" was taken from the table, vote passing the same to be engrossed reconsidered, under suspension of rules, amended per sheet "A," on motion of Mr. MEADER of Waterville, and passed to be engrossed.

Bill "an act to amend section 2 of chapter 60, revised statutes, relating to divorce," was taken from the table, vote indefinitely postponing reconsidered, and afternoon assigned, on motion of Mr. PIKE of Calais.

Bill "an act to extend the powers of the North Anson and Skowhegan Telegraph Company," was taken from the table and passed to be enacted.

The motion of Mr. CLEAVES of Portland, to reconsider the votes whereby the House refused to accept the report of the Committee on Interior Waters, reporting reference to the next Legislature, on petition of C. A. J. Farrar, with bill; also whereby House substituted the bill; also vote whereby the House accepted the report of same Committee, reporting same, on petition of Fred C. Barker, was taken from the table.

The votes were reconsidered, and the bills read twice, substituted, amended per sheet "A" each, and passed to be engrossed.

Adjourned.

ORAMANDAL SMITH, *Clerk.*

AFTERNOON SESSION. /

Met according to adjournment.

Bill "an act in relation to municipal and police courts," was taken from the table, passed to be enacted, signed by the Speaker, and sent to the Senate.

Bill "an act to amend section 5, chapter 78, revised statutes, as amended by chapter 62, public laws of 1876, relating to election returns," was taken from the table, amended as per sheet "A," passed to be engrossed, and sent to the Senate.

Bill "an act to prevent illegal voting," was taken from the table and indefinitely postponed, on motion of Mr. STONE of Biddeford.

Bill "an act to incorporate the Bangor Board of Trade," was taken from the table and indefinitely postponed.

"Resolve relating to settlers' lots under the treaty of Washington," was taken from the table, and assigned to to-morrow.

Bill "an act to amend section 2, chapter 60, revised statutes, relating to divorce," was taken from the table and indefinitely postponed.

Bill "an act to establish training classes for teachers of common schools," was taken from the table, when Mr. HADLOCK of

Cranberry Isles, moved the indefinite postponement of the bill. After consideration, same gentleman moved the previous question, and the House seconded the call. The main question being taken, the House indefinitely postponed the bill.

Bill "an act to establish a standard of qualification for the practice of medicine in the State of Maine," was taken from the table and indefinitely postponed, on motion of Mr. PIKE of Calais.

"Resolve relating to salary of Clerk of Superintendent of Schools," was taken from the table and passed to be engrossed.

The foregoing were sent to the Senate.

Mr. ROBIE of Gorham, presented "resolve in favor of the appointment of a committee by the Governor and Council to visit the State Agricultural College."

There being objection made, the resolve was withdrawn.

On motion of Mr. SHEPHERD of Camden,

Ordered, That when the House adjourn, it be to meet at 7½ o'clock P. M.

"Resolve authorizing the Land Agent to convey certain lots of land in Township numbered 4 and 5, Range 13, in the county of Piscataquis;"

"Resolve in favor of Elisha W. Shaw, Franklin R. Webber and Byron Porter;"

"Resolve in favor of an appropriation to carry into effect the provisions of chapter 58 of the public laws of 1869, in relation to the establishment of meridian lines;"

"Resolve repealing chapter 175 of the resolves of 1876;"

"Resolve in favor of the Western Normal School;"

"Resolve providing for the annual encampment of the Maine Volunteer Militia;"

Were reported from the Committee on Bills in the Third Reading, read the second time, and passed to be engrossed in concurrence.

Bill "an act to amend section 65, chapter 18, revised statutes, relating to damage on ways, as amended by chapter 215, public laws of 1874, and chapter 97, public laws of 1876," was reported from the Committee on Bills in the Third Reading, read the third time, Senate amendments "B" and "C" adopted, Senate amend-

ment "D" amended per sheet "E," and the bill passed to be engrossed, and sent to the Senate.

Adjourned.

ORAMANDAL SMITH, *Clerk.*

EVENING SESSION.

Met according to adjournment.

The hour having arrived for a convention, the Senate came in and a convention was formed.

IN CONVENTION.

On motion of Mr. PEAKS of Penobscot,

Messrs. Peaks of Penobscot, Thompson of York, and Kimball of Rockland, were appointed a Committee to wait upon the Governor and Council, and the Hon. J. L. Chamberlain, and inform them that the two branches of the Legislature were assembled in Joint Convention for the purpose of listening to a Centennial Address to be delivered by the Hon. J. L. Chamberlain.

Mr. PEAKS, of the Committee, subsequently reported that the Committee had discharged the duty assigned them.

Thereupon the Governor and Council, and the orator of the evening, came in, and Ex-Gov. Chamberlain delivered his address upon the STATE OF MAINE, as follows :

Two conspicuous headlands strike the attention of the European voyager approaching the North Atlantic coast. Reaching out boldly seaward they serve to mark the general direction of the shore, yet between them a vast expanse of water stretches to the north a day's sail beyond sight. These headlands are Cape Sable and Cape Cod,* whose outer lights range with each other about east-north-east and west-south-west, and are distant in a right line about 250 miles. Facing this line, at an average distance of

* One can hardly help regretting that this name given by Gosnold (1602) has survived the more fitting designation given by Champlain and De Monts (1605)—Cap Blanc, White Cape—a striking contrast with Cape Sable opposite. The Dutch also called it Witte Hoeck, White Hook. The Northmen had named it six hundred years before, Kialarness, Shipnose. (Thorwald, Erik's son, 1002).

125 miles; lies the coast of Maine; fronted right and left by these two capes—great salients lying out like couchant lions guarding its broad approach. For, on their range a perpendicular from Cape Sable passes very near Eastport, the easternmost town of Maine; while a perpendicular from Nauset light, passing between Cape Ann and the Isles of Shoals, strikes not far from the city of Portsmouth on the Piscataqua river, which forms part of the western boundary of Maine.* These lines would enclose an almost regular rectangular parallelogram,† with a breadth one-half its length, but the figure is extended by two deep pockets, the Bay of Fundy on one side, and Cape Cod Bay on the other,—at the bottom of one, Nova Scotia and New Brunswick, and opposite, New Hampshire and Massachusetts. This considerable body of water, well deserving to be called a gulf, has in recent times received an appropriate name from the land whose limits lie so exactly opposite its great entrance capes, and is called the Gulf of Maine.‡

This shoreland is also remarkable, being so battered and frayed by sea and storm, and worn perhaps by arctic currents and glacier beds,§ that its natural front of some 250 miles is multiplied to an extent of not less than 2,500 miles of salt water line; while at an average distance of about three miles from the main land, stretches a chain of outposts consisting of more than three hundred islands||—fragments of the main—striking in their diversity,—on the west, low, wooded and grassy to the water's edge, and rising eastward through bolder types to the crowns and cliffs of Mt. Desert and Quoddy Head,—an advancing series from beauty to sublimity;¶ and behind all these are deep

* U. S. Coast Survey charts. Atlantic, sheet No. 1.

† It was not this, but the Gulf of St. Lawrence probably, which Gomara (*Hist. de las Indias*) calls Golfo Quadrado, the Square Gulf. On the early charts this Gulf is represented as semi-circular, or the flat segment of an ellipse.

‡ *Edinburg Encyc.*, 1832, vol. XVIII. The name was first applied by Prof. J. E. Hilgard, of the U. S. Coast Survey office, and through his efforts it is likely to become permanent.

§ Fiord valleys. *Dana's Geology*, 533.

|| This portion of the coast may always be known on the rudest early charts by the dash of islands with which the explorers somewhat carelessly record their observations.

¶ "Advancing" only in the effect on human emotions; for in true rank I suppose the beautiful must be higher than the sublime, being the perfection and peace, where all the parts are obedient to the central law or soul of a thing; while the sublime overweighs the law and limit of perfection, and shows a power ready to pass out from the peace of its own being, and to threaten and destroy. Peace is higher than war.

basins and broad river-mouths, affording convenient and spacious harbors, in many of which the navies of nations might safely ride at anchor.*

There is no doubt that the adventurous spirits of the fifteenth and sixteenth centuries were greatly drawn to these waters and shores, all the natural products of which offered themselves with primeval prodigality. One needs only to glance at the early charts,† or the wonderful stories of the voyagers of the times to perceive the romantic interest that centered here, and be prepared to understand why the great minds of that period attached such importance to the possession of this gulf, as if they foresaw that it must become the key to the Continent. Especially attractive was the region between the Piscataqua and Penobscot, in its marvellous beauty of shore and sea, of island and inlet, of bay and river and harbor, surpassing any other equally extensive portion of the Atlantic coast, and compared by travellers earliest and latest, with the famed archipelago of the *Ægean*.‡

This was the objective point, not only of poetic fancy and dreams of Empire, but of the earliest actual colonies and settlements upon which more than one kingdom of the Old World based its title to the New.

* *Somes's Sound* is probably the most commodious and strategically advantageous position for a Naval Station for the United States on the whole Atlantic Coast. An effort was made to draw the attention of the Government to this in 1869.

† A very valuable collection appears in the interesting work of Dr. J. G. Kohl of Germany, "*Discovery of the East Coast of America*," *Doc. Hist. of Me.*, Vol. I.

‡ Thevet gave a glowing account of the Penobscot region visited by him in 1556.

Rosier, historian of Weymouth's voyage (1605), has among other lavish expressions of delight, the following comments upon a river explored by Weymouth, formerly supposed to be the Penobscot, but now thought to be the Sagadahoc, (*John McKeen, Me. Hist. Coll. Vol. V*): "As we passed with a gentle wind up with our ship in this river, any man may conceive with what admiration we all consented in joy. Many of our company who had been travellers in sundry countries, and in most famous rivers, yet affirmed them not comparable to this they now beheld. Some that were with Sir Walter Raleigh in his voyage to Guiana, in the discovery of the river Oronoque, which echoed fame to the world's ears, gave reasons why it was not to be compared with this, which wanteth the dangers of many shoals, and broken ground, wherewith that was incumbered. Others before that notable river in the West Indies called Rio Grande; some before the river of Loire, the river Seine and of Bourdeaux in France; which although they be great and goodly rivers, yet it is no detraction from them to be accounted inferior to this."—*Mass. Hist. Coll. 3d Series, Vol. 8.*

We must cite also a passage in De Peyster's *Dutch in Maine*, p. 44: "How few are alive to the glorious and varied beauty of that zone of islands which commencing with the perfection of Casco Bay, terminates with the precipitous seal-frequented shores of

Here, in the region about Pemaquid and Monhegan, were wont to rendezvous the ships of many nations*—English, French, Spanish, Portuguese, Dutch and Italian—and made a strange company for the astonished senses of the too trustful aborigines.† The objects of these visits varied with national temper and habit, and also with the growing ambition of the times. First, a way to the Indies was sought; then gold; then fish and furs; then higher motives than trade prevailed, and noble minds conceived the great enterprise of bringing this fair land under the hand of civilization, and dedicating it to the good of man and glory of God. Here at length when the rivalry had narrowed down to two champions, the French and English made a bloody battle for Empire.

Yet, this land, at first deemed so commanding in position, seems to have been at times strangely neglected. England, for nearly a hundred years, allowed it to pass from her thoughts. Even then, when stimulated by the enterprise of the French, her interest was fitful, and manifested chiefly by individual minds. As a nation she exhibited no strong policy towards these colonies. And when at length the settled institutions of civilization took shape and name here, this early favored region was unnaturally passed by. And it is only slowly, and even now but imperfectly, regaining its ancient and well grounded prestige.

The obscuration of its more recent career, the absolute and almost abject surrender of its name in history, is something singular. The minds of its own people seem to acquiesce in its loss of birthright with strange humility. Few know that it was the early settlements in this territory which confirmed the title of

Grand Menan. Of all the archipelagoes sung by the poet, described by the historian, and depicted by the painter, there is none which can exceed in its union of charms those two hundred miles of intermingling land and ocean, where lost in each other's embrace, the sea seems in love with the land and the shore with the foam crested waves."

The beauty of this description is heightened for the lover of German romance, by the association which calls up the passage at the opening of Fouque's *Undine*: "*Und es schien eben so wohl die Erdzunge habe sich aus Liebe zu der blaulich klaren wunderhellen Fluth, in diese hinein gedrängt, als auch das Wasser habe mit verliebten Armen nach der schonen Aue gegriffen, nach ihren hoch schwankenden Gräsern und Blumen, und nach dem erquicklichen Scatten ihrer Baume.*"

* Winslow of Plymouth Colony, found thirty ships at Monhegan and Damariscove in his visit in 1622. (Purchas Pilgrims, Edition of 1625, Vol. IV.)

† It was a common practice of the early European ship-masters to kidnap the natives and sell them into slavery.

old England to the new ;—that years before the Pilgrims set foot on Plymouth sands, there were established English settlements at various points on the shores of Maine ;—that Pemaquid was a seat of trade and of government, and at one time the metropolis of all the region east of New York.* Popular history does not care to tell us that the Samoset who startled the Pilgrims with the greeting, " Much welcome Englishmen ! " was Lord of Pemaquid, and had learned the language from long familiar intercourse with the colonists and visitants at that joint capital. Nor are we told that when the heroic little band at Plymouth in that bitter winter, beset by enemies from all the elements and all the kingdoms of Nature, were driven out in search of food, it was hitherward the little shallop made its way, and found English hearts and hands, that helped to their utmost ability and would take no pay. Few are aware of the more important fact, that the colony at Plymouth owed its title and tenure, if not its origin, to those whose chief interest was here. It is not even a school boy's tale that the first incorporated city in America was within these limits—the city of Georgiana founded in 1641 on the site of the present town of York. It interests none but the antiquary to know that the Province of Maine was once a County Palatine, and is the only portion of American soil which was ever under a purely feudal tenure. How easily it is forgotten what men were William Phipps and those who manned the fleet that took Port Royal, or William Pepperell, and almost the entire armament which conducted the brilliant seige of Louisburg,—actions for which both these commanders were knighted by the sovereign. In truth, many of the issues in which this territory played an important part, have lost their vital relations with the interests that now absorb us. " French or English America," is now a dream of the past. " Royalty or Republic " no longer summons men to stake life and fortune on their choice. Churchmen and dissenter have sheathed the sword and laid aside the pen. The lines of loyalty are drawn by other tests.†

* The petition of the inhabitants of New Harbor, sometime before 1689, to the Governor and Council of New York, concludes " And that Pemaquid may still remain the metropolitan of these parts, because it ever have been so before Boston was settled." See Pemaquid Papers, prepared by Dr. Hough, Maine Hist. Soc. Coll. V. 137.

† It is when free institutions are in process of formation that personal sacrifice ennobles history ; afterwards these institutions are seized upon and made to minister to personal aggrandizement. Early ages are called heroic because of great deeds done to serve others ; later times seem to reverse the process, and call men great who make others serve them.

But even when the power of this province entered into the great struggle for independence, its service, its loyalty, its sacrifice, all were offered up in a name not its own; and are dead and gone out of mind, or live to swell the glory of others. Whose pride is now quickened to know that the first Governor of Massachusetts was born in this Province, and more than one other since; * that the first Secretary of War had his home by the Penobscot, and another resided on the bank of the Kennebec; † and that many of the best minds in the Congress and army of the Revolution were from this land without a name! ‡ Where is the record of the story once thrilling our youthful pulse, that when Washington rode down the lines to thank the troops whose valor had turned the tide of a desperate battle, and exclaimed with uncovered head "God bless the Massachusetts line!" he spoke to the Third Division—men from the counties of York and Cumberland?

It is indeed by a fatality of successive misadventures that Maine has been kept back in both her natural advance in wealth and population, and her credit for noble work in history, and that the earnest purposes which first broke ground here, have passed to bear fruit in remoter and even less remunerative soils. This rebound, or rather, if I may use the expression, this *ricochet* of civilization, cannot be readily accounted for unless we give to mere accident a place in determining human events, which neither the intellectual pride nor the religious faith of man is accustomed to admit.

It would certainly be natural that the shores along the Gulf of Maine which first seemed to foretell such glories to the minds of

* Sir William Phipps, born at Woolwich, 1651; James Sullivan, born in Berwick, 1744, distinguished also as a statesman and jurist; and John A. Andrew, born in Windham, 1818, whose character and services require no eulogy.

† Knox and Dearborn.

‡ Among others may be named John Sullivan, member of the 1st Continental Congress, 1774, and Major General in the Revolution, who afterwards saved New Hampshire from anarchy, and secured the adoption of the Constitution of the United States; Rufus King, orator, statesman and diplomatist; the Sewalls of York,—David, Stephen and Henry,—jurist, scholar and soldier—patriots all; the Prebles, father and son, Jedediah the general and Edward the commodore; the O'Briens, five brothers, famous and feared on the seas:—these names are a pride to Maine. George Thacher, jurist and statesman; Samuel Tucker, a commodore of no small renown; Peleg Wadsworth and Henry Dearborn, also generals in the army and members of Congress, though not born in Maine resided here, and their services are part of our history.

Europeans and attracted so many noble enterprises, should have been the theatre of the first and greatest exploits of civilization, and left lasting and wide and acknowledged results. Here, where the land stretches out its hands a hundred miles seaward, and holds them open by twice that extent to welcome the civilization of Europe to harbors and fields and powers so capacious, we should have looked for the emporiums of American industry and commerce, and the seats of influence and power upon the Continent. There would seem to be no reason in the nature of things why the sterile soils around Massachusetts Bay should have been taken up, while the rich lands of the east were left neglected, or why the meagre natural forces of southern New England should be overtaken with manufactures while the abounding and more available powers in the earlier discovered land should run wild and waste.

But after all it must be confessed that Maine has no history the dignity of which is conceded; and hardly a place among the recognized factors of the Nation's destiny. Those that are acquainted with her know full well that her inhabitants are behind none others either in physical or mental endowments, in character, intelligence, and independence, and thrifty and well to do style of living. But still the fact cannot be suppressed, that she is popularly spoken of as if she were a neighbor to the western savage,* rather than as she is, in time and place, and to no small degree in the arts of life, next neighbor to the culture of the Old World.

It is proper briefly to consider these two points, and if possible discover the reasons for this depression from her early promise, and this obscurization of her entire history.

1. First then a discouraging effect followed from the rigors of the climate, which the early European colonists had not learned to cope with. Such reports as that borne by the survivors of some winter-stricken settlement, whose people had been spending all the warm season in random excursions or trading expeditions, that "the country is intolerably cold and sterile, unhealthy, and not habitable by our English nation," † must have had the effect to turn aside many, the ardor of whose enterprise was not equalled

* One would suppose from the cuts in some of our popular geographies, that Maine was as yet almost an unbroken wilderness, the saw-mill and the scow being set forth as characteristic emblems of her advance in civilization.

† People who returned from the Popham Settlement, 1608.

by the hardihood of their bodies or the thoughtfulness of their preparations.

2. A second untoward influence is found in the strange accidents, the interruption of the elements and the opposition of human enemies,* which so often brought to nought the purposes of ship-loads and fleets of colonists, who had embarked for these shores.† The caprices of enthusiasm, superstition, ignorance, civil and religious dissensions—nay, more than once, and more than thrice, the death of a single man, changed the entire complexion and drift of those early affairs.‡

3. A third source of discouragement was in the unsettled political condition, if that epithet can be applied to a state of things where there is no organized civil polity,—and the conflicts of jurisdiction§ which from the earliest until almost the latest times of the provincial history of the territory, kept the colonists in constant anxiety, and held back many of those who hoped above all to bring to these shores the peaceful and civilizing influence of home.

4. Another and most effective disturbing force was the extraordinary severity of hostile attacks by the Indians, who took fearful vengeance upon the colonists for the outrages of roving ship masters. Their savage nature was also inflamed to unwonted zeal by the belief inculcated by the French Jesuits, that the English were not only their foes, but heretics and enemies of God. Then, again, from an imperfect understanding of the import and effect of title-deeds|| under which they had sold their lands,

* "So that one must not wonder if the time be long in establishing of Colonies, specially in lands so remote, whose nature, and temperature of aire is not knowne, and where one must fell and cut downe Forrests, and be constrained to take heed, not from the people we call sauages, but from them that tearme themselves *Christians*, and yet haue but the name of it, cursed and abominable people, worse than Wolues, enemies to God and human nature." Lescarbot (1609) *Voyage of De Monts*. Purchas, IV. p 1627.

† The capture by the Spaniards of the first expeditions sent out by Popham and Georges, and the strange misadventures of storms and pirates and mutinies that befell Capt. John Smith's attempt to colonize New England in 1615 may be instanced.

‡ The revocation of the French grant to the Huguenot De Monts: The struggle between De Aulnay and La Tour in Castine for the mastery over Acadia: The death of Sir Humphrey Gilbert, of George Popham, of Chief Justice Popham, of Sir Ferdinando Gorges, and even of Father Rales, are examples.

§ See farther on.

|| Ownership to them conveyed no clearer notion than that of a right to hunt. There was no absurdity in granting this right to different parties, and this in their view would not exclude them from any rights they had before. They were slow to regard themselves as dispossessed.

a bitter feeling arose that they were cheated and abused. For almost a hundred years such bloody scenes were enacted here, it is a wonder that there were any colonists left at all.

5. It must be confessed, that one great cause of the slow progress of colonization in this region, is to be found in the ruling ideas and motives of the times. This is true of the colonists. They were not men lifted up and held together by the thought that they were sufferers in a noble cause, and that their humble work took hold on higher things. They had not the austere virtues which are the foundation of States; they did not regard even the first truths of Political Economy, that wealth is only built up by labor, by bringing steady toil to bear upon nature, and that the means of commanding satisfactions are only to be attained through sacrifice and self-denial. Nor did the benevolent and noble minds in England, who had devoted themselves to these enterprizes realize the necessity of personal supervision and of actual contact with the raw materials and wild forces which were to be made servants to these great ends. You cannot build up a civilization with laws made three thousand miles away. Laws without personal, practical efforts, can no more construct society, than they can save it.

6. But even when something like order was established, and the powerful Colony of Massachusetts took this under its protection, no causes were set free to work any great changes for the better. It was natural and inevitable that the stronger should absorb the weaker. It could not be expected that Massachusetts would cherish the growth of Portland as a seaport, or make large investments to promote wealth and population in a territory which was not even adjacent, and which she could not but foresee, must in the natural course of events soon pass out of her hands.

7. The early colonists here were not of the creed and party which ultimately prevailed in the country, and this fact has had no small influence in obscuring this early history. The Huguenots, who were of the same faith as the English, were driven off because they were Frenchmen, and afterwards the English of the same blood were driven off because they were churchmen. The early colonies here held to the faith and forms of their founders. There was no reason why Massachusetts should embalm the memory of these men; nor were the subsequent inhabitants of Maine in any great number their descendants. Hence there has

arisen no champion to vindicate their claims, and no bard to sing their story.

8. The title to honorable remembrance which thus went by default, was still more effectually sunk by the fictions of eloquence, and the poetry of history. It seems a law of the mind, that whatever in human affairs is most impressive to the senses,—especially if it also appears decisive of results,—usurps the situation, and throws all subsidiary efforts, whether barren or fruitful, into a common obscurity. It is here the idealized picture of the landing of the Pilgrims, which, so true to character if not to fact, seizing upon men's minds has dwarfed our early history. It was Webster* first in his great speech at Plymouth in 1820, in commemoration of the landing of the Pilgrims, who with the imagination, the passion and the touch of genius, created a history which like a new epic poem went to the heart of the world. This was perpetuated and confirmed by the finished oratory of Everett, and afterwards in the sober histories of Bancroft and Story. The gentle spirit of Mrs. Hemans caught the strain and echoed it back in divine song. No one was rude enough to break the charm—even if the rushing, hero-worshipping imagination of our people would have tolerated sober evidence. Our loyalty to the spirit of New England, our filial reverence for the Pilgrims, the constancy of the faith which was theirs and ours, our pride in the eloquence and our sympathy with the tenderness with which genius had lifted the story so high, made us unwilling to interrupt this lofty unity of effect with humble, homely truth. So, often does one's modesty make another's history. Doubtless in a high and noble figure Plymouth Rock is the foundation of New England; but still it is not true that New England was first settled in 1620, by the Pilgrims on the "stern an rock-bound coast" of Cape Cod Bay! †

I hold back no praise from the Pilgrims. No colors could be too strong, no eloquence or song too high to set forth the picture of them which lives and beats in our hearts. It is power and inspiration; not only for this country, but for all mankind. Nor am I by any means pretending that the influence of the Maine

* This consideration is the suggestion of Mr. Poor in his Eulogy on Gorges, which is in many places too strong in its bearing.

† The Pilgrims themselves never claimed this exclusive honor. See Winslow's journal and Bradford's letter to Gorges, elsewhere cited.

Colonies upon New England *character* was comparable to that of Plymouth. But their influence on New England *history* has been of greatest moment. What is first in interest has absorbed what is first in time and in the logic of events, and so reduced the early history of Maine to absolute zero.

But lest it be thought from this review of evils that our early history has no worth, it is my purpose to present some aspects of it which could not be shown while enumerating the causes of depression. I shall no longer complain of neglect or injustice, but shall maintain positively the claims which Maine may justly hold to an important and honorable part in the fortunes of this country.

The subject naturally groups itself in two general divisions.

I. Maine as a Province: that is, controlled by powers outside of herself.

II. Maine as independent: making her own history, and in her own name.

The first of these divisions I shall discuss under three propositions:

1. Maine was instrumental in holding America for England as against France.

2. Maine was the historical beginning of New England, and not the daughter of any other colony.

3. New England, and especially Massachusetts, afterwards preserved Maine to the American Union.

Some of these statements may appear to have the merit of novelty. The task before me is to bring out their truth.

I am aware that history traces the acts of men rather than the fate of lands. But still, the land has much to do with man. It sustains a moral as well as a physical relation to him. 1st. It affects him through the power of association—memory and tradition. Whether life's toils and loves consecrate it, or whether it asserts its own claim as the theater on which we work out character and destiny, the land is dear, and remains so even when those who shared it with us have passed away. It is true, the great deeds wrought here in the heroic times were wrought by men whose descendants we are not. If we should seek to follow their footsteps, I know not what far off histories we should trace. But the land has a deeper interest and worth for the human hopes

one fixed here, and the earthly missions here wrought. It is mightier for the men that have passed away. Then, 2d, the physical features of the earth affect men, by a certain law of nature. Land and sea, and river and mountain abide. Nor do human hearts and needs change more. Here are elements of history which survive the shocks of arms and change of dynasties. Hence there is a certain continuity of life unconsciously passed down from age to age, even when not from father to son.*

I do not propose an epitome of historic facts. That were a tedious task. Nor does it suit the purpose to select critical situations to stir the imagination and emotions. We are to use the facts of this early period as related to their large consequence, and not as spectacles of human passion or endurance. But yet we cannot disregard the fact that the early history of this region is to a remarkable degree a history of men who have failed—a history nevertheless full of broadest purposes and noblest endeavor, and so not lost in the chain of human causes and effects.

A thousand years ago the eyes of Europeans were set upon these shores. Tradition has many a strange story of vessels storm-driven each way across the Atlantic in these latitudes—of strangers borne thus to the coasts of Europe, and of Europeans carried in turn to unknown shores, whence some one escaped to tell the marvellous story.† But some traces are verified in history. The two races which have been among the last though not now the least to mingle with us, were earliest of discoverers.

* Buckle, *Hist. of Civilization*, ascribes too much efficacy to this as controlling the destiny of nations. But sound thinkers and scholars, like Montesquieu and Sir Henry Maine, find in the land a powerful influence, as well as instrument, in determining man's advancement. The whole question is well handled in Mulford's *Nation*, chap. V.

†A Fri-land fishing vessel was driven by a storm to a far western country named Estotiland, whose king had Latin books he could not understand, and who spoke no language resembling European tongues. He told the sailors of another country far to the south called Drogeo, a large country, "like another world," whose people were in eternal warfare; while farther yet southward were other nations more civilized, who built towns and temples. On the old charts this Estotiland (East-out-land) corresponds with Nova Scotia, while Drogeo is exactly in the locality of the State of Maine. See the sea chart of the Venetian brothers Zeni, made A. D. 1400; also, Dr. Kohl's note on Lelewel's map, p. 106.

The far-famed Norumbega is first mentioned by a French captain in 1537 as including the territory now Maine. Quoted by Ramusio, *Tom. III. fol. 423*.

These wild names, full of weird associations, did not escape the ear of John Milton in his marvellous marshalling of sonorous names. See *Paradise Lost*, Bk. x. 686, 696. •

To the Celts and the Scandinavians belongs this pre-eminence. Certainly, when the Northmen first took possession of Iceland, in 860, they found the Irish chieftains settled there. And it appears an unquestionable fact, that Madoc, Prince of Wales in 1170, had large dealings with these Western shores.*

But the Northmen meantime had turned their ships hitherward. Their story is no longer a myth, but strong and stirring history. The attempt of Erik's sons † to fix their homes and found a new Northland here, belongs to the romance of Rhode Island history. Leif's buldir—Leif's block-house, or bower—lives at least in song, and the "old windmill" still stands to tell of thoughts and deeds that have gone. But it was even within this Gulf of Maine ‡ that Thorwald, also Erik's son, who had landed to seek a dwelling place, fought like a Viking and died like a Christian. After the hard fight he asked his comrades if any of them were hurt. When they answered No, he continued, "But I have an arrow under my arm. I was a true prophet. I shall indeed abide here and not depart. But bury me on the promontory, and plant there two crosses, at my head and feet." So they laid him, and named the place Krossaness—Cross-nose—Mount of the crosses.§

This endeared the land still more, and there came afterwards an earnest company, men and women, the latter leaders in spirit and purpose and courage,—with cattle and utensils and all things for goodly homes,—a hundred and sixty souls, in three ships, "keeping the shore close on the starboard hand," searching with loving, earnest eyes for the beacon of their hearts—Thorwald's Headland of the Crosses. What a romance might be written on "Thorwald's Cross!"

But all this passed. The land relapsed into the shadow, and for five hundred years was as an "undiscovered country." The voyage of that great spirit, Columbus, was indeed to an unknown world. But he did more than to bring new things to light. He joined the new to the old and half-forgotten. With prophetic

* See Hakluyt's *Voyages*, London, 1589, p. 506.

† See Rafn's *Antiquitates Americanae*, Copenhagen, 1837.

‡ In the year 1004. Probably at Cape Ann, or possibly still east of that. The fight was brought on by an unprovoked assault on the natives by some of the company.

§ The new volume of the Prince Society, edited by Rev. E. F. Slafter, *Voyages of the Northmen to America*, containing the Icelandic Sagas of the same, comes to hand just as this passes to the press. The beautiful map of Vinland has Krossaness at Gurnet Point, the entrance to Plymouth harbor.

gaze he saw the past and future in blending lines, and by the strong sequences of thought restored the continuity of history and the unity of human endeavor.

The English appear to have been slow to comprehend the great opportunities afforded by the discovery of America. The Spanish and Portuguese sovereigns proposed at first to share these benefits under the dispensation of the Pope.* But Francis I. of France had no notion of being left out in the distribution. "He would like to see the clause in Adam's will," he said, "which made this continent the exclusive possession of his brothers of Spain and Portugal." From that time France laid claim to the country north of Florida, for nearly a hundred years before England had pretended to any substantial claim. It is true the Cabots from 1496 to 1498 had discovered the mainland more than a year before Columbus saw it, and had explored the coast from Florida to Labrador; but so far was England from basing upon this any claim to jurisdiction, that we find the government nearly a hundred years after, laying down the broad and true doctrine that discovery without occupation does not confer title.† Far different were the thoughts of France. In 1524 Francis sent out Verrazano, who explored the entire coast from the 30th to the 50th degree of latitude, and named the whole region New France. This substantiated a claim which France maintained, and Carolina was named after Charles IX. In pursuance of his plans of colonization the French Monarch sent out ten years later, Jacques Cartier, whose successive voyages, within the six years following, laid open the whole region of the St. Lawrence, stimulated the spirit of enterprize, and laid the foundation for those splendid dreams of empire which years afterwards the gallant King Henry of Navarre conceived, and the noble Champlain so nearly realized.

The high-minded Emanuel of Portugal had indeed commissioned the Cortereals, whose voyages in 1500 to 1502 ranged along our northern coast, and left at least many names on the charts of those waters. But no actual claim to possession followed.

The Spanish claim amounted to no more. Ponce de Leon, seeking the fountains of immortal youth, roamed among the voluptuous islands of the Lucayos, and along the luxuriant coasts

* Bull of Pope Alexander VI, 1493.

† *Prescriptio sine possessione haud valet.* Camden Eliz. Annales, 1580.

of Florida. But the longed-for fountains were still far away; and like others who seek for the joy of life, he lost life itself.* But it was Estevan Gomez, in 1525, who brought the Spanish flag into these northern waters. Tokens of his long sojourn and wide explorations are the Spanish names he left at so many points, and his own name long given to the Penobscot, whose glories he doubtless had rapturously described.† From his time the waters swarmed with Biscayan fishermen, but no real claim to jurisdiction was set up.

There was now a lull in these larger activities. For fifty years the spirit of adventure only prompted the French and English to take fish and furs along these coasts, and nobler enterprises seem to have passed from the minds of the governments of both these countries.

But there were some earnest minds at work meanwhile. Both reality and romance found plenty of material. In 1556 a French gentleman, André Thevet, gave an enthusiastic account of a visit to the Penobscot region, which is remarkable for its statements and suggestions. It thus begins:‡ “Here we entered a river which is one of the finest in the whole world. We call it Norumbega. It is marked on some charts as the Grand River. The natives call it Agoncy. Several beautiful rivers flow into it. Upon its banks the French formerly erected a small fort about ten leagues from its mouth. It was called the Fort of Norumbega, and was surrounded by fresh water.”

John Rut and other travellers, English and French, visited the coast of Maine the latter half of the 16th century, but without important results. In 1562 the great Coligny, Protestant admiral of France, had obtained a charter for his oppressed Huguenots, and attempted to establish them in the Carolinas under the leadership of Ribault and Laudonniere.§ In 1598 the Marquis of

*A curious interpretation of this wondrous fountain is given in Parkman's *Pioneers of France in the New World*, p. 6, note.

† Dr. Kohl. *Discovery of the East coast*, 164, 276. On old Spanish maps this territory is called *Tierra de Gomez*, and the Penobscot, *Rio de Gomez*.

‡ See Andre Thevet “*La Cosmographie Universelle*,” tom. 2, fol. 1008, Paris, 1575. I have not seen this rare book, but rely upon the citations in Abbott's *History of Maine*, p. 29, credited to Mass. Hist. Coll., vol. VII, p. 243. The story is more fully told in Dr. Kohl's *Disco. E. Coast*, p. 415. It would seem that the French occupied the Penobscot long before Thevet's visit, three hundred and twenty years ago.

§ See the interesting account of Ribault's new sailing course “to the honor of the French name” which led the way for Gosnold in 1602. Kohl's *Disco. E. Coast*, p. 425.

La Roche attempted to found a Catholic and feudal empire on this northeastern coast of New France. His undertaking had other elements of failure. He landed at the dismal Isle of Sable. His colonists were convicts, worn out in heart and hope, and without even manly resolution. This is not the stuff of which even Church and State can build up a civilization. Coligny's enterprises were crushed by the inhuman cruelty of religious foes; La Roche's perished through lack of moral purpose. So disaster seemed to have followed all alike, and Huguenot and Catholic shared the despair.

It is a remarkable fact, however, that in 1574 a petition had been presented to Queen Elizabeth to *allow of the discovery* of lands in America "fatally reserved to England and for the honor of Her Majesty."* In 1578 Elizabeth gave a roving commission to Sir Humphrey Gilbert "for planting," she says "our people in America;" and in 1584 a sort of general charter to Sir Walter Raleigh:† two of the most accomplished men in England, and half brothers in relation. Of Raleigh's heroic efforts and their failure in Virginia,‡ his noble bearing afterwards, and melancholy fate in England we know too well. Gilbert before him had established a little colony at St. Johns, Newfoundland, but its disaster soon followed his own. Returning from an exploration of these milder regions he encountered a terrific storm,—as some say, not far off Monhegan. Remaining resolutely in his little shallop of ten tons, that he might have no advantage of the very least of his companions, he buffeted the tempest with calm mind and skillful hand. For a time those in the larger ship saw his little light tossed on the midnight seas. Suddenly it was swallowed up from sight, and nought was left of that great heart above the face of earth or ocean, but a sublime voice of manly cheer borne across the roaring storm,—“We are as near Heaven by sea as by land!” Heroic and pure soul: we doubt not he was very near.§

* Calendar of Colonial State Papers, Sainsbury, vol. I.

† See these charters, Hakluyt Papers, Folio Edit. of 1589, pp. 677, 725.

‡ The whole North coast was so named in honor of Elizabeth. It might be some compensation to the proud Queen, who was yet so thoroughly human, thus to emphasize and perpetuate that incident of her life which was doubtless her one great sorrow.

§ “Then as he was refined and made nearer drawing unto the image of God, so it pleased the Devine Will to resume him unto himselfe, whither both his, and every other high and noble minde have alwaies aspired.” Edward Haies' account of Sir Humphrey Gilbert's last voyage. Hakluyt, p. 697.

And so it all had ended. At the close of the sixteenth century these shores remained an unbroken wilderness, without a single European family from Florida to the frozen ocean. As for England, she had not a colonial possession on the globe.

But there now appear upon the scene two men of resolute character and commanding genius, unconscious rivals, full of mighty thoughts of empire, but lacking fit followers; both destined to fail of their immediate design, but both to live in the works that follow them.

To Samuel Champlain and Ferdinando Gorges belongs the glory of setting in motion the great powers that were to contend for the mastery of the New World.

Prompted by the brilliant operations of Champlain (under the auspices of a company of Rouen merchants,) King Henry of Navarre in 1603 granted to De Monts, a Protestant gentleman and member of the king's household, a charter conferring the possession and sovereignty of the country from latitude 40° to 46°—that is from the latitude of Philadelphia to a parallel a little above Mount Katahdin and the city of Montreal. Champlain accompanied him on his voyage. His company was strangely mixed—"the best and the meanest of France"—noblemen and gentlemen, vagabonds and ruffians; Catholic priest and Huguenot minister, who, as Champlain says "fell to with their fists on questions of faith;"—not a promising company surely for the hope of a new world. They established their first colony and spent their first winter on an island in the St. Croix river, now on the borders of the State of Maine.*

Thus it was a French Protestant who first broke the vast and dreary solitudes of the Atlantic shores. This settlement was soon abandoned and another begun at Port Royal, which afterwards became permanent, now known as Annapolis, Nova Scotia; and a name was given to the whole region around, now consecrated in human sympathy and song by Longfellow's Evangeline—Acadia.†

* Neutral Island; the identification of which determined the vexed question of our eastern boundary; "so this little spot (says Gen. Brown, paper on Champlain, Hist. Soc. Coll. vol. VII) has acquired a national importance." See a vivid description of the search and discovery, Parkman's "Pioneers of France in the New World," p. 227.

† The suggestion of Abbott, History of Maine, that this name is from the Greek Arcadia is not good, historically or etymologically. R is too strong a letter to be so ignored. The art of suppressing it in speech is late and local, and it is to be hoped destined to be a lost art. The most reasonable conjecture as to the name is that it is connected with Quoddy. It first appears in De Monts' charter, and in the form, La Cadie. On the map of English and French claims in 1755, Passamaquoddy is spelled Passamacadie. Quebec also was spelled Kebec.

It is impossible to trace within the limits of this discourse the various and energetic efforts by which the French settlements were pushed along our coast; although no chapter of exploration is more interesting than the voyages of De Monts and Champlain in 1604-5-6, and their careful study of prominent points, especially at Casco Bay and Saco; * or the settlements at Mt Desert, and in the Pentagoet or lower Penobscot region, of which the headquarters were at Castine, a peninsular and promontory well befitting, in its picturesque and wonderful beauty, a history doubtless the most romantic of any in Maine; or even the subsequent forays upon the English at Pemaquid to maintain a show of claim, and the more effectual expedient of the missions on the Kennebec;—the French thus by actual occupation seeking to make the Kennebec the western limit of Acadia. † Nor does the occasion permit me to follow even on the wing the romantic career of Champlain, after the father of the great Conde as Viceroy ‡ had brought his powerful aid to the cause, or that heroic and wonderful missionary work along the great interior water courses—a work which more powerful than the might of arms, brought four-fifths of this entire country under the the flag of France. For the matter now in hand it is enough to say, that for reasons then accounted valid, France had good pretence of claim to two-thirds of the present State of Maine.

I must balance the chief figures of the picture by setting over against this French charter of De Monts, 1603, the great English charter given by James the First, April 10th, 1606. This celebrated charter deserves a few words of introduction. In 1602, Bartholomew Gosnold, full of noble enterprise, set forth for the New World. Avoiding the old circuitous route by the Azores, and profiting by the experiment of the bold Huguenot Ribault, he stood straight across from Falmouth, England, very nearly to

* Aueocisco and Chouaquoet. These written words are efforts to represent the sound of the Indian names. We cannot tell how to pronounce them until we know what was the language of the writer. This French spelling Chouaquoet shows that our word Saco was, from the first, pronounced Saw-co.

† "The Court of France adjudged that they had the right to extend the limits of Acadie as far as the river Kinnibeque." French Commissioners, Treaty of Utrecht.

‡ Henry II. De Bourbon. He commissioned Champlain, two days after his own appointment. Prof. Ridpath is in error, when in his excellent history he says this is the "great Conde." See Charlevoix, *Hist. de la Nouvelle France*. A splendid edition has been lately published by the distinguished historical scholar, John G. Shea.

what is now Falmouth, Maine. Thence he passed on southward and made an earnest though unsuccessful attempt to plant a colony on the islands south of Massachusetts. The subsequent career of this able man belongs to the history of Virginia.*

The next year Martin Pring, under instructions of Richard Hakluyt, with the "Speedwell" and "Discoverer" followed Gosnold's track. He made the islands in Penobscot Bay, which he named the Fox Islands, and revelling in the grand scenery of those waters he passed on to the Kennebec, then amidst the beautiful islands of Casco Bay and up the Saco river to the falls. We may be very sure that glowing accounts of these explorations warmed a new interest in England.

In 1605, Capt. Waymouth, with the countenance and support of Sir Ferdinando Gorges and the Earls of Southampton and Arundel, pursued the same course and object. In his superb ship the "Archangel," he came to anchor under Monhegan, whence he visited the mainland and explored what Strachey calls "the excellent and beneficial river of the Sagadahoc," and afterwards it would seem the regions of the Penobscot.† The enthusiastic story of these explorations told by Rosier, the historian of the voyage,—whose name still rests on the bold headland south of Castine,—was the spring of new enterprises."‡ Even the wrongs Waymouth did were overruled for good. It was a base act, doubtless, to kidnap the natives; but he did it not for the infamous purpose—as so many others had done—of selling them into slavery, but that they might testify and illustrate the wonders of these new lands. Three of these were sent, rather as guests than gifts, to Sir Ferdinando Gorges, governor of Plymouth, who

* The land-fall of Gosnold has been a matter of controversy. Strachey, who was a contemporary, says they made the "land about Sagadahoc." Brereton, a companion and historian of the voyage, says they named this the Northland, and stood off southerly into the sea, making land the next day,—which must have been Cape Cod. Archer, journalist of the voyage, confirms this, and adds the remarkable incident that when they anchored under this Northland, eight Indians in a Biscay shallop, with mast and sail, came boldly aboard, some of whom were dressed in European clothing. This was in Casco Bay, May 14th, 1602. The evidence is well summed up in Poor's *Vindication of Gorges*, p. 30, note.

† The exact route of Waymouth's explorations, and the locality of his "Pentecost Harbor," have also been subjects of investigation. His base of operations, however, appears to be the region about Pemaquid and Sagadahoc.

‡ This voyage was perhaps the immediate occasion of the formation of the famous Plymouth Company in England.

kept them for three years, both teaching and studying them, and thus making himself familiar with many things concerning the people and country. "This accident," says Gorges, "must be acknowledged the means under God of putting on foot and giving life to all our plantations."

Gorges now enlisted the sympathy of many of the most eminent men in England, among whom was Lord Chief Justice Popham, in the enterprise of establishing actual English settlements on these shores. The noble efforts of Raleigh had not passed out of thought, and the new project took a wide scope and double objective. The great charter of Virginia provided for two colonies, one under the London Company, to be between the 34° and 38° of latitude; the other under the Plymouth Company, between the 41° and 45°—or to speak more plainly, between the latitude of New York City and that of Passamaquoddy Bay, and the city of Bangor. As this latter territory lay wholly within the limits of the French grant and claim, it is easy to foresee what conflicts of jurisdiction, and what bitter struggles for mastery, when each party feels assured it is right, must vex and harrow this fair land.

Preparations were immediately made by both companies under this ample charter. Strange mishaps befel the ships first sent out to found the northern colony. And so it chanced that the first settlement was made by the southern colony at Jamestown, South Virginia, May 13, 1607. But on the 31st of the same month of the same year, set sail from Plymouth, England, two ships, "The gift of God," and "The Mary and John," with 120 persons, to plant a colony on these much sought shores. They were commanded by George Popham, brother of the Lord Chief Justice, and Raleigh Gilbert, son of Sir Humphrey and nephew of Sir Walter Raleigh—two as noble and gallant commanders as ever faced the dangers of the elements, or of man. "These frail barks were freighted with the best hopes, and anxious doubts of wise and earnest and noble men, who through the mists of coming times beheld a new world rising out of the dense forests behind these rocky ramparts." On the 17th of August, the little fleet having barely escaped destruction in a terrible storm on that dangerous lee shore, lay moored beneath the crests of Seguin "which pile their sheltering rocks seaward."* After careful

* Mr. Sewall's paper, Me. Hist. Soc. Col. VII, p. 299.

exploration they debarked on the peninsula of Sagadahoc, at the mouth of the Kennebec, on the spot now commemorated by Fort Popham. They had brought their good minister with them, Richard Seymour; and with solemn ceremonies of prayer and sermon they dedicated the spot to civilization and themselves to God's service, and inaugurated their government. They worked right earnestly. First, they fortified the ground, and built a fort mounting twelve guns. Soon fifty houses and a church sprung up under their busy hands, and a keel was laid for a thirty-ton vessel, which was afterward named the "Virginia of Sagadahoc," the first vessel built on this continent by European hands.* It seemed as if this were an auspicious beginning for English homes. But troubles came down upon them. The winter was one of extraordinary severity. The death of their governor, George Popham, and the necessary return of Gilbert to England, left the colony without a head, and the members became disheartened and soon dispersed. Some of them returned to England, some went to Virginia, and some, there is every reason to believe, made their way to the neighboring regions of Monhegan and Pemaquid.† And so passed,—perished, shall we say?—the first organized English colony on these New England shores ‡

The Maine Historical Society has of late brought this colony into much prominence,§ and it is possible that local pride, together with the great respect still paid here to the English church, and possibly that generosity which accompanies the restitution of justice long withheld, may have pushed these claims to an importance which seems to disparage that of Plymouth as a political event. For my own part, I do not attach any great importance to the Popham colony as a fact seen only in itself.

* The yacht "Restless," built near New York by Adrian Block, was built in 1614, seven years later.

† There is French tradition to this effect. There were English at Pemaquid in 1608–9. *Relations des Jesuits*, Vol. 1.

‡ Strachey's account. *Me. Hist. Coll. Vols.* iii. p. 308.

§ It is difficult to understand the animus which this claim has provoked in the minds of our good cousins of Massachusetts. Mr. Haven (*Lowell Inst. Lectures*, "Nass. and its early Hist." p. 141) calls this public meeting of the Historical Society at Fort Popham a farce, and speaks of the company as a band of outlaws; and afterwards repeats the charge, comparing them to the French felon company of La Roche at the Isle of Sable. The "farce" may be matter of judgment, but the "felon" charge is a question of fact. And it appears to be a distinguishing characteristic of this Sagadahoc colony above all others, that it contained no persons of this description.

This colony indeed, as much as any other of that time, was full of the purpose and potency of civilization. It was deliberately intended and planned for men in their largest capacity and widest relations, with ideas of society and government and law and morality and religion. It was to be followed up by reinforcements as rapidly as they could be cared for. Not enthusiasts nor martyrs were our colonists, but they were prompted by some of the best blood that stirred in English hearts. Still, something was lacking of the elements out of which States are built. Certainly it was not high purpose nor devout feeling. Perhaps, as has been suggested, it was the absence of woman's brave and heroic spirit which made mens' hearts succumb to sufferings and danger. Then, too, it is only the sacrifice of even the highest things in self for the sake of things greater than self, that builds any lasting institutions or wins any worthy rewards, even in this world. That lesson the colonist had not learned.

But there is another light in which to view this colony—a light that shines from across the sea, and is reflected back. It is the fact seen in its reasons and relations—its causes and effects—that makes it a power in history. As a political event its importance does not wholly depend on the permanence and fixity of the colony. Even the unsuccessful attempts of Raleigh and Gilbert and Gosnold, were not without influence. But the Sagadahoc settlement subserved a far higher office in the history of New England colonization. It established the title of England, as against France, in the whole New England territory. In this regard the Government of England lifted this little colony into great importance. It is referred to in almost every instance of controversy as furnishing the very element which was essential to valid title, and which was hitherto lacking,—that is, actual occupation by settlement. The English claim was no longer barred by their own maxim, "Prescription without possession does not give title."

Nor must the critics of Maine's pretence to consideration among the forces that gave America to Englishmen, forget that this was by no means the only English settlement in this region on which good title to priority could be set up. It appears to me that our friends of the Historical Society have not availed themselves of all the strength of the case, in not making more account of the evidences of the substantial continuity of settlement in these

regions, at an earlier date than that of any other portion of New England. This appears by testimony scattered through the records of that period. It is freely granted that after the disaster of the Popham colony there was no organized attempt at colonization for some time. But when other hearts were failing them, Gorges held firmly to the grand thought and purpose of his life. He never ceased to stir others to new efforts, and he kept up his own communications with this intractable new world. When nothing else would do, he hired people to live here. Moreover, the importance the English government constantly attached to the Maine settlements would seem to argue that they were something more than a single dispersed and abandoned colony. It would seem that the whole region between Pemaquid and Sagadahoc was a scene of busy enterprise, too shifting in *personnel* to be called in strictness settlement,—still, never wholly relinquished nor even languishing, but such as it was, a bold and substantial beginning of settled life and home.

Prince (*Annals*, 117) says, two ships sailed from Sagadahoc December 15, 1607, with all their company except forty-five, for England. The statement is not precisely accurate, but still contains valuable evidence. Only one ship sailed at that date, which returned with supplies, and then "two ships" sailed for England, as said above,—one of them the "Virginia." If the colonists left in such numbers the first winter, President Popham would have mentioned it in his letters surely, and it would have been remarked upon at home. The statement that when the two ships left they took all but forty-five, is doubtless correct, but the two ships were the "Mary and John" of London, and the "Virginia" of Sagadahoc. What then became of the "Gift of God," and the forty-five men? Is there not a reasonable presumption that they betook themselves to the stronger position at Pemaquid, and formed the nucleus of these "scattered beginnings" so often, though obscurely hinted at in many records of that period, and which grew into the settlements known at the time of the arrival of the Puritans, as at least comparatively well established and flourishing? *

Hubbard (in his narrative, p. 280) says, "after the attempt to settle Sagadahoc, *other places adjoining* were soon seized and

* The case is well presented in a paper of R. K. Sewall, Esq. Popham Mem. Vol., p. 140.

improved for trading and fishing." He also says (Hist. New England, p. 40) that Dermer was employed by Gorges in 1619 "to settle the affairs of the Plantation now *a third time* revived again about Kennebec."

Prince (Annals, 209, 215) mentions the island of Monhegan in 1623 as a plantation of Sir F. Gorges, and afterwards the "scattering beginning made at Monhegan, and at some other places by sundry others."

Captain Levett made a voyage along the coast of Maine in 1623, to find a place for a plantation. He found Pemaquid already a mart of trade, and as he says this place, Cape Newagen, and Monhegan were granted to others, he went to a place called Quack, which he re-named York, where he built a house and fortified it in reasonable good fashion.*

And how was it that Samoset, Lord of Pemaquid,† who surprised the Plymouth pilgrims with his "Welcome," was so master of the language as to be the interpreter of the colonists, unless he had familiar intercourse with Englishmen at his home?

I refer once more to the supply of food for the suffering Pilgrims in 1622, which Winslow found at Monhegan, by which voyage, he says, "we not only got a present supply, but also learned the way to those parts for our future benefit."‡

Prince (p. 236) quoting Bradford as authority, says of the year 1626, "This spring a French ship is cast away at Sagadahock; whereby many Biscay rugs and other commodities fall into the hands of the people at Monhiggen and other fishermen at Damarin's cove."

It is well known that Vines, the agent of Gorges, spent the winter of 1617 at the mouth of the Saco. In 1623 he was "living there" with his companions. In the patent to Oldham and Vines, 1629, it is recited that Oldham had for the six years past lived in New England, and had at his own expense transported divers persons there for the advantage of the general plantation of that country. "Tradition has assigned to Vines the honor of holding Pemaquid, Monhegan and Sagadahoc from 1609, when he removed to Saco."§ Sir Ferdinando Gorges says plainly that

* Levett's Voyage, Me. H. S. Coll. II, 88. This York has no connection with our present town of that name; it was probably on Casco Bay.

† Wrongly called a Wampenoag in some modern histories.

‡ Prince, 203.

§ Poor, Vindication of Gorges.

the settlement of Vines was *before the voyage of Hobson*, who came over in 1611. There were settlements, or trading posts, still farther inland. There is not much doubt that it was as early as 1626 that Thomas Purchas was established with his family at Pejypscot (now Brunswick.)

These are but the briefest hints, and not a thorough showing of the merits of the case. Observe, I am not claiming for these settlements municipal organization, nor intrinsic worth and dignity, but only their mere existence and its actual recognition by England.*

Capt. John Smith, in 1614, had come, to hold possession if need were, at Monhegan. But he concluded rather to build seven boats here, in which his company made a great fishing voyage, while he with eight men ranged the adjacent coasts. "On this voyage," he says, "I tooke the description of the coast as well by map as writing, and called it New England; but malicious minds amongst Sailors and others, drowned that name with the echo of Nusconcus, Canaday, and Pemaquid; till at my humble sute our most gracious King Charles, then Prince of Wales, was pleased to confirme it by that title, and did change the barbarous names of their principall Harbours and habitations for such English, that posterity may say, King Charles was their Godfather."

This map was published in 1616, with the "writing" as well; † and it is curious to see these names written at important points, marked also by figures of English-built houses, as if there were some respectable beginnings to warrant it. Pemaquid is called "St. John's town:" a village near where Brunswick now stands is "Cambridge:" Casco (Yarmouth and Cumberland) is called "The Base:" Saco is "Ipswich:" York is "Boston:" and

* Capt. John Smith, a man who certainly does not mince matters of speech, intimates no sporadic and short-lived attempt when he speaks of the Sagadahoc as that river "where was planted the Western Colony by that Honourable Patrone of vertue Sir Iohn Popham, Lord Chief Iustice of England." Description of N. England in 1614, p. 22. Another passage may be cited from Virginias Verger: a learned and curious Discourse on the rights and benefits of English occupation in America. It has no date, but was written before 1620. "Mawooshen and other parts were many years visited by our men, and An. 1607 a Plantation settled at Sagadahock by two ships sent by that wise and seuerer Iustice Sir Iohn Popham and others: the succeſſe whereof hath been such that from the North Plantation it hath been dignified with the Title of *New England*." Purchas' Pilgrims. Bk. 9, ch. 20, vol. IV, p. 1812.

† John Smith's Description of New England, London, 1616.

strange to say, the name "Plimouth" marks the spot where six years afterwards the Pilgrims landed.

It has been claimed* that this map of Smith's is conclusive of the question. I do not, however, press the argument so far. There is danger of the fallacy of "proving too much," as English names are given also to various spots in Massachusetts Bay known not to have been then occupied by Englishmen. The map certainly implies that there were settlements of some kind at these points on our coast, and if other evidence shows that there were English people there, both lines of argument together make a strong case.

But however it may be with John Smith's testimony, there is no doubt of the existence of such occupation, settled or unsettled, as furnished England with her argument against the claims of France. I cite two cases to show on what ground the English based their title.

The Spanish Secretary of State, 1612, complaining to the English King that he has planted his subjects in a country given by the Pope to Spain, Sir Dudley Carleton replies in behalf of his King, that "the possessions north of Florida belonged to England by the right of discovery and actual possession by the two English Colonies thither deducted, whereof the latter is yet there remaining."

Again, in 1624, M. Tilleres the French Ambassador, claimed the territory of New England as a portion of New France, (as he might very justly do) and agreed to yield every thing else down to the gulf of Mexico. French plans of empire looked northward, and rested their base on the great inland sea where for a hundred years they had held almost undivided empire. The position was truly one of imperial importance, and it was felt to be so both by the French and English King. James I. called on Gorges to answer the French Ambassador's demand. He tells us he made so full a reply that there was no more heard of the French claim. By the abstract of this reply it appears that he based no argument whatever on the Plymouth Colony, but rested the case wholly on the settlements about the Kennebec in 1607, and following years, under the Great Charter of 1606 †

* Popham Memorial, p. 346.

† But Mr. Haven, (*Massachusetts and its early History*, p. 138,) says it was Gilbert's proceedings at Newfoundland which substantiated the English title to the whole country!

It has been claimed by some that the attempt of Gosnold on the Massachusetts coast in 1602 should have equal consideration. I do not disparage the noble enterprise of that leader whose followers so unworthily forsook him. But that attempt was solitary and isolated, and utterly abandoned, and forms no part of the early argument. Moreover, this was prior to the date of the Royal charter, and hence of no legal effect in establishing title.

Nor does the settlement of Jamestown, Virginia, come within our consideration; because this lay below any of the territory covered by the French charter, and so outside the French claim. The country in dispute, the coveted land, was that which is our New England,—especially the shores of this gulf of Maine.

What even if no one of these hamlets preserved an absolute identity of place or persons, or continuity in time? * It nevertheless remains true that these early settlements, broken, scattered, insignificant pictures as they appear in themselves, were yet so permanent in their *ensemble* and constituted such persistent occupancy, that they stood forth like a bold headland or outer bastion of defence, by which England maintained her position against the assaults of France.

Had there been no English settlement or occupancy north of the 40th parallel of latitude prior to 1610, when Poutrincourt obtained a new grant of Acadia, the whole country north of that line must have fallen into the hands of the French, and there is no reason to doubt that at the first clash of arms France would have swept the British from the continent. †

The French claim was founded: 1st, on the voyage of Verrazano, 1524, who first discovered the Gulf of Maine, and named the adjacent country New France: 2d, on the discovery and occupation of Canada by Cartier, 1535, and following years: 3d, the grant of Henry IV, 1603, to De Monts: 4th, the voyage and occupation of the country under De Monts and Champlain, and others who claimed under this charter. The English title was defended on the following grounds: 1st, the discovery of Cabot, 1497: 2d, the possession of Newfoundland by Gilbert, 1583: 3d,

* The scattered settlers appear to have been in the habit of deserting their homes when threatened by the French or Indians, and gathering in the forts at Pemaquid and elsewhere.

† Poor's Vindication of Gorges.

the voyages and landings by Gosnold, Pring, Waymouth, and others: 4th, the charter of 1606, and consequent occupation by Popham and Gorges.*

We may well doubt if either of these sovereigns in thus assuming to bestow this country, had any rights which were founded on the principles of justice or the laws of nations. As simply representatives of their subjects the sovereigns could not grant what the subjects had not first acquired. A nation can acquire territorial rights by pre-occupancy, by conquest, or by treaty and purchase.† By neither of these titles was any power in Europe authorized to grant away this continent. The right of discovery might indeed give rise to questions of priority among the Europeans themselves, and it might be applicable in the case of desert, or uninhabited lands; but it constituted no right as against the right of nativity, or original possession of the soil. The right by conquest accrues only as the issue of a just cause; and as for the right by purchase, there was very little of that as the foundation of land titles in this country. Pretended purchases there have been, but after the act of occupancy, and even then on no clear and fair terms of exchange. The savage mind may have seemed content with the bargain; but satisfaction for satisfaction is not the same thing as value for value.

The real ground upon which Europeans hold America is in the maxim that "Might makes right." The justification is sought in the doctrine that those have the best right to things who can make the best use of them,—the argument also of gentlemen of the road.

But the foundation of land titles in the original States of this Union, and in the adjacent provinces, is in these early royal grants and charters; the principle of which is purely that of the feudal theory.‡ The doctrine that the sovereign is such by Divine

* The English expressly disclaimed rights of prescription without possession. They never denied the French title to Canada, but claimed to restrict it to what they had first discovered and actually occupied. The French never had any possession of the coast west of the Kennebec. (Willis' Speech at Popham)

† The foundation and nature of man's right to property in the land is one of the most interesting questions in political philosophy, and needs to be more thoroughly discussed than I have yet seen it

‡ So we hold our lands, most of us, on the basis of a feudal title, and we cannot do otherwise. That sentiment, uttered I believe by Pericles, that "What is obtained by wrong it cannot become right to hold," though it would seem sound in morals, is not an admitted maxim, nor even a practicable rule in the affairs of nations.

right,—that is, holding his powers immediately from God, and not deriving them through the people,—regards the people and the land alike as his property. This is the language of court and form in England to-day. This theory and this alone is at the bottom of these grants. Priority of seizure was the issue between the rival sovereigns themselves.*

The great question between the English and French, as to the right of possession, turned on the occupancy of the country under charter. And as the French based their claim largely on the settlements under the charter of De Monts in 1603, so the English based theirs upon this settlement in 1607 under the Great Charter of Virginia, 1606. But as the charter of De Monts had been revoked in 1607, and its rights conveyed by a new charter to Madame de Guercheville, a strong advantage in the French case was lost; for the English claimed with great force that the English settlement under the English charter now gave them absolute priority and indisputable right.

But the French did not so easily abandon their title. On the contrary, they pushed their settlements and arms and missions † to the very western verge of their claim. When the Sagadahoc colony broke up, 1608, it is said ‡ the French began to settle in their limits. The struggle was long and bitter, for both parties were impelled by self-interest and pride, and sustained by an assumed consciousness of right.

France and England in the field! Flags that have wrought

* The Privy Council of England in 1666, in a question that arose under the grant to the Duke of York, decided that "By the law of nations if any people make discovery of any country of barbarians, the prince of that people who make the discovery, hath the right of soil and government of that place; and no people can plant there without the consent of the prince, or the persons to whom his right is conveyed" So much had the theory "*Prescriptio sine possessione haud valet*" been modified from the time of the Tudors to that of the Stuarts.

† Father Dreuillettes had a mission on the Kennebec, 1646-52, and Father Rales in 1722. I can find no confirmation of Father Vetromile's statement that Madame de Guercheville had chosen the Kennebec as the favored spot for the Jesuit Mission. Biencourt and Father Biard had indeed visited this river in the autumn of 1611, and appear to have gone up the Androscoggin. But the objective point of the intended Jesuit Mission was somewhere near the famed Norumbega—that is, at Kedeskit (Kenduskeag) on the Pentagoet (Penobscot). It was thick a fog which stopped them at Mt. Desert. They named their station St Saviour, out of gratitude for deliverance from the breakers. See the account, *Relations des Jesuites*, Vol. I, chapt XXIII; also notes to Poor's *Vindication of Gorges*.

‡ Prince's *Annals*, p. 119. President and Council's Relation, 1622.

high history ere now. How shall it be for the new world? It must be admitted that the French had as good a claim here as the English, and that they defended it with more chivalrous methods, and especially that their dealings with the aborigines evinced a better civilization, a finer humanity, or at least a gentler Christianity. The old Viking blood was still too unmixed in English veins, and a strange and earnest softness, and a terrible grace seemed to rule the spirits where Gaul and Roman and Frank and Northman—and who knows what strain of Goth or Hun, or even stranger name?—had mingled to make one blood. Shall it be France or England? England!—comes the firm response. Whether for better or for worse is not for us to answer,—nor to question. Providence has settled that.

But imagination may picture what this vast continent would have been to-day, had the grand constructive purpose, the noble human sympathies, the gallant and chivalrous spirit of the great Coligny and Conde been permitted to pass into lasting deed. How different might the lines of history lie, had the pure faith and tolerant spirit of Protestant France been planted here! And even as it was,—under Champlain and Richelieu, and in Jesuit hands,—what a different fate would have befallen the native races, had their country become the possession of that people who made themselves masters of all Acadia even to the very heart of Maine; of the shores of the St. Lawrence and the region of the great lakes, and down that vast valley of the Mississippi,—broad as the ocean itself,—without a single act of treachery or violence, and scarcely making an enemy—though punishing many,—in all that vast extent; and who in spite of all that Churchman or Puritan could do,—in spite of England—in spite of Holland—in spite of Spain—held for more than a hundred and fifty years, twenty times the amount of territory possessed by all the rest, until Wolfe on the heights of Abraham in a single hour changed the destinies of a world!

That fight could not have been fought had not our scattered settlements clung to their little strongholds along these rocky shores, and held the thought and purpose of Englishmen high as the cross that floated above their heads. Deny not then all merit to men whose work though incomplete was needful to later success; grant the good deeds of those,—adventurers or royalists or churchmen,—whose stout manhood and unconquerable hope

held the ground for England, though unknowing the high deeds which Englishmen of another faith should work in the broader name of man!

I have allowed myself so much time on this point because these earliest facts of our history, and the importance in which this portion of the country was held, are at the present time either unknown or studiously ignored. Nor is this merely an old story, or collection of dead facts that have no part in the life that is to be. For let it be remembered that this early struggle had a deep foundation; and rested back on great physical facts, enduring as time, that may yet again in the world's history have mighty parts to play.

My second proposition is that Maine was the offspring of no other colony; or, stated positively, that Maine was herself in some sense the beginning of New England, and came honestly by her motto *Dirigo*, which so few seem to understand; and that the persistent promoters of these early settlements—I mean the Pophams, the Gilberts and the Gorges—deserve to be known as they were,—the fathers of New England colonization. Observe, now, I am not undertaking to say that our present institutions were founded by these men, or that their blood runs in the veins of those who now inherit their place and name. Nor do I intend to assume anything that may still remain to be proved upon the question whether it was creed or christianity that was most truly the core and germ of our peculiar New England character and institution—whether the life and spirit which constitute this character is the legitimate outgrowth—single and simple—of the conscientious, constrained and austere Puritan, or the law-abiding, liberty-loving, self-asserting Englishman; or upon the other question, whether the accident of the whole territory lying along the Gulf of Maine being called in a royal charter after the name of a body of water which is but an inlet in comparison, shall be taken as evidence that all the territory so named the Province of Massachusetts Bay, was thereby made an offspring, dependency or fief of the Colony of Massachusetts Bay. But I shall claim for Maine an independent and co-original part in the settlement of New England, and maintain that whatever may be the religious and ethical base of our character, the physical and strategic base of our political history lies here on the shores of Maine.

This can be presented under two points of view : I. Maine as a pioneer. II. Maine as a frontier.

Something of what belongs under this first head has already of necessity been anticipated. The topic may on that account be all the more briefly presented here.

The thought of building up an empire, or at least a civilization in the new world, was a creation of noble brain. Beneath the far-seeing eye of genius a vision arose of great and worthy ends ; of a broad theatre where man could expand to his largest ideals,—of fresh and varied resources which should be the instruments of his noblest satisfactions. This vast conception must needs be slow of realization. It was a work not to be done at a blow. No man could “force the situation.” Like all enduring achievement, the work was to be wrought out by slow and painful degrees, through toil and trial and perplexity and failures—with courage and fortitude and patience—appealing to all high motives and great endeavor. In this grand aim and with this broad charity did these men, noble by name and nature, embark in this enterprise. They were not—as some have ignorantly and even ungratefully charged—stimulated by the paltry greed of gain, nor fettered by political or religious creed. They hazarded their entire fortunes with no hope of reward in kind. They were noblemen, and yet they cared for the lowly ; they were royalists, and yet they held up those that stood for the rights of man as man ; they were churchmen, and they gave the right hand of fellowship to Separatist and Puritan.

Among these pre-eminent in influence and in honor, is Sir Ferdinando Gorges. Amidst all the political discords and distractions at home, he never swerved from his great thought of building up a christian civilization on the shores of the Gulf of Maine. He kept up, in fact, as we have seen, a legal occupancy. Nor were these agents representatives of his title merely, but of his purpose and plan as well. The successful visit of Captain John Smith to Monhegan in 1614, and his favorable account of the adjacent region, kindled a new interest in England and revived the hopes of Gorges. He immediately took the lead in organizing another colony to be conducted by the resolute and dauntless Smith, who, as all believed would be able to give a substantial body to the dim but fair visions that had so long hovered in their sunset skies.

In March, 1615, the little fleet set sail. But it seemed as if this were the signal for all the furies to be let loose. A few days out, a terrible storm swept all the masts of his largest ship by the board, and he was forced to put back to Plymouth. On the 24th of June, in another ship of only sixty tons, he renewed his voyage. Overhauled by an English pirate of vastly superior force, his own bold attitude overcame at once the demands of the pirates and the cowardly entreaties of his officers to surrender, and he effected his escape. Soon he was fallen upon by two French pirates. But nothing daunted, when his officers refused to fight, Smith threatened to blow up the ship under their feet, and opening his four guns on the pirates, he beat them off and held on his way. He next encountered a squadron of French men of war—eight or nine sail. This was an odds too great for his four guns, and he tried his skill at diplomacy. When by this he managed to effect a release, a mutiny arose among his own officers and men, who refused to proceed on their voyage. This brought him on board the French admiral once more, who immediately gave chase to a strange sail which now hove in sight. His own ship's company thus deprived of their commander, yielded to mutiny or despair, and made their way back to Plymouth. Smith was kept two months a prisoner on board the French fleet, and compelled to take part in fighting the Spaniards. At length on the coast near Rochelle, he took advantage of a midnight storm to escape in a small boat. The storm and current drove him out to sea; but the boat drifted on a small island, "where he was found in the morning by some fowlers nearly drowned, and half dead with cold and hunger." * It was a narrow escape; for the French ship had foundered in the night. He succeeded in getting back to England, where he spent almost a year in distributing his books and map of New England, and vainly endeavoring to induce others to form another colony. Had Smith succeeded in reaching this coast at the head of a colony, we cannot doubt what his experienced mind, his practical skill and indomitable resolution would have achieved. But as it was, the hopes of Gorges and his friends were well nigh frustrated. Nothing that could be called a colony had as yet gained a footing on these shores. A few scattered beginnings dotted the coast between the Piscataqua and the Penobscot.

* Mr. Folsom's Discourse, Me. Hist. Coll. II. 238.

We have now to notice that Gorges unselfishly lent his best aid to every enterprise that might promote that dearest thought of his heart, the settlement of New England by English christians. It deserves to be known that the Pilgrim colony at Plymouth, was an object of his special care.

Previous to March 1617, Gorges had been foremost among those who advised and persuaded the Brownists at Leyden to come to these shores. At this time, he says,* it was his desire and study "that means might be used to draw into those enterprises some of those families that had retired themselves into Holland for scruple of conscience, giving them such freedom and liberty as might stand with their likings. This advice being harkened unto, there were that undertook the putting it in practice, and accordingly brought it to effect (such as their weak fortunes were able to provide) and with great difficulty recovered the coast of New England." †

It was Gorges also who obtained for them their final charter—given June 1st, 1621, enlarged in 1630—on which all the legal titles of the "old Colony" are based. He says, "when they found they had no authority which could warrant their abode in that place, they hastened away with their ship, with order to their Solicitor to deal with me, to be a means they might have a grant from the Council of New England's affairs to settle in the place; which was accordingly performed to their satisfaction and the good content of them all." ‡

Before the Puritans set foot upon the shores of Massachusetts Bay, the Pilgrims had been made welcome to establish themselves,—or rather their settlements and trading posts,—at two of the most advantageous positions in Maine: the first in 1626 at Pentagoet, (Castine) § from which they derived good revenue, and where the encroachments of the French gave Miles Standish occasion for his stout sword; the second in 1628, on the Kenne-

* Brief Narration, chap. 21.

† They came, it seems, with Captain John Smith's chart of New England in their hands, whereon, as we have seen, was already marked the site and name, New Plymouth. He says they thought it cheaper to take his chart, than himself as pilot. He speaks a little severely of their not taking more advice from him. Advertisements for unexperienced Planters. (London, 1631) pp. 31-38.

‡ Brief Narration, p. 48.

§ Bradford's History, Mass. Hist. Coll. Vol. III, p. 332. Also Judge Godfrey's article, the Pilgrims at Penobscot, Me. Hist. Soc. Coll., Vol. VII.

bec,* where, on their petition, they had a large and most valuable grant comprising at least a million and a half acres,—where also the famous John Alden figured as chief, and where conflicting claims afterward led to long strife and to bloodshed. The Pilgrims did not hesitate to acknowledge their obligations to Gorges, in terms which showed the warmth of friendship between the churchman and the separatists. Thus, in a letter to him from Governor Bradford and others, in 1628, they say, “Honorable Sir: As you have ever been, not only a favorer, but also a most special beginner and furtherer of the good of this country, to your great cost and no less honor, we whose names are under written, being some of every plantation in the land, deputed for the rest, do humbly crave your Worship’s help and best assistance.” †

Moreover, it was the influence of Gorges and his associates, strengthened by their actual operations in settling the country, which procured the charter of 1620—while the Pilgrims were on their passage, and nine years before the Massachusetts Puritans landed—which is known as the Great Charter of New England. The charter itself declares, “We have been humbly petitioned unto, by our trusty and well beloved servant, Sir Ferdinando Gorges, Knight, Captain of our Fort and Island by Plymouth, and by certain the principal Knights and Gentlemen Adventurers of the Second Colonye, divers of which have been at great and extraordinary charge, and sustained many losses in seeking and discovering a Place fitt and convenient to lay the Foundation of a hopeful plantation, and have years past, by God’s assistance, and their own Endeavors, taken actual Possession of the Continent hereafter mentioned in our name and to our use as Sovereign Lord

* This grant conveyed “all that tract of land lying in and between and extending itself from the utmost limits of the Cobbosee Contee, which adjoineth the River Kennebec, towards the Western Ocean and a place called the falls of Nequamkike, and the space of fifteen miles on each side of the said River Kennebec.” It is not known to this day what place is meant by the falls of Nequamkike. But this grant holds a prominent place in the history of land-title litigation. The Pilgrims sold their interest in 1661, for £400 sterling, to four persons whose heirs held it for nearly a century, without efficiently organizing the settlement of the country. In 1753 the lands passed to a company, and were thenceforward known as the Kennebec Purchase. The company had to contend with powerful neighbors, east and west—the Pemaquid and the Pejepscoot Proprietors—but it maintained its regular meetings until 1816. See the valuable History of the Kennebec Purchase, by Robert H. Gardiner, Esq., Me H. S. Coll. Vol. II.

† Bradford’s Letter Book, p. 63.

thereof, and have settled already some of our people in places agreeable to their Desires in those places."

This charter of 1620 granted the territory, from the fortieth to the forty-eighth degree of north latitude,—that is, from the latitude of Philadelphia to the Bay of Chaleur,—and through the mainland from ocean to ocean, to be known by the name of New England in America. The corporation was called the "Council of Plymouth" in the County of Devon, and the chief managers were Sir Ferdinando Gorges, Captain John Mason, and the Earl of Warwick. The breadth as well as the centre of their intended operations may be seen in the project early started of laying out a county forty miles square for general account, on the Kennebec river, and building a great city for a metropolis of New England on Merrymeeting Bay, at the junction of the Kennebec and Androscoggin. These grand schemes were thwarted by the complications which arose at home and abroad, if indeed they would have been practicable in themselves. I only mention them for the purpose of showing that there were plans and purposes for New England, and even for Maine as its centre, before Massachusetts was settled at all.

I have already spoken of the patent granted the Pilgrims, June 1st, 1621, which was the very first grant of the Council of New England, and of the large grant of the Kennebec lands to the Pilgrims also, in 1623 and 1629. August 10, 1622, a patent was given to Gorges and Mason, conveying to them the country between the Merrimac and Kennebec to the farthest head of said rivers, and sixty miles inland, together with all the islands and islets within five leagues of the shore, which the indenture states "they intend to call the PROVINCE OF MAINE."*

* This has been erroneously termed the Laconia grant by Dr. Belknap (Hist. of New Hampshire) and by historians generally, misled perhaps by the account of F. Gorges, the younger in his "America Painted to the Life," (London, 1658) who says the Province is "landward," and takes its name from the great lakes lying therein, but goes on to describe it as having the Sagadahoc and Merrimac south of it and as included in the Province of Maine. Bancroft, even in his Centenary Edition, Vol. I, 275, is still wrong as to this matter. Abbott also follows, calling Maine and New Hampshire, Laconia. The true Laconia grant was in 1629 and embraces the river and lake of the Iroquois (Lake Champlain) and the lands bordering on these waters ten miles on the south and east, and still farther west and north towards Canada. This grant was never effectual. The agents of Gorges searched three years for Laconia and returned the report, "non est inventa Provincia." Mr. Dean, Report of Council American Antiquarian Society, 1868. Hubbard Hist. New Eng., chap. XXXI. Haven, grants under great Council of N. England, p. 156. Prof. Ridpath's map of English grants has the still different error of giving the name Laconia to the Lygonia grant between Kennebunk and Casco.

But it was Gorges, also, who, with the Earl of Warwick, was instrumental in procuring the patent for the Puritans of Massachusetts Bay. Their views of church service were not the same; but the view of a new world to be built up by Englishmen for the glory of God's name, left no room for petty, partisan thoughts in his large mind. This patent was given March 19, 1628, covered and confirmed also by a Royal charter, September 29, 1629, which gave more security and definiteness to the political rights conveyed.*

In this patent, Gorges says it was expressly conditioned, that the grant should contain nothing to the prejudice of his son Robert's interest, who in 1622 had a patent under the great New England Charter, of a tract extending ten miles on Massachusetts Bay. But the Massachusetts agents shrewdly found a way to pretend that this grant was "void in law," and the colony were advised "to take possession of the chief part thereof." This was forthwith done, and the former grantees driven off.†

In 1629, Gorges and Mason divided their territory. Mason took the western portion between the Merrimac and the Piscataqua, which he named New Hampshire, he being at that time Governor of Portsmouth in Hampshire, England; and Gorges the rest, from the Piscataqua to the Sagadahoc,—the region where his heart had always been,—and which ten years afterwards received the name of Maine.

Thus it appears that not only were these New Hampshire and Massachusetts settlements subsequent to those in Maine, but that they were each and all of them, indebted to the patronage of Gorges—younger members of his family of colonies—more favored brothers, who afterwards took the birthright.

Still more than this; Gorges suffered in the estimation of the high church party for his friendship to the Pilgrims and Puritans. Amidst the multitude of other vexations set forth by the Council of Plymouth, as reasons which drove them to give up their charter,

* The Council of New England have no authority to convey powers of government. (Opinion of the Chief Justices of England on Mason's New Hampshire grant.)

† When the Council of New England resigned their charter, 1635, they say that the Massachusetts Company "presenting the names of honest and religious men, easily obtained their first desires; but those being once gotten, they used other means to advance themselves a step beyond their first proportions to a second grant surreptitiously gotten, of other lands also, justly passed unto Captain Robert Gorges long before."

we are told "the country proving a receptacle for divers sorts of sects, the establishment in England complained of Sir Ferdinando Gorges, and he was taxed as the author of it, which brought him into some discredit, whereupon he moved those lords to resign their grand patent to the King."*

The encroaching disposition of the vigorous Massachusetts men had already added the sting of ingratitude to the afflictions which embittered Gorges' contemplations of his toils, and we cannot wonder—little as we may have wished his success—that he advised the king to revoke the Massachusetts charter.

We often have our attention called to what are thought to be the retributions of history, but the unrepaired injustices of history appear no less striking. After all the unselfish kindnesses and efficient aid the early Massachusetts settlers had received from Gorges, it does not suit our notion of the "fitness of things" that they should not only have succeeded in obtaining possession of his entire territory, but also in consigning his name to obscurity, obloquy or ridicule. However, we may appease our sense of justice by the charity of his own words: "But if there be any otherwise affected, as better delighted to reap what they have not sown, or to possess the fruit another hath labored for, let such be assured, so great injustice will never want a woful attendance to follow close at the heels, if not stayed behind to bring after a more terrible revenge. But my trust is, such impiety will not be suddenly harbored where the whole work is, I hope, still continued for the enlargement of the Christian faith, the supportation of justice, and love of peace. In assurance whereof, I will conclude, and tell you, as I have lived long, so I have done what I could. Let those that come after me do for their parts what they may, and I doubt not but the God that governs all, will reward their labors that continue in his service."

In thus claiming the independent and earlier settlement of Maine, it may be expected that I should be exact and definite. Precisely at what time and place the first permanent settlement of Maine was made is a difficult matter to determine. This is so for the reason that the planting of Maine was by settlement rather than by colonies—"scattered beginnings," shifting homes and shifting occupants, which literally "settled" into shape and

* F. Gorges, (grandson of Sir Ferdinando) "America Painted to the Life."

name. It has been quite the fashion to say that Maine was first settled near York in 1630 by colonists or immigrants from Massachusetts. Bancroft, no over-willing witness, admits * settlements gathering strength about Saco, Monhegan and Pemaquid, between 1616 and 1626. If Governor Sullivan is correct in his statement, † that there were in 1630 eighty-four families, besides fishermen, about Merrymeeting Bay, Sheepscot, Pemaquid and St. Gorges, and as many more "within land," there must have been at least 1,500 white people between the Piscataqua and the Penobscot at that time. Williamson ‡ gives a table, I know not on what authority, evidently no mere estimate, (although even if it were, it would prove some considerable settlements) in which the population at that time of the several plantations is as follows: Isles of Shoals and other places, 200; Piscataqua settlement, 200; Agamenticus (York) 150; Saco, including Black Point, 175; Casco and Pejepscot, 75; Kennebec Patent (Pilgrim grant) 100; Sagadahoc, Sheepscott, Pemaquid, St. Georges and Islands, 500.

If these statements are correct, the implication is almost beyond the possibility of doubt (especially considering that these were slow settlements and not colonies) that these people must have been at least ten or fifteen years in arriving at that degree of establishment.

I have already shown the probability that there was a practically continuous settlement about Pemaquid and Monhegan, ever since the Popham colony dispersed. This appears to be well corroborated by the testimony now adduced, and my answer to the main question would be that the permanent settlement of Maine *begun* in 1607 and 1608, and in the region of the Sagadahoc. §

With this I rest my first point, that these early plantations were

* Vol. I, page 259, marginal notes.

† History of Maine, pp. 167 and 191. He gives the authority of Silvanus Davis, Councillor, 1702, from the council files, and so probably official and authentic.

‡ Hist. Vol. I, p. 267. Possibly he means 1635, the year when Gorges organized a government at Saco.

Additional evidence may be given. A deed of lands on the Pemaquid was executed to John Brown by two Sagamores, July 15, 1625.

The deed of Warumbo and five other Sagamores, July 7, 1684, says: "Thomas Purchase came into their country nearly sixty years before and took possession of lands from the falls to Maquoit." This shows the "settlement" of Brunswick as early as 1625.

§ Observe that the eastern or Sheepscot mouth is also included, which was often in the earlier times spoken of as the Sagadahoc.

pioneers in the settlement of New England; and that Maine was not settled by colonization, nor the offspring of any other colony.

But 'Maine is the daughter of Massachusetts,' is the early lesson instilled into our minds; and hence it remains for us to understand this paradox—to find the manner and measure and reason of that dependence on Massachusetts which made it possible for such an aphorism to obtain currency. Certainly it is far from being a self-evident proposition.

The old and simple reason is enough, namely, that Massachusetts was the stronger party, and that is the exact story here:—not necessarily, it will be readily seen, that she used that superior strength with malice, or ungenerously, but still that she used it, right or wrong, sagaciously and successfully. This introduces our second point, which was to present Maine as a frontier. This implies, of course, relation to a superior neighbor.

The idea of a frontier is one of much importance, and is illustrated in the relation of Acadia* (Nova Scotia) to New England. Gorges, who was thoroughly English and thoroughly Protestant, saw with the quickness, foresight and comprehension of a born commander, the designs of Catholic France upon our northeastern territory, and resolved on measures to push them from the New England borders. He interested himself in placing the Scotch in Acadia, and to this end procured a grant† from the Council of Plymouth for Sir William Alexander, Earl of Stirling, which was confirmed by a Royal charter from James I. in 1621, naming the country Nova Scotia, and conveying ample and extraordinary jurisdiction. Gorges hoped he had thus opposed an effectual barrier against the French by placing New Scotland on the flank

* The importance of this territory as a vantage ground may be seen in the frequency with which it changed hands:

- 1632, ceded to the French, treaty of St. Germain's;
- 1655, repossessed by the English by conquest;
- 1667, ceded to French by treaty of Breda;
- 1690, conquered by English under Phipps;
- 1691, united to Province of Massachusetts Bay, charter of William and Mary;
- 1696, repossessed virtually by French;
- 1696, surrendered back to Crown of England;
- 1697, reverts to France by treaty of Ryswick;
- 1713, ceded to England by treaty of Utrecht;
- 1755, expulsion of Acadians, who maintained allegiance to France;
- 1759, confirmed to England by capitulation of Louisbourg and Quebec.

† Gorges' Brief Narration, 48.

of New England. But his bold tactics were not vigorously carried out by the Scotchmen. They had not even ability enough to prevent the king, a few years after, from resigning to the French (as a *bonus* in a marriage intrigue) "all places occupied by British subjects in New France, Acadia and Canada." This involved consequences which soon led all New England to see the wise policy of Gorges, and which for more than a century affected the life of Maine in every pulse, to her very heart.

The Great Council for New England did not find it easy to carry out their grand schemes of building up cities and counties and States without first developing the natural resources of the country. Work must not only be energetic but patient. True civilization must rest upon natural industries, and they develop but slowly. The Council were impatient for results. In their laudable eagerness to invite settlements, they became lavish and reckless in their grants,—overlaying patents, ignoring previous boundaries and titles even when granted by themselves, outraging geography and mathematics, and sowing the seeds of complications and controversies which vexed the domestic history of this province for over two centuries. Some of these grants have already been spoken of; but it may be worth while to notice such others as were within the limits of Maine, in order to understand the good occasion which Massachusetts had to seize upon this province and hold and defend it as her own frontier of defence.

This is a dull chapter; but I shall receive something more than the forgiveness of those who having occasion to use these facts, find themselves spared the labyrinthine toil of explicating, ascertaining and arranging them. Besides those already mentioned, the Council issued the following patents in Maine:

1630. A deed to Thomas Lewis and Richard Bonythan of a tract on the north side of the Saco river, four miles along the coast and eight miles into the mainland. Also a deed of the same description to John Oldham and Richard Vines, on the south side of that river. The whole tract eight miles square. The foundations of the towns of Saco and Biddeford.* Vines and Bonythan appear to have had already a well ordered settlement. The memorandum of a deed May 17, 1629, calls Vines governor, and Bonythan assistant of the Plantation of Saco.†

* Folsom's Hist. of Saco and Biddeford.

† Belknap's N. Hampshire, I. p. 291.

1630. The Muscongus grant, afterwards known as the Waldo patent. This was issued to Beauchamp and Leverett of England, and extended on the seaboard between the Muscongus and Penobscot rivers, and as far north as would embrace a territory equal to thirty miles square.*

1630. Lygonia, or the Plough Patent, extending from Kennebunk to Harpswell, and forty miles inland, and including rights of soil and government. † This enterprise was for actual agricultural operations. The vessel which brought the colonists was named "The Plough." The attempt was ridiculed by the short-sighted adventurers around them. In fact, the colony was "laughed away," like "Spain's chivalry." In 1643 this patent was transferred to Colonel Rigby, a rich English lawyer and member of the long Parliament. The contest for jurisdiction between his and Gorges' heirs lasted forty years.

1631. Black Point patent—Scarborough—to Thomas Cammock. Fifteen hundred acres on the sea coast, on the east side of Black Point river. This is the basis of land titles in Scarborough to this day. ‡

1631. Pejypscot patent,—“fifteen hundred acres on the north side of the river, not formerly granted to any other.” This to Richard Bradshaw.§

1631. Agamenticus (York),—twelve thousand acres to Edward Godfrey and others.||

1631. Richmond's Island, to Walter Bagnall,—the island and fifteen hundred acres on the mainland at Spurwink. ¶

1631. Cape Porpoise,—two thousand acres on the south side thereof to John Stratton.**

1632. Trelawney and Goodyear Patent,—the tract between Cammock's patent (Scarboro') and the river and bay of Casco,

* Williamson, I. 260, says the north line settled upon is the south line of Hampden, Newburg and Dixmont. See also Me. Hist. Coll. VI, art. 15.

† Sullivan, Hist. 309, Land Titles, 44. Williamson I. 238. Haven, grants of N. E. Council, 158, and especially Willis' History of Portland, and Folsom's Hist. of Saco and Biddeford.

‡ Willis' Hist. Portland. Southgate's Hist. Scarboro'.

§ This and the former mentioned grants were in consideration that the grantees had been living on the premises for some years. See Haven, 158.

|| Sainsbury, Colonial Calendar. Willis' Hist. Portland.

¶ Sainsbury. Willis. Haven. Bourne; History Kennebunk.

** Willis' Hist. Portland.

and as far into the mainland as Cammock's limits extend. It was claimed that this included part of Richmond's island, Cape Elizabeth, the ancient town of Falmouth (Portland) and a part of Gorham. There was a contest of boundaries for many years.

1632. Pemaquid Patent. One hundred acres for every person brought in within seven years, and 12,000 acres along the sea coast and up the river, and all the islands three leagues into the ocean. Powers of government are also granted in the patent. "Pemaquid has been a subject of much controversy, and has experienced many vicissitudes."*

1632. Way and Purchas Patent, a tract on the river "Bishopp-scotte" (Pejepscot), the Androscoggin, and "all the bounds and limits the mainland adjoining the river to the extent of two miles," reaching, it is supposed, to Casco Bay on the south. Purchas has been already referred to, as the earliest settler in this region. This grant was the subject of long and bitter controversy with the Pejepscot Proprietors, not settled till 1814.†

The Great Council of New England having encountered many vexations, agreed to surrender its charter‡ in 1635; and as if there were not already sufficient confusion of title, determined to divide its territory into eight provinces, two of which were within the present limits of Maine. The region between the St. Croix and the Kennebec,—already claimed by the French,—was to be given to Sir William Alexander, Earl of Stirling, perhaps as some compensation for the loss of Nova Scotia, ceded to the French,—and was to be called the county of Canada. This extended to the St. Lawrence. The coast from the Kennebec to the Piscataqua, including the north half of the Isles of Shoals,§ and extending sixty miles into the main land, was assigned to Gorges—the same previously granted him by patent to Gorges and Mason—and by

* Haven, 159. See Sewall's "Ancient Dominions;" Thornton's Ancient Pemaquid; Dr. Hough's article, Me. Hist. Soc. Vol. VII; Professor Johnston's History of Bristol; also "Pemaquid Papers" relating to the Duke of York's possession, Albany, 1856; and the Hist. Coll. Vol. V.

† Willis' Hist. Portland. Me. Hist. Coll. Vol. III, Articles V and VI. See for all the foregoing, Williamson; and Haven's Lecture, Lowell Inst., before cited.

‡ The Massachusetts charter was also to be annulled, and the whole coast to the Hudson river divided among the proprietors named. See Gorges' Brief Narration. Hubbard's Hist. of New England.

§ The south half of the Isles of Shoals went to Capt. Mason.

him now named New Somersetshire, after the county in which his English estates lay.

With his vigorous and law-loving mind he at once proceeded to establish a government, under his nephew, William Gorges, who set up a court at Saco in 1636. This was the first organized government within the limits of Maine. From the number and the nature of the cases here tried, there is every reason to believe that this administration of justice and morality was much needed.*

Gorges had many things to look after both at home and abroad. He had now been appointed governor-general of all New England, as a part of the king's purpose to take away the Massachusetts charter and to resume to himself the jurisdiction within the entire New England limits. But Gorges was too much of a general to fail to perceive that he could not be governor. He well understood that it would not do to take away the Massachusetts charter. Young as that colony was, he plainly saw that their vigor and aggressiveness were indispensable to a successful resistance to the encroachments of the French. Whatever his private griefs, he was for Englishmen as against Frenchmen, and for Protestants against Romanists. Political troubles in England more and more pressed upon his attention, so that his affairs in America suffered neglect. Still, he offered generous inducements to draw colonists hither. He encouraged gentlemen of rank and influence to share his enterprise. Among his private grants was one to Sir Richard Edgecombe, of 8,000 acres near the lake of New Somerset (Merry-meeting Bay), in the present town of Bowdoinham.† But he could not fail to see that something was lacking, and that the colonies to the west were more prosperous than his own; and reflecting upon the situation and discovering some of the causes of it, he laments his own errors and impolicy in many words, which admirably express a deep truth of economic science: "Trade, fishery and lumber have been the phantoms of pursuit, while there has been a criminal neglect of husbandry, the guide to good habits, the true source of wealth, the almoner of human life."‡

But growing political jealousies unsettled everything in Old England and New. Emigration was discouraged. Disorder and

* Records of York County, Me. Hist. Col. Vol. I.

† Williamson I, 268.

‡ Quoted from Williamson I, 260.

lawlessness ran riot in the new plantations, where there was no hand to keep them down. The administration of justice was no easy task in the county of New Somersetshire. Nor was there any general government. When we recollect that not less than ten of the grants and patents before enumerated fell within the limits of this county, and that many of them were in controversy with each other, and all naturally indisposed to acknowledge Gorges' jurisdiction, we cannot be surprised that this territory was anything but a harmonious society, and that the government which represented his authority was practically limited and local.

Amidst the distractions of the times, to assure himself of his title between restless Frenchman and encroaching Puritan—Gorges in 1639 succeeded in obtaining from King Charles I. a new and notable charter,—the most extraordinary ever given to a subject in modern times. It confirmed all the territory within his old boundaries, the Piscataqua and Sagadahoc, extending however 120 miles inland, and was now for the first time, and by charter, named the PROVINCE OF MAINE.*

The political status of this Province was that of a Palatinate, of which Gorges was Lord Palatine. This title originated under the Merovingian Kings, and designated a high judicial officer, resident in the palace, who had supreme authority in all causes coming under the cognizance of the Sovereign. After Charlemagne the title was applied to any powerful feudal lord to whom a frontier province was made over with *jura regalia*, or royal judicial powers. These are all recited at large in the curious charter of the Palatinate of Maine.†

This is the only instance of a purely feudal possession on this continent. There is nothing like it, except, in a remote degree

* All the old historians say that this was so named in honor of Henrietta Maria, who had as dower the Province of Maine in France. Mr. Folsom (Address at Brunswick in 1832) was the first, I believe, to question this statement, in which he is followed by Bryant in his new and thoroughly reliable History of the United States, 1876. It appears that the Province of Maine was not a possession of the French princess, but belonged to the crown. (See also Agnes Strickland's Lives of the Queens of England.) There is little doubt that the name arose in the natural distinction made in common speech between the islands then so much frequented, and the shoreland or the "main." The spelling furnishes no argument. The adjective was often spelled "maine," and the proper noun "Main."

† They may be found in the appendix to Sullivan's History of Maine.

Sir William Alexander's tenure of Nova Scotia, and Lord Baltimore's of Maryland.*

The venerable knight proceeded to organize his jurisdiction with an amplitude which now serves to excite the smiles of democratic young America, or furnishes exclamation points for dull chroniclers who know things only by their names. But to those who know his large thoughts and orderly mind, and recall his late confessions of the lack of a sound basis for his colonial enterprises, hitherto, his ordinances and commissions seem as admirable an organization as could be devised under the feudal theory, and as well fitted for its purpose in securing social and civil prosperity as were the constitutions for which we praise Alfred and Charlemagne. He placed the Government in the hands of a kinsman of his, and made every effort to establish justice, to quiet disputes, and to reconcile the inhabitants throughout his perturbed province. He established a general court at Saco in 1640, and the next year organized a capital at Agamenticus, now York, which he named Georgiana,—the first chartered city in America known to history. All the details proper and proportionate for such a capital were specified with the carefulness of one who knows his business and means it. Some affect to ridicule his proceedings because his city had then but three hundred inhabitants. But three hundred men in orderly array have many a time made better work in the world's history than as many thousands could have done as mere mobs or masses.† Sheer numbers never make a city nor a nation. It is organization—not of brute force and mere numerical units, but of broad ideas, and high purposes for great moral ends, which is the soul of States, as of cities. Could Gorges have dwelt in the midst of his plantations, in the “house and home” which he thanked God he had there, his city doubtless would have served its ends and justified his foresight, and his province grown strong in the diversified industries and harmonious interests of its people.

* Sir William had the right of conferring titles of nobility. He even added dignity to the Frenchman La Tour,—“Sir Claude de Estienne, Knight, lord de la Tour et de la War, Baronet of New Scotland.”

Lord Baltimore's administration is equally remarkable for its liberal and liberty-loving spirit, and furnishes the first, and for sometime the only declared instance of religious toleration in this country. It deserves special mention, that the Roman Catholics should have set the Protestants of America an example of christian equality and fellowship.

† Plymouth Colony had only two hundred and fifty people ten years after its settlement.

His followers had not entered into his ideas, and missed his inspiring presence and guiding hand.

But Gorges was a royalist and a man loyal to his convictions, and the desperate state of political affairs at home withdrew his attention from his more private interests, however broad and noble. Though now advanced in years, he buckled on his sword in the king's cause, and his firm body and intense spirit found congenial service in the cavalry of the dashing Rubert. But the troubles grew deeper and darker, and both Gorges and his royal master went into the shadow and never came out again.*

The power that could give unity and order to the province passed away. Gorges' little empire fell apart in mimicry of that of his great predecessor, Charlemagne. The natural results of so many careless grants and overlapping claims burst forth with vigorous demonstration. The maxim that two bodies cannot occupy the same space at the same time, was proved equally true of jurisdictions. All authority was contested, and the spirits of anarchy and lawlessness held high carnival. The only thing that began to assume definite shape was the rivalry between the Gorges and the Rigby interests, which took on a religious and political character and had its reasons in the great questions then agitating every English mind. Massachusetts looked on with anxious and impatient interest, but as yet she held aloof. She had even shut out Maine from the New England Confederacy of 1643, because as Winthrop says,† "the people ran a different course from us both in the ministry and civil administrations." All that now called itself Maine was shrunk into the southwest corner of the province, where the people entered into a voluntary organization, not as an independent political society, but as preservers of the peace in the name and sovereignty of England. Edmund Godfrey had thus been made governor in that section, and had been recognized both at home and abroad as entitled to at least "belligerent rights." Appeal was made to England for a new grant of political powers, that this little republican order of society might be legally established.‡ Meantime, affairs in Lygonia were no better. A

* Gorges died 1647. Charles was beheaded 1649.

† Winthrop's Journal, p. 275. Rhode Island and Providence plantations were also for like reasons excluded. Bancroft, 1. 342.

‡ "It is our humble prayer," say the Provincial Court, in their petition to the House of Commons, 1651, "that the privileges and immunities of free born Englishmen may be granted and secured to ourselves and our posterity."

provincial government had been set up, but there were too many independent grants within its territory to make a perfect picture of domestic harmony. Now was the opportunity for Massachusetts—the moment for her to profit by a cool head and a bold blow. Many individuals, from the Kennebec to the Piscataqua, outwearied with the undecided strife, had already accepted her “protection.” Some of the chief disputants now appealed to her as a powerful neighbor well managing her own interests, to adjust their contested jurisdiction. She did it,—much as the fable describes the sagacious monkey as settling the cheese question for the cats. The latter, at the end, found themselves treated both alike—with strict impartiality, but no cheese!

It cannot be pretended that the desire to see peace among her neighbors was the great motive that prompted her action. There were more natural, more urgent reasons. This vast territory, the many and turbulent colonies—Episcopalian whether royalist or republican—already giving token of their excessive freedom of conscience and lack of admiration for certain puritanical ideas, made a dangerous neighbor. The French, too, were pressing their borders nearer and nearer. Who could tell but these high church Englishmen might, as was no uncommon thing in those days, prefer an alliance with the French Catholics rather than with their Puritan brother? *

It was necessary—that supreme appeal of patriot or tyrant when a bold blow must be struck in self-defence—that reason, the limit and moral of which it is so impossible to ascertain—it was necessary that Massachusetts should control Maine. She had the need surely; she had the power also: and in such tumultuous times, that easily makes right. Perhaps, like some in this age as in every other, she refused to embarrass herself by reflecting that those who have power are by so much the more bound to do the right. At all events, she took the step, and afterwards deliberated on it. “Possession is nine points of the law,” and it is easy then to make out the balance. The case was a curious one, and worth recalling.

The terms of the Massachusetts charter (which Gorges had first assisted them to procure) established their northern boundary

* The inhabitants of New Hampshire, Maine, and the Duke's Province, were holding a friendly correspondence with their French neighbors, while Massachusetts was entertaining a hatred towards them.” Randolph's Report, 1676.

three miles north of the Merrimac and each and every part of it,—which of course only meant *three miles beyond the river*. To this line all had agreed. But when it was found necessary to justify the seizure of Maine, the Massachusetts men suddenly conceived a new interpretation. The river, it was found, makes a right angle about thirty miles from the sea, and from that point stretches to the north; so instead of a line three miles across the river at its mouth, they took a point three miles north of its head waters and from that run a line easterly to the sea! This *coup d'etat* gave them the whole of New Hampshire and nearly the whole of Maine.*

The New Hampshire towns, settled now chiefly by Puritans from Massachusetts, and naturally averse to the jurisdiction of churchmen like Mason and Gorges, seem to have acquiesced. Lygonia generally offered little resistance. Far otherwise Maine. Godfrey of York refused to submit. He declared the boundaries had been fixed more than twenty years before, and a lawful jurisdiction ever since exercised, acknowledged both by Massachusetts and the English Government. "We will maintain our rights," says the Governor, "until it shall please the Parliament, the Commonwealth of England otherwise to order, under whose power and protection we are."†

But all in vain. A majority was against him, and Godfrey himself finally submitted with the rest. The name and charter of Georgiana were abandoned, to kill out every spark of the Gorges spirit, and the town was named York. And so, little by little, town by town, by small majorities, a general submission was made, and for a few years there was "peace."‡

Massachusetts was never mean. She was square and bold. You could always see her coming, and tell what she was after. But she was wise in her policy here. She never made church membership a condition of the right of suffrage, as she did in her own colony. She carried a court along with her to preserve the forms of justice, and that is a good deal. In 1652 she was at York and Saco. In 1656 she was at Falmouth. The next year

* This line struck the sea at Clapboard island in Casco Bay.

† Sullivan, 322. See also in Williamson, Vol. I, 337, the spirited correspondence of Godfrey and the Massachusetts government.

‡ Sullivan says, (p. 355) "The men who submitted were those who had taken up land by possession"—that is to say, "squatters"—"and wished an assurance from some power which would not expect a very valuable consideration."

an action was brought against Thomas Purchas of Pejepscot; but he boldly pleading to the court's jurisdiction the jury returned a verdict in his favor, which was carried by appeal to the General Court at Boston and sustained in the decision that "Pejepscot was not within the Massachusetts jurisdiction;" whereupon they not long after had a new line run more suitable to the exigency, and carried it this time east of the Sagadahoc—to White Head Island in Penobscot Bay.*

For this they had in their view good reason. There were Englishmen at Pemaquid and in that neighborhood, who must be controlled. The new boundary accordingly was made to include these settlements. Nor was the reason less but rather more from the fact that this territory east of the Sagadahoc belonged to the Duke of York. The Duke had purchased from the Earl of Stirling in 1663 all his American possessions, and the next year received a Royal charter from his brother, Charles II, of all the territory from New Scotland westward to the Pemaquid and the Kennebec, and northward to the St. Lawrence.† He had, however, easily consented that the French should have all his patent east of the Penobscot, which was confirmed to them by the treaty of Breda. He was not a man to be trusted as a neighbor, especially as a frontier between Puritans and Frenchmen. So it was necessary to contest his possessions, if not his title, by practical occupation and civil jurisdiction.‡ So Massachusetts set up a court and organized a local government at Pemaquid in 1674, naming the territory from Sagadahoc to Georges river, the County of Devonshire. But the Duke's government at New York in 1683, also erected "Pemy-Quid and all the Territories in these parts with the Islands adjacent," into the County of Cornwall,§ with the right to send one member to the General Assembly at New York.|| This connection continued until the succession of the Duke of York to the throne as James II, when by a Royal order these territories were annexed to the New England government."¶ It

* Williamson I. 442. Sullivan, 372.

† See the charter, Albany "Pemaquid Papers," p. 5.

‡ A court had been set up in the name of the Duke, in 1665.

§ The Duke's agents also called it *New Castle*.

|| Gyles Goddard represented Cornwall County in the New York Assembly during one session.

¶ In 1686. Dr. Hough's introduction, Pemaquid Papers, p. 4.

will not be difficult to see that this taking possession of Sagadahoc outside the Gorges and the Lygonia claim, and of Pemaquid which was under the jurisdiction of the Duke of York, was no act in the interests of domestic peace or common justice,* but an act of "military necessity," with a look to remote ends, an "offensive-defensive" to keep the great struggle away from her own border.†

It may well be believed that the state of things throughout the whole territory was as unfavorable as possible to the prosperity of its people. The permanent settlement of Maine, socially and politically, was quite as long delayed as its territorial settlement had been before. The strangest thing was that people everywhere were petitioning somebody else to come and rule over them,—one evil result of so many careless grants to parties naturally antagonistic. One petition from seventy-one inhabitants of Maine and Lygonia was addressed to Oliver Cromwell in 1656, praying that they might be under the jurisdiction of Massachusetts. Another, some twenty years after, from one hundred and seventeen inhabitants of Maine to Charles II, protesting against the invasion of their rights and privileges by the "Bostoners," and claiming his protection.‡ In 1663 Massachusetts had sent a mandatory address to the people of Maine requiring them to give obedience to her laws;§ and in 1664 the king himself had written them a letter declaring the illegality and injustice of the Massachusetts acts, and peremptorily ordering all persons to restore to the representatives of Gorges the peaceable possession of the Province, or otherwise without delay show cause why they should not.|| They do not seem to have done either. Accordingly commissioners were sent out by the Crown to investigate the matter. They appointed prominent citizens to act as magistrates until the king could decide the question. But Massachusetts also entered with a military force, where a court under this authority was in session at York, and (says an eye-

* I do not forget a petition of certain inhabitants of Pemaquid and vicinity, in 1672, for the intervention of Massachusetts; but her whole motive and reason does not necessarily lie in that

† The Massachusetts view of the case finds a spirited advocate in Mr Thornton—"Ancient Pemaquid" The matter is treated in a more judicial temper by Professor Johnston,—*"History of Bristol,"* and Dr. Hough,—*"Pemaquid, and its Relations to our colonial History."* Me. Hist. Coll. Vol. VII.

‡ See the petitions, Me. Hist. Coll. Vol. I, pp. 392, 400.

§ Williamson I, 404.

|| Williamson I, 412, 413.

witness) "with a troop of horse and foot turned the judge and his assistants off the bench, imprisoned the commander of the local militia, and threatened the judge and all who favored the Gorges interest."*

But the question being before the High Court of Chancery, the King in Council in 1677, rendered the just and common sense decision, that the north line of the Massachusetts Colony was three miles from the north bank of the Merrimac at its mouth, and that the Province of Maine, both as to soil and government, was the rightful property of the Gorges' heirs.

Upon this decision, with what Judge Story calls "prudence and sagacity," Massachusetts instructed her agent to make purchase of the title; and the heir, for whatever reason, sold his inheritance for £1250—Province, Palatinate, Jura Regalia and all,—and possession was duly proclaimed under this title, and no word more of the three mile line north of the head waters of the Merrimac.

Strange to say, the first thought seems to have been to sell the province. It was evidently of far more value than the price paid for it, and the year after the transfer the governor and assistants were authorized to dispose of it.† But distrust of the purposes of the Royal cabinet and fear of the French prevailed, and in 1679 the order was revoked. But the embarrassments were not over. In resting her title on the assignment of the Gorges' interest, Massachusetts was bound by the charter stipulations and could not treat Maine as a constituent of her colony. The Puritan Province had in fact become the feudal Lord Palatine of the Maine Province, and was in duty bound to give it a separate organization. This was done, and Thomas Danforth, a high-minded and accomplished man, was appointed President of Maine.‡ Still, there was discontent. In many minds it remained a serious question whether political sovereignty was matter of purchase, and could pass with the soil,—whether under this transaction

* Josselyn's *Two Voyages*, p. 151. Williamson says he is biased, but an eye witness is likely to be. See also Bancroft I. 448.

† Hutchinson (*Hist.* p. 296) says "to reimburse the expense of defending it," but this seems like the fallacy of the "circle." To a large number of inhabitants this defense was offense. To make a country pay the expense of subjugating it, is a measure of war, not of peace.

‡ This was in 1680. From this time no more deputies from Maine were sent to the General Court, as they had been since 1653.

there were any other assignable rights than pecuniary.* But really there was not much now for any civil government to do; for the terrible wars had now begun which,—French and Indian,—lasted with a few lulls almost a century, and nearly depopulated Maine.

I shall be obliged to correct the statement sometimes made, that Massachusetts defended Maine without expense to this province. It was indeed part of the terms on which eastern provinces submitted to her jurisdiction that they should bear no part of the public charges; but as matter of fact, Maine furnished both men and money to the last degree of her ability. We have official returns of the organized militia of "Yorkshire" for 1675, which numbered in that year seven hundred men; while that of Devonshire and parts adjoining was estimated at three hundred,—making a thousand men at that early period mustered for the public defence. We find, also, a due proportion of the expenses of the war assessed on the Province. Thus, for the year 1655 a list of taxes shows the assessment of five towns from the Isle of Shoals to Cape Porpoise, to be in the aggregate £91 15s. The public taxes of Falmouth for 1683 were £17 17s. 10d. A more striking evidence of the pecuniary part borne by Maine in the defence appears in the remonstrance addressed to the king against the encroachments of Massachusetts already referred to, which complains of the grievous burden of three thousand pounds laid upon the three towns of Kittery, York and Wells.†

There was no love between Charles II. and Massachusetts. Nothing could be more opposite than the stern purpose of that colony to achieve religious independence, and gather a political power which would enable them to do so, and the purposes,—if so strong a word can be applied,—of the dissolute and enervate king. The restoration had brought with it a flood of evils most odious to the Puritans, and in the natural reaction their enemies

* This question enters into the depths of political law. The policy of England to this day in forbidding aliens to hold real estate in fee, would seem to imply an admission that ownership of soil carries political as well a pecuniary rights.

† The petitioners declare that in the year 1668 the "Bostoners entered the province, and with force of arms disturbed the inhabitants, then at a Court holden for you Majesty at Yorke in your Majesties province of Maine, commanding all proceedings for the future to be managed by their own authority and laws. Since which time notwithstanding the great loss sustained by the late Indian war, we are still oppressed with heavy rates and taxes, imposing the sum of three thousand pounds and upward to be collected and paid by the inhabitants of three towns, (viz.) York, Wells and Kittery."

found easy occasion to gratify their hatred. But these persecutions had the effect of strengthening Massachusetts as the champion of the cause of liberty. Relying on the amplitude of her charter, and strong with the prescience of a Divine vocation, she did not hesitate to make many laws more consonant with her own ideas than with the laws of England. Her charter indeed restrained her from passing laws and ordinances repugnant to the laws and statutes of the realm of England, but she construed this in the broadest sense as restraining her only from acts repugnant to the spirit of English laws. Certainly she did violate much of the letter of the common and statute law of England. Whether she did therein violate her charter was a question on which a serious issue could be taken. But it gave the opportunity her enemies desired. She was threatened once more with forfeiture of her charter,* and active measures were taken to carry this into effect. Alarmed at this, and hoping that she might propitiate Charles, who earnestly desired to confer this province upon his son, the Duke of Monmouth, she instructed her agents to give up Maine if she could thereby retain her charter. But all in vain: the case was foreclosed against her. A writ of *quo warranto*† was brought before the court of the king's bench, (July, 1683)

* A *quo warranto* writ had been brought in 1635, but with no practical effect.

† A writ by which the government summons a defendant to show *by what warrant* he claims an office or franchise. The pleadings are peculiar,—the burden of proof being not upon the plaintiff but upon the defendant. The principle seems to be that the franchise is a trust, and the violation of any of the terms of a charter works a forfeiture. (2d Kent Com. 293, I. Sharswood's Blackstone, 485.)

Scire facias is also a mode of enforcing forfeiture when the defendants have abused their charter powers. An explanation of this change of writ and also the change from the king's bench to chancery, would require elaborate preparation; but a brief reference may assist those who desire to form a judgment in the matter, but have not materials at hand. Chief Justice Parker in his very able defence of "Charter and Religious Legislation of Massachusetts," says that "Chancery has no jurisdiction of proceedings *quo warranto*, and relieves against, rather than enforces forfeitures." The old writers, however, say that this writ, like all other civil writs, originally issued out of Chancery. (See Coke 2d, Inst. 277, 283.) But it would seem that the *quo warranto* process did not run into the colonies outside of England; and that is the reason why the writ of 1635 failed, no service of it being made within the colony. It appears that chancery has a wider jurisdiction, and may annul a charter beyond the limits of the realm. Moreover, if I understand the nature of *scire facias*, it permits the Crown for cause of forfeiture, to repeal its own grant by its own prerogative. (See, under the article, Bouviers' Law Dict., also Chief Justice Parker as above, and Palfrey's Hist. Vol III, p. 391, 394). But at all events the change of writs shows that the enemies of Massachusetts were bound to take away her charter, and that without "the law's delay."

and this not proving sufficient, it was followed by a *scire facias* sued out of chancery, (June, 1684.) Forfeiture was declared, judgment confirmed, and the Massachusetts charter fell;—that bulwark against Parliament and King—that pledge and protection they had borne so anxiously to these shores, and to which they looked to bear them triumphantly through all trials—their hope and glory for the future.

A copy of this judgment was served in Boston in the following July. But a decree of Providence suddenly changed the entire face of affairs. Charles I. died; James I. ascended the throne, a man of very different mould,—and then were renewed those commotions and oppressions which in this country were connected with the name of Sir Edmund Andros and the attempt to consolidate and virtually subjugate all the northern colonies; and which in England resulted in the revolution of 1688, the flight of James, and the accession of the House of Orange.

The Massachusetts charter was annulled; and although the commotions of the times stayed the full execution of the judgment of forfeiture, there is no doubt her authority was seriously weakened. Her government of Maine had at the best a very questionable title, and nothing but the judicious administration of Danforth and the large recognition of local self-government, prevented Maine from escaping from the hold of Massachusetts. These were troubled times for all the colonies. But at the accession of William and Mary all was joy in Massachusetts. She resumed her ancient rights, and immediately pressed for a restoration of her old charter. But there were many interests to be harmonized now: the sovereigns, though sympathizing with the Puritans, were unwilling to restore so democratic a charter, and one moreover which was so freely interpreted. There were strong shades of difference in religious and political opinions among the colonists, but the late disturbances and common sufferings had quickened the sentiment of a common cause and the need of unity. And so in 1691 these elements, harmonious or discordant, were bound together by a Royal charter which consolidated the colonies of Plymouth, Massachusetts, Maine, Sagadahoc, and all Acadia,* under one title, the Province of Massachusetts Bay.

*Old Acadia, east of the St. Croix, was five years afterwards ceded back to the Crown;—Massachusetts having without that, all the frontier she needed either to defend or be defended.

Nearly all this territory bordered on the gulf of Maine; but this name was not then known, and the power and influence of the Massachusetts Colony received a significant recognition in this appellation. Maine was now at last part and parcel of Massachusetts; but she had the satisfaction of seeing one of her own born sons, Sir William Phipps, bearing the royal Commission as Governor.

The common saying, "Massachusetts the mother of Maine,"* is one of those figures of speech which gain currency because of the terseness of the phrase rather than from the closeness of the analogy. Such figures arise on some slight resemblance of relation, and then a train of natural associations assumes all the rest, so that the conclusion is altogether wide of fact. There is no sense in which Massachusetts is the mother of Maine. The metaphor would seem to imply either that Maine was a colony proceeding forth from Massachusetts, planted and established by her; or at any rate, that she nourished and supported the colony with that spirit of tenderness and self-sacrifice which makes the name of mother venerated and dear.

Neither of these functions seems to have been exercised. Historically, it is not true that Maine was in any sense or degree, in the early times at least, an offshoot, colony or representative of Massachusetts. The facts as we have seen them are, that she first assumed—if I may not say usurped—then purchased, then maintained by force of interest or arms, the powers which even at the last were not granted to her *over* Maine, but to her and Maine co-ordinately, or as merged in one. Massachusetts was indeed the guardian of Maine so far as this, that it became her duty, having assumed jurisdiction, to administer justice and defend from violence. Her influence and aid were powerful in Maine's behalf as against a common foe. But as between the two parties, her power was that of a master and not a parent. As guardian of Maine she strictly exercised her functions, and charged the expense to the estate of the ward.†

* History might warrant us in saying in good earnest, Massachusetts is the mother of Connecticut; and also of Rhode Island, though the child had rather a rough weaning.

† On the separation she kept half the public lands in Maine—over 4,000,000 acres. It must not be forgotten, however, that in 1870 she generously joined with Maine, releasing her proportion of the old joint war-claim against the United States, in aid of the European and North American Railway, as an enterprise of great public interest.

As the owner of Maine, she was not a parent; for the rights of a parent look to the good of the child, and are limited by that. She did not purchase Maine for the good of that territory, but for her own good; and the rights she acquired were not those of a parent, nor was the spirit of the relation that. She took possession of Maine in self-defence, to ward off her enemies, churchmen, Frenchmen, Indians; and the frontier suffered as much for her as she did for the frontier. Enemies were thus brought upon Maine who might not otherwise have struck at her. As standing in some respects *in loco parentis*, with rights acquired by transaction and not by birth, it was only by a legal fiction that she was mother,—that is, a mother-in-law, or step-mother. She had not even seniority; and we cannot much wonder that the older daughter of the family might be a little “unreconstructed” towards the assumptions of the new comer, whom the law, and the law alone, made mistress of the house and home.

I will briefly enumerate the main points made in support of the proposition before us,—namely, that Maine is not the daughter of Massachusetts, but had an independent origin and her own proper place in early history.

1. Maine was peopled, if not settled, before Massachusetts.
2. Political jurisdictions were in force here, and acknowledged by England and by Massachusetts, long before the latter entered into Maine,
3. The protectorate she exercised here was not mainly for the sake of the protected, but for her own necessity.
4. This protectorate was a usurpation,—at best a *de facto* government,—and did not confer or confirm to her political sovereignty.
5. Her purchase of the Gorges title, if valid in all respects,—that is, conveying sovereignty as well as soil,—at most only covered the territory between the Piscataqua and the Sagadahoc, and 120 miles back from the sea. Nor even within this, did it extinguish the Lygonia patent, from Kennebunk to Harpswell and 30 miles inland.
6. Her exercise of powers east of the Sagadahoc was without pretence of legal claim.
7. Her own charter was annulled by *scire facias* which was of full legal effect although never practically enforced. This at least extinguished her political rights in Maine.

8. The Charter of William and Mary did not restore former rights and titles, and did not even confirm the equitable claims of Massachusetts to Maine.

9. This charter did not put Maine under Massachusetts as a province or dependency, but made it a constituent part of the new Royal Province, which was not the old Massachusetts Colony, but took its name because that was the strongest and most active organization at that time.

It is an agreeable transition to pass to the third proposition,—that New England, especially Massachusetts, preserved Maine to the American Union. It is so easy to misunderstand one's motives when we do not sympathize with his conclusions that I must beg to say that in the facts and reasonings which have been presented, I am conscious of feelings as far as possible from dislike or prejudice toward the Massachusetts either of two hundred years ago or of to-day. I have sought facts, and have been led by them to conclusions. The explanations offered have been drawn from the laws of mind, the necessities of nature, and the analogies of history. It were an unwise and ungracious act to reproach Massachusetts even for its errors. My course has not been an attack: it has been a defence, or rather a rescue. The history of Maine had been obscured, disparaged, and even denied. I have thought it befitting the occasion to do what I could to redeem it from this oblivion, and restore it to its proper place and part. But nought has been set down in malice. The early acts of Massachusetts must not be judged by the laws of peace or the tests of abstract morality. Her acts were rather ordered according to the letter of positive law, and the grand tactics which are fair in war. Fighting for her life, and for the principles which made that life worth living, she pushed to the extreme boundary of her rights, and possibly also of her powers. Whether or not God pardons to mankind the errors of human history, we may believe He overrules evil for good, and makes even the wrath of man to praise Him. The old Bay Colony had strong faults, but it knew itself to be right at heart, and it builded even better than it knew.

It were no shame to be the daughter of Massachusetts, were such the fact. Those were men of deeds and daring for the right because it was the right, as they saw it. Many a royal lineage is less noble than that. Even to have been part of her is something

to be proud of. And if our name and worth were to be laid away among obscure foundation stones, I know of no fabric more glorifying the sacrifice, nor more glorified by it.

We are able then to say, that the high-handed acts of Massachusetts in Maine were indirectly and even directly beneficial. At all events, they contributed largely to separate Maine from England. If that was well, than all is well. Praise or blame whom we may, out of the conflict have come what we deem the best things—liberty and country.

In the first place I mention several ways in which she aided in preparing Maine to stand on the side of liberty in the great struggle. She was not unkind in her treatment of those who acknowledged subjection to her. She used Maine in her service, but she also served Maine. She promoted the establishment of great civil ideas,—education, morality, natural rights and social order; life, liberty, property, and equality before the law. She prepared the way especially for the great political ideas,—freehold tenure of land, and local self-government. I do not by any means say that Massachusetts had a monopoly of these ideas, or that Maine was merely missionary ground for her. The men who lived here had English notions of liberty and law. The courts set up under Gorges' authority strove to enforce moral and social order. They corrected abuses with a strong hand. They passed ordinances in the interest of education and religion, and reached one point which even the Puritans had not attained, when they ordered that all the children between the Piscataqua and Kennebec should be baptised.*

But many things had contributed to demoralize the inhabitants. One of the chief of these was the uncertainty and irregularity of government. No jurisdiction could be exercised without being questioned and contested. Hence disregard for authority, for law, and for morality itself. Massachusetts brought at least clearness and steadiness into the scene, and having that very essential attribute of a lawgiver—the power to enforce his precepts—she compelled obedience, and so compelled respect and secured peace. She began wisely, as Gorges lamented he had

*Massachusetts soon straightened this matter. She made it a punishable offence to baptise any children but those of church members, in Maine, although requiring it at home. Williamson I, 380. Willis' Portland, 162.

not. Almost her first act was to compel the towns all along the coast to make good, passable roads for vehicles.* In 1665 the local court under her authority presented all the towns from the Isles of Shoals to North Yarmouth, for not attending the court's order for making a pair of Stocks, Cage and Cuckingstool."† Next, the court indicted the towns "for not taking care that their children and youth be taught the catechism and education according to law."‡ There was no lack of exercises for the enforcement of private morality. The "Scarlet Letter" figured freely here, and the records of court might furnish the novelists of the eighteenth century with favorite characters and situations, and enable even a Rabelais to enlarge his vocabulary. About the last act of the old Maine Province, before she lost her name and fame in Massachusetts Bay, was the passage of a liquor law, in the following decided form :

"In the Court of Sessions of the Peace for the Province of of Mayne held at York July 15, 1690. Ordered, That from henceforth there shall not be any Rum or other strong Liquor or Fldy sold unto any Inhabitant of the town by any Ordinary keeper therein, directly or indirectly, except in case of great necessity, as in case of sickness, &c." This was at a time when there was no legal or authorized government in Maine, nor even in Massachusetts ; but we may cheerfully concede, that the influence of the latter would favor this measure. This however is by no means the earliest instance of a liquor law in Maine. That honor belongs to Pemaquid. At a Session of Council held under the authority of the Duke of York, September 11, 1677, was passed the following order,—which is in very plain Saxon, and besides the singular merit of suggesting a more radical principle for a temperance law than even that of the present day,—namely, to quit drinking,—carries a lesson of military as well as moral prudence : "Nò Rum to be dranke on that side the ffort stands."§ A noble watchword for the young soldier of society who stands for its defence !

So we cannot allow Massachusetts the motherhood of the Maine Liquor Law.

* Sullivan, 365. Willis' History of Portland, 165.

† This was an implement for applying cold water to ladies as an antidote for the effect of warm tea talks, and for scolds and scandal-mongers generally,—an instrument for which happily there now seems to be no occasion.

‡ York County records for 1676.

§ Pemaquid Papers, p, 19.

I spoke also of the political influence of Massachusetts. She made her politics felt. Many of the crimes of which the Court took cognizance were denunciations of the usurped authority itself. Contempt of court and evil-speaking of dignities were no light offences.*

The court at York (1665) finding that Jonathan Thing had spoken "discornfully of the Court," and had said he cared not for the Governor, he was censured to have twenty lashes on the bare back or redeem it with £12. Mr. Thomas Booth, slandering the powers that be, saying that they were a "company of Hypocritical Rogues, that feared neither God nor the King," the remark seems to have run him in debt to an extent which was cancelled by an entrance on the credit side of his ledger of an item of £5. Mr. Thomas Taylor (1670) was duly punished for abusing Capt. Raynes being in authority, by "*theeing and thowing of him.*" Mr. John Bonithon refusing to recognize the jurisdiction of the court, and intimating pretty plainly that it would not be a pleasant business to try to arrest him, was declared a Rebel, and it was ordered that if he could be taken he should be sent to Boston to answer for his conduct. This seems more like Star Chamber jurisdiction than the recognition of local self government; but this was a hundred and thirty years before Jefferson announced the somewhat ambiguous maxim, 'that governments derived their just powers from the consent of the governed.' † Mr. John Bonithon appears to have enjoyed a special revelation of this truth.

Contributions to Harvard were also a test of loyalty, as William Wardell found, "who being demanded whether he would give anything towards the College," answered that it was no ordinance of God, and he was arraigned by the Court therefor.‡

Some of the judgments of the court, however, maintained the purity of the ballot without particular reference to the party exercising the government. Mr. Thomas Withers was convicted, 1691, of "Seruptitiously indeavoring to pervert the providence of God and privileges of others by putting in several Votes for him-

*There is nothing peculiar in this. A government of force must make its measures strong in proportion as its title is weak.

†In truth this maxim is an inadequate statement of the philosophy of government. That "consent" is the sober second thought—the deep, deliberate will—of the people as an organic body, and is not true of the constituent elements as individuals.

‡York Records, 1654.

self to be an officer at a Town meeting when he was intrusted by divers freemen to vote for other men," for which crime he was fined, or pilloried, and disfranchised.

But there were greater matters,—political—in which the influence of Massachusetts rendered important service to Maine. One of these is the freehold tenure of land. No one thing more disturbed and discouraged the settlers under early charters of this territory than the feudal tenures of the soil—the old customs of lease-holds and quit-rents, which made a man feel like a stranger and an alien on the land he was working on. A man cannot be a man unless he has a place upon the earth which is his own, where he can build his home and his altar,—where he can stand and look up to God, offering his work and his worship with his own hand, and not through another's. Maine owes thanks to Massachusetts that she helped to deliver her from this bondage to feudalism. I must say here, as before, that she was not the first to introduce this idea, nor did she confer it as a completed gift. She did but concur with an instinct already powerful in the hearts of men. But her influence was great, and we thank her that she wielded it on the right side. She contributed also to advance ideas of popular government. Manhood suffrage, however, was not one of her peculiar ideas; nor in that exact phrase was it her idea at all. Her own rule was, that none but church members should be admitted to the electoral franchise. But the principle of local self-government was hers of all things in the world—hers of all people in the world. The very life and aim of her colony was a protest, to all the kingdoms of the earth, in behalf of that great principle. At the same time nothing could be farther from her notions of freedom than the doctrine that the right of suffrage is a natural right,—that is, a right in each man to participate in the government of others associated with him in the State. Her idea evidently was, that suffrage was not a right, strictly, but a franchise—a privilege conferred by the State, originating in the collective people and given or withheld at its mere will. But no matter for that; the great needs and instincts in the heart of man will determine facts, whatever we may do with theories. Concede to enlightened men local self-government, and they will work out rights and regulate them. Massachusetts admitted none but church members to the freedom of the Commonwealth; but the reason of this rule was a reason why it should not be the

rule in Maine; and she never made it so in the days of her power here. Her reason for the law at home was, "To the end the body of the freemen may be preserved of honest and good men." The aim and end explains the restriction. In Maine the aim did not demand the restriction, for the simple fact that the most honest and best men were not exclusively church members. Plymouth, a more democratic colony, had a restricted suffrage, quite complicated in its regulations.* And Charles II, when he undertook to resume the government of New England, in 1662, had "property" and "orthodoxy" among the qualifications of voters, in what he thought to be the most liberal of codes.† So I insist that Massachusetts in promoting the principles of self-government, laid the foundation for the equality of every man before the law, and of every freeman before the ballot box.‡

There is no doubt that one thing which attached Maine to New England, and led her to cast her lot in with the fortunes of free America, was the influence of a Congregational church system. Whatever may be our church sympathies now, we must admit that religious sympathies at that time were powerful bonds of union. And whatever may be our particular creed, we must admit that even in this day of reactions and Old-World immigration, the prevailing church system of New England is Congregationalist. It may not be readily conceded that this is naturally more consonant with democratic ideas of civil government than a high-church system is.§ But at that time the lines of political

* Plymouth Col. Laws, p. 258.

† Hutchinson Coll. Papers, p. 379

‡ A correct understanding of the electoral privilege is of so much importance amidst the confused or erroneous notions which still find place,—mistaking sovereignty of government for sovereignty of the people—that it may be worth while to state what seems to be the teaching of the Declaration of Rights in the Constitution of Maine, and the only sound American doctrine,—namely, that the right to vote is not a franchise,—a right conferred by the State, revocable at the will of the majority, or voidable by breach of contract; but a natural right of every free person as a member of the State, not as an individual, and having its qualifications only in those things which are necessary qualifications of such free person, whether they be physical or pecuniary independence, intelligence or anything else essential to constitute true personality. The State may regulate the exercise of this.

§ I say this remembering that many of the Swiss Cantons are Roman Catholic, and that many of the great English patriots and defenders of liberty were strict churchmen, and even that the Church itself was the champion of freedom as against tyrants, royal or ecclesiastical, in memorable crises of history. I am not claiming that congregationalism is the mother of liberty, but that it is the brother of it.

and religious division being so nearly coincident, historical facts permit me to accord to the Puritan, and especially to the Pilgrim church, an honored place in the march of political freedom. I say the Pilgrims; for it is well known that the Puritans of Massachusetts Bay were not at first Separatists or Congregationalists. They were Churchmen, who wished reform within the Church, as were the great Puritan leaders in England,—Eliot, Hampden and Pym. The remarkable fact is, that the Puritans of Massachusetts who never yielded in anything else or to anybody else, yielded that church system to that of Plymouth. It was the Pilgrims, who reading the simple principles of christian and social organization on the open page of the New Testament, and holding fast to the plain formulas of that liberty, prevailed over all New England, and drew under its all-embracing fellowship many names and creeds. The grain of mustard seed became a tree, shooting out great branches, so that the birds of the air came and lodged under the shadow of it. It reached even into Maine, and that communion knit the hearts of the people together in one strong purpose, and bore them together through the sufferings and glories of the struggle for the rights of man. We honor the church of England, and are glad that she still has a peculiar reverence here on these shores where she was the earliest planted, and where she keeps the ancient light still burning, but we may well doubt whether had she held undisputed sway, Maine would not have stood fast by England unto this day.

Another way in which the intervention of Massachusetts prepared Maine to espouse the cause of American liberty is—paradoxical as it may seem—the liberty of conscience and freedom of worship which followed her hand. This, it is true, was as far as possible from her creed. But some whom she banished for conscience sake came hither, and the spirit of free inquiry which she repelled reacted upon her, so that in spite of herself she soon began to be what she has now become, a preacher of that which at first she persecuted. The patient and tolerant Pilgrim, the inly-lighted Quaker, the calm, brave Roger Williams, were powers felt to the farthest bound of Maine, as they were powers also in the shaping of New England character. Others are not to be forgotten, but as the true founders of religious freedom we give the palm to the Pilgrims—a prouder one than those so named of old bore home from Holy land.

The Pilgrims and Puritans in America were slow to come together. It is curious to note how near the Old Colony once came to being annexed to New York. When so much of New England was consolidated under the Province of Massachusetts Bay, New Hampshire and Rhode Island had influence enough to escape. It is not so well known that the Pilgrims of Plymouth also resisted the annexation. They too did not altogether relish the Massachusetts way of managing things. They sent an agent to England to guard their interests—Rev. Ichabod Wiswell, of Duxbury. Their aim, to be sure, was not so much to resist Massachusetts, as to obtain for Plymouth an independent charter. They so far succeeded, that when the commission of the Governor of New York was made out, Plymouth was actually included in his jurisdiction. This was afterwards changed by the Massachusetts influence—especially that of Rev. Increase Mather, who claimed to be acting in the interests of Plymouth. But how the friends of the Colony deplored the result may be seen in Wiswell's letter home :

"All the frame of heaven," says the Pilgrim, "moves on one axis,* and the whole of New England's interests seem designed to be loaden on one bottom, and her particular motion to be concentric to the Massachusetts tropic. You know who were wont to trot after the Bay horse. I do believe that Plymouth's silence, Hampshire's neglect, and the rashness and influence of one who fled from New England in disguise by night † has not a little contributed to our disappointment." ‡

There was a wide difference between the Pilgrims and Puritans. The Plymouth people were Separatists as to Church organization, but they were willing to live under the laws of England. The Puritans wished reform within the Church, but they were unwilling to live under the laws of England. Thus the Pilgrims were at first disposed to keep separate Church and State,§ while it was the cardinal point in the Massachusetts Colony to unite Church

*This may be the origin of the epithet, "The Hub."

† Rev. Increase Mather.

‡ See Folsom's note, *Me. Hist. Coll.* II., p. 42; and Brigham's "New Plymouth and its Relations to Massachusetts." *Lowell Inst. Lectures*, 1869.

§ It was precisely because they wished to separate Church from State, that they became Separatists from the Church of England.

and State.* In fact, precisely what they wished to do in this country, was to build up the State on the Church. They sought to erect a Bible Commonwealth, whose code would be drawn not from the Common Law of England, but from the Law of God as revealed in the Old and New Testaments.

Governor Winthrop must have understood the theory of the Colony. One emphatic sentence of his is to the purpose: "Whereas, the way of God hath always been to gather his churches out of the world; now the world,—or civil state, must be raised out of the churches."†

Mr. John Cotton, the first minister of Boston, is surely a competent authority to speak conclusively of their intention. In a letter to Lord Say and Sele he says, "Democracy, I do not conceive that ever God did ordain as a fit government either for church or commonwealth. If the people be governors, who shall be governed? As for Monarchy and Aristocracy they are both of them clearly approved and directed in Scripture, yet so as referreth the sovereignty to himself, and setteth up Theocracy in both, as the best form of Government in the Commonwealth, as well as in the church."‡

Unjust blame and unjust praise have been lavished on the Puritans. This is because they have been charged, or credited, with purposes which they themselves never avowed. Friends and foes, equally zealous, and therefore equally prone to neglect a calm investigation of facts, have aided each other in misrepresenting the character and motives of those men. On the one side bound by local pride and the honor of blood to vindicate the fame of

* Davenport's Life of Cotton contains the following explicit statement: "Considering that these Plantations had liberty to mould their civil order into that form which they should find to be best for themselves, and that here the churches and Commonwealth complanted together in holy covenant and fellowship with God in Christ Jesus, Mr. Cotton did, at the request of the General Court in the Bay, draw an abstract of the laws of judgment delivered from God by Moses to the Commonwealth of Israel, so far forth as they are of moral, that is, of perpetual and universal equity among all nation; especially such as these Plantations are; wherein he advised that Theocrasie, i. e. God's government, might be established as the best form of government." Hutchinson's Coll. Papers, p. 161.

† "Reply" to Vane,—a rejoinder to a criticism on an Order of Court in 1637, conferring extraordinary powers on magistrates. Hutchinson's Collection, pp 88, 89.

‡ Hutchinson, History, Vol. 1, appendix. See also on the whole matter the able lecture of Dr. George E. Ellis, "Aims and Purposes of the Founders of the Massachusetts Colony." Lowell Institute Lectures, 1869.

their fathers, and supported by the breadth and tolerance of the present christian spirit of Massachusetts, the defenders of the Puritans have held them up as champions of liberty of conscience, and founders of American "freedom to worship God." On the other side, the assailants directing attention to certain strong acts of religious persecution on the part of the Puritans, have denounced them as not only bigots, but hypocrites; professing freedom and practising tyranny. But as matter of fact, they were intolerant without being inconsistent,—being indeed rigidly consistent and straightforward. They never pretended to be champions of liberty of conscience or religious freedom.

This matter has so much bearing on the main subject in hand, and the opinion here maintained is likely to be so reluctantly received, I must be permitted to set it forth somewhat more fully. Dr. Palfrey, in his history, which is the best defence of the early Massachusetts men, says it was their design "that their Colony should be a refuge for civil and religious freedom."* This is a surprising statement, which both makes history stultify itself, and presents the aim and purpose of that colony in a manner very different from that in which the leaders themselves put it. As to the acts of intolerance and persecution, wherever their power reached, there can be no occasion to recite their history.† But that their profession corresponded with their practices, and that they are thus vindicated from the charge of inconsistency, is a fact which the candid student of history need not go far to seek. The famous John Cotton, in reply to Roger Williams' argument in favor of liberty of conscience, labors to prove the lawfulness of using the civil sword to extirpate heretics, from the command given to the Jews to put to death blasphemers and idolators. He says, "it is toleration which makes the world anti-christian, and even hypocrites and tares are better than briars and thorns;" and he advises to "destroy the bodies of those wolves who seek to destroy the souls of those for whom Christ died." Higginson,

* Hist. New Eng. Vol. I, 314.

† There never were any persecutions for witchcraft east of the Piscataqua. Massachusetts had one trophy, however, in the case of the Rev. George Burroughs,—a noted minister of Falmouth, who afterwards, at Salem, having been found guilty of holding at arm's length a seven-foot gun by his finger inserted in the muzzle, and likewise carrying about a barrel of molasses by the bung-hole, and by similar feats of sorcery disturbing the serenity of Mary Walcott, was judged unfit to live, and was executed as a witch. The indictment is a curiosity. Williamson, II, 21, gives part of it.

in his election sermon, 1663, speaks thus: "The gospel of Christ hath a right paramount to all rights in the world. That which is contrary to the Gospel hath no right, and therefore should have no liberty." Here the minister and the magistrate appear to wield the functions of judge and executioner.* Shephard's election sermon of 1672, skilfully makes a text of the cry of the demoniac, "Let us alone thou Jesus of Nazareth," which he styles "Satan's plea for Toleration," and whereupon he argues that toleration had its origin from the devil. The learned President Oakes, on the same occasion the next year, utters a similar sentiment: "The outcry of some is for liberty of conscience. This is the great Diana of the libertines of this age. But remember, that so long as you have liberty to walk in the faith and order of the gospel, you have as much liberty of conscience as Paul desired under any government." Still the minister or magistrate is to be the judge. A free-spoken man certainly was Rev. Nathanael Ward of Ipswich, who is said to be chief author of the famous "Bodie of Liberties."† In his quaint book, "The Simple Cobler of Agawam," written in 1647, he says: "He that is willing to tolerate any unsound opinion that his own may be tolerated, though never so sound, will for a need, hang God's bible at the devil's girdle. It is said that men ought to have liberty of conscience, and that it is persecution to debar them of it. I can rather stand amazed than reply to this; it is an astonishment that the brains of men should be parboiled in such impious ignorance."‡

These citations, which fairly represent the sentiments of the leaders, are more than sufficient to show that the design of that colony was not to afford a refuge for civil and religious liberty, but to find a place where they might have liberty to hold themselves and others in rigid subjection to a code which they called christian, but which after all had a very Mosaic mode of execution.

*The terrors in which ministers in New England have been clothed, even up to recent times, seem to have arisen from the civil powers they had in the early society. The ministers did much more than "preach politics" in those days. But a hundred years later the "Pulpit of the Revolution" was a power in achieving political freedom.

†Bancroft says this will compare favorably with any bill of rights from Magna Charta down.

‡Dr. Belknap cites many other evidences of this professed intolerance, and discusses the subject with admirable judgment and temper in his *History of New Hampshire*, Vol. I, chapter 3.

The Massachusetts Colony was peculiar in this. The others were far more tolerant. Plymouth, formed in a different school, was ready to proclaim freedom indeed. In 1645, a majority of her house of delegates were in favor of an act to "allow and maintain full and free toleration to all men who would preserve the civil peace and submit unto government."* The Old Colony also received Roger Williams when banished by Massachusetts, until she compelled the Pilgrims to cast him out. As for Rhode Island, it was looked on in those days as the "sink of New England." It was a saying of the times, that if any man has lost his religion he may find it there among such a general muster of opinionists.† Rhode Island, however, has an honored birth and history. And Plymouth has reason to be proud that her faith has conquered the force of her conqueror.

As to their relations, the language of the farewell address of the Massachusetts Colony would seem conclusive: "We do not go to New England as separatists from the Church of England; though we cannot but separate from the corruptions in it."‡ It is very apparent that the Massachusetts Company at first repelled the Separatists, who found refuge with the Pilgrims,—brothers as they were in faith and form. "We give you this order,"—says Craddock writing on behalf of the company to Governor Endicott of Rev. Ralph Smith, a Separatist who had taken passage for America,—"that unless he will be *conformable to our government* you suffer him not to remain within the limits of your grant." Bradford tells us the rest.§ Smith fled to Plymouth where he was kindly entreated, chosen to the ministry and honored in that office many years. What happened to Roger Williams, sent away not because he was a Baptist but because he was a Separatist—a believer in freedom of worship—we well know || It was equally apparent that Massachusetts did not exactly fellowship with Plymouth. Cotton Mather speaks his opinion pretty boldly.¶ "About the time of Governor Bradford's death, religion itself had

* See Bancroft I, 252.

† Belknap's New Hampshire I, 89.

‡ Mr. Higginson's pathetic and noble speech on board the ship leaving England. See Mather's Magnalia, Book III, Part II, chapter 1.

§ "Plymouth Plantation," Mass. Hist. Coll., 4th series, vol. 3, p. 263.

|| The treatment of Robinson, Cudworth and Hatherly of Scituate, was similar, but is not so widely known. See History of Scituate, p. 246.

¶ Magnalia, Book II, Chap. I, Life of Bradford.

like to have died in that colony, through a libertine and Brownistick spirit then prevailing among the people, and a strange disposition to discountenance the gospel-ministry,* by setting up the "gifts of private brethren" in opposition thereunto.†

The very different objects of these two colonies—the one aiming at the upbuilding of a State, and the other at religious freedom—tended to keep them apart. But the spirit of christianity on which both rested their respective system brought them together in one grand result: the truth had made them free, in thought and worship as well as in civil and political institutions—the dominant ideas of New England to-day.‡

But one thing more remains to be said for Massachusetts. Whatever it be of christian charity, she had a perfect legal right to be intolerant. She did not deny to others what she claimed for herself. Her people sought the wilderness that they might live according to their own ideas. It was no hardship to the rest of the world from which they had fled, to be shut out. Their charter was so much prized because it gave them a safeguard and immunity almost as absolute as that wherewith the English law makes a man's house his castle. The charter gave them full and absolute power to "correct, punish, pardon and rule all who should come within their jurisdiction; and for their defence and safety to encounter, expulse, repel and resist by force of arms and by all fitting ways and means all persons who should attempt their destruction, invasion, detriment or annoyance." To be sure, they were restrained from doing anything repugnant to the

*The peril of the ministerial prerogative seemed to be the trouble here.

†As these sheets are passing to the press, "The Pilgrim Memorial" is placed in my hands, containing the elaborate lecture of Benjamin Scott, F. R. A. S., Chamberlain of the city of London, entitled "The Pilgrim Fathers neither Puritans nor Persecutors," in which the conclusions above presented are strongly corroborated. The only points beyond those given in the text which I need now refer to, are first, that the early Separatists were not Puritans, and were persecuted solely for desiring to separate Church from State and not for political treason;—the early martyrs Copping and Thacker in the reign of Elizabeth, "died at Bury St. Edmunds, acknowledging the civil supremacy of the Queen, but maintaining that in spiritual matters they owed allegiance to another king, one Jesus;" and secondly, that the Puritans in England persecuted the Separatists, as is shown in the petition to the Privy Council by Puritan Clergymen, in which they say of the Brownists, "We abhor these, and we punish them," (pp. 22, 25.)

‡New England owes what is best in its character and institutions to the plain teachings of the Bible, and it would not hurt us to study it more. The more we know of it, the more we know how to be free.

laws of England. They gave their own interpretation to that, but it was simple, straightforward and logical, according to the reason and nature of the case. Liberty of conscience—freedom of thought—was the very thing they hated, and from which they had fled. To harbor these insidious foes, would be stultification and suicide. Intolerance was her only defence. You say this was bigoted and narrow? That may be true; but so is loyalty in the midst of treason. Their charter was obtained to secure them in the exercise of the religious life they chose. To this end they had a perfect right to exclude, or cut off, all spiritual as well as corporeal enemies,—Quakers, Baptists, Witches and Antinomians, as well as Indians, Frenchmen, Royal Commissioners and Governors. And it was in accordance with good tactics—legal as well as military—in which those men were by no means unskilled, not to wait until their foes were within their very doors, but to reach out and keep them at arm's length, and if need be to clear the surrounding region of every thing that could shelter an enemy's approach, or obstruct the range and effect of their own fire.* The Massachusetts of to-day is not responsible for their errors; but it has reason to be proud of their virtues. Nor is it altogether clear that it might not be better for us if some of that austere virtue would descend even upon this generation.

Massachusetts was intolerant; but it was by such right at least, as is the effect of law. And her intolerance was not of an evil nature, and so was not long abiding. It bore in itself the elements of its own correction. It was in the name of that obedience which saints and sages alike agree is "perfect freedom"—that obedience to the right which is the law of liberty. She stood for the right as she saw it, and even though in some things wrong, she cherished a truth which in due time would make all men free who followed it. Her watchword was not Liberty, but Loyalty;—and this, being such as it was, led to true liberty. She kept her rigid Law, but slumbering in its prophecy was that better Gospel which came not to destroy but to fulfil.

There is no more mistaken notion than that the New England of to-day is the simple outgrowth of the Puritan ideas and practices

* Massachusetts made her hand felt elsewhere than in Maine. She undertook to exercise jurisdiction in Warwick, R. I., and even in New York; and in 1644 forbid the inhabitants of Exeter, N. H., from forming a church until the court at Boston or at Ipswich should give allowance therefor. Belknap I, 58.

of the Colony of Massachusetts Bay. It is, on the contrary, the remarkable fact that the distinctive principle of that colony is precisely what has been most changed. The religious freedom of which we boast was the very thing which the fathers of that colony denied. The New England which has grown up is not that for which they suffered and struggled, and which they hoped so earnestly to see. This has grown up from the mingled elements of all the colonies, based indeed upon the living truths of the Bible, but illuminated by the Sermon on the Mount, rather than by the lightnings of Sinai. It has grown out of the charities of one fundamental faith, the sympathies of a common blood and the conciliations of a common cause. New England has influenced Massachusetts as much as she has influenced it. The Puritans were forced to see their failure going on in their own consecrated colony, and under their very eyes; and a different spirit,—more broad, more liberal, more human, yet as loyal to great principles,—gradually overruling their own; a spirit, a character, which not Massachusetts and New England alone, but the whole country, from the lakes to the gulf, and from ocean to ocean, recognizes as mighty among the powers that have made this nation what it is.*

I have said so much of Massachusetts because Maine was for forty years under her power, and for one hundred and thirty years more a constituent element of her estate and name. Her encroachments upon Maine were unwarranted by law, and high-handed in morality, and have only a military justification. But the result was to give order where there had been confusion, law where there had been license, and liberty where there had been formalism. In the later times her people largely emigrated to this province—especially of those more liberal in sentiment, more independent and enterprising in spirit. And so the old Bay State is more a mother to us in this circumstance than in any other,—that she contributed some of her own best and bravest sons and daughters to make up the robust character of Maine. But it was Plymouth after all which was the true “refuge of civil and religious freedom,” and which by her influence cast abroad the potent seeds that found in Maine a ready and genial soil. The ancient kindness was richly returned when for the bread once sent to the

* One-third the entire population of the United States in 1834 were descendants of the Puritans and Pilgrims.

famishing Pilgrims, came back in due time that spirit which is life's law and liberty.*

I pass by many interesting episodes,—such as the struggle of D'Aulney and La Tour to carry Acadia to the banks of the Penobscot, and speculations upon the motives and results of New England's driving away the Dutch who had gained a footing there. I omit also to bring forward as they deserve some matters of abiding history,—such as the settlement of the Dutch and Germans between the Penobscot and Kennebec, and of the Scotch and Irish and French even, who form no unworthy tracery in the thoroughly English character of our people. I am not giving a history of Maine, but only tracing the action of those formative forces which cast the great lines of our political history as they are.

The charter of William and Mary tended to bring the colonies together, to modify extremes, to promote unity of interest and aim in people who were already of one blood and birthright. A common enemy and a common defence strengthened this tendency. Almost a century of wars, borne in suffering and in triumph together, knit hearts as one. The brunt fell upon Maine, the vast frontier and flying-buttress of New England,—her soil the battle ground and her sons the vanguard. I have said before, that the fleet which took Port Royal was manned chiefly here and commanded by her distinguished son, Sir William Phipps. I have spoken of the famous siege of Louisburg, where almost the whole English armament were men of Maine, from the cabin and drummer boy to the Chief Commander, Sir William Pepperell. On land, also, Maine bore her part in every expedition, and shared the crowning glory on the Heights of Abraham. Such was the drain upon her in these French wars, that there was not left at home one man to a family, and Massachusetts was forced to send at one time a hundred men to garrison the little forts that protected the trembling homes.

But when the dearly defended liberties of the colonies were threatened by the mother country herself, decimated Maine was among the first to spring to the defence. “Our swords have not

*It is no strange or meaningless concurrence of ideas that the beautiful statue of Faith for Plymouth Hill—looking out seaward and pointing heavenward—is now being wrought from the pure white granite of Maine, and almost within the bounds of that early Pilgrim Grant on the Kennebec.

grown rusty," said the town of Gorham: "We offer our lives a sacrifice in the glorious cause of liberty," were the ringing words of Kittery;—in 1773, two years before Lexington and Concord. And on the muster rolls of the alarm men, called out by that momentous day, the names of the men of Maine flash like electric sparks all the way from Kittery to Mt. Desert. Soon after, the patriots of Machias under the O'Briens, boldly attached a king's ship, the *Margaretta*, and after a sharp engagement "the British flag was struck for the first time on the ocean to Americans."*

I cannot be expected here to sift the history of those momentous years, and present to you the part which Maine bore in the "times that tried men's souls." I wonder that this history has not yet been written, and that our State has not gathered from the Massachusetts rolls, at least the names which even at this late day would shed glory upon her own. Let me simply say, that in that struggle, Maine, drained as she had already been in the bloody French and Indian wars, lost a thousand men. And when it was over, the burden of the public debt that fell upon her was greater in proportion to her wealth and population, than her share in the cost of the War of the Rebellion.†

It was owing to causes that lay far deeper than the consolidating charter of Massachusetts Bay, that these colonies were merged into one. Nor is it wholly true, as is so often said, that it was the War of Independence which made them one. It is equally true, at any rate, that their oneness made their independence. Though existing under different and sometimes adverse charters—though grouped around different centres, with circumferences sometimes in collision, they were steadily evolving that consciousness of identity which is the soul of a nation. By all their sacrifices and toils and struggles,—by all their traditions, convictions and hopes,—by all that history gives to character and character to history, they were working out those ideals set forth in the Declaration, the Constitution and the Union, and in which are centered the glory of America and the hopes of humanity. And Maine has had no inglorious share in this. Conservative though she was from the beginning, she was never behind the foremost when the rights of man were at stake,—

* Bancroft, Hist. U. S., centenary edition, Vol. IV, p. 456.

† Varney's History of Maine.

whether they were to be attested by patient continuance in well doing, or decided by the costly arbitrament of arms.

There is no doubt that during all this revolutionary period Massachusetts had treated Maine with kindness, and had conciliated many people who before had resisted her usurpation. But there were many in this region whose sympathies still lingered with the mother country,—who did not perceive that the fight here was for Englishmen as well as for Americans, and for man the world over. Had not Maine been incorporated with the rest of New England by the charter of '91—had she been left impoverished and desolated as she was, to defend herself in the struggle, there is no doubt that the English perceiving the great strategic advantages of the position, would have seized upon the territory, and overawed the inhabitants, as she did in Nova Scotia; and when at last the lines were drawn, they would have included that Dukedom of York once bounded by the Kennebec, or that Palatinate of Gorges by the Piscataqua, which would have made that river the eastern boundary of the United States. As it was, I cannot but wonder that Great Britain did not seize this ground, and entrench herself here, where she might have held a flanking position of the whole American coast,—where she could have rendezvoused her fleets and armies, and made this storied shore the front of a new Empire. Had this been done the Dominion of Canada to-day would have a different fame and a different capital. It needs no diviner's eye to see what use would then be made of the mighty waters of the Penobscot and Kennebec, or such imperial naval stations as Somes' and Hussey's sounds; or what city would then arise, not to be scorned when it claimed to be "the natural seaport of the Canadas."

But it was otherwise. Hearts and fortunes have turned elsewhere and are bound to a different fate. The blood of Maine runs in the veins, or has endeared the sod, of every State in the Union: her star is not the least in the flag of the free, nor her name the humblest of those that mark the homes of the brave. And that she has a place in this proud greeting of the Century of the Republic I doubt not she owes to the fact that she was once part and parcel of the Province of Massachusetts Bay.

The remaining division of this discourse will regard Maine as an independent State. She had not indeed been dependent. By the charter of William and Mary she was a constituent part of Massachusetts, as much so as Plymouth or Boston itself. And when independence of England was declared, Massachusetts and Maine spoke as one. Only a small portion of her territory had ever been a Province of Massachusetts—the Gorges Palatinate—and that only for a short time. District she was indeed,—not of Massachusetts, but of the United States. For the better administration of maritime affairs Congress in 1779 made Maine a separate District, with a United States Court and officers as now. But the old feeling of self-determination was still strong; and with all the kindliness, the feeling of the right of self-government was not quenched. Territorially at least, the union was unnatural. The War of the Revolution brought the need of a distinct government to a sharp edge. So early as 1785 public meetings and conventions were held to consider the expediency of a separation. The growth of the State also increased the demand. From a population of five thousand at the beginning of the century she had advanced to more than seventy-five thousand at the time of the Revolution, and at the close of the century her population exceeded a hundred and fifty thousand. At this rate of increase the necessity for a separation was growing ever stronger. But the assertion of it was not promoted by the same ratio: for much of this increase had been by immigration from Massachusetts and the rest of New England; and many of those who had contended stoutly for the rights and interests of Maine had removed beyond her borders after Massachusetts took possession; and especially during and after the Revolution the Loyalists gradually retired eastward,—first across the Penobscot, and then beyond the St. Croix.* So it happened that the parties on the question of separation were for many years nearly balanced.

But the war of 1812 brought many changes. Maine contributed her part; but of stirring events here there is not much to tell. The English directed several of their attacks upon this coast, which was poorly defended; and it is fair to say that our military operations were not brilliant. The sea fight off Seguin, however,

* A very valuable Article, and one in which every candid mind can afford to be interested, is the Historical Essay of Lorenzo Sabine in his "Loyalists of the American Revolution."

was a bright spot upon the scene; and a gallant enterprise in capturing a British privateer off Bristol, redounded to the credit of that neighborhood.

Maine was a commercial State. Her shipping amounted to 150,000 tons; her exports to almost a million dollars a year. But many of her sons were sailors and liable to impressment by British cruisers. The war and the embargo increased party feeling, and strangely tasked it. The war-spirit and the war-measures brought conflicting motives into the same minds—self-interest and patriotic pride. The latter prevailed. The majority sustained the government. One good effect of the war and its measures was to stimulate local industries. The manufacture of woolen, cotton, glass and metal, started up with vigor all over the State, and made a large demand and quick market for farm products of every kind. But at the close of the war the influx of foreign goods brought in a competition which stopped the factories, and caused great loss and discouragement. The inevitable result was a reduction in the demand for agricultural products, and in the wages of labor. Severe winters and late springs still more disheartened the farmers. These causes led to that notable rush to the West in 1815 and 1816, known as the "Ohio fever," by which the State lost 15,000 of her most energetic people.

Meantime the question of separation had become a party issue,—the Federalists adhering to Massachusetts, the Republicans contending for independence.* In 1820 the point was carried; and that connection which was begun in violence, but had been continued for a hundred and thirty years in growing good-will, was now ended without severing the warm ties of blood—the unshed dearer for that which had been shed. A majority had decided it, but from henceforth Maine was one. By the mysterious laws of transmission, traces of this same majority have characterized the public

*These party names furnish a striking instance of misnomer; and what is still more remarkable, one of these parties adopted the name of their original opponents. It was in reality the Nationalists who came to be called Federalists. They held to the unity of the nation as opposed to a confederacy, and were led by Hamilton and Jay, who joined by Madison, wrote the articles called "The Federalist," which supported the new federal constitution. The old Federals, supporters of the ideas of the Confederation, were afterwards, with Jefferson for leader, known as Republicans, and then as Democrats. In addition to the familiar sources of information on this subject, we have now the recent work of Von Holst, "Constitutional and Political History of the U. S.," and Bateman's "Political and Constitutional Law of the U. S."

sentiment of Maine in all great crises, if I might not even say they have made her marked in character. Maine is conservative, self-reliant, calm; slow even, to wrath or novelty. She will lead in a noble cause when convinced; but she is not fanatical, narrow nor self-seeking. She does by no means always follow Massachusetts—nor even New England. But it would be a great mistake to suppose Maine is not warmly one with New England in all great principles and interests. It would be a mistake to suppose that Maine, advanced post and vanguardsman as she is, on this cold northeastern frontier, does not keep in her soul the watchword of the Union, and feel the heart-beat of the whole body of the nation.

It would seem that the portion of the State north of the old Gorges' Palatinate, was never subject of grant to any party, and if that is the case the title to that portion of the territory was vested directly in the United States by the treaty of 1783 with Great Britain, and was virtually transferred to Maine on her admission to the Union. There was, however, for many years a contest, sometimes sharp and threatening, as to the Northern and North Eastern Boundary. The result, although apparently unsatisfactory to England, was felt by Maine people to be for the advantage of the United States at the expense of Maine. At any rate, her claim was not defended, and in lieu of the territory thus lost the United States received a "far more valuable tract" on Lake Champlain and Superior,* and Maine a mere nominal equivalent in money.†

The population of the new State was nearly 300,000. The leading industries were lumbering, agriculture and ship-building. While the natural resources were yet abundant, the returns from these industries were large. Wealth and population rapidly increased. Up to the year 1850, each decade showed an average gain of 80,000 inhabitants.‡ From that time a decided slackening began. The census of 1860 showed a decrease of the former rate of advance by one-half, and that of 1870 no advance at all, but a

* I acknowledge here the courtesy of the Historical Society in placing in my hands the extremely valuable papers of the late Senator George Evans, relating to this subject; as also some able papers on the British side, which lament the impolicy and weakness of England in not seizing the whole of the State of Maine, or at least Acadia to the Kennebec. The writer was an abler man than the British treaty-commissioner.

†\$150,000.

‡Increase for the two decades, 1790-1810, 55,000 each; to 1830, 75,000 each; to 1850, over 100,000 each.

loss in the aggregate population, of 1,364. New Hampshire is the only other State which shows a falling off in the last decade. Her loss is remarkable, being 7,872 upon a total of 326,000. This might look as if this corner of the country were really too hard a place to live in, and New England was literally to be left out in the cold. But let us see. Statistical tables may be made to support the most diverse conclusions. We may derive advantage, however, from an examination of the census returns and the reports of leading interests, and be able to make certain generalizations showing at least our faults and their causes, and which way our hopes lie.

The first fact which strikes us is, that while our general falling off is 1,364, our polls—the number of men of voting age—have increased in the last decade by the surprising figure of 16,396. The second fact is, that the aggregate wealth of the State has increased in that time \$158,000,000. So if we are losing numbers, we are gaining in mature men. If there are fewer of us, we are learning to work better. In fact not only the total product, but the portion retained as the profits of business and wages of labor,—that is to say, the *wealth* of Maine has largely increased. In the last twenty years her gain has been \$225,000,000. Even now, when lumber and shipping have so declined, her wealth goes steadily on.

Now, we may have courage to search for the weak spots—to find where the destroyer has been at work upon us. In the first place, we find it is not women we have lost—or at any rate “females,” for in this valuable product the tables show a gain of 2,700 and more—900 in excess of the male population. But in 1860 the males were 6,000 more than the females. So it would appear we have less males in 1870 than we should have by 8,700 at the least. But the tables gave us a gain of polls of 16,396. This severe loss, then, must be found in males under the age of 21 years. Reluctant to accept the conclusion, we turn to the report of the School Commissioner,* and find that during the decade ending in 1870, the number of persons of school age in this State had decreased by 15,753 ! He accounts for this, partly as an indirect effect of the war which took away nearly half our male population between 20 and 40 years of age ; and partly by

* Report, Com. of Education 1871, p. 202.

the diminution from physiological or moral causes, in the birth rate of our native population. Moreover, the census returns * from an entirely different source, confirm this account—showing from 1860 to 1870 a thousand a year less children born in Maine than for any year of the twenty preceding. This truly is a conclusion and state of things which demands the serious attention of our public teachers and statesmen—guardians of the common-wealth and weal.

But we may see further into this matter and approach nearer a solution of it by taking another road. The statistics of industry ought to bear upon this subject; for while it is labor that produces wealth, it is the kind of labor and not the amount of it which tells most effectually on human society.

In this view let us examine the present drift of a few characteristic industries of Maine.

We find that the lumber business, which was once the great industry of Maine, has fallen off so that it is more than equalled by the single and comparatively recent industry of cotton manufacture,—the value of each product being about \$12,000,000. Turning to another great staple of Maine, shipbuilding, we find the total annual product of the different works concerned in this to be \$2,238,000, already much surpassed by many industries hitherto not made of much account;—the single item of iron-working producing an annual value of \$3,597,714: boot and shoe making, \$3,750,000: flouring mills, \$4,415,000: leather-making, almost \$5,000,000, and woolen factories \$6,150,000. There are more than one hundred and thirty other mechanical and manufacturing industries with an annual product of more than \$34,000,000.

Now take the third and chief industry of Maine. We find the total value of all farm products,—including stock, to be \$33,470,-044, while the total value of manufactured products,—I mean those which depend upon steam and water power—is \$79,497,521, or much more than double that of agricultural products. The total number engaged in agriculture is 82,011, of whom fifty-five are females. The total engaged in the manufacturing industries are 62,077, of whom 12,742 are females. We will now compare the amount of wages in these occupations respectively. In

* Census of 1870, Vital Statistics.

agriculture \$2,803,292; in manufactures \$14,282,205. From these returns we are warranted in several inferences.

Industry is becoming more diversified. The powers of nature are being substituted for human muscle. The productiveness of labor is greatly enhanced. The returns of labor are greater: wages are rising. Manufactures are giving remunerative employment to a large number of women.

All this is well, and betokens advance of civilization. But the balance ought not to be so against agriculture, and farm wages ought not to be so low. In a healthy state of things, diversity of occupations should stimulate the home market, and advance the value of farm products and farms, and the character of farming.

But it would seem from these tables that there is a prevailing notion that mind and skill can only be rewarded by trade and manufactures; and the local demands for skilled labor being supplied, our youth have gone forth to other States where capital invites hands guided by brains, and work and wit give quicker returns.

Is this so? Let us see where they have gone. Evidently not where they can find more work, but higher work. Some to be sure, to the new lands of the West where nature is more prodigal; 8,000 to Wisconsin, 7,000 to Illinois, 6,000 to Minnesota,—but 43,000 to Massachusetts, 11,000 to New Hampshire, 10,000 to California; and so on, till we find more than 116,000 Maine-born people residing elsewhere in 1870.

Something of this is due to a general westward push, which seems to be an instinct of man; and Maine being farthest east of the States is most exposed to the attraction. Every thing is west of her; drawing like a magnet. But this does not account for our case. The fact of the matter is, that in our way of doing business Maine has become an old and exhausted State, before her true wealth has begun to be developed. We have been stripping off what was easiest to take, without mercy and without forethought. We have been acting the part of the barbarian and the savage whose highest reach of industry and commerce is to send away the raw products of Nature, as long as they hold out, and then hunt for new hunting grounds. The nation that relies solely on the sale of her raw products will find that when they are gone, she is gone. Until quite recent times our views of industrial economy have been perverse and ruinous, and this is one of them.

Nowhere in the world of life is robbery blessed. You may indeed dig out the rock and the ore and give nothing back. That will do while it lasts. But true production is reciprocity; interests balance and support each other. What you borrow from *life*, you must repay. It is right no doubt to avail ourselves of the gratuities of nature. But you may be blind and brutish about it. Always you must consider the extent of her stores and her powers of recuperation. Otherwise you will sap her life, and leave her and yourself at the end wretched companions in poverty. So Maine has been stripping her forests and murdering her land; shipping away the fertility of her soil, and the stuff which she should have made material for her own ingenuity and skill; snatching at the near advantage, and heeding not what was to come.

In this way she was contributing to the superiority of others over herself. While she was honestly holding on to the good old, hard old ways, others had harnessed the forces of nature to their team, and were driving on apace. Mind had seized on *forces* as well as *matter*, and with these the cunning hand could do the work of scores. While others were cutting their way to wealth with the skilled knife and chisel and lathe, she was content with the narrow axe and cross-cut saw. Steam and iron ran away from the spinning-wheel and loom; and the women of the household being unable to turn their industry to good account, one hand of home labor was cut off. No one could call our people lazy. They have been industrious; nay, hard workers. But they have acted as if the only law of labor was hard work. They have been slow to see that true labor seeks not simply where it can find obstacles to overcome, but how it can work most advantageously—where mind can best win mastery over the utilities of nature. Hard labor is a prison sentence; skilled labor is the enfranchisement of man. Hard labor keeps man in bondage to nature; skilled labor makes her his willing and strong servant. Hard labor uses man as a brute only: skilled labor almost lifts brute force to human.

Maine has been slow to learn this lesson. To make matters worse she for a long time cherished an insane prejudice against "corporations," as if they were despots of society and adversaries of souls. She did not see that this was to fight against capital, the instrument that serves labor,—against enterprise, the force that moves labor,—against mind, the power that exalts it.

Now at last—late, but we hope not too late—we have learned the lesson of true economy. We no longer oppose capital. We invite skill. We understand that diversification of industries, division of labor and the utilization of the forces of nature as well as the materials, is the way to wealth and the law of growth.

The great instrument of civilization is power,—mechanical power—mastery given to human hands over material forces, that human beings be emancipated from drudgery and sent up to ever higher planes of labor and life. That is in the order of Providence the redemption from the curse,—the deliverance of man from bondage. For this he is to subdue the earth. Not that he shall ever be released from labor; for labor,—that is, the application of power, is life itself, but that nature by *his mind and skill* shall become a perfect instrument, with which he shall work out his truest ends, and win the mastery which is unto noblest service. The blind forces of nature thus have part in man's enfranchisement.

Now one great thing to say of Maine is, that she is full of power. In literal truth she overflows with it. The water power of Maine is mighty and exhaustless. More wonderful and useful still, in that it is available, controllable, constant. This land after many vicissitudes of elevation and subsidence from the ocean level,* now lifts to a mean elevation of 600 feet† above it more than 1,600 lakes, covering more than 2,300 square miles of surface,—immense storage of power, kept ever fresh by the mists from the mingling Gulf stream and the Arctic currents, rolled back against the mountains and shed down the slopes in ever renewing course. Innumerable streams and noble rivers, not cutting through soft rock to level cañon beds with lazy flow, but precipitated over flinty faces that were hardened in the fires of centuries ago, and will not yield their place for centuries to come, bear these waters onward to where the ocean tides and storms have worn deep harbors inward to the very foot of the falls. How many of these

* The account of the last great uplifting given in Dana's Geology, p. 561, edition of 1875, has an interesting note on the Indian shell heaps, and the Quahaug and Oyster of Maine. It is supposed that the Labrador current was once turned aside by the closing of the Straits of Bellisle and a union of Newfoundland with the continent.

† This is the estimate of Walter Wells in his "Water Power of Maine," a work evincing an ability and genius deserving better notice. The first part of this work ought to be republished as a text-book for our schools.

powers there are cannot be estimated; but the great rivers in their descent to the sea yield a gross power equal to 6,600,000 horse. This power concentrated and utilized as is done in our factories, would be equal to the labor ten hours a day every working day in the year, of more than 80,000,000 men. This indicates in what direction our industries are to extend, and is a prophecy of what Maine is yet to be.

And she is favored in other respects for manufacturing. The sea winds bring salubrious airs; the drainage banishes malarial taints, and even the cold is of good account. The high heats of summer must always be a drawback to any extensive scale of manufactures in the South. You can shut out cold, but not so easily heat. It has been calculated that the diminished productiveness of factory labor in the South compared with that in the North, due to this cause, reaches the remarkable figure of ten per cent.* But our winters bring even more direct profits. Maine not only quarries stone, but ice. Here is a kind of export of raw material which will not impoverish. If her rock and her cold can be turned to wealth, she has an inexhaustible resource.†

Great manufacturing interests demand capital. We have missed the golden opportunities when investments were offered from abroad. Now manufactures have gained a better footing elsewhere, and there is said to be already an over production of the great staples. For this we must be patient,—work our way and pay our way. But I am not so much troubled for that. It does not appear to me that the only manufactures we should long for are the great ones which bring in crowds of foreign operatives who do not understand our institutions, and who do not enter into our social life and well-being. My hope for Maine lies largely in those many minor industries already referred to, that are pressing

* Wells' Water Power of Maine.

† The decided change of climate between the region north of Cape Cod and that south of it, is often noticed. The cape in fact appears to be the index on the dividing line of two zones. The curious reasoning of Dr. Holyoke (*Transactions Am. Acad. of Arts and Sciences*, Vol. II, Pt. I,) that it is the great number of evergreens in our woods which causes our cold,—a reasoning thought so satisfactory by Judge Sullivan, (*History of Maine*, p. 8) cannot now be relied on to explain the decided and inveterate habit of winter to have its own way with us. Dr. Kohl puts the case for Maine with judicial mildness: "The nature of its climate inclines more to the countries north of it, than to the States south of Cape Cod." The reason he gives (*Discovery of the East Coast*, p. 44) is, that the Arctic current branches off and circulates in the Gulf of Maine, while the warm Gulf Stream tempers the airs of the more southerly New England shores.

into service natural motors and native skill all over the State. It is with these diversified industries, that the true prosperity of our agriculture is vitally connected. An agriculture which depends only on foreign export will not reach the highest degree of profit and independence. Not to insist upon that general law that money flows in the same direction as raw materials,—that is, from the producing countries towards the great industrial and business centres,—I urge only the more obvious maxim, that diversified industries, widely scattered in local centres, which create a near and constant market, and secure within this domestic circle all the advantages claimed for reciprocity and free trade, afford the most favorable conditions for a prosperous agriculture. Thus the factory and the farm should balance. All that which is product of the farm would be worked to its highest form and use, and all that, brought from near or far, which is waste and refuse to the factory, return health and wealth to the soil. So every advantage not only of soil and material resources, but also of native aptitude, tact and skill, the division of labor, the association of capital and the rapid circulation of wealth, would tend to the stability, the upbuilding, the broad culture and total well-being of the State.

But we have not mastered all the lesson yet. We shall not have firm footing till we have learned to turn a real attention to husbandry. Not without deep meaning was that old fable of Antæus, the giant wrestler who could bear every hurt and come off victor in every struggle, because his strength was renewed whenever he touched the mother earth; and was only overcome when Hercules lifted him and crushed him in the air. So it is with man. And so with the State. It stands on its land. If it slights or abuses that, its strength is gone. Well might Disraeli ask, what has become of the yeomanry of England, that made her ancient fame? And well may we ask, Why is it that she, the richest, is yet the poorest nation in christendom, and the distance between her class is ever widening? * One answer will do for

* This is no random rhetoric. Any one familiar with English social science,—or even with modern English novelists, for that matter,—will recognize the truth implied in my question. A note to prove this truth would swell to the dimensions of a whole discourse. Essays on this topic are numerous. I refer to one of much value and interest, not widely known among us: "The Land Laws of England," by C. Wren Hoskyns, Esq., published among the essays of the Cobden Club, entitled "Systems of Land Tenures in Various Countries," London, 1876.

all. She has driven off the small owners and free-holders from the soil and forced them into the shops and factories,—competition keeping wages down, and low wages crushing the last trace of God's image out of humanity. The fields that once supported men and women and children, sound in body and in soul, have been turned into sheep-walks and deer-parks, and gathered into the hands of a few, till seven hundred men own a quarter of England, and there are only 200,000 persons who could be called land-owners at all.* Then the tax system of that country makes this matter worse. The tax that ought to be almost prohibitory on lands so held for human pride and aggrandizement, is made merely nominal, and that on income but a trifle. The burden of the tax is laid on consumption—on the human body, instead of on profits and property.† That answers the question. That is why England, though Empress of India, and though her colonies and commerce encircle the earth, is yet declining in civilization,—if we mean by that the art and power to command the blessings of nature. Tried by the maxim of her Bentham,—“The greatest good of the greatest number,”—her system has been found wanting. Her wealth does not save her, though she is the banker of the nations. Her manufactures do not save her, though she is the workshop of the world. A fatal error is at her heart, which makes even her christianity ineffectual. She has taken the standing-

* Mr. Mulford's statement in the “The Nation,” p. 67, ‘that one-half England is owned by 150 proprietors and the whole number is reduced to 30,000’—a statement which has been long current—was based on reports which have turned out to be unreliable. An analysis in the “London Times,” April 7, 1876, shows that 874 owners hold 9,367,133 acres; 2,689 owners hold 14,896,324 acres; 10,207 owners hold 22,013,208 acres; 42,524 owners hold 28,840,550 acres.

Hon. George C. Brodric in his essay on the “Law and Custom of Primogeniture,” (Cobden Club Essays, 1876,) canvasses the land statistics of England for that year with much clearness and insight. He finds that “nearly one-eighth of all the enclosed land in England and Wales is in the hands of 100 owners; that nearly one-sixth is in the hands of less than 280 owners; and that above one-fourth is in the hands of 710 owners.”

† Here is the estimate for 1876: Land Tax, £2,000,000; Income, £3,900,000; Custom, Excise and Licences, (tax on consumption), £58,000,000. “Statesman's Manual for 1876,” p. 215.

Mr. Greg,—“Essays on Political and Social Science,” Vol I, p. 248, Principles of Taxation,—argues that the poor in England do not pay their fair proportion of taxes, because the rich consume more of the necessities of life than the poor.

place out from under the feet of her people, and her whole moral order is overturned.*

Thank Heaven, we have not come to that. Our people are not wretchedly poor, but they are moving away. Our lands are not usurped by a few. They are abandoned by the many. But part of the result is the same. If we have not the misery, we have the desolation. It is a great evil and a hurt to have these farms stripped and forsaken, and these resources which might by earnestness and skill be made to warm and brighten many a home, left as they have been in the cold clutch of nature.

Consider for a moment certain great and beautiful economic laws:

1. As man advances, the prices of manufactured articles go down, and those of agricultural products go up.
2. In a healthy state of things, all values whatever,—necessities, luxuries, silver and gold even, interest and profits,—tend to decline, except raw material and wages. Land and labor—man and earth—therefore, stand together.

Where these results or tendencies do not appear, something is wrong. If "goods" are high, and wages and farm products low, there is an evil power at work. And the declining value of our farms tells a sad, true story against us. It is a thing we can see without census reports, that our youth have had a tendency within the last ten years to fly from labor to what they call business and trade,—being led to think, perhaps, that Exchange is a higher sphere of effort than Production.†

* I have sought in vain for even an approximate estimate of the land owners in the United States. But we may compare France with England. According to M. de Lavergne, "*Economie Rurale de la France*," there are 7,500,000 land Proprietors in that country. Well may Mr. Cliffe Leslie say, "The contrast between the land systems of France and England is the most extraordinary spectacle which European society offers for study to political and social philosophy," (*The Land System of France*, p. 288.)

† There are two kinds of trade,—one which adds to values, and so is truly productive; another which takes toll out of values, and is simply destructive. The merchant who gathers various things from far places, and stores and holds them subject to our demand, saves us the immense expense of time and money in travelling, searching and transporting each for himself; and this is the same in effect, it will be readily seen, as adding directly to values. It is obvious that the number of such merchants has a natural limit in the amounts necessary for the needs of customers. There is another kind of trader who does not add to values,—who simply intercepts things as they pass from the producer to the consumer, and levies an Algerine tribute upon them. It is obvious that this class is worse than useless. In disturbed times such as we have had, this class increases without law or limit, and seems to thrive at the expense of society.

Unskilled farming, unpaid toil and heavy taxes, have added an impulse to this attraction. We want manufactures. But one interest must not oppress the other. Balance is the wisdom of society. If to atone for past errors you attempt to invite manufactures by exempting them from taxation, and roll that burden upon the little farms, you drive off the sons from the homesteads into the Babylon of the marts and cities. We must call our youth home again. If need be, exempt the old farm from taxation, instead of the new factory. Do not put a light tax on timberlands and heavy one on homes. Favor those who own to cultivate, rather than those who hold for speculation. Encourage the men and women who own their land to build up homes and rear up children, and draw out a perpetual blessing from the soil and sky, and so make earthly toil win heavenly harvests. That is what we must come to. Home again! We shall not have "good times" until speculation and trade give place to the creation of real values—until the captive children return from Babylon and build again the walls of Jerusalem. We must come back and touch mother earth again and be strong.

Then too there are broad fields yet to be taken up; for the rich resources of Maine stretch as far inland as the whole sweep of the shore. There are no fairer grain-fields in all the Western prairies than on the Aroostook highlands. The little band of Swedes we took pains to plant there return the cost of the enterprise in the example they have set us. A ship-load of such men and women is better than warehouses full of foreign luxuries. Doubtless we shall hear more of their virtues when they have votes to give. With sound thoughts and purposes bearing upon opportunities like these, we may be able to hold back at least some eddy in the westward sweeping tide of emigration. And if not, we may still console ourselves with the thought that even though the course of Empire tends westward, it is born of the East.

But mind—has not Maine been rich in that? Yes, to over-production. That is to say she has produced more mind than she has had fit work for. Statesmanship was for a long time almost the only sphere which allowed scope for ambitious spirits, without banishing them from their homes. Others following the great laws of mental economy sought fields abroad. And was it not right and well that the best minds should be called away? The whole

country claims them: the world even, is not too wide for their fame.

Mind is above matter. Man above circumstance. Of such I am proud to see is still the pre-eminence of Maine. In the census charts which present the illiteracy of the States in grades of shadow, she stands almost as white as snow—chief I think in the whole sisterhood. I am aware that this does not mean everything. It does not mean that the highest pitch of education is here attained, but that education is broadest spread. Happy has been for her the law that the day of small things is not to be despised—that the little red school-house may have its part too in the world's affairs, no less than the luxuries of storied halls.

It is the way we use things that makes us. But the concession is not needed. Our higher institutions have done good work. Surely without disparagement or partiality I may ask what colleges in all the country can show a brighter roll, relatively or absolutely, than the little college which Maine received as a part of her constitution. How can I select among the sons of Bowdoin—nearly every one also a son of Maine—names that shall not leave too many peers unmentioned? Hear how they begin. The Abbots, the Allens, the Andersons, the Appletons, the Cheevers, the Goodwins, the Hales, the Hamlins;—and to speak of groups by noble types, there are Stowe and Smith among scholars, Evans and Fessenden among statesmen, Sergeant Prentiss among orators, Munson and Cilley among martyrs, Andrew among patriots, Howard among heroes, Hawthorne among the masters of human speech, Longfellow among the ministers of immortal song!

I pass over the story of the war,—the noble devotion with which the State, almost as one man, stood forth for the sacred name of country; for that conservation of the Being of the People which is Supreme Law, of which institutions are the guaranty, and by which constitutions are to be interpreted;—that oneness of great life and purpose, achieving what no single members nor separate States could win, but can be wrought only in the high calling of the Nation. I pass over the names of those who, merging in that larger life all that men are wont to make the end of living, and dedicating on that high altar the costliest and dearest to each single soul, received into their own bosoms the blows that were struck at their country's. They are mustered on broader rolls, and held in holier keeping. So far as figures can tell anything, it

is enough to say, that nearly 75,000 answered that high summons on land and sea, and 25,000 of the flower of our youth sleep—no, they shine, in their galaxy of graves,—from the St. Croix to the Rio Grande!

And all this toil and service and sacrifice—shall it be lost? Shall it not live, and live here, where it had its birth and belonging—though its work and burial be elsewhere? They who fell at Marathon and Thermopylæ fell for Greece forever, and for freedom wherever. So they, born here, who have toiled and suffered and fallen, shall live in the life to be. For even though, as I sometimes fear, another Centennial shall not dawn upon the Republic,—if after all the toil and tears the Constitution proves inadequate to its idea, and the Union weighed down with opposing interests and disintegrated by sectional hate, breaks asunder,—man will live—freedom will live, and live here. We indeed may not; nor our sons. If we prove unworthy, into whose hands these powers and materials are given as trusts—if failing in our opportunity, and false to duty, the glory shall pass away from us,—even then, what God has made and placed here will abide; and I know some master mind will then arise, who seeing the great points of advantage and just bearing of things, and entering into the creative thought of Him who “hath determined the times before appointed and the bounds of their habitation,” will reconstruct these boundaries, and rearrange these forces in more effective combinations, so that neither the nations that are the workers, nor the world that is the working place, shall fail of their noble ends.

But brighter days are in store for Maine. We see even now the reflux wave. Slowly, as ignorance is dispelled and prejudice overcome, and interest appears, men are turning towards Maine. Labor and capital and mind learn that they can combine here with singular advantage. Nay, some of the primeval glory yet remains. Undeveloped forces and materials of good are still within easy reach. And old ones that were abandoned, not because they were exhausted, but because human patience and skill were wanting, will reawaken, when the new life, and the new force, take hold again on things!

The task is done. Or rather I have done. The thought I saw before me—to set Maine in her true light—is but half attained. Like all our human endeavor the end disappoints the hope,—or rather the end is never reached. I have not sought to write

history. But the field is open, and as yet almost unwrought. Much history is here which never has been written. In no part of the country have different nations so long and sternly contended for the ground. In no part of the New World has early history been more tinged with romance. Scores of places along this Gulf of Maine have beheld scenes and events which the genius of a Scott could rekindle to thrilling interest. And in the dim regions that lie beyond history, what legends and marvels float formless in the outer mist! Science may not care to inquire what sounds and voices those were which rose amidst storm and surge, as of fierce spirits battling in the upper air around the "Isle of Demons" of which Thevet tells. But echoes of sweet and sad and terrible things still haunt the lonely shore.* And long ago the search was ended for Norumbega, the lost city of the East—whose silver pillars and golden domes many an old traveller avers he had seen with mortal eyes,—but the legend lingers of a knightly pilgrim, who faint and dizzy with seeking, saw at last its domes and spires flashing in the glory of the setting sun, till one sense quickening another, he seems to catch the tone of chants and hymns and chapel bells, and before his very touch the crystal gates swing open, as of the heavenly Jerusalem descending from above, where death leaves him and his true life begins.†

But Maine has many things yet to take hold of human interests, and to stir life and love. Her thousand lakes embosomed in deep forests,—her Mount Katahdin, sombre and solitary, more wonderful in some ways even than the White Hills, with its strange craters and battlemented peaks, its wider vision of far-stretching woods in a net-work of countless silver-threaded streams and blue waters,—and this great and wide sea—this wonderful shore—these beaches and bays and harbors, and bold headlands sun-steeped in loveliness or storm-swept in grandeur;—these things invite the brave, the noble, the cultured;—those who love nature's simplicity, and are partakers of her sacraments. Thought comes here and dwells. The wearied with work come here to worship.

*Parkman (*Pioneers of France*, pp. 173, 203,) gives one of these wild legends from Thevet.

†Hakluyt, III, pp. 129, 168. Kohl, *Discovery East Coast*. I owe to Rev. B. F. DeCosta the pleasure of reading his beautiful account of the little poem "Norumbega" in his article "The Lost City of New England": *Magazine of American History*, January, 1877.

Homes of wealth arise, and scorn not humbler ones, but give a helping hand to honest and homely toil. This will knit hearts together anew, and they will love the land, and the land will give back strength. For Mountain and River and Sea—emblems of freedom and power—are more than emblems. They hold a people to their thought, and so make them strong.

And it would seem as if the day must come—for it is written in these imperishable prophecies—when in the revolutions and evolutions of history the shores of this Gulf of Maine will be the seat of industrial, social and political empire, even beyond the early dreams; for it will be an empire where no despot either of politics or traffic, shall make merchandize of souls, but where MAN, in making himself master, makes all men free!

At the conclusion of which, the Governor and his suite retired, and the Convention was dissolved.

Adjourned.

ORAMANDAL SMITH, *Clerk.*

WEDNESDAY, FEBRUARY 7, 1877.

Met according to adjournment.

Prayer by the Rev. Mr. EMMONS of Hallowell.

Journal of yesterday read and approved.

Papers from the Senate.

Petition of Joel Colby and others, for reimbursement for labor, was referred in concurrence to the next Legislature.

Bill "an act giving county commissioners jurisdiction over the repairs of ways," indefinitely postponed in the House, came back from the Senate non-concurred, and passed to be engrossed.

The House insisted, and proposed a Committee of Conference, and the SPEAKER appointed

Messrs. Wadsworth of Manchester,
Norton of Penobscot,
Chase of Standish,

Conferees.

Bill "an act to prevent incompetent persons from conducting the business of apothecaries," passed to be engrossed by the House, came back from the Senate amended as per sheet "A," and passed to be engrossed.

House receded and concurred in the adoption of Senate amendment "A," and passed the bill to be engrossed in concurrence.

A communication was received from the Governor, transmitting the report of the Centennial Commissioners, and requesting the publication of the Centennial Address of Ex-Gov. Chamberlain.

Ordered, That the Hon. J. L. Chamberlain be requested to furnish for publication a copy of the Centennial Address delivered by him, before a Joint Convention of the Senate and House of Representatives on the evening of the 6th inst.

Ordered, That there be printed for the use of the Legislature two thousand copies of the communication of the Governor, with the report of the Centennial Commissioners accompanying; with two thousand copies of the Centennial Address of Hon. J. L. Chamberlain, and that the Secretary of the Senate and Clerk of the House of Representatives be directed to make the usual and proper distribution of the same.

These orders came from the Senate read and passed, and were read and passed in concurrence.

"Resolve laying a tax on the several counties of the State," passed to be engrossed in the House, came back from the Senate amended as per sheet "A," and passed to be engrossed.

The House receded and adopted Senate amendment "A," and passed the resolve to be engrossed in concurrence.

Bill "an act to amend chapter 6, section 53, revised statutes, relating to repairs of ways in unincorporated townships," passed to be engrossed in the House, amended as per sheet "A," came back from the Senate further amended as per sheet "B," and passed to be engrossed.

The House receded, adopted Senate amendment "B," and passed the bill to be engrossed in concurrence.

Report of the Committee on the Enlargement of the State House, reporting a "resolve relating to the improvement and enlargement

of the State House," came from the Senate read and accepted, resolve read twice and refused a passage.

The report was read and accepted, resolve read and refused a passage in concurrence.

Report of the Committee on Temperance, reporting on sundry petitions relating to temperance, bill "an act to amend chapter 27, revised statutes, relating to drinking-houses and tippling shops," came from the Senate read and accepted, bill read twice, amended as per sheet "A," and passed to be engrossed.

The report was read and accepted in concurrence, bill read twice, and afternoon assigned under suspension of rules.

Report of the Committee on the Judiciary, reporting on resolve of the city of Portland, bill "an act additional to chapter 6, revised statutes, relating to property of religious societies," came from the Senate read and accepted, bill read twice, amended as per sheet "A," and passed to be engrossed.

The report was read and accepted in concurrence, bill read three times, rules being suspended. Pending adoption of Senate amendment "A," tabled, on motion of Mr. CLEAVES of Portland.

"Resolve in favor of Sprague, Owen and Nash," came from the Senate read twice, under suspension of rules, and passed to be engrossed.

The resolve was read once, and afternoon assigned for second reading.

Bill "an act to revise and consolidate the laws relating to the government, powers, duties, privileges and liabilities of savings banks and institutions for savings," amended in the House as per sheets "A," "B," "C," "D," "E," "F," "G," "H," "I," "J," "K," "L," "M," "N," "O" and "P," and amendment to amend "D," and passed to be engrossed, came from the Senate, House amendments "H," "J" and "L" rejected, further amended as per sheets Nos. 1, 2, 3 4, and passed to be engrossed.

House voted to adhere to all of the amendments. Pending acceptance of Senate amendments, tabled.

Petition of Martha Soc and others, for back pay from Agent of Penobscot Indians, was referred to the next Legislature, and sent to the Senate.

Mr. BOWERS, from the Committee of Conference, reported on bill "an act to prevent the throwing of slabs or other refuse into the Kennebec river and its tributaries," that the House should recede and give the bill a passage as amended by the Committee.

The report was rejected, and sent to the Senate.

"Resolve in favor of Van Buren plantation."

"Resolve in favor of the Military and Naval Asylum at Bath."

"Resolve in favor of the town of Kingsbury."

"Resolve in favor of the Maine State Prison."

Bill "an act to repeal section 31 of chapter 86 of the revised statutes, relating to trustee disclosures."

Bill "an act to amend chapter 76, public laws of 1876, entitled 'an act relating to normal schools.'"

The foregoing bills and resolves were reported from the Committee on Bills in the Third Reading, bills read three times, resolves twice, and passed to be engrossed in concurrence.

Bill "an act to enable the city of Bangor to aid the Bangor and Piscataquis Railroad Company in the construction of its railroad from some point in Bangor to some point in the line of its present road," was reported from the Committee on Bills in the Third Reading, read the third time under suspension of rules, and passed to be engrossed, and sent to the Senate.

"Resolve authorizing the Land Agent to quiet settlers on a section of land in the town of Presque Isle," was reported from the Committee on Bills in the Third Reading, and read the second time. Pending adoption of amendment "A," offered by Mr. PIKE of Calais, laid on the table.

"Resolve in favor of the Maine State Library."

"Resolve in favor of compiling and printing the school laws."

The foregoing were reported from the Committee on Bills in the Third Reading, read the second time, and tabled on motion of Mr. PIKE of Calais.

Bill "an act to amend chapter 137 of the revised statutes, in relation to disposal of criminals."

Bill "an act to amend section 13, chapter 133 of the public laws of 1873, relating to the punishment of criminals."

Bill "an act to encourage the introduction and manufacture of beet sugar."

Bill "an act additional to chapter 49 of the revised statutes, relating to life insurance."

Bill "an act to amend section 31, chapter 11 of the revised statutes, relating to the powers of school districts."

Bill "an act requiring railroad corporations to be holden for labor."

Bill "an act in relation to Portland harbor and to the Harbor Commissioners of Portland harbor."

Bill "an act to obtain uniform returns from railroad corporations."

Bill "an act to provide in part for the expenditure of government."

Bill "an act to incorporate the Bath Driving Park."

Bill "an act giving authority to the city of Portland in relation to certain railroads."

Bill "an act to change and fix the limits of the town of Haynesville."

Bill "an act to amend section 1 of chapter 13 of the public laws of 1875, relating to close-time for lobsters."

Bill "an act relating to witnesses and evidence."

Bill "an act to amend section 10, chapter 131 of the revised statutes, relating to indictments."

"Resolve in favor of the Joint Standing Committee on Financial Affairs."

"Resolve in favor of the Joint Standing Committee on Education."

"Resolve in favor of the town of Maysville."

"Resolve in favor of C. S. Hobbs of Norway."

"Resolve in favor of the Bangor Children's Home."

"Resolve in favor of the Passamaquoddy Indians."

"Resolve in favor of the Female Orphan Asylum, Portland."

"Resolve in favor of Rufus F. Stone."

"Resolve for the appointment of a commission to revise the militia laws."

The foregoing bills having had three and the resolves two several readings, and passed to be engrossed, were reported from the Committee on Engrossed Bills as truly and strictly engrossed, bills passed to be enacted, resolves finally passed, signed by the Speaker, and sent to the Senate.

"Resolve in favor of the town of Anson," was taken from the table. Amendment "A" rejected, and resolve passed to be engrossed in concurrence.

Bill "an act changing the time of the municipal election in the city of Ellsworth," was taken from the table. Senate amendment "A" adopted, and bill passed to be engrossed in concurrence.

Adjourned.

ORAMANDAL SMITH, *Clerk.*

AFTERNOON SESSION.

Met according to adjournment.

Papers from the Senate.

Report of the Committee on Fisheries, reporting, on order, bill "an act for the protection of migratory fish," came from the Senate read and referred to the commission to revise the fishing laws.

House concurred.

"Resolve in favor of the State Reform School."

"Resolve in favor of the Committee on the Reform School."

"Resolve in favor of the Maine Industrial School at Hallowell."

The foregoing resolves came from the Senate read twice, under suspension of the rules, and passed to be engrossed, and were read twice, under suspension of rules, and passed to be engrossed in concurrence.

Bill "an act in relation to county attorneys," indefinitely postponed in the House, came from the Senate non-concurred.

House adhered.

"Resolve in favor of bridge in the town of Lyndon," passed to be engrossed in the House as amended per sheet "A," came back from the Senate further amended as per sheet "B," and passed to be engrossed.

House receded, adopted Senate amendment "B," and passed the bill to be engrossed in concurrence.

Bill "an act to amend an act entitled 'an act providing for division of rents of island shores to the Penobscot Indians,'"

passed to be engrossed in concurrence in the House, came back from the Senate indefinitely postponed.

House receded and concurred.

"Resolve for amendment of the Constitution," passed to be engrossed in the House, came back from the Senate indefinitely postponed.

House receded and concurred.

"Resolve concerning an amendment of the Constitution of Maine relating to electors," passed to be engrossed in the House as amended per sheets "A" and "B," came back from the Senate read twice, House amendments rejected, amended per sheet No. 1, and passed to be engrossed.

The House receded and concurred in the rejection of amendments "A" and "B," and adopted Senate amendment No. 1, and passed the resolve to be engrossed in concurrence.

"Resolve in relation to the salary of Judge of Probate of Penobscot county," was read twice, under suspension of rules, and passed to be engrossed, and sent to the Senate.

"Resolve in favor of Sprague Owen and Nash," was reported from the Committee on Bills in the Third Reading, read the second time, and referred to the Committee on Financial Affairs.

Mr. SHEPHERD of Camden, moved a reconsideration of the vote of the House, whereby it adhered to its vote referring the bills relating to Merrymeeting bridge and Arrowsic bridge, to the next Legislature.

The House refused to reconsider.

The vote whereby the House passed to be enacted, bill "an act to obtain uniform returns from railroad corporations," was reconsidered, and the bill recommitted to the Committee on Engrossed Bills.

"Resolve in favor of compiling and printing the school laws," was taken from the table and indefinitely postponed.

"Resolve in favor of Maine General Hospital," was taken from the table and passed to be engrossed.

On motion of Mr. PILSBURY of Lewiston, the House reconsidered its vote, adhering to all its amendments to the savings bank act, and then insisted and proposed a Committee of Conference, and the SPEAKER appointed

Messrs. Pilsbury of Lewiston,

Pike of Calais;

Wadsworth of Manchester,

Conferees on its part.

Sent to the Senate.

Mr. Kinney, Representative from Houlton, Mr. Littlefield of Portland, Mr. Parkhurst of Maysville, and Mr. Porter of Burlington, were excused from further services as members of this House, after to-day, and the Clerk was ordered to make up their pay and mileage to the end of the session.

On motion of Mr. CLEAVES of Portland,

Ordered, That when this House adjourns, it be to meet at 7½ o'clock P. M.

On motion of Mr. NEWBERT of China,

Ordered, That hereafter no member shall be allowed to speak more than five minutes, at any one time, except by permission of the House.

Adjourned.

ORAMANDAL SMITH, *Clerk*.

EVENING SESSION.

Met according to adjournment.

Bill "an act additional to section 6 of chapter 6 of the revised statutes, relating to the taxation of property of religious societies," was taken from the table, Senate amendment "A" amended as per sheet "B," and the bill passed to be engrossed.

"Resolve relating to settlers lots under the Treaty of Washington," was taken from the table and indefinitely postponed.

Bill "an act to amend section 9 of chapter 116, revised statutes, relating to board of prisoners in county jails," was taken from the table, read the third time, and indefinitely postponed.

"Resolve relating to claims of settlers on proprietors' land," was taken from the table and indefinitely postponed.

Bill "an act to amend chapter 27, revised statutes, relating to drinking houses and tippling shops," was taken from the table, Senate amendment "A" adopted, further amended as per sheet "B," and passed to be engrossed.

"Resolve in favor of Maine State Library," was taken from the table and indefinitely postponed, on motion of Mr. ROGERS of Bath.

Bill "an act to amend an act entitled 'an act to incorporate the Franklin Land and Lumber Company,'" having had three several readings, passed to be engrossed, was reported from the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker, and sent to the Senate.

Adjourned.

ORAMANDAL SMITH, *Clerk.*

THURSDAY, FEBRUARY 8, 1877.

Met according to adjournment.

Prayer by the Rev. Mr. THOMAS of Gardiner.

Journal of yesterday read and approved.

Papers from the Senate.

The majority report of the Committee on Mercantile Affairs and Insurance, reporting legislation inexpedient, on order relating to the Commissioner of Insurance, for which the minority report of same Committee was substituted, with bill, came from the Senate read, non-concurred and majority report accepted.

House receded and concurred.

"Resolve relating to the purchase by the State of certain reports," indefinitely postponed in the House, pending final passage, came back from the Senate non-concurred.

The House adhered.

"Resolve in favor of education in the State Prison," came from the Senate read twice, under suspension of rules, and was read twice in the House, under suspension of rules, and passed to be engrossed in concurrence.

Mr. HINCKLEY, from the Committee on Financial Affairs, reported "resolve in favor of Sprague, Owen and Nash."

The report was read and accepted, resolve read twice, and passed to be engrossed, and sent to the Senate.

Mr. ROGERS, from the Committee on Ways and Means, reported bill "an act for the assessment of a State tax, for the year one thousand eight hundred and seventy-seven, amounting to the sum of six hundred and seventy-five thousand one hundred and seventy-three dollars and fifty-three cents," (\$675,173.53.)

The report was read and accepted, bill read three times, under suspension of the rules, and passed to be engrossed, and sent to the Senate.

Mr. PIKE, from the Committee of Conference, reported, on "resolve in favor of town of Stockton," that the same ought to pass as amended.

The report was read and accepted, amendment adopted, resolve passed to be engrossed, and sent to the Senate.

Report of Committee of Conference, on bill "an act entitled an act authorizing any town in the State to elect its municipal officers for a term of three years, in the same manner as the county commissioners are now elected," reporting that the House recede and concur with the Senate in the indefinite postponement of the bill, was read and accepted, and bill indefinitely postponed.

Mr. HOBSON, from the Committee on Federal Relations, reported reference to the Governor and Council, on order relating to the boundary line between Maine and New Hampshire.

Bill "an act additional to section 6 of chapter 6, revised statutes, relating to the taxation of property of religious societies," passed to be engrossed in the House as amended per sheets "A" and "B," came from the Senate, House amendment "B" rejected, further amended per sheet "C," and passed to be engrossed.

House insisted and proposed a Committee of Conference, and the SPEAKER appointed

Messrs. Hadlock of Cranberry Isle,
Jackson of Portland,
Chase of Bridgton,

Conferees on its part.

The report of the Conference Committee, on bill "an act to prevent the throwing of slabs into the Kennebec river and its tributaries," which was not accepted in the House, came from the Senate non-concurred, and another Conference Committee proposed, with

Messrs. Brown of Piscataquis,
White of Hancock,
Stevens of Kennebec,

Conferees.

The House concurred and appointed

Messrs. Burrill of Fairfield,
Jewett of Richmond,
Copeland of Dexter.

"Resolve in favor of Maine State Library," indefinitely postponed in the House, came from the Senate, that branch insisting, and appointing a Committee of Conference, as follows:

Messrs. Phillips of Penobscot,
Shepherd of Somerset,
Kyes of Franklin,

Conferees on its part.

The House concurred in the proposition for a Conference, and joined

Messrs. Pike of Calais,
Kimball of Rockland,
Stone of Biddeford.

Bill "an act to amend chapter 27, revised statutes, relating to drinking houses and tippling shops," passed to be engrossed in the House, amended per sheets "A," "B" and "C," came back from the Senate further amended per sheet "D," and passed to be engrossed.

The House receded and concurred.

Bill "an act establishing the compensation of the Chairman of the County Commissioners for Cumberland county."

Bill "an act to amend an act entitled 'an act to incorporate the East Oxford Agricultural Society,'" approved February 28, 1861.

Bill "an act to amend chapter 76 of the public laws of 1876, entitled an act relating to Normal Schools."

Bill "an act to amend chapter 147 of the public laws of 1873, relating to the appointment and duties of port wardens."

Bill "an act to authorize Samuel Cunningham to navigate Androscoggin pond and Dead river by steam."

Bill "an act to establish the salary of the Judge of Probate of the county of Cumberland."

Bill "an act to amend chapter 77 of the revised statutes, relative to the equity power of the Supreme Judicial Court."

Bill "an act to amend section 16 of chapter 40 of the public laws of the year 1872, relating to railroad crossings."

Bill "an act to provide for the more careful expenditure of school money in towns."

Bill "an act additional to chapter 29 of the public laws of 1869, concerning the militia."

Bill "an act requiring accounts and claims against cities, towns, &c., to be verified under oath."

Bill "an act to amend section 32, chapter 4 of the revised statutes, relating to elections."

Bill "an act to amend chapter 241 of the public laws of 1874, relating to cemeteries."

Bill "an act to repeal chapter 146 of the public laws of 1876, relating to ways, and to revive the provisions of section 39 of chapter 18 of the revised statutes."

Bill "an act providing for bridge guards on railroads."

Bill "an act to provide for the organization and management of loan and building associations."

Bill "an act additional to chapter 30 of the revised statutes, relating to mischievous dogs."

Bill "an act to change the name of the town of Lyndon to Caribou."

"Resolve laying a tax on the several counties of the State."

The foregoing bills having had three, and the resolve two several readings, passed to be engrossed, were reported from the Committee on Engrossed Bills as truly and strictly engrossed, bills

passed to be enacted, resolve finally passed, signed by the Speaker, and sent to the Senate.

Bill "an act to amend part sixth, section 55, chapter 86, revised statutes, relating to trustee process," was taken from the table, passed to be engrossed, and sent to the Senate.

"Resolve authorizing the Land Agent to quiet settlers on a section of land in town of Presque Isle," was taken from the table, amended per sheet "A," on motion of Mr. PIKE of Calais, and passed to be engrossed, and sent to the Senate.

Adjourned.

ORAMANDAL SMITH, *Clerk.*

AFTERNOON SESSION.

Met according to adjournment.

Mr. PILSBURY, from the Committee of Conference, on bill "an act to amend section 6, chapter 120, public laws of 1876, to authorize the formation of railroad corporations," reported that the House should recede and concur with the Senate in passing the bill.

The House accepted the report, and passed the bill to be enacted.

Report of the Washington County Delegation, on petition of Otis S. Tibbetts and others, reported bill "an act to reduce the valuation of Township No. 18, Middle Division, county of Washington."

"Resolve relating to the investment of the surplus funds in the treasury."

"Resolve relating to institutions receiving appropriations from the State."

Bill "an act to legalize the acts of John B. Trafton as justice of the peace and quorum."

Bill "an act to provide security for bonds in the State Treasury."

Bill "an act additional to chapter 193, public laws of 1874, relating to clerks of judicial courts."

This report came from the Senate read and accepted, bills and resolves read twice, and passed to be engrossed.

The report was read and accepted in concurrence, bills read three times, the resolves twice, and passed to be engrossed in concurrence, under suspension of the rules.

"Resolve in favor of Olof Ljungren and Magnus Jeppson," finally passed in the House, came from the Senate amended per sheet "A," and engrossed.

House receded and concurred, and passed the resolve to be engrossed in concurrence.

Mr. PILSBURY, from the Committee of Conference, on bill "an act to revise and consolidate the laws relating to the government, powers, duties, privileges and liabilities of savings banks and institutions for savings," presented report of Committee, which was accepted, and the bill passed to be engrossed as recommended by the Committee of Conference, and sent to the Senate.

Mr. HADLOCK, from the Committee of Conference, on bill "an act additional to section 6 of chapter 6, revised statutes, relating to the taxation of property of religious societies," reporting that the bill should pass as reported by the Committee on the Judiciary, amended per sheet "A."

The report was read and accepted, bill amended per sheet "A," and passed to be engrossed, and sent to the Senate.

"Resolve relating to settlers' lots under Treaty of Washington," indefinitely postponed in the House, pending final passage came from the Senate non-concurred.

House receded, reconsidered vote passing same to be engrossed, amended resolve per sheets "A" and "B," and passed it to be engrossed.

Sent up for concurrence.

"Resolve in favor of the Secretary of the Senate," came from the Senate read twice, and passed to be engrossed under suspension of rules, and was read twice under suspension of rules, and passed to be engrossed in concurrence.

Bill "an act to amend section 32, chapter 4, revised statutes, relating to elections," passed to be enacted in the House, came from the Senate amended per sheet "A," and passed to be engrossed.

House receded from votes passing same to be enacted and engrossed, adopted Senate amendment "A," and passed the bill to be engrossed in concurrence.

"Resolve in favor of an appropriation to carry into effect the provisions of chapter 58, public laws of 1869, in relation to the establishment of meridian lines," passed to be engrossed in the House, came from the Senate amended per sheets "A" and "B," and passed to be engrossed.

House receded, adopted Senate amendments "A" and "B," and passed the resolve to be engrossed in concurrence.

"Resolve in favor of an Assistant in the State Library;" and

"Resolve for the support of prisoners in county jails;

Were presented by Mr. ROGERS of Bath, read twice under suspension of rules, and passed to be engrossed, and sent to the Senate.

On motion of Mr. GREELY of Lewiston,

Ordered, That when the House adjourns, it be to meet to-morrow morning at 9 o'clock.

Mr. Robbins of Norridgewock, Coffin of Cherryfield, Little of Bremen, and Smith of Alna, were excused from further service as members of this House, and the Clerk ordered to make up their pay to the end of the session.

Bill "an act for the assessment of a State tax for the year 1877, amounting to the sum of six hundred seventy-five thousand one hundred seventy-three dollars fifty-three cents," (\$675,173.53.)

This bill having had three several readings and passed to be engrossed, was reported from the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker, and sent to the Senate.

House adjourned.

ORAMANDAL SMITH, *Clerk*.

FRIDAY, FEBRUARY 9, 1877.

Met according to adjournment.

Prayer by the Rev. Mr. MARTIN of Augusta.

Journal of yesterday read and approved.

Papers from the Senate.

Bill "an act requiring accounts and claims against towns and cities to be verified by oath," passed to be enacted in the House, came back from the Senate amended per sheet "A," and passed to be engrossed.

House receded, adopted Senate amendment, and passed the bill to be engrossed in concurrence.

"Resolve for the support of prisoners in county jails," passed to be engrossed in the House, came from the Senate indefinitely postponed.

The House receded and concurred.

"Resolve authorizing a temporary loan," came from the Senate read twice and passed to be engrossed, was read twice under suspension of rules, and passed to be engrossed in concurrence.

Messrs. Babbidge, Harlow, Pendleton, Roberts, Berry of Smyrna, Nadeau, Goldthwait, Rolf, Storer, Warren of Denmark, Drisko, West, Cyr, Stover, Hyler, Trussell, Gibson, Alexander, Stone, Warren of Westbrook, and Haskell of Waldoboro,' were excused from further attendance on this session of the Legislature.

On motion of Mr. LOCKE of Portland,

Ordered, That no further orders to excuse the attendance of members be received.

Report of the Committee on Claims, reporting reference to the Governor and Council, on "resolve in favor of town of Chester," was accepted and sent to the Senate.

"Resolve on the pay roll of the Senate," came from the Senate read twice and passed to be engrossed, and was read twice and passed to be engrossed in concurrence.

Mr. GREELY, from the Committee on Ways and Means, presented "resolve on the pay roll of the House," and on his motion the rules were suspended, resolve read twice, and passed to be engrossed, and sent to the Senate.

Mr. ROGERS, from the same Committee, presented bill "an act to provide in part for the expenditures of government," which was read three times under suspension of rules, and passed to be engrossed.

Adjourned to afternoon.

ORAMANDAL SMITH, *Clerk.*

AFTERNOON SESSION.

Met according to adjournment.

Papers from the Senate.

Final report of the Committee on Financial Affairs, came from the Senate read and accepted in concurrence.

Mr. PILSBURY of Lewiston, presented bill "an act authorizing the city of Lewiston to loan the credit of the city for the purpose of introducing pure water into the city," which was read three times under suspension of rules, and passed to be engrossed, and sent to the Senate.

On motion of Mr. GREELY of Lewiston,

Ordered, That when this House adjourns, it be to 7½ o'clock this evening.

Subsequently the vote passing the order was reconsidered, on motion of Mr. CHASE of Bridgton, and the House voted that when it adjourns, it shall be to meet at 9 o'clock this evening.

"Resolve in favor of the town of Stockton."

"Resolve providing for certain amendments to the Constitution of the State of Maine."

"Resolve in favor of State Reform School."

"Resolve in favor of Charles W. Porter."

"Resolve relating to settlers' lots under the treaty of Washington."

"Resolve in favor of Olof Ljungren and Magnus Jeppson."

"Resolve in relation to institutions receiving appropriations from the State."

"Resolve in favor of the Secretary of the Senate."

"Resolve in favor of an appropriation to carry into effect the provisions of chapter 58, public laws of 1869, in relation to the establishment of meridian lines."

"Resolve authorizing the Land Agent to quiet settlers on a section of land in Presque Isle."

"Resolve in favor of Sprague, Owen and Nash."

"Resolve in favor of an Assistant in the State Library."

"Resolve in favor of education in the State Prison."

"Resolve in favor of the Maine General Hospital."

"Resolve relating to the investment and deposits of the surplus funds in the Treasury."

"Resolve in favor of the Agent of the Penobscot tribe of Indians."

"Resolve in favor of Elisha W. Shaw, Franklin R. Webber and Byron Porter."

"Resolve in favor of the town of Kingsbury."

"Resolve in favor of Van Buren plantation."

"Resolve in favor of the Military and Naval Asylum at Bath."

"Resolve in favor of Charles W. Porter."

"Resolve providing for the annual encampment of the Maine Volunteer Militia."

"Resolve concerning an amendment to the Constitution of Maine relating to electors."

"Resolve concerning an amendment to the Constitution of Maine relating to municipal indebtedness."

"Resolve in favor of the town of Anson."

"Resolve repealing chapter 175 of the resolves of 1876, relating to claims of settlers on proprietors' lands."

"Resolve in favor of the Western Normal School."

"Resolve in favor of the Joint Standing Committee on Reform School."

"Resolve in relation to the salary of the Judge of Probate in Penobscot county."

"Resolve authorizing the Land Agent to convey certain lots of land in townships No. 4 and 5, Range 13, in Piscataquis county."

"Resolve in favor of the Maine Industrial School for Girls."

"Resolve in favor of the Maine State Prison."

"Resolve providing for certain amendments to the Constitution of the State of Maine."

"Resolve in favor of the Secretary of State."

"Resolve relating to salary of Clerk of Superintendent of Schools."

"Resolve providing for payments of certain rents now in suit to the Agent of the Penobscot tribe of Indians."

"Resolve in favor of bridge in the town of Lyndon."

"Resolve in favor of the Maine State College of Agriculture and Mechanic Arts."

"Resolve to legalize the acts of John B. Trafton as a Justice of the Peace and Quorum."

Bill "an act to amend chapter 6, section 53, revised statutes, relating to repairs of ways in unincorporated townships."

Bill "an act to authorize Fred C. Barker to navigate Mooselocmeguntic and Cupsuptic lakes in Oxford county by steam."

Bill "an act to repeal section 31 of chapter 86, revised statutes, relating to trustee process."

Bill "an act to authorize Charles A. J. Farrar to dredge bars, blast rocks, and navigate Richardson's lakes and intervening streams by steam."

Bill "an act to prevent incompetent persons from conducting the business of apothecaries."

Bill "an act to amend section 31, chapter 11 of revised statutes, relating to the powers of school districts."

Bill "an act to amend section 65, chapter 18, revised statutes, relating to damage on ways, as amended by chapter 215, public laws 1874, and chapter 97, public laws of 1876."

Bill "an act to enable the city of Bangor to aid the Bangor and Piscataquis Railroad Company in the construction of its railroad from some point in Bangor to some point in the line of its present road."

Bill "an act to obtain uniform returns from railroad corporations."

Bill "an act to reduce the valuation of Township No. 18, Middle Division, county of Washington."

Bill "an act to amend part sixth of section 55 of chapter 86, revised statutes, relating to trustee process."

Bill "an act changing the time of the municipal election in the city of Ellsworth."

Bill "an act to amend section 5 of chapter 78, revised statutes, as amended by chapter 62, public laws 1876, relating to election returns."

Bill "an act additional to chapter 193 of the public laws of the year 1874, relating to clerks of judicial courts."

Bill "an act to amend section 32, chapter 4 of the revised statutes, relating to elections."

Bill "an act to provide security for bonds in the State Treasury."

Bill "an act additional to section 6, chapter 6, revised statutes, relating to taxation of property of religious societies."

Bill "an act authorizing the city of Lewiston to loan the credit of the city for the purpose of introducing pure water into the city."

Bill "an act requiring accounts and claims against towns, cities, etc., to be verified by oath."

Bill "an act to amend section 8, chapter 17, revised statutes, relating to nuisances."

Bill "an act to revise and consolidate the laws relating to the government, powers, duties, privileges and liabilities of savings banks and institutions for savings."

Bill "an act to provide in part for the expenditures of government."

Bill "an act to amend chapter 27, revised statutes, relating to drinking houses and tippling shops."

The foregoing bills having had three, and the resolves two several readings, and passed to be engrossed, were reported from the Committee on Engrossed Bills as truly and strictly engrossed, bills passed to be enacted, resolves finally passed, signed by the Speaker, and sent to the Senate.

Adjourned.

ORAMANDAL SMITH, *Clerk.*

EVENING SESSION.

Met according to adjournment.

“Resolve on the pay roll of the House.”

“Resolve on the pay roll of the Senate,” having had two readings and passed to be engrossed, were reported from the Committee on Engrossed Bills as truly and strictly engrossed, finally passed, signed by the Speaker, and sent to the Senate.

On motion of Mr. HADLOCK of Cranberry Isles, that gentleman was charged with and conveyed a message to the Senate informing that branch that the House had disposed of all business before it, and is now ready to adjourn without day.

A message was received from the Senate through Mr. PHILLIPS of Penobscot, informing the House that the Senate had disposed of all business before it, and is now ready to adjourn *sine die*.

Ordered, That a Committee of three, with such as the House may join, be appointed to wait on the Governor and inform him that both branches of the Legislature having acted on all matters before them, are ready to receive any communication he may be pleased to make.

This order came from the Senate read and passed, and

Messrs. Thompson of York,
Watts of Knox,
Boardman of Waldo,

appointed on its part.

The order was read and passed, and

Messrs. Cleaves of Portland,
Adams of Deering,
Woods of Belfast,
Cook of Lewiston,
Lord of Kennebunk,
Perkins of Brooksville,
Clark of Damariscotta,

were joined.

Subsequently, Mr. THOMPSON reported that the Committee had discharged the duty, and the Governor was pleased to say that he would communicate forthwith through the Secretary of State.

A message was thereupon received from the Governor, through the Secretary of State, transmitting a list of the acts and resolves signed by him, numbering 151 acts and 89 resolves, and that he had no further communication to make.

Mr. BERRY of Wayne, arose and said :

Mr. SPEAKER:—As our labors as legislators are now completed, I ask the indulgence of the House a moment before offering a resolution. It seems but a little more than one week ago since we first met in this Hall strangers, and many of us inexperienced, in legislative work, but a moment's reflection reveals the fact that nearly six weeks have glided into eternity—and into the irretrievable past have gone our words and acts—whether wise or unwise they can not now be reconsidered nor amended, they have passed finally, whether or not they shall all be approved can not now be considered.

A shade of sadness comes over our minds when we pause, as we now do, to review, for a moment the unchangeable past, the thought that no word or act can be recalled, however hastily and inconsiderately spoken or performed, is a momentous one, and should never be lost sight of, and it is with much pleasure that I can say that during this session it has been kept constantly in mind. Debate has been earnest and at times quite exciting, but the sensitive feelings of all have been carefully respected.

Coming here for the first time and meeting with gentlemen of long experience in legislation, of culture and renown, I confess I felt no little embarrassment at first, but observing that they respected the opinions of those whose avocations have led in less conspicuous paths, and receiving from them the most respectful and considerate treatment, I was at once made to feel quite at home with those whom I had at first held in awe.

There is one reason why I regret that this session has been so short, it is that we have had hardly time to become intimately acquainted. The Fifty-Sixth Legislature has been a working one, affording very little time for social intercourse. The two branches have held simultaneous sessions, the members of each have attended strictly and faithfully to their duties, and the result is a thorough acquaintance with all matters acted upon, and, to quite an extent, a want of acquaintance with one another ; but I am happy to say that the acquaintances I have made and the associations I have

had with the members of this House, upon this floor, in the committee room, and elsewhere have been of the most gratifying nature, and the remembrance of them will be cherished while I live.

While I shall most sincerely concur in all that may be said in regard to the impartiality, forbearance and magnanimity of our presiding officer, and the other officers of the House, I wish to refer particularly to the Messenger to whom the resolution I hold in my hand relates. He was not unknown to many of us before coming here. Some of the members of this House who had the honor of seats in this body a few years ago recognize in him the Assistant Messenger of those years. Bringing to this House the experience there gained he has succeeded in performing the arduous and delicate duties of his position to the entire satisfaction of every member of this House. That he may know that this is the unanimous sentiment of this House, I ask, Mr. Speaker, that this resolution may now be presented, and that the vote may be taken upon it by standing.

Mr. BERRY then sent to the Speaker's desk the following :

Resolved, That the thanks of the members of this House are due, and are hereby tendered to John R. Prescott, Messenger, Edward H. Crie, 1st Assistant Messenger, Charles H. Gatchell, 2nd Assistant Messenger, Lewis B. Gerrish, Folder, George S. Brooks and Wentworth E. Seaward, Pages, for the faithful and impartial performance of their duties during the present session.

The resolution was unanimously adopted.

Mr. LORD of Bangor, presented the following :

Resolved, That the thanks of the members of this House are hereby tendered to Oramandal Smith, Clerk, and Edwin C. Burleigh, Assistant Clerk, for the faithful, impartial and efficient manner in which they have performed their various and onerous duties.

Mr. LORD then said :

Mr. SPEAKER:—It gives me great pleasure, sir, to present this resolution, for it is but a statement of facts expressing as I believe the unanimous feeling of this House. Our Clerk and his Assistant may well feel proud of the esteem in which they are held. Genuine gentlemen, both of them, they have our best wishes for their future; may it be their good fortune to succeed as well in

all positions to which they may be called, as they have in those of Clerk and Assistant Clerk of the House of 1877.

The resolution was unanimously adopted.

Mr. ADAMS of Deering, said :

While heartily concurring in the remarks already made and in the justly commendatory resolution adopted, I must beg permission of my associates on this floor, to say a few words, before this short and pleasant session of the Legislature is brought to a close and we go hence to our own homes.

It is a little more than five weeks since we assembled here ; most of us met as strangers, but in this brief period we have become acquainted, learned how to appreciate and esteem each other, and if my own feelings are a true criterion for those of others we shall part with a sincere regret.

We have differed often, it is true, sometimes widely, but without losing temper, or indulging in bitterness. Our intercourse on the contrary has been of the most kindly and agreeable character, and I think it may truly be said that the session has been as free from personal or partisan asperities as any ever held within these walls. And when we go forth from here we shall bear with us recollections of our present association which will be fresh and green as long as we live, and which we shall often recall and dwell upon with pleasure.

And as the amenities of our intercourse have been due in no slight degree to our honored presiding officer, whose genial nature and manly character have endeared him to our hearts, whose deep affliction in the loss of the partner of his joys and sorrows, drew forth our strongest sympathies, I feel that the resolution which I am about to offer will express the sentiments of every one of my associates on this floor, as I know it does my own.

Mr. ADAMS then sent to the Clerk's desk the following :

Resolved, That we hereby tender to Hon. Edward B. Nealley, Speaker of the House, our sincere thanks for the able and impartial manner in which he has presided over our deliberations. The position is a responsible, oftentimes trying one. But his courtesy has been uniform, his fairness unquestioned, his facility in the despatch of business remarkable. Officially he has won our highest respect, personally our warmest regard.

Mr. ADAMS: In conclusion, I have only to ask that when the Clerk of the House puts the question on the adoption of this resolution, he will request those in favor of it to signify their approval by rising. I cannot but believe the vote will be unanimous.

Mr. ROBIE of Gorham, said :

Mr. CLERK: I second the motion and concur in the remarks that have been made. I think the remarks of the gentleman from Deering, so just and so true, must be appreciated by all present. The experience that I have had in the labors of legislation, warrant the assertion that the position that has been so honorably filled by our Speaker, is one of peculiar responsibility and delicacy. Very few fully understand its importance and the embarrassments that surround it. I must say that my friend from Deering has set forth my own sentiments, and I think the sentiments of this House, in the resolution he has introduced.

The Legislature that is now about to close is peculiar in one respect; it is the shortest session that we have ever had since the formation of our State government. I look back to 1859, when I was a member of the House, and recollect that at that time we had a session of three months; it was an important session. One of the questions that has claimed the attention of this Legislature was one of the matters that came before it. That question was biennial sessions; it had a great leader, a gentleman who was economical by habit,—who was a man of ability and talent,—and who strove with all the industry and power that he possessed to carry the measure through the Legislature. That gentleman is now dead and gone. I refer to the late Hon. Henry E. Prentiss of Bangor. And as the fruit of his effort, the Legislature of that year passed what is called the “salary bill,” and in consequence of it the number of days of succeeding legislatures was lessened, continuing until the present time, when we find ourselves adjourning after a session of only thirty-eight days.

As has been remarked, a great degree of unanimity has characterized our efforts and our actions; and there has been a great degree of good feeling. We have been together perhaps hardly a sufficient length of time to understand each other fully, but we have been together a sufficient length of time to have a high regard and great affection for the members we have met; and that regard and that affection is of a character that will cling to us.

perhaps as long as life lasts. For the courtesy and kindness of our Speaker, for the courtesy and kindness of the individual members of this House toward myself, I tender my heartfelt thanks and gratitude.

M. CHADBOURNE of Waterboro', said :

Mr. CLERK : I feel constrained to give expression to my hearty concurrence in the resolution offered by the gentleman from Deering. I feel that I express the sentiment not only of the minority but of the majority party of this House in saying that our most heartfelt thanks and respect are due to our honorable Speaker for the many kindnesses we have received at his hands. I feel that this respect and regard is in no degree unmerited. For my own part, unused to the duties of legislation and parliamentary practice, I have on numerous occasions been indebted to his kindness and courtesy. I have not known of the slightest disposition on his part either to find fault with my lack of knowledge or to complain of my conduct. And I think that I can say in expression of the sentiment of every member of this House, that however sad may be our parting, however far removed we may be from the sound of his gavel, we shall each and all of us feel proud and honored to speak of him and to think of him as our honorable director in our deliberations. I think that I only express the sentiment of the whole House when I give expression to the hope that his future may be one easy, continuous march in the paths of fame and prosperity. (Applause.)

Mr. CLEAVES of Portland, said :

Mr. CLERK : I most heartily concur in the resolution offered by the gentleman from Deering. And I should feel that I was doing grave injustice to a most worthy presiding officer, as well as violence to my own conscience and feelings, were I to remain silent. I extend my congratulations to the efficient presiding officer of this House, for his uniform courtesy and forbearance in presiding over the deliberations of this body. He was elevated to the honorable position without that long legislative experience that has characterized presiding officers of former houses, yet in his career as Speaker of this House, he has exhibited a stern devotion to principle, a manifest determination to administer fairly and

justly the rules of this House, recognizing in his action the rights and interests of every section of this State, and holding the scales of justice evenly balanced. I extend to him my congratulations for his success as a presiding officer, and I also desire to return to every member of this House, my sincere thanks for the courtesy that I have received at their hands. The hour for the final adjournment of this House is approaching. We have fulfilled the trust that was committed to us by our constituents. I trust we have done well.

Mr. WOODS of Belfast, said :

Mr. CLERK : I wish to express my thanks and obligations to our Speaker, for the able and impartial manner with which he has presided over the deliberations of this House ; and also while up, to tender to the Clerk and other officers of this House, and every member of this body, my sincere thanks for their cordial kindness to me during this session. To me this has been a very pleasant session ; but in the midst we have our sorrows. When we read the intelligence that one of our number has been called to pass from this life, it made a deep impression on our hearts. Our Speaker has been called to part with his partner in life, with whom he had hoped to enjoy many a happy year, and I know I am saying what we all feel, that we tender to him our warmest sympathy in this his deep affliction.

Now as we are about to separate, I believe it due to say that the rapidity of our work and the good feeling that has pervaded our hearts, we owe largely to the quick perception and kind disposition of the honorable gentleman that has presided over our deliberations.

Mr. CHASE of Bridgton, said :

Mr. CLERK : I truly feel on an occasion like this, when we are to so soon depart for our respective homes, that I cannot for one withhold my hearty and my cordial concurrence in the resolution that has been presented, and in the remarks which have been made in support of that resolution.

Mr. Clerk, during the two sessions in which I have had the pleasure of an acquaintance with our beloved Speaker, and enjoyed his friendship, I have felt under many, many obligations to him.

And, at the present time, I feel under still greater obligations to him for his uniform kindness, his uniform courtesy to me as a member.

We have had a short session to be sure; but it has been a pleasant one. True, we have differed on many important matters; but it has been a difference of a pleasant nature. It has been an honest difference, each member desiring to shape his action that it should be for the interest of all concerned. And under the guidance of our Speaker, under his prompt, judicious and impartial decisions, we have arrived, I trust, at just conclusions, although in some of them I may differ and some of them you may differ. But I think we can return to our homes feeling that our work has been well done.

Yes, Mr. Clerk, we soon must part. We have made many, many pleasant acquaintances here, and the friendships I have thus formed will be ever bright, and will be ever looked upon by me, as I look back upon the Legislature of '77, as among the pleasantest of my life, and the session as one of the pleasantest times that perhaps I may ever be called upon to pass, or to participate in again. I hope for one that the friendship that has existed between our pleasant Speaker and myself for so long a time, and the friendships formed here with the members of this House, will never be broken, for I truly recognize in the words of another, that

"Friendship, sweetener of life, solder of society,
I owe thee much."

Mr. BROWNE of Bowdoinham, said:

It is not for me to make any extended remarks on this subject; but I should not feel that I had done my whole duty in this regard and justice to the subject of this resolution did I not add my testimony to that already given, and to state that I heartily concur in all that has been so ably said. I suppose new members of this House will appreciate my feelings as a new member. Coming here at the commencement of the session, I was thrown into the society of those having legislative experience. On my part there was almost a shrinking when I contemplated what was before me. The short session which we have had has hardly served to wear away this feeling of distrust. But many valuable friendships, I trust, have been formed during the time, and I know I shall have occasion as long as I live to look back with pleasure and pride to

this session. I believe I shall go home to my constituents with a much broader view in reference to my fellow-citizens of Maine, meeting as I have those representing all sections of the State, and mingling in their society. Again I repeat, I heartily concur in all that has been expressed in the resolution.

Mr. PILSBURY of Lewiston, said :

I have only a word to say in the closing hours of our session. My acquaintance with our honored Speaker has been a brief one and a shorter one than any of those who have spoken. While they have known him for years, my acquaintance has been but for weeks. But I cannot allow this occasion to pass without saying that this acquaintance during the five weeks' session has ripened into respect and esteem; into respect and esteem for him as a man and as a presiding officer, which it seems to me I must express though young I may be. I desire to say at this time that I heartily concur in all that has been said with reference to him and to this resolution, and that I most heartily concur in the expression given utterance to in the resolution to its fullest extent. I feel that I but utter the wishes of every man, the expression and feeling of every heart present, when I say that we sympathize with him in his sorrow. We respect him for his prompt attention to duty, for the interest he has manifested in us as individuals, for the forbearance he has manifested toward many of us from time to time, for the consideration we have received from him, for the kindly regard he has manifested at all times and under all occasions, for the strict integrity and impartiality with which he has discharged the duties of presiding officer. Again permit me to say that the resolution has my cordial approval.

Mr. WADSWORTH of Manchester, said :

It does not seem to me proper that the voice of Kennebec should be silent on an occasion like this. Although I did not expect to say anything on this occasion, I feel that I am but expressing the sentiment of her Representatives here when I say that I heartily concur with the resolution presented. As I do not expect to add to the words that have been spoken in honor of the gentleman who has presided here, I can but express the hope that the position that has been occupied by an Evans and a Blaine, may

be to our present presiding officer a stepping stone to a career as honorable and as brilliant as theirs.

Mr. WARREN of Denmark, said :

Gentlemen of the House :—Permit one who has trespassed but little upon your time this winter, to say a few words on this occasion. I am an old man, almost 69, and I have in the course of my life met with prosperity, and some adversity. Yet I say to you that the friends I have gained here has made to-day the proudest of my life. I came among you not expecting to win laurels, but hoping to gain friends. I have found warm friends, and I trust I have made no enemies.

And now as we are about to "break camp," permit me briefly to express my heartfelt thanks for the kind respect and attention received at the hands of our Speaker, the members and officers of the House. Our able and honored Speaker has our sympathy in his sore affliction, and our thanks for the impartial and dignified manner with which he has ruled over our deliberations. Again thanking you for your kindness to an old man who lays no claim to anything more than a little good common sense, I bid you good-bye.

Mr. MORRISON of Phillips, said :

Mr. CLERK :—I wish to say to the members of this House that I most heartily concur not only in this resolution which has been offered, but in the remarks which have been made by the gentlemen who have preceded me. I came here a stranger to all, not even having an acquaintance with the members from my own county. Six weeks have passed, and although it is a very brief period in which to form an acquaintance with so many gentlemen, yet I feel that I can claim the acquaintance of many, and that I can claim all of you as friends. Coming as we do from so many different sections of the State it is natural that in many things we should disagree ; that the interests of one will be likely, occasionally, to clash with those of another. This is unavoidable. It is in accordance with the fixed nature of things. But however much we may have disagreed in this particular, it is my firm conviction that as regards the general good or common weal and the welfare of the whole people, our feelings have been and are now identical. When we look over the weeks just gone, when we consider that

in the legislation which has taken place here, that nothing but harmony and good feeling has existed, and when we contrast this state of things with those disgraceful proceedings which some times occur in some of our sister States, we have reason to thank God that our lots are cast in the State of Maine. Other States can boast of more congenial climates; but when we come to consider the moral qualifications and the general intelligence of the people, Maine stands even with the foremost of the States and far ahead of many. Whether in war or in peace, whether in the darkness of adversity or the bright days of prosperity, this State has always continued in the front ranks in this onward march of civilization. And, gentlemen, in the great battle with the common enemy of mankind, intemperance, the State of Maine leads her sister States, and her influence is felt among the nations of the earth. As we look back over the past and over the trying scenes of the early history of our State, we have reason to be proud of the noble ancestors and the noble record. And as we contemplate the present we find no cause for disappointment or dissatisfaction. As we look forward we can all see and realize that the Pine Tree State will occupy a glorious page in the history of the future.

Mr. PILSBURY of Lewiston, read, at the request of a colleague, the following :

“The hour to part has come—
The *busy* hours have swiftly sped,
And laden with the deeds of weeks
Are numbered with the dead.

Not dead, they *sleep*;
And, as in dreams
The fancy roams at large,
We trust that these may oft return
In fancy's golden barge.”

Mr. LIBBY of Poland, said :

I should hardly feel like going away from this session without saying just a word in expression of my concurrence in what has already been said. I realize that words are poor to express the feelings which will sometimes come swelling up from our hearts at scenes like these, when the farewell word is about to be spoken, while we know it may be for years and it may be forever that this is to be said to-night.

I, as one of the younger members of this assembly, came here at the beginning of this session, inexperienced and unacquainted with any of the members of this House; but I wish to testify to the uniform courtesy and kindness which every member of this House has shown toward me as an individual. And I desire at this time to extend my thanks, not only to the Speaker of the House, who has so ably presided over its deliberations, but to the individual members of this body, from whom I have received so many tokens of esteem and friendship. I feel to-night that while we may say the farewell word, we go not away from these halls disconsolate. I believe that we shall carry with us sweet memories and recollections of the scenes which have been enacted, and which have transpired within these halls, which will tend to lighten the burdens of life which may come upon us in our early pilgrimage. I believe, in fact I know, that to me, as an individual, this has been a school, and I have sat a willing pupil at the feet of the masters; and I feel that my tutorage has not been in vain. I think I shall go home from this hall with more expanded ideas, with brighter views, with greater faith in humanity than when I came here. I am sure this will be the case with me, and I have no doubt that such will be the case with many.

We have witnessed how men can subject their passions and their feelings and their party spirit to reason. While in many of our sister States anarchy and turmoil have been reigning supreme, we, legislators of the State of Maine, citizens of this State, have been able to attend to our deliberations in peace and quietness. We have sunk entirely out of sight all partisan spirit, and all personality, in a general desire to legislate and act for the general good of the State. Such a course can have but one effect, and that is, to give us increased faith in man and increased faith in New England civilization.

As has been said by one gentleman, speaking here to-night, we stand above very many of our sister States in this regard. We are enabled to exhibit to the world the power and the influence which New England civilization has upon individuals, upon communities, and upon deliberative bodies; and I believe that if we are true in the future as we have been in the past, to the great principles upon which we are founded, we shall still continue to be the bright and particular star in the constellation of the sisterhood of States.

I desire to concur at this time in all that has been said commendatory of the action of the Speaker of this House, and I desire to thank him especially, and to thank all the members individually, for the kindness and courtesy shown me during this session.

Mr. SPRAGUE of Greene, said :

The time has come for the good-bye and the parting grasp, and though we are returning to the ordinary duties of life,—to home and friends, which is always pleasant, yet a sadness steals over the heart, and the eye moistens, as the parting words are said. Personally, I shall part with many of you as with life-long friends. From the members and officers of this House, I have received naught but courtesy and kindness, for which I desire to give expression to my deepest gratitude, and to hope that when we return to our families we may find them in the enjoyment of health and happiness.

Mr. WENTWORTH of Bradford, said :

I have no premeditated words to add to the many fitting, proper words which have been said here to-night in regard to this resolution. But it seems proper that for the county of Penobscot, in a matter in which, above every other question she should be, and I believe is, interested, a word should be said expressive of the just pride she takes in the honor which is paid to her own citizen. I believe that I express the sentiment of the delegation of Penobscot county, of its entire citizenship, when I say that those who know the honorable gentleman best, love him most and appreciate most highly his abilities. We believe him to be in the position of that person of which the poet spoke, when he said :

“ Who so blesses others in his daily deeds,
Shall feel the nurture his own spirit needs,
For every flower in another's pathway strown,
Confers its fragrant odors on our own.”

Mr. GREELY of Lewiston, said :

Permit me, Mr. Clerk and gentlemen, to express my hearty concurrence in all that has been said in behalf of our Speaker.

Mr. COOK of Lewiston, briefly returned thanks to the Speaker, members and officers, for the uniform courtesy and kindness extended to him during the session.

Mr. ROGERS of Bath, said :

I desire to thank the members of this House for the courtesy and kindness shown by them to me during this session. The pleasant acquaintances formed among the members, and the memories attaching to this Legislature, I shall always cherish. It is with feelings of pride and gratitude that I hear so many testify their high regard for our Speaker. I have known him long, probably longer than any other member, and I can only say that the virtues so highly commended to-night are the fruits of which youth gave promise.

Mr. FELLOWS of Windham, said :

Notwithstanding so much has been said, and we may consider truthfully said, in relation to this resolution, I feel that I must express my views in regard to it. I heartily thank the members of this House, our honorable Speaker, and the officers, for the kind courtesy which I have received from them. I feel that I cannot fully express my feelings in relation to this matter ; still, I can say that I heartily concur in the sentiment of the resolution and in all that has been said in its favor, and now as we are about to separate, never more, all of us, in all probability, to meet again, I hope and trust that the friendships we have formed with each other will cling to us through life.

Mr. STOVER of Harpswell, said :

I do not feel that I can add anything to what has been said here, but I must say that I heartily endorse the sentiments which have been so well expressed. It is almost with a feeling of sadness that I see the dissolving of an assembly that has been together so long as this, for I feel that many of us may never meet again. But I have this for consolation, that I shall always cherish the kindest feelings toward every member of this body, and I trust they will always entertain similar feelings toward me.

The question was then put by the Clerk, and the resolution unanimously adopted.

Speaker NEALLEY then said :

GENTLEMEN :—Somewhere in the old German poetry there runs a story of a farewell banquet of friends, where amidst the parting

words a favorite minstrel sang to them of a city far away towards the sunset whether they all were journeying. Around this city, so sang he, was a three-fold wall of years. Tears and smiles were the rain and sunshine that fell upon its people. But when friend touched the brimming goblet of friend, the cup gave back no clinking answer. The jovial song at their feasts began and ended alike in silence. When friend stretched forth the hand in friendship, he grasped an unseen hand in return. And thus ended the minstrel's song :

" Yet in that land shall meet full oft,
This goodly company,
And each to each a health will quaff,
In that land of *Memory*."

So we, though we part here to-night, shall yet dwell together again in that triple-walled city. We shall remember that we came together as strangers and parted as friends. We shall remember with pride the steady attention to our labors which has enabled us to hold the shortest session on record. We shall remember that though coming with diversified, perhaps hostile interests, yet there has animated all a common love for our noble old State, as for a benign mother whose name and reputation was always to be held in high veneration.

To me personally the session will furnish the most grateful recollections. I shall always esteem as a very high honor that of being called to preside over your deliberations. I shall remember your unvarying courtesy—particularly the eagerness of those with whom I have contested for this post in friendly rivalry, to make my way lie easy before me. I shall value your resolutions, and the words by which they have been accompanied, as showing that my poor performance of my duties has not been entirely unacceptable.

And I have yet further cause for gratitude. The session has been to me, as you all know, a season of deep sorrow and bereavement. I can only thank you for the generous forbearance with which you regarded my absence from my post, for the words of sympathy which followed me to my home, and for the cordial welcome and encouragement that greeted me on my return. I can only trust that when the dark shadows of life shall fall upon you, as fall they must and will sooner or later upon us all, you may each one of you have as warm a grasp of the hand, as generous

words of sympathy, and as cheering a smile to lighten your path as I have received from the members of the House.

And now, bidding you farewell, and wishing you a safe return to your homes, but one more duty remains to me, which I now perform, in declaring this House adjourned without day.

At ten minutes past one in the morning, the gavel fell, and the SPEAKER declared the House adjourned without day.

ORAMANDAL SMITH, *Clerk.*

TITLES OF ACTS

Passed by the Legislature of 1877.

PUBLIC LAWS.

An act in relation to executions.

relating to the supreme judicial court for the county of Sagadahoc.

to amend section fifty-six, chapter fifty-one, of the revised statutes, and additional to chapter one hundred and twenty-two of the public laws of eighteen hundred and seventy-six.

amendatory to chapter one hundred and nineteen of the revised statutes, relating to offences against habitations, dwellings, etc.; also amendatory to chapter one hundred and twenty of the revised statutes, relating to larceny, and receiving stolen goods.

to amend section eight of chapter eighty-six of the revised statutes, relating to trustee process, as heretofore amended.

additional, relating to corporations.

to amend section eighteen of chapter eighty-one of the revised statutes, relating to service on corporations in civil actions.

in relation to proceedings in criminal cases.

to amend section eight of chapter seventy-eight, of the revised statutes, relating to the adjournment of the session of the county commissioners' court.

additional to chapter one hundred and one, of the public laws of the year one thousand eight hundred and seventy-six, relating to the equity powers of the supreme judicial court.

to amend section four of chapter one hundred and twenty-five of the revised statutes, relating to gambling.

An act repealing sections five, six, seven and eight, chapter thirty, revised statutes, relating to bounty on bears and wolves. to prevent destruction of books, pictures, statues and paintings, in public libraries.

additional to chapter one hundred and twenty-seven of the public laws of eighteen hundred and seventy-six, entitled "an act in relation to appeals from county commissioners."

to prevent loitering, without right, within the station houses, or about the premises of railroad corporations.

to amend section four of chapter seventy-eight of the public laws of eighteen hundred and seventy-six, relating to the erection of fish weirs and wharves in tide waters.

to amend section one hundred and fifty-three of chapter six of the revised statutes, relating to the powers of town treasurers.

authorizing the sale of islands belonging to the state.

to facilitate the detection and punishment in certain offences. in relation to county treasurers.

amendatory to chapter thirty of the public laws of eighteen hundred and seventy-five, relating to the better protection of life and property.

authorizing views by juries in all cases.

to amend chapter forty, section fifty of the revised statutes, relative to Pleasant river.

to amend section three, of chapter twenty-six of the public laws of eighteen hundred and seventy-two, relating to the altering or widening of streets.

to amend section fifty-three, of chapter eleven, of the revised statutes, relating to the election of superintending school committees.

to amend chapter sixty of the public laws of eighteen hundred and seventy-six, relating to administrators, executors and trustees.

to amend section three, chapter seven of the revised statutes, relating to election returns.

against pool selling and lotteries.

to amend section one of chapter thirteen of the public laws of eighteen hundred and seventy-five, relating to close-time for lobsters.

An act relative to proceedings in court.

in relation to municipal and police courts.

additional to chapter sixty-seven of the revised statutes,
relating to the appointment of guardians.

to amend section sixteen of chapter seventy-seven of the
revised statutes, relating to the powers of the supreme
judicial court.

to amend section fourteen of chapter six of the revised
statutes, relating to taxation of personal property.

to amend section thirteen, chapter one hundred and thirty-
three of the public laws of eighteen hundred and seventy-
three, relating to the punishment of criminals.

to encourage the introduction of the manufacture of beet
sugar.

additional to chapter forty-nine of the revised statutes,
relating to life insurance.

requiring railroad corporations to be holden for labor.

relating to witnesses and evidence.

to amend chapter one hundred and thirty-seven of the re-
vised statutes, in relation to disposal of criminals.

to amend section ten, chapter one hundred and thirty-one
of the revised statutes, relating to indictments.

to amend section six of chapter one hundred and twenty of
the public laws of eighteen hundred and seventy-six, to
authorize the formation of railroad corporations.

to amend chapter forty of the public laws of the year one
thousand eight hundred and seventy-two, relating to
railroad crossings.

providing for bridge guards on railroads.

establishing the compensation of the chairman of the county
commissioners for Cumberland county.

to establish the salary of the judge of probate of the county
of Cumberland.

to amend chapter two hundred and forty-one of the public
laws of eighteen hundred and seventy-four, relating to
cemeteries.

to provide for the more careful expenditure of school money
in towns.

to amend chapter seventy-seven of the revised statutes,
relative to the equity power of the supreme judicial court.

An act to provide for the organization and management of loan and building associations.

to repeal chapter one hundred and forty-six of the public laws of eighteen hundred and seventy-six, relating to ways, and revive the provisions of section thirty-nine of chapter eighteen of the revised statutes.

additional to chapter thirty of the revised statutes, relating to mischievous dogs.

additional to chapter twenty-nine of the public laws of eighteen hundred and sixty-nine, concerning the militia.

to amend chapter seventy-six of the public laws of eighteen hundred and seventy-six, entitled "an act relating to normal schools."

to amend chapter one hundred and forty-seven of the public laws of eighteen hundred and seventy-three, relating to the appointment and duties of port wardens.

to prevent incompetent persons from conducting the business of apothecaries.

to amend section thirty-one, chapter eleven of the revised statutes of eighteen hundred and seventy-one, relating to powers of school districts.

to amend section sixty-five of chapter eighteen of the revised statutes, relating to damage on ways, as amended by chapter two hundred and fifteen of the public laws of eighteen hundred and seventy-four, and chapter ninety-seven of public laws of eighteen hundred and seventy-six.

to obtain uniform returns from railroad corporations.

to repeal section thirty-one of chapter eighty-six of the revised statutes, relating to trustee disclosures.

to amend chapter six, section fifty-three of the revised statutes, relating to repairs on ways in unincorporated townships.

to amend part sixth of section fifty-five of chapter eighty-six of the revised statutes, relating to trustee process.

additional to chapter one hundred and ninety-three of the public laws of the year eighteen hundred and seventy-four, relating to clerks of judicial courts.

- An act to amend section five of chapter seventy-eight of the revised statutes, as amended by chapter sixty-two of the public laws of eighteen hundred and seventy-six, relating to election returns.
- to amend section thirty-two, chapter four of the revised statutes, relating to elections.
- requiring accounts and claims against towns, cities, etc., to be verified by oath.
- to amend chapter twenty-seven of the revised statutes, relating to drinking houses and tippling shops.
- to provide security for bonds in the state treasury.
- additional to section six of chapter six of the revised statutes relating to the taxation of religious societies.
- to revise and consolidate the laws relating to the government, powers, duties, privileges and liabilities of savings banks and institutions for savings.
- to amend section eight of chapter seventeen of the revised statutes, relating to nuisances.

PRIVATE AND SPECIAL LAWS.

- An act to amend chapter six hundred and forty-nine of the private and special acts of the year eighteen hundred and seventy-one, entitled "an act for the relinquishment to the United States, in certain cases, of title to lands for sites of light stations on the coast of the State of Maine."
- to authorize contract between Bucksport and Bangor Railroad Company and trustees of European and North American Railway Company.
- to amend an act, entitled "an act to incorporate the Maine State Pure Blood Jersey Stock Association."
- to amend the charter of the Penobscot Log Driving Company.
- relating to Bridgton Centre Village Corporation.
- to set off certain real estate from the town of Bridgton, and annex the same to the town of Harrison.
- additional, relative to the Orchard Beach Railroad Company.

An act to make valid certain doings of the inhabitants of Bridgton Centre Village Corporation in the town of Bridgton.

to prevent the taking of trout in the Great Works stream and its tributaries, in the towns of Amherst, Clifton and Bradley.

to amend chapter three hundred and thirteen of the private and special laws of eighteen hundred and seventy-six, to extend the time for the location and completion of the Somerset Railroad.

to make valid the doings of the town of Weld.

to restrict the killing of seal in Casco bay.

to authorize the York Manufacturing Company to reduce its capital stock.

to authorize James F. Grindel to take ice from Meadow pond, in the town of Islesborough.

to amend the charter of the Union Mutual Life Insurance Company.

to change the name of the Main Street Methodist Episcopal Free Church Society, of Lewiston.

additional to an act entitled, "an act to incorporate the city of Bath."

to make valid the doings of John G. Adams, a trial justice. to set off the farm of F. P. Crowell from the Fairfield Village Corporation.

authorizing Alton E. Ayer, to dredge bars, remove boulders, and navigate East pond by steam.

to amend section one of chapter three hundred and fourteen, of the private and special laws of eighteen hundred seventy-three, relating to legalizing the doings of the East Kennebec Agricultural and Horticultural Society.

to authorize the town of Yarmouth to build a foot bridge over tide waters.

to amend the charter of the Camden Village Coporation.

additional to an act, entitled "an act to supply the people of Augusta with pure water," approved March twelve, eighteen hundred and seventy.

to incorporate the fifty associates of Ellsworth.

additional, relating to the city of Portland, limiting its power to create debt.

An act to promote the efficiency of the police force of the city of Portland.

for the protection of fish in certain ponds in the town of Standish.

to amend "an act to incorporate the trustees of the sailors' home in Portland."

to amend chapter two hundred and sixty-three of the special laws of eighteen hundred and seventy-six, relating to the fishing interests in Lufkin pond.

to authorize the city of Bath to appoint a harbor master for the port of Bath, and establish regulations for the anchoring of vessels in said port.

additional to "an act to incorporate the city of Rockland."

to authorize the Second Baptist Society of Gorham to sell and convey all of its personal and real estate.

to incorporate the Cornelius Pond Ice Company.

to amend an act entitled "an act to incorporate the Masonic Trustees of Lewiston."

amendatory to chapter three hundred and fifty-eight of the special laws of the year eighteen hundred and seventy-three, to prevent the throwing of ballast into the Kennebec river.

to make legal and valid certain acts and doings of the Proprietors of the Methodist Meeting House of Mechanic Falls, in the town of Minot.

additional to chapter two hundred and ninety-eight of the special laws of the year one thousand eight hundred and seventy-six, establishing the Ellsworth municipal court.

to prohibit the taking of fish from the Davis brook, sometimes called Whale's Back brook, in the town of Limington.

to amend "an act to establish a municipal court in the city of Biddeford."

additional to the acts which constitute the charter of the Bangor and Piscataquis Railroad Company.

to amend chapter two hundred and seventy-nine of the special laws of eighteen hundred and seventy-six, relating to catching smelts in Monsweag river and bay.

further extending the time within which to file the location and also to complete the Northern Aroostook Railroad.

An act to prevent the throwing of refuse wood, timber or fibrous material created by the sawing of lumber, into the Piscataquis river.

to amend the charter of the Northern Waldo Agricultural Society.

to authorize the town of Woolwich to elect a director to represent stock owned by said town in the People's Ferry Company.

to revive the organization of the trustees of the Parsonage Fund at Bucksport.

to confirm the doings of school district number fifteen, in Berwick.

to extend the powers of the North Anson and Skowhegan Telegraph Company.

to incorporate the Harrington and Jonesport Telegraph Company.

granting further time to the Penobscot and Lake Megantic Railroad Company to locate and complete its railroad.

to repeal an act entitled, "an act to incorporate the town of Barnard."

to amend "an act to incorporate the Lincolnville Railroad Company," approved February eighteen, eighteen hundred and seventy-four.

to amend "an act to incorporate the People's Ferry Company," and to repeal "an act to establish the Sagadahoc Ferry Company," and "an act to incorporate the Union Ferry Company."

additional to an act restricting the killing of seal in Casco bay.

to extend the charter of the Aroostook Steamboat Company.

to incorporate the Bryant's Pond and Andover Telegraph Company.

to amend an act entitled, "an act to extend the time for locating the route of the Portland, Rutland, Oswego and Chicago Railway," approved February nineteen, eighteen hundred and seventy-three.

to amend chapter five hundred and fifty-seven, of the private and special laws of the year one thousand eight hundred and seventy-four, entitled "an act to establish the compensation of the county commissioners of Knox county."

An act to authorize the town of Lyndon to appropriate money in aid of the Aroostook River Railroad Company.

relating to the police force of the city of Bath.

amendatory of the acts providing for loans of credit of the city of Bangor, in aid of the construction of the Bangor and Piscataquis Railroad.

giving authority to the city of Portland, in relation to certain railroads.

in relation to Portland harbor and to the harbor commissioners of Portland harbor.

to provide in part for the expenditures of government.

to change and fix the limits of the town of Haynesville.

to incorporate the Bath Driving Park.

to authorize Samuel Cunningham to navigate Androscoggin pond and Dead river by steam.

to change the name of the town of Lyndon to Caribou.

to amend an act entitled "an act to incorporate the East Oxford Agricultural Society," approved February twenty-eight, in the year of our Lord eighteen hundred and sixty-one.

for the assessment of a State tax for the year one thousand eight hundred and seventy-seven, amounting to the sum of six hundred seventy-five thousand one hundred seventy-three dollars and fifty-three cents.

to amend an act entitled "an act to incorporate the Franklin Land and Lumber Company."

to authorize Fred C. Barker to navigate Mooselocmeguntic and Cupsuptic lakes, in Oxford county, by steam.

changing the time of the municipal election in the city of Ellsworth.

to enable the city of Bangor to aid the Bangor and Piscataquis Railroad Company in the construction of its railroad from some point in Bangor, to some point in the line of its present road.

to reduce the valuation of township number eighteen, Middle Division, county of Washington.

to legalize the acts of John B. Trafton, as justice of the peace and quorum.

An act to authorize Charles A. J. Farrar to dredge bars, blast rocks, and navigate Richardson's lakes and intervening streams by steam.

authorizing the city of Lewiston to loan the credit of the city for the purpose of introducing pure water into the city.

to provide in part for the expenditures of government.

TITLES OF RESOLVES

Passed by the Legislature of 1877.

Resolves relating to a national prohibitory law.

Resolve in favor of Theodore C. Woodman, receiver of the Bucksport Savings Bank.

for the purchase of the Maine State Year Book and Legislative Manual.

amendatory to chapter twenty of resolves of eighteen hundred seventy-five, entitled, "resolve in favor of Crystal plantation in the county of Aroostook."

amendatory of chapter one hundred and fifty-six of the resolves of eighteen hundred and seventy-six, entitled, "resolve in favor of John Ryan."

for the appointment of a commission to reconstruct the laws relating to the fisheries and the protection of fish. relating to the partition of lands in township number eighteen in range three, known as the town of Grand Isle.

in favor of Tomah Peol Tomah.

in favor of Sabattis Dana.

in favor of the town of Woodland.

authorizing the removal of the colors presented to the Seventeenth Regiment of Maine Volunteers by the merchants of Portland.

in favor of Albion W. Stratton.

authorizing the land agent to convey by deed to John Estes a lot of land.

in favor of Jessie Sutherland.

in favor of Benjamin Alexander.

in favor of S. W. Stratton.

in favor of Charles G. Perry.

in favor of F. W. Stimson.

in favor of David Dudley.

Resolve in favor of Isaac Varney.

Resolves in relation to the binding of the acts and resolves of this state.

Resolve in favor of M. L. Stewart.

in favor of the town of Baileyville.

in favor of John M. Brown.

authorizing the governor and council to adjust with Francis A. Reed, a note held by the state against him.

in favor of township No. 1, North Division, county of Penobscot.

in favor of John P. Webber.

in favor of Benjamin R. Walker and Joseph C. Walker.

providing for the payment of the expenses of the committee on military affairs.

in favor of the joint standing committee on agriculture.

making appropriations for the Penobscot tribe of Indians.

making appropriation for the propagation of fish.

in favor of the county of Aroostook.

providing for a seal of the state.

providing clothing for the Portland Montgomery Guards.

in favor of the plantation of Wallagrass.

in favor of Saint Francis plantation.

in favor of roads passing through the Indian township, in Washington county.

in favor of Swedish settlers.

in favor of the joint standing committee on state prison.

in favor of joint standing committee on education.

in favor of the Passamaquoddy Indians.

in favor of C. S. Hobbs of Norway.

for the appointment of a commission to revise the militia laws.

in favor of the joint standing committee on financial affairs.

in favor of the female orphan asylum, Portland.

in favor of the Bangor children's home.

in favor of Rufus F. Stone.

in favor of the town of Maysville.

laying a tax on the several counties of the state.

in favor of the agent of the Penobscot tribe of Indians.

Resolve in favor of the Maine state college of agriculture and the mechanic arts.

in favor of Charles W. Porter.

authorizing the land agent to convey certain lots of land in townships numbered four and five, range thirteen, in the county of Piscataquis.

in favor of Elisha W. Shaw, Franklin R. Webber and Byron Porter.

providing for payment of certain rents, now in suit, to the agent of the Penobscot tribe of Indians.

repealing chapter one hundred and seventy-five of the resolves of eighteen hundred and seventy-six, relating to claims of settlers on proprietors' lands.

in favor of the Western Normal School.

providing for the annual encampment of the Maine volunteer militia.

Resolves relating to salary of clerk of superintendent of schools.

Resolve in favor of the military and naval asylum at Bath.

in favor of Van Buren plantation.

in favor of the Maine state prison.

in favor of the town of Kingsbury.

in favor of the town of Anson.

in favor of bridge in the town of Lyndon.

in favor of the Maine industrial school for girls.

in favor of the joint standing committee on reform school.

in favor of the state reform school.

in relation to the salary of the judge of probate of Penobscot county.

relating to settlers' lots under the Treaty of Washington.

in favor of an appropriation to carry into effect the provisions of chapter fifty-eight, of the public laws of eighteen hundred and sixty-nine, in relation to the establishment of meridian lines.

for an amendment to the constitution, relating to municipal indebtedness.

concerning an amendment of the constitution of Maine, relating to electors.

in favor of the Maine general hospital.

in favor of education in the state prison.

Resolve in favor of Sprague, Owen and Nash.

in favor of the town of Stockton.

authorizing the land agent to quiet settlers on a section of land in town of Presque Isle.

relating to the investment and deposit of surplus funds in the treasury.

in relation to institutions receiving appropriations from the state.

in favor of Olof Ljungren and Magnus Jeppson.

in favor of the Secretary of the Senate.

in favor of an assistant in the state library.

in favor of the Secretary of State.

Resolves providing for certain amendments to the constitution of the State of Maine.

Resolve on the pay roll of the Senate.

on the pay roll of the House.

Resolves authorizing a temporary loan.

APPENDIX.

RULES OF THE HOUSE.

CONTENTS.

OF THE DUTIES AND POWERS OF THE SPEAKER.

- RULE 1. To take the chair and call to order—on appearance of a quorum to cause the journal of the preceding day to be read—to announce business—to receive and submit all motions—to preserve order—to receive and announce messages—to authenticate bills and resolves—to name committees—to name member to take the chair in committee of the whole.
- “ 2. May address the house on points of order—may vote in all cases.

OF THE DUTIES OF THE CLERK.

- “ 3. To keep the journal—to read papers—to call the roll—notify committees—authenticate orders and proceedings—take charge of all papers—bear messages—to preside in the absence of speaker.

OF THE CHAPLAINS.

- “ 4. Services on assembling.
- “ 5. May exchange duties.

OF THE MONITORS.

- “ 6. Monitors and their duties.
- “ 7. To inform house if members persist in transgressing the rules.

OF THE COMMITTEES.

- “ 8. List of standing committees.
- “ 9. Chairman of committees.

OF THE RIGHTS AND DUTIES OF MEMBERS.

- “ 10. Seats not to be changed without leave.
- “ 11. Not to sit at speaker's or clerk's desk without permission.
- “ 12. Member first rising entitled to the floor.
- “ 13. Not to be interrupted while speaking.

RULE 14. Not to speak more than twice.

“ 15. Not to speak out of seat.

“ 16. Not to act as counsel for any party.

“ 17. Not to interrupt another while speaking, or sit or stand covered during the session.

“ 18. To deliver to clerk or committee on pay roll a statement of travel.

“ 19. Absence at commencement of, and during the session.

“ 20. Members absenting themselves to leave papers with the clerk.

“ 21. Breach of rules and orders

“ 22. To vote unless excused—not to leave seat after voting until a return is had.

“ 23. To keep secret proceedings with closed doors.

“ 24. What persons admitted to the hall.

ON PROCEEDINGS AND DEBATE.

“ 25. Order of business

“ 26. Calendar of bills to be made.

“ 27. Unfinished business to have preference in orders of the day.

“ 28. Debate—precedence of motions—questions of concurrence.

“ 29. Motion to adjourn always in order—no debate on same.

“ 30. Motion to lay on table does not preclude further consideration on the same day.

“ 31. Motions for the previous question.

“ 32. What propositions are divisible—motions to strike out and insert.

“ 33. Filling of blanks and assignment of times.

“ 34. Amendment of one section not to preclude amendment of a prior section.

“ 35. Amendments foreign to the subject matter not admissible.

“ 36. When motions may be withdrawn.

“ 37. Motions to be put in writing if required.

“ 38. Motions to be read by member before being laid on the table.

“ 39. Vote, manner of taking—yeas and nays.

“ 40. Reconsideration, rules and questions of.

“ 41. Papers relating to reconsideration of a vote to remain in possession of clerk.

“ 42. In election by ballot, the time to be assigned one day previous to.

“ 43. Reading of papers to be decided by the house.

“ 44. Questions of order decided on appeal to be entered on the journal of the house with decision.

“ 45. Propositions requiring opinion of supreme judges not to be acted upon until the next day.

“ 46. Petitions, presentation and endorsement thereof.

“ 47. Bills and resolves to be examined by committee on bills in third reading.

“ 48. Resolves appropriating land and money to have their second reading on Wednesday of the week following.

“ 49. Engrossed bills and resolves.

“ 50. Grants of land, money or public property to be accompanied by statement of facts—must be read on two several days.

“ 51. Bills and resolves of public nature not to be received unless reported by a committee, without leave—such bills or resolves to be laid over one day.

“ 52. No legislation effecting rights of individuals or corporations without previous notice.

- RULE 53. Bills to have three several reading—resolves two several readings.
- “ 54. Speaker to give notice when sending engrossed bill or resolve to the senate.
- “ 55. Proceedings when bill is returned by the governor with objections.
- “ 56. Cushing's Manual to govern when not inconsistent with rules of the house.
- “ 57. No rule to be dispensed with without consent of two-thirds of members present.
- “ 58. No rule to be altered or repealed or new rule to be adopted without one day's notice.

RULES.

DUTIES AND POWERS OF THE SPEAKER.

1. It shall be the duty of the speaker to take the chair at the hour to which the house shall have adjourned, call the members to order, and after the appearance of a quorum, cause the journal of the preceding day to be read ;

To announce the business before the house in the order in which it is to be acted upon ;

To receive and submit to vote all motions and propositions regularly moved or that necessarily arise in the course of proceedings, and announce the result ;

To restrain the members, when engaged in debate, within the rules of order, and to enforce, on all occasions, the observance of order and decorum among the members ;

To decide all questions of order, subject to an appeal to the house ;

To receive all messages and other communications and announce them to the house ;

To authenticate by his signature bills that have passed to be enacted and resolves finally passed ;

To name the members who are to serve on committees, unless the house otherwise direct ;

To appoint the member who shall take the chair when the house has determined to go into committee of the whole ;

And to name a member to perform his duties during his absence for a time not exceeding the remainder of the day.

2. The speaker may address the house on points of order, in preference to other members ; and may vote in all cases.

DUTIES OF THE CLERK.

3. The clerk shall keep a journal of what is done by the house ; read papers when required by the house or speaker ; call the roll alphabetically, and note the answers of members, when the house orders or when a question is taken by yeas and nays ; notify committees of their appointment and of the business referred to them ; authenticate by his signature all the orders and proceedings of the house not authenticated by the speaker ; have charge of all the documents and papers of every kind confided to the care of the house ; bear all messages and transmit all papers from the house to the governor or to the senate, unless the house shall otherwise order ; make up the pay roll of the members ; and in the absence of the speaker at the hour for meeting, shall preside until speaker *pro tem.* be chosen ; and at the close of the session shall file in an orderly manner all papers and documents in possession of the house, passed upon or received during the session ; and at the commencement of the next legislature, shall preside until the election of speaker ; and record the doings of the house until a new clerk shall be chosen and qualified ; and in the absence of the clerk, the assistant clerk shall be clerk *pro tempore*, with power to appoint an assistant.

CHAPLAINS.

4. Every morning, the house on assembling, shall join with the chaplains in religious service.

5. The chaplains may change duties with each other or with the chaplains of the senate.

MONITORS.

6. One monitor shall be appointed by the speaker for each division of the house, whose duty shall be to see to the observance of the rules of the house, and on demand of the speaker, to return the number of votes and members in his division.

7. If any member shall transgress any of the rules of the house, and persist therein, after being notified thereof by any monitor, it shall be the duty of such monitor to give information thereof to the house.

COMMITTEES.

8. The following standing committees shall be appointed at the commencement of the session, whose duty shall be to consider all subjects referred to them and report thereon :

On ways and means,
On leave of absence,
On change of names,
On bills in the third reading,
On engrossed bills,
On elections,

To consist of seven members each.

On county estimates,

To consist of one member from each county.

On business of the house,

To consist of three members.

9. In all elections by ballot, of committees of the house, the person having the highest number of votes shall act as chairman. In case two or more persons receive the same number of votes, the committee by a majority of their number shall elect a chairman.

RIGHTS AND DUTIES OF MEMBERS.

10. The seat which a member draws at the commencement of the session, shall be his during the session, unless he shall have leave of the speaker to change it.

11. No member shall sit at the desk of the speaker or clerk, except by the permission of the speaker.

12. When two or more members rise at the same time, the speaker shall name the person to speak ; but in all cases the member who shall rise first and address the chair, shall speak first.

13. No member shall interrupt another while speaking, except to call to order, or to correct a mistake.

14. No member shall speak more than twice to the same question, without first asking leave of the house.

15. No member shall speak out of his place without leave from the chair, nor without first rising and addressing the speaker ; and he shall sit down as soon as he has done speaking.

16. No member shall act as counsel for any party, before a joint committee of the legislature, or a committee of this house.

17. No member shall be allowed to stand up to the interruption of another, while any member is speaking, or pass unnecessarily between the speaker of the house and the person speaking; or stand in an alley, or sit or stand covered, during the session of the house.

18. Every member shall make out and deliver to the clerk or to the committee on pay roll, a statement of the number of miles usually travelled in going from his residence to the seat of government.

19. Every member who shall neglect to give his attendance to the house for more than six days after the session commences, shall, on making his appearance therein, be held to render the reason for such neglect; and in case the reason assigned shall be deemed by the house sufficient, such member shall be entitled to receive pay for his travel, and not otherwise; and no member shall be absent more than two days without leave of the house; and no member shall have such leave, unless it be reported by the committee on leave of absence; and no leave of absence shall avail any member who retains his seat more than five days from the time the same was obtained.

20. Any member having obtained leave of absence, and having in his possession any papers relating to the business before the house, shall leave the same with the clerk.

21. When any member shall be guilty of a breach of any of the rules and orders of the house, and the house has determined he has so transgressed, he shall not be allowed to vote or speak, unless by way of excuse for the same, until he has made satisfaction.

22. Every member who shall be in the house when a question is put, where he is not excluded by interest, shall give his vote, unless the house, for special reason shall excuse him, and when the yeas and nays are ordered, no member shall leave his seat until the vote is declared. In all elections by the house, or in joint ballot of the two houses, no member shall leave his seat, after voting, before a return of the house is had.

23. When the galleries shall be ordered to be cleared or shut, the matter which may occasion such order, shall be kept secret by each member, until the house shall order such injunction of secrecy to be taken off.

24. No person not a member or officer of the house, except members of the senate, its secretary and assistants, the governor

and council, state treasurer, secretary of state, land agent, adjutant general, judges of the supreme judicial court, chaplains of the senate, and reporters of the proceedings and debates of the house, shall be admitted within the representatives' hall unless invited by some member of the house.

PROCEEDINGS AND DEBATES.

25. After the reading of the journal, the following shall be the order of business :

1st Senate papers, and first reading of accompanying bills and resolves.

2d. Messages and documents from the executive and heads of departments.

3d. Reception of petitions, bills and resolves requiring reference to any committee.

4th. Orders.

5th. Reports of committees and first reading of bills or resolves.

6th. Bills and resolves reported by committee on bills in the third reading, and on their passage to be engrossed.

7th. Bills on their passage to be enacted.

8th. Orders of the day.

The speaker shall announce each item of business in its turn, and no paper shall be taken up out of its regular order, except by the unanimous consent of the house. The orders of the day shall take precedence of all other business at the expiration of the morning hour.

26. It shall be the duty of the clerk to make up daily a calendar of bills, resolves and other papers, assigned for that day's consideration, and also a calendar of bills and resolves which have had their first reading, and showing the disposition that has been made of each.

27. The unfinished business in which the house was engaged at the time of the last adjournment, shall have preference in the orders of the day, and shall continue to be among the orders of the day for each succeeding day until disposed of, and no motion or other business shall be received, without special leave of the house until the former is disposed of.

28. When a question is under debate no motion shall be received but—

1st. To adjourn ;

- 2d. To lay on the table ;
- 3d. For the previous question ;
- 4th. To commit ;
- 5th. To postpone to a day certain ;
- 6th. To amend ;
- 7th. To postpone indefinitely ;

Which several motions shall have precedence in the order in which they are arranged.

Questions of concurrence or otherwise with the senate shall have precedence of each other in the following order :

- 1st. To recede.
- 2d. To concur.
- 3d. To insist.
- 4th. To adhere.

29. A motion to adjourn shall always be first in order, and shall be decided without debate.

30. A vote to lay a proposition on the table shall not preclude the further consideration of it on the same day.

31. When motion for the previous question is made, the consent of one-third of the members present shall be necessary to authorize the speaker to entertain it. No debate shall be allowed until the matter of consent is determined. The previous question shall be submitted in the following words: *Shall the main question be put now?* No member shall speak more than five minutes on the motion for the previous question, and while that question is pending a motion to lay on the table shall be decided without debate. A call for the yeas and nays, or for division of a question, shall be in order after the main question has been ordered to be put. After the adoption of the previous question, the vote shall be taken forthwith upon amendments, and then upon the main question.

32. Propositions to amend by striking out and inserting dates, numbers and sums, are not divisible; but all propositions, otherwise divisible, shall be divided at the request of any ten members. A motion to strike out being lost, shall neither preclude amendments, nor a motion to strike out and insert.

33. In filling blanks and assigning times for the consideration of business, the largest sum and longest time shall be put first.

34. When a proposition consists of several paragraphs or sections, amendment of one of them shall not preclude amendment of a prior paragraph or section.

35. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

36. After a motion or order is stated or read by the speaker, and seconded, it shall be regarded as in the possession of the house, and shall be disposed of by vote of the house. But any motion or order may be withdrawn by the mover at any time before a decision or amendment, except a motion to reconsider, which shall not be withdrawn except by consent of the house.

37. Every motion shall be reduced to writing, if required by the speaker or by any member.

38. No member shall be permitted to lay a motion in writing on the table, until he shall have read the same in his place.

39. When a vote having been declared by the speaker, is doubted, the members for and against the question, when called on by the speaker, shall rise and stand till they are counted, and the vote made certain without further debate. But a call for the yeas and nays shall be in order at any time before such a vote is made certain and declared.

40. When a motion has once been made and carried in the affirmative, or negative, it shall not be in order for any member who voted in the minority to move a reconsideration thereof; but any member who voted with the majority, or in the negative on a tie vote, may move to reconsider on the same or succeeding day. A motion to reconsider shall not be postponed nor laid on the table without a time certain assigned for its further consideration. When a motion for reconsideration has been decided, the vote shall not be reconsidered. A motion to reconsider shall not be in order more than once on the same question.

41. When a member shall move, or give notice of his intention to move, a reconsideration of any vote, the papers to which the motion relates shall remain in possession of the clerk until the question of reconsideration shall have been decided, or the right to move such a question is lost.

42. In all elections by ballot, of the house, a time shall be assigned for such election, at least one day previous thereto.

43. When a reading of a paper is called for which has been before read to the House, and the same is objected to by any member, the question of reading shall be determined by a vote of the house.

44. Every question of order, which shall be decided on appeal

shall be entered on the journal of the house, with the decision thereon.

45. A proposition to require the opinion of the judges of the supreme court, as provided by the constitution, shall not be acted upon until the next day after such proposition is made.

46. All petitions, memorials and other papers addressed to the house, shall be presented by the speaker, or by a member in his place, and shall be endorsed with the name of the person presenting it, and the subject matter of the same. They shall be read by the speaker, clerk, or such other person as the speaker may request, and shall be taken up in the order they were first presented, unless the house shall otherwise direct.

47. All bills in their third reading, and resolves in their second reading, shall be committed to the standing committee on bills in the third reading, to be by them examined and corrected.

48. All resolves appropriating money or land, shall have their second reading on Wednesday of the week following that of their first reading.

49. All engrossed bills and resolves shall be committed to the standing committee on engrossed bills to be strictly examined; and if found by them to be truly and strictly engrossed, they shall so report to the house, and the question shall be taken without any further reading, unless on motion of any member, a majority of the house shall be in favor of reading the same as engrossed.

50. Every bill or resolve, providing for the grant of money, land, or other public property, which may be laid on the table by leave, and any report of a committee upon any bill or resolve providing for such grant, shall be accompanied by a written statement of facts in each case; and no such bill or resolve shall be considered before such statement is made, or pass without being read on two several days.

51. No new bill or resolve of a public nature shall be received, except it be reported by a committee, unless the house otherwise order; and all bills and resolves not reported by a committee, shall be laid upon the table for one day, before further action thereon.

52. No act or resolve shall be passed affecting the rights of individuals or corporations, without previous notice to such individuals or corporations.

53. No bill shall pass to be engrossed until it shall have had three several readings; the time for the second and third readings

shall be assigned by the house; but if no objection is made, the second reading may be by the title, and at the time of the first. Every resolve which shall require the approval of the governor, shall have two several readings; the second reading shall be subject to the provisions of the third reading of bills.

54. No engrossed bill or resolve shall be sent to the senate, without notice thereof being given to the house by the speaker.

55. When a bill or resolve shall be returned by the governor with his objections, the question shall be stated by the chair, *Shall this bill become a law notwithstanding the objections of the governor?* and the same in substance in case of a resolve; which question may be postponed to a day within the session, not exceeding one week, or may be committed. But no other question shall apply to bills and resolves originating in either branch.

56. The rules of parliamentary practice comprised in Cushing's Manual, excepting section 51, relating to the reception of petitions, shall govern the house in all cases to which they are applicable, and in which they are not inconsistent with the standing rules and orders of the house, and the joint rules of the senate and house of representatives.

57. No rule or order of the house shall be dispensed with, unless two-thirds of the members present shall consent thereto.

58. No rule or order of the house shall be altered or repealed, nor shall any new standing rule or order be adopted, unless one day's previous notice thereof be given in each case; and such notice shall be entered on the journal.

JOINT RULES OF THE TWO HOUSES.

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- RULE 1. Name of joint standing committees.
- “ 2. Joint select committees, three and seven.
- “ 3. Joint committees to be entered on the journal of each house.
- “ 4. Manner of presenting reports.
- “ 5. Orders relating to statutes to state the subject matter thereof.
- “ 6. Titles to bills and resolves.
- “ 7. Forms of bills and resolves.
- “ 8. Notice to be given by one branch to the other of disagreeing action—bills and resolves to be presented to the governor for approval.
- “ 9. Indorsement of papers to be by secretary—final passage to be endorsed by presiding officers.
- “ 10. Bills or resolves of public nature to be printed.
- “ 11. Number of copies of printed documents—proportion to each house.
- “ 12. Business which may be done in convention.
- “ 13. Committees of conference—reports thereof.
- “ 14. Measures finally acted on not to be revived, except on three days' notice.
- “ 15. Messages how announced.
- “ 16. Suspension of rules.
- “ 17. Not to vote where their private rights, distinct from their public interests, are concerned.

JOINT RULES.

1. The following joint standing committees shall be appointed at the commencement of the session, viz :

- On the judiciary,
- On legal affairs,
- On financial affairs,
- On federal relations,
- On education,
- On railroads,
- On commerce,
- On mercantile affairs and insurance,
- On banks and banking,
- On manufactures,
- On agriculture,
- On military affairs,
- On interior waters,
- On state lands and state roads,
- On ways and bridges,
- On fisheries,
- On counties,
- On towns,
- On indian affairs,
- On claims,
- On pensions,
- On insane hospital,
- On reform school,
- On state prison,
- On public buildings,
- On library.

And each of said committee shall consist of three on the part of the senate, and seven on the part of the house, with leave to report by bill or otherwise.

2. Joint select committees shall consist of three on the part of the senate, and seven on the part of the house, unless the order creating the same shall provide a different number.

3. Whenever a select committee shall be appointed by either house, and be joined by the other, it shall be the duty of the secretary of the senate, or the clerk of the house, as the case may

be, to transmit, one to the other, the names of the members so joined, in order that they may be entered upon the journal of each house.

4. In presenting a report upon any matter referred to a committee, such report shall set forth the subject referred, and the substance shall also be briefly endorsed on the back of the same.

5. Orders directing inquiry in relation to an existing statute shall state the subject matter of such statute—also the chapter and section to which the inquiry is directed.

6. The titles of all bills and resolves shall state, briefly, the subject matter of the same.

7. The enacting clause of every bill shall follow its title, in these words, viz :

"Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :"

All bills and resolves reported by any joint committee shall be written in a fair legible hand, on not less than a sheet of paper. And in all bills having more than one section, the sections shall be consecutively numbered, beginning with "Section 1."

Mistakes in bills and resolves, merely clerical, may be corrected upon suggestion, without a motion to amend.

8. When a bill, resolve, or order, which shall have passed one house, is rejected in the other, notice thereof shall be given to the house to which the same shall have passed, by the secretary or clerk as the case may be. And every bill that shall have passed both houses to be enacted, and all resolutions having the force of law, that shall have finally passed both houses, shall be presented by the secretary of the senate to the governor, for his approval ; and the secretary of the senate shall enter on the journal of the senate, the day on which such bills or resolutions are so presented to the governor.

9. All endorsements on papers, while on their passage between the two houses, shall be under the signature of the secretary of the senate, or the clerk of the house, respectively ; but after the final passage of bills and resolves, they shall be signed by the presiding officer of each house.

10. Every bill or resolve of a public nature, and every bill or resolve appropriating money, or disposing of state lands or other state property, reported in either house by a committee, or laid upon the table by leave, shall be printed and distributed in both

APPENDIX.

houses, before having its first reading. The printed copies shall show by what committee the bill or resolve was reported, or by what member laid upon the table.

11. Whenever any document shall be printed for the use of the legislature, the number of copies shall be three hundred and fifty, unless otherwise ordered. The copies printed shall be delivered to the messengers of the two houses in the proportion of one-fourth for the use of the senate, and three-fourths for the use of the house, after reserving seventy-five copies for the departments and for binding.

12. No business shall be transacted in convention of the two houses, unless by unanimous consent, except such as may be agreed upon before the convention is formed.

13. Committees of conference shall consist of three members on the part of each house representing its vote, and their report, if agreed to by a majority of each committee, shall be made to the branch asking the conference, and may be either accepted or rejected; but no other action shall be had, except through another committee of conference.

14. When any measure shall be finally rejected, it shall not be revived except by reconsideration; and no measure containing the same subject matter, shall be introduced during the session, unless three days' notice is given to the house of which the mover is a member.

15. Whenever a message shall be sent from the senate to the house, it shall be announced at the door by the messenger of the senate, and shall be communicated respectfully to the chair by the bearer of it. In like manner messages from the house shall be communicated to the senate—the messenger of the house announcing them at the door of the senate.

16. No joint rule or order shall be suspended without the consent of two-thirds of the members present in each house.

17. No member shall be permitted to vote on any question in either branch of the legislature, nor in committee, whose private right, distinct from public interest, is immediately involved.

RULES OF THE SENATE.

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- “ 2. Journal to be read—President to ascertain whether quorum is present before such reading.
- “ 3. President to address senate, and senators address president, while speaking—senators to stand while speaking.
- “ 4. Members to be styled *senators* while speaking.
- “ 5. President may call a senator to the chair during brief absence.
- “ 6. President shall rise to put a question—declare all votes.
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- “ 9. Motions to be in writing if desired—right to withdraw.
- “ 10. Right to the floor—senator to speak but once to same question.
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- “ 14. Questions of order.
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- “ 17. Reading of papers.
- “ 18. Bills in second reading to go to committee—their duty.
- “ 19. Consideration of bills by paragraph on second reading.
- “ 20. Engrossment of bills.
- “ 21. Grants of money or land to be read on two several days—papers from house disagreeing with senate action.
- “ 22. Order of business—secretary to keep a calendar of bills.
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- “ 25. Unfinished business to have precedence.
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- “ 28. Confidential communications to be kept secret.
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RULE 31. Absence of senators.

“ 32. Committees—how appointed.

“ 33. Standing committees of senate.

“ 34. Senators not to act as counsel.

“ 35. Messages and papers—how carried.

“ 36. Committee of the whole.

“ 37. Cushing's Manual, &c., to govern proceedings.

RULES.

1. The President shall take the chair at the time to which the senate stands adjourned ; but in case of his absence at such time, the secretary shall preside until a president *pro tempore* be chosen.

2. At the first session of each day, on the appearance of a quorum, the journal of the preceding day shall be read ; and the President shall ascertain whether a quorum is present before such reading.

3. When the President speaks he shall address the senate ; when a senator speaks he shall stand in his place and address the President.

4. The President, when he speaks to any member of the senate, and the members when referring to each other in debate, shall use in their addresses the title of *senator*, and by way of distinction name the county in which he resides.

5. The President shall have the right to name a senator to perform the duties of the chair during his absence ; but the substitution shall not extend beyond an adjournment.

6. The President shall rise to put a question, and shall declare all votes, but if any senator doubt the vote, all those voting in the affirmative, when called upon by the President, shall rise and stand until they are counted, and also those in the negative, in like manner, to make the vote certain.

7. The President shall consider a motion to adjourn as always first in order, and it shall be decided without debate.

8. When a question is under debate, no motion shall be received but to adjourn, to reconsider, to lay on the table, to postpone to a day certain, to commit, to amend, or to postpone indefinitely ; which several motions shall have precedence in the order in which they stand arranged.

9. A motion shall be reduced to writing, if desired by the President or any senator, and shall then be deemed to be in possession of the senate, to be disposed of by the senate; but the mover may withdraw it at any time before a decision, or any amendment be made to it.

10. No senator shall address the senate until recognized by the President, nor more than once to the exclusion of any other senator, without leave of the senate, if objection is made, unless he be the mover of the matter under debate, and not then more than three times without leave.

11. No motion or proposition on a subject different from that under consideration, shall be admitted under color of amendment; nor shall an amendment proposing to ingraft a general provision of law upon a private bill, be in order; nor any amendment beyond the second degree.

12. An amendment proposed may be amended before it is adopted, but not afterwards, unless the vote adopting it be first reconsidered, and no senator shall be competent to move any reconsideration unless he voted with the majority and upon the same or a succeeding day; and a motion to reconsider any vote shall not be laid upon the table unless a time shall be specially assigned for its consideration.

13. A motion to reconsider shall take precedence of all other questions except a motion to adjourn; but if made while another question is pending, it shall not be put until the other question is disposed of, but simply entered.

14. Questions of order shall be decided by the President without debate; but if an appeal is taken, the same may be debated like other questions, and the decision thereon shall be entered upon the journal.

15. A question containing two or more propositions capable of division, shall be divided whenever desired by any member.

16. In filling up blanks, the largest sum and longest time shall be put first.

17. Every paper shall be once read at the table, before any senator shall be obliged to vote on it, but when the reading of a paper is called for, that has been before read to the senate, if any senator object, the question shall be determined by the senate.

18. All bills and resolves in the second reading shall be

committed to the committee on bills in the second reading, to be by them examined, corrected and so reported to the senate.

19. Upon the second reading of a bill or resolve, after the same shall be read through, and before the question is put on its passage, it shall be read and considered by paragraphs, at the request of any member of the senate; and no bill or resolve shall have a second reading, unless a time (not less than one hour after the first reading) be assigned therefor.

20. No bill or resolve shall pass to be engrossed, without being twice read; and all bills and resolves, immediately after the same shall have been engrossed, shall be committed to the committee on engrossed bills, whose duty shall be to examine the same, and to see that the same have been truly engrossed; and before any bill shall pass to be enacted, or any resolve be finally passed, it shall be reported by the committee for the examination of engrossed bills, to be truly and strictly engrossed, and the title thereof be read by the President.

21. No resolve of any kind, or order making any grant of money, lands, or other public property, shall be passed without being read on two several days; the time for the second reading shall be assigned by the senate.

22. After the reading of the journal, the following shall be the order of business:

1st, House papers not acted on; and if accompanied by a bill or resolve, the first reading of such bill or resolve.

2d, Messages and documents from the executive and heads of departments.

3d, The reception and reference of petitions and such other papers, except bills and resolves, as require action by a committee.

4th, Reports of committees, and if accompanied by a bill or resolve, the first reading of such bill or resolve. Bills, resolves, etc., offered by senators, and their reference or first reading.

5th, Bills and resolves reported by the committee on bills in the second reading.

6th, Bills on their passage to be enacted, and resolves on their final passage.

It shall be the duty of the secretary to number bills and resolves in the order in which they shall be reported by said committee, and enter them upon the calendar in such order. They shall be

taken up for their second reading and passage to be engrossed, or other disposition, in the order in which they stand upon the calendar. When a bill or resolve, after it is put on the calendar, is laid on the table, and no time assigned for its further consideration, it shall go to the foot of the calendar as it then stands. Papers from the house, concerning which there has been a disagreeing vote of the two houses, shall be disposed of before commencing with the calendar. This rule shall not apply to or interfere with motions to reconsider, or special assignments or other privileged questions.

23. When the yeas and nays are taken, the names of the senators shall be called alphabetically.

24. After a question is put to vote, no senator shall speak on it. Every senator who may be present shall vote unless excused by the senate, or excluded by interest.

25. The unfinished business, in which the senate was engaged at the time of the last adjournment, shall have preference in the orders of the day.

26. No engrossed bill or resolve shall be sent to the house without notice thereof being given to the senate by the president.

27. Every member who shall present a petition, shall place his name thereon and a brief statement of its subject.

28. All confidential communications made by the governor to the senate, shall be by the members thereof kept inviolably sacred until the senate shall by their resolution take off the injunction of secrecy.

29. No rule shall be dispensed with, except by the consent of two-thirds of the members present.

30. Any member of the senate may exchange seats on consulting the President and obtaining his permission.

31. No member shall absent himself from the senate without leave, unless there be a quorum left present.

32. All committees shall be nominated by the President (unless when it may be determined that the election shall be by ballot,) and appointed by the senate.

33. The following standing committees shall be appointed at the commencement of the session, viz :

STANDING COMMITTEES OF THE SENATE.

On bills in the second reading.

On engrossed bills.

To consist of twelve members each. Any one of the first, and any two of the second, shall constitute a quorum.

34. No member of the senate shall act as counsel for any party before any committee of the legislature.

35. All messages from the senate to the house, and to the governor, or governor and council, shall be carried by the secretary, unless the senate shall direct some other mode of transmission, and all papers shall be transmitted to the governor and council and the house by the secretary or his assistant.

36. The senate may at any time, upon motion, by a vote of a majority of the members present, resolve itself into a committee of the whole for the purpose of considering any subject named in the motion; and a chairman shall be appointed by the President. If a message is announced while the senate is in such committee, the President shall resume the chair for the purpose of receiving it; immediately after which the committee shall proceed, until dissolved in the usual manner.

37. The rules of parliamentary practice comprised in Cushing's Manual, and Cushing's Law and Practice of Legislative Assemblies, shall govern the senate in all cases to which they are applicable, and in which they are not inconsistent with the standing rules of the senate, or the joint rules of the two houses.

MEMORANDA.

1. Orders, motions in writing, and reports of committees, should never be presented on less than half a sheet of paper.
2. When a *report* of a committee is made to either house it should be accompanied by the *order* appointing said committee.
3. Petitions, memorials and remonstrances, from towns in their *corporate capacity*, should be endorsed thus, "*Petition of town of ———,*" [stating concisely the subject matter thereof.]
4. Petitions, memorials and remonstrances from individuals, should be endorsed thus, "*Petition of ——— and others, of the town of ———,*" [stating concisely the subject matter thereof.]
5. Petitions, memorials and remonstrances from corporations, should be endorsed thus, "*Petition of ———,*" [naming the corporation and stating concisely the subject matter thereof.]
6. The name of the member presenting petitions, memorials and remonstrances, should be endorsed on the back thereof, *near the bottom*, with the place of his residence.
7. The member presenting an *order* should put his name thereto on the inside, at the bottom of the page, on the left, with the place of his residence.
8. Petitions, memorials and remonstrances, on which *leave to withdraw* was ordered by a former legislature, cannot be recalled from the files with a view of being again referred. The *original*, however, may be taken from the files, and the subject presented *de novo*.
9. Bills and resolves *refused a passage, rejected or postponed indefinitely* by a former legislature, cannot be called from the files with a view of being considered by the present legislature.

10. The heading or caption of *bills* should be as follows:

STATE OF MAINE.

In the year of our Lord one thousand eight hundred and

An act ———

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

11. The caption of *resolves*, as follows:

STATE OF MAINE.

[*Omitting* the year required in bills.]

Resolve ———

12. The caption of *orders*, as follows:

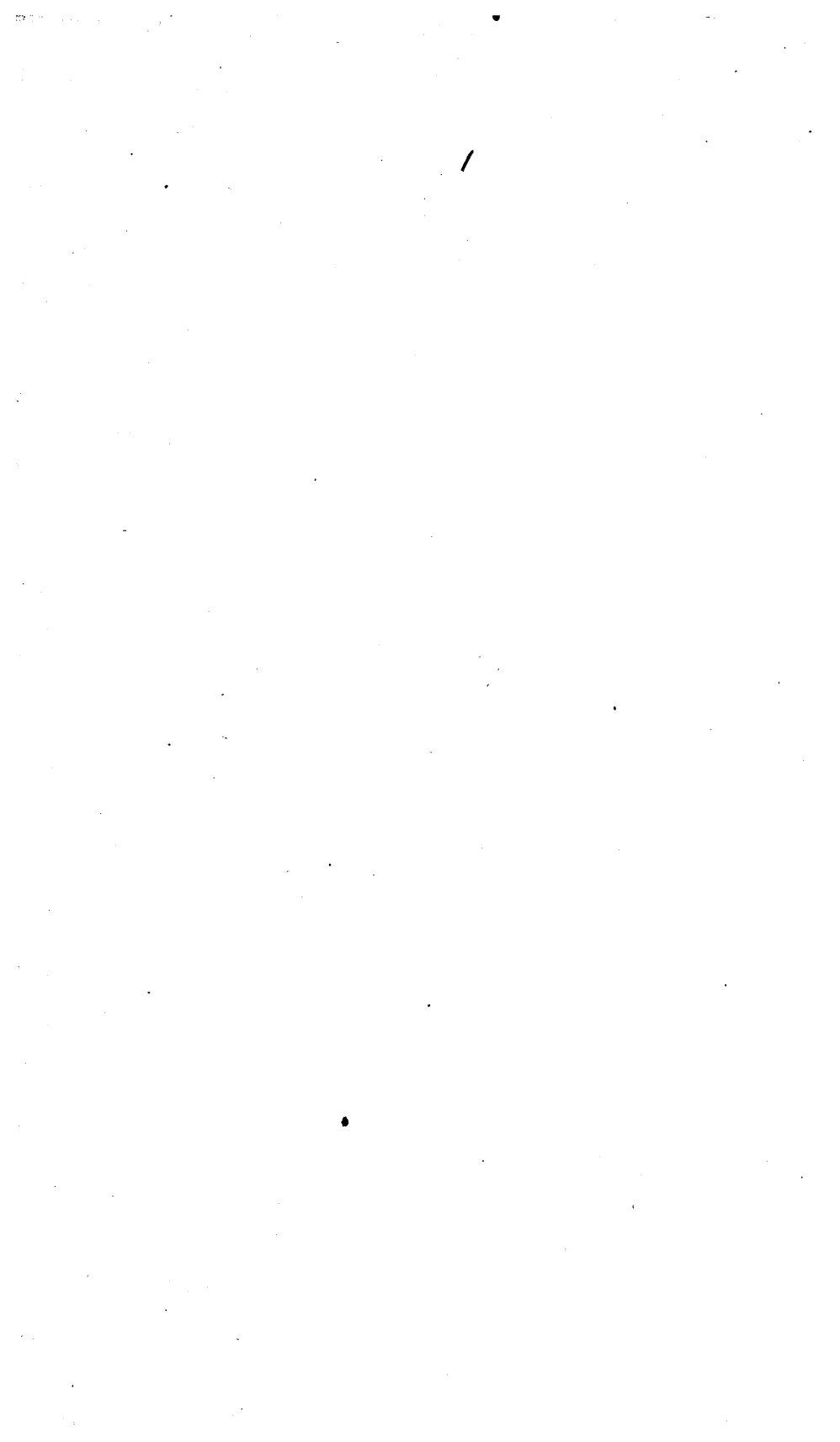
STATE OF MAINE.

IN SENATE, ———, 187 .

[or IN HOUSE OF REPRESENTATIVES, ———, 187. .

Ordered, ———

13. All bills amended by statute, by striking out words from any section or independent clause thereof, or by adding or inserting other words and provisions, should recite the section or clause as it would read after being amended as proposed.



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