JOURNAL

OF THE

SENATE OF MAINE.

1877.

FIFTY-SIXTH LEGISLATURE.

AUGUSTA:

SPRAGUE, OWEN & NASH, PRINTERS TO THE STATE.

1877.

STATE OF MAINE.

IN SENATE, January 24, 1877.

ORDERED, That the Secretary prepare and publish under his supervision and direction the usual number of copies of the Journal of proceedings of the present session of the Senate.

Read and passed.

SAMUEL W. LANE, Secretary.

A true copy. ATTEST :

SAMUEL W. LANE, Secretary.

FIFTY-SIXTH LEGISLATURE.

JOURNAL OF THE SENATE.

STATE OF MAINE.

AUGUSTA, Wednesday, January 3, 1877. }

Pursuant to the provisions of the Constitution and the Laws of the State of Maine, the Senators elect to the Fifty-Sixth Legislature convened in the Senate Chamber, and were called to order by SAMUEL W. LANE, Esq., Secretary of the Senate of 1876.

Prayer was offered by Rev. Mr. ADAMS of Augusta.

The following communication was read by the Secretary :

STATE OF MAINE, Office of the Secretary of State,

To the Secretary of the Senate:

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

> FIRST SENATORIAL DISTRICT—YORK. URANUS O. BRACKETT of Berwick, USHER B. THOMPSON of Newfield, JOSEPH HOBSON of Saco.

^{*} Nore-The * refers to corresponding pages of original Journal deposited with the Secretary of State.

SECOND SENATORIAL DISTRICT—CUMBERLAND. JAMES BAILEY of Portland, WARREN H. VINTON of Gray, EBEN T. NUTTER of Cape Elizabeth, PHILANDER TOLMAN of Harrison.

THIRD SENATORIAL DISTRICT—OXFORD. SAMUEL D. WADSWORTH of Hiram, JAMES IRISH of Hartford.

FOURTH SENATORIAL DISTRICT—ANDROSCOGGIN. BENJAMIN F. STURGIS of Auburn, CHARLES B. JORDAN of Lisbon.

FIFTH SENATORIAL DISTRICT—FRANKLIN. EBENEZER S. KYES of Jay.

SIXTH SENATORIAL DISTRICT-SAGADAHOC. THOMAS W. HYDE of Bath.

SEVENTH SENATORIAL DISTRICT—KENNEBEC. JOHN WOODBURY of Litchfield, GREENLIEF T. STEVENS of West Waterville.

EIGHTH SENATORIAL DISTRICT—SOMERSET. RUSSELL B. SHEPHERD of Skowhegan, DARIUS H. BARTLETT of Harmony.

NINTH SENATORIAL DISTRICT-PISCATAQUIS. STEPHEN O. BROWN of Dover.

TENTH SENATORIAL DISTRICT—PENOBSCOT. JOSEPH S. WHEELWRIGHT of Bangor, THOMAS J. PEAKS of Charleston, ALEXANDER WEBB of Lowell, J. WYMAN PHILLIPS of Orrington. * ELEVENTH SENATORIAL DISTRICT—LINCOLN. ALFRED LENNOX of Wiscasset.

Twelfth Senatorial District-Knox. ALFRED WATTS of Thomaston.

THIRTEENTH SENATORIAL DISTRICT-WALDO. ISAAC M. BOARDMAN of Belfast, ORRIN LEARNED of Burnham.

FOURTEENTH SENATORIAL DISTRICT—HANCOCK. AMBROSE WHITE of Bucksport, WILLIAM W. BRAGDON of Franklin.

FIFTEENTH SENATORIAL DISTRICT-WASHINGTON. ALEXANDER B. SUMNER of Lubec, ALBERT M. NASH of Harrington.

SIXTEENTH SENATORIAL DISTRICT-AROOSTOOK. PARKER P. BURLEIGH of Linneus.

[L. S.] In testimony whereof I have caused the seal of the State to be hereunto affixed at Augusta, this first day of January, in the year of our Lord one thousand eight hundred and seventy-seven, and of the Independence of the United States of America the one hundred and first.

(Signed)

S. J. CHADBOURNE, Secretary of State.

And the roll being called the following Senators elect responded to their names :

Messrs. Bailey, Bartlett, Boardman, Brackett, Bragdon, Brown, Burleigh, Hobson, Hyde, Irish, Jordan, Kyes, Learned, Lennox, Nash, Nutter, Peaks, Phillips, Shepherd, Stevens, Sturgis, Sumner, Thompson, Tolman, Vinton, Wadsworth, Watts, Webb and Wheelwright.

* And a quorum of Senators elect was present.

5

*3

*4

On motion by Mr. WHEELWRIGHT,

That Senator was charged with a message to the Governor and Council, informing them that a quorum of Senators elect is present in the Senate Chamber, ready to take and subscribe the oaths required by the Constitution to qualify them to enter upon the discharge of their official duties.

Mr. Wheelwright subsequently reported that he had delivered the message with which he was charged, and the Governor was pleased to reply, that he would attend upon Senators elect forthwith, for the purpose of administering to them the oaths required by the Constitution.

Thereupon the Governor, attended by the Council and Heads of Departments, came in, before whom the Senators elect took and subscribed the oaths required by the Constitution.

The Governor and suite then withdrew.

On motion by Mr. STEVENS,

Messrs. Stevens of Kennebec, Sturgis of Androscoggin and Watts of Knox, were appointed a Committee to receive, sort and count the votes for President of the Senate.

Having attended to that duty, the Committee reported as follows:

The whole number of votes is	
Necessary for a choice	14
Thomas W. Hyde has	26

The report was accepted, and Hon. Thomas W. Hyde was *5 declared duly elected * President of the Senate for the current political year.

Mr. Hyde was conducted to the chair by Mr. Kyes of Franklin and Mr. Lennox of Lincoln, and thereupon addressed the Senate as follows:

SENATORS :---In assuming the duties of your presiding officer, I shall endeavor to merit your approbation, and for the honor that you have done me, accept my heartfelt thanks.

This modern parliamentary system under which you are about to work, is to-day one of the strongest safeguards of our civilization. It is a cord binding together the fagots of opinion, preventing them from falling asunder into futility and separate weakness. With it results may be reached and affairs settled with ease, with tolerable swiftness, and with certainty; without it we would still be the slaves of the strongest force, when confusion of councils had prepared the way. Under its rules, it is for you to so shape the laws of the commonwealth that the blessings of peace may be preserved and regulated; to so aid in the education of our youth that the future may be full of promise; to so assist in the development of our State that she may deserve her high motto. These are some of the directions for your effort. As a legislative assembly, may we do our part in the duties of the hour.

I am now ready to proceed with your business.

On motion by Mr. STURGIS,

*Messrs. Sturgis of Androscoggin, Bailey of Cumberland *6 and Sumner of Washington, were appointed a Committee to receive, sort and count the votes for Secretary of the Senate.

Having attended to that duty, the Committee reported as follows:

The whole number of votes is	29
Necessary for a choice	15
Samuel W. Lane has	29

The report was accepted, and Samuel W. Lane of Augusta, was declared duly elected Secretary of the Senate for the current political year.

Mr. Lane signified his acceptance of the office, and $\Omega_{\rm r}$ mation by Mr. BEAKS

On motion by Mr. PEAKS,

That Senator was directed by the President to conduct the Secretary elect to the Council Chamber for the purpose of taking and subscribing the necessary oaths to qualify him to enter uponthe discharge of his official duties.

Mr. Peaks subsequently reported that he had attended to the duty assigned him, and that Samuel W. Lane had, before the Governor, in presence of the Council, taken and subscribed the necessary oaths to qualify him to enter upon the discharge of his official duties.

Whereupon the Secretary, Mr. Lane, entered upon the discharge of his official duties.

SAMUEL W. LANE, Secretary of the Senate of 1876.

* On motion by Mr. TOLMAN,

Messrs. Tolman of Cumberland, Stevens of Kennebec and Boardman of Waldo, were appointed a Committee to receive, sort and count the votes for Assistant Secretary of the Senate.

*7

Having attended to that duty, the Committee reported as follows:

The whole number of votes is	29
Necessary for a choice	`1 5
Charles W. Tilden has	29

The report was accepted, and Charles W. Tilden of Castine, was declared duly elected Assistant Secretary of the Senate for the current political year.

Mr. Tilden appeared and took and subscribed the oaths of office, before Samuel W. Lane, Esq., Secretary of the Senate, authorized by *dedimus potestatem*.

On motion by Mr. VINTON,

Messrs. Vinton of Cumberland, Bartlett of Somerset and Bragdon of Hancock were appointed a Committee to receive, sort and count the votes for Messenger of the Senate.

Having attended to that duty, the Committee reported as follows:

The whole number of votes is	28
Necessary for a choice	15
James H. Banks has	28

The report was accepted, and James H. Banks of Freeport was declared duly elected Messenger of the Senate.

On motion by Mr. JORDAN,

*8 Messrs. Jordan of Androscoggin, Sumner * of Washington and Brackett of York were appointed a Committee to receive,

sort and count the votes for Assistant Messenger of the Senate.

Having attended to that duty, the Committee reported as follows:

The whole number of votes is	29
Necessary for a choice	15
Benjamin F. Stevens has	

The report was accepted, and Benjamin F. Stevens of Dixmont was declared duly elected Assistant Messenger of the Senate.

On motion by Mr. SHEPHERD,

Messrs. Shepherd of Skowhegan, Brown of Piscataquis and Watts of Knox were appointed a Committee to receive, sort and count the votes for Folder of the Senate.

Having attended to that duty, the Committee reported as follows:

The whole number of votes is	27
Necessary for a choice	14
James Pattee has	27

The report was accepted, and James Pattee of Jackson was declared duly elected Folder of the Senate.

On motion by Mr. SHEPHERD,

That Senator was charged with a message to the Governor and Council, informing the Executive Department that the Senate is duly organized by the choice of Hon. Thomas W. Hyde as President and Samuel W. Lane, Esq., as Secretary.

On motion by Mr. KYES,

That Senator was charged with a *message to the House *9 of Representatives, informing that branch that the Senate is duly organized by the choice of Hon. Thomas W. Hyde as President and Samuel W. Lane, Esq., as Secretary.

A message was received from the House of Representatives, by Mr. Warren of Westbrook, informing the Senate that the House is duly organized by the choice of Hon. E. B. Nealley of Bangor as Speaker and Oramandal Smith, Esq., of Litchfield, as Clerk.

A communication was received from Hon. S. J. Chadbourne, Secretary of State, transmitting the returns of votes for Senators for the current political year.

On motion by Mr. PEAKS,

Ordered, That a Committee of seven be appointed by the President, to whom the returns of votes for Senators for the current political year shall be referred for examination and report.

And Messrs. Peaks of Penobscot, Watts of Knox, Burleigh of Aroostook, Irish of Oxford, Bragdon of Hancock, Bartlett of Somerset and Nutter of Cumberland were appointed said Committee.

A communication was received from Hon. S. J. Chadbourne, Secretary of State, transmitting the returns of votes for Governor for the current political year, which was read and sent down.

On motion by Mr. NASH,

Ordered, That the returns of votes for Governor given in the several cities, towns and plantations of this State for the cur*10 rent political * year, be referred to a Joint Select Committee of seven on the part of the Senate, with such as the House

may join.

And Messrs. Nash of Washington, Lennox of Lincoln, Bailey of Cumberland, Hobson of York, Stevens of Kennebec, Phillips of Penobscot and Boardman of Waldo were appointed on the part of the Senate.

Sent down for concurrence.

Subsequently came back concurred, with 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 and Goldthwait of Biddeford, joined on the part of the House.

On motion by Mr. WEBB,

Ordered, That the Messenger be directed to have open wood fires kept in the two fire-places in the Senate Chamber during the present session.

On motion by Mr. JORDAN,

Ordered, That the Secretary of the Senate procure the printing of seventy-five diagrams of the Senate Chamber for the use of the Senate.

On motion by Mr. STURGIS,

Ordered, That the Rules and Orders of 1876 be the Rules and Orders of this Senate until otherwise ordered.

On motion by Mr. WADSWORTH,

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

Sent down for concurrence.

On motion by Mr. BRAGDON,

Ordered, That the Secretary of the Senate prepare the usual Senate Register, and that five hundred copies be printed for the use of the Senate.

On motion by Mr. STURGIS,

Ordered, That the Secretary of the Senate be directed to furnish

to each Senator, and the officers of the Senate, and the Chaplains, one copy of the Daily Kennebec Journal, and one other daily paper published in this State, such as each Senator or officer may select.

On motion by Mr. JORDAN,

Ordered, That the Secretary of State be requested to furnish each member and officer of the Senate one copy of the "Acts and Resolves" of 1876.

Mr. KYES presented the following :

Ordered, That the Secretary of State be requested to place in the hands of the Secretary of the Senate, for the use of the Senate, four copies of the Revised Statutes, one copy of Lippincott's Pronouncing Gazetteer, one copy each of Webster's Unabridged Dictionary and Worcester's Unabridged Dictionary, one copy of Cushing's Manual, and one copy of the Holy Bible.

Mr. PEAKS proposed to amend the order by adding the following: "and the same shall be returned to the * Secre- *12 tary's office at the close of the session."

The amendment was agreed to and the order passed.

On motion by Mr. VINTON,

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.

And Messrs. Vinton of Cumberland, Wadsworth of Oxford and Stevens of Kennebec were appointed on the part of the Senate.

Sent down for concurrence.

Mr. VINTON asked and obtained leave to lay upon the table the following :

Ordered, That to-morrow at eleven o'clock A. M., the Senate will proceed to elect a Chaplain by ballot.

On motion by Mr. STEVENS,

Resolved, That the Senate hold one session a day, commencing at ten o'clock A. M., until otherwise ordered.

On motion by Mr. WHEELWRIGHT,

At 11 minutes past 12 o'clock M., the Senate adjourned.

*THURSDAY, JANUARY 4, 1877.

Met according to adjournment, 10 A. M.

Prayer by Rev. Mr. MARTIN of Augusta.

The Journal of yesterday was read.

Order from the House:

Ordered, That all petitions or orders for legislation, except those for redress of wrongs and grievances, that may be presented to this Legislature after Tuesday, January the 18th instant, be referred to the next Legislature, and that this order be published in the Daily Kennebec Journal, Portland Daily Press, Daily Eastern Argus, Portland Evening Advertiser, Bangor Daily Whig, Bangor Daily Commercial and Lewiston Evening Journal, until that date; and this order shall not be suspended or reconsidered except by a vote of two-thirds of the members of the House present, was read and passed in concurrence.

Mr. VINTON presented a bill (S. 1) "an act to amend chapter 649 of the private and special acts of the year 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,'" which was read twice, the rules being suspended, and passed to be engrossed.

Sent down for concurrence.

*14 Mr. NASH, from the Committee on *Gubernatorial Votes, submitted the following report :

"The Committee to whom was referred the Gubernatorial Vote of 1876, for examination and report, having attended to that duty ask leave to report as follows:

Whole number of votes returned was	136,823
Necessary for a choice	68,412
Selden Connor has	75,867
John C. Talbot	60,423
Almond Gage	520
Eben F. Pillsbury	3

*13

THURSDAY, JANUARY 4.

J. L. Chamberlain	1
H. L. Plaisted	1
James R. Talbot	1
A. J. Hinckley	1
Byron Farris	1
Joseph H. Williams	1
Joshua Nye	1
Chas. W. Roberts	1
Emery O. Bean	1
Washington Gilbert	1

And Selden Connor, having received a majority of all the votes returned, is elected Governor for the current political year."

(Signed)	Albert M. Nash, John G. Cook,	Chairmen.
report was accepted.		

Sent down for concurrence.

The

On motion by Mr. STEVENS,

Ordered, That a Committee of three be appointed on the part of the Senate, with such as the House may join, to wait upon Hon. Selden Connor, and inform him he *has been *15 duly elected Governor of the State of Maine for the current political year.

And Messrs. Stevens of Kennebec, Irish of Oxford and Sumner of Washington were appointed on the part of the Senate.

Sent down for concurrence.

Subsequently came back concurred, with Messrs. Grant of Ellsworth, Bodwell of Hallowell, Bird of Rockland, Jackson of Portland and Strickland of Bangor joined on the part of the House.

Mr. Stevens, from the foregoing Committee, subsequently reported that the Committee had waited upon the Governor elect and informed him of his election, and that he was pleased to reply that he accepted the office, and would attend upon the Legislature at such time as may be assigned, for the purpose of taking and subscribing the oaths required by the Constitution to qualify him for the discharge of his official duties.

On motion by Mr. WATTS,

That Senator was charged with a message to the House of Representatives, proposing a Convention of the two branches of the Legislature, in the Representatives' Hall, this day at 11 o'clock A. M., for the purpose of administering to Hon. Selden Connor, Governor elect, the oaths of office, and receiving such communication as he may be pleased to make, and asking the concurrence of the House.

Subsequently a message was received from the House, by *16 Mr. Smith, its Clerk, * informing the Senate of the concur-

rence of the House in the foregoing proposition of the Senate.

On motion by Mr. BRACKETT,

Resolved, That when the Senate adjourns it be to meet this afternoon at half-past two o'clock.

On motion by Mr. STEVENS,

Ordered, That a Joint Select Committee, consisting of three on the part of the Senate, with such as the House may join, be appointed to contract with some suitable person or persons to do the State Printing and Binding for the current year, subject to the approval of the Legislature.

And Messrs. Stevens of Kennebec, Shepherd of Somerset and Sturgis of Androscoggin were appointed on the part of the Senate.

Sent down for concurrence.

On motion by Mr. VINTON,

The following order was taken from the table:

Ordered, That to-morrow at eleven o'clock A. M., the Senate will proceed to elect a Chaplain by ballot.

Mr. STEVENS proposed to amend by striking out all after the word "that," in the first line, and insert the following:

"The Secretary of the Senate invite the clergymen of Augusta, Hallowell and Gardiner, to officiate as chaplains, in rotation, during the present session."

The amendment was agreed to and the order passed.

*17 * The hour assigned for the Convention for the purpose of administering to Hon. Selden Connor, Governor elect, the oaths of office, having arrived, the Senate proceeded to the Representatives' Hall, where a Convention was formed.

IN CONVENTION.

On motion by Mr. KYES of the Senate,

That Senator was charged with a message to Hon. Selden Connor, Governor elect, informing him that a Convention of the two branches of the Legislature is assembled in the Representatives' Hall, for the purpose of administering to him the oaths required by the Constitution to qualify him to enter upon the discharge of his official duties.

Mr. Kyes subsequently reported that he had attended to the duty assigned him, and that the Governor elect requested him to announce to the Convention that he would attend thereupon forthwith for the purposes indicated in the message.

Thereupon the Governor elect, attended by the Executive Council and Heads of Departments, came in, and in the presence of both Houses of the Legislature and before the President of the Senate, took and subscribed the oaths required by the Constitution to qualify him for 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 PRESIDENT of the Convention then announced to the Governor that they were prepared * to listen to any com- *18 munication which he desired to make.

Thereupon the Governor addressed the Convention 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 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,

THURSDAY, JANUARY 4.

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.

17

2

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 onehalf 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.

THURSDAY, JANUARY 4.

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

THURSDAY, JANUARY 4.

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 Winthop 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.

THURSDAY, JANUARY 4.

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

JOURNAL OF THE SENATE.

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.

 $\mathbf{28}$

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 schoolhouses 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 chaper 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 Sourt.

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

THURSDAY, JANUARY 4.

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 arragement 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 committeerooms, 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

THURSDAY, JANUARY 4.

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,

3

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, and the Convention dissolved.

IN SENATE.

On motion by Mr. KYES,

Ordered, That five hundred copies of the Governor's Message be printed for the use of the Senate.

On motion by Mr. LENNOX, at 12 o'clock M., The Senate adjourned.

AFTERNOON.-HALF-PAST TWO O'CLOCK.

A message was received from the House of Representatives, by Mr. Smith, its Clerk, proposing a Convention of the two branches of the Legislature, in the Representatives' Hall, this day at 2.45 o'clock P. M., for the purpose of electing a Secretary of State, Attorney General, Adjutant General, State Treasurer, and seven Executive Councillors, and asking the concurrence of the Senate.

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

*19 The hour assigned for the Convention, * for the purpose aforesaid, having arrived, the Senate proceeded to the Representatives' Hall, where a Convention was formed.

IN CONVENTION.

On motion by Mr. BROWN of the Senate,

Messrs. Brown of Piscataquis, Irish of Oxford, of the Senate; Messrs. Russell of Readfield, Berry of Smyrna, Locke of Portland, Clark of Garland and Haskell of Waldoboro', of the House, were appointed a Committee to receive, sort and count the votes for Secretary of State.

Having attended to that duty, the Committee reported as follows:

The whole number of votes is	149
Necessary to a choice	75
Sumner J. Chadbourne has	128
Alexander M. Robinson	21

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

On motion by Mr. BRAGDON of the Senate,

Messrs. Bragdon of Hancock, Lennox of Lincoln, of the Senate; Messrs. Greeley of Lewiston, Phinney of Jay, Smith of Cornville, Berry of Wayne and Hurd of Porter, of the House, were appointed a Committee to receive, sort and count the votes for Attorney General.

Having attended to that duty, the Committee reported as follows:

Whole number of votes is	148
Necessary for a choice	75
Lucilius A. Emery has	131
David R. Hastings	17

The report was accepted, and Hon. Lucilius A. Emery of Ellsworth was declared duly * elected Attorney General for *20 the current political year.

On motion by Mr. SHEPHERD of the Senate,

Messrs. Shepherd of Somerset, Learned of Waldo, of the Senate; Messrs. Winslow of Portland, Nutt of Pembroke, Hutchinson of Atkinson, Cook of Unity and Towle of Buxton, of the House, were appointed a Committee to receive, sort and count the votes for Adjutant General.

Having attended to that duty, the Committee reported as follows:

Whole number of votes is	149
Necessary for a choice	75
Jonathan P. Cilley has	126
Samuel D. Leavitt	22
Lucilius A. Emery	1

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

On motion by Mr. THOMPSON of the Senate,

Messrs. Thompson of York, Nutter of Cumberland, of the Senate; Messrs. Hadlock of Cranberry Isles, Sprague of Greene, Brown of Oldtown, Fellows of Windham and Greenwood of Hebron, of the House, were appointed a Committee to receive, sort and count the votes for State Treasurer.

Having attended to that duty, the Committee reported as follows:

The whole number of votes is	150
Necessary for a choice	76
Esreff H. Banks has	128
John S. Ricker	21
Samuel D. Leavitt	1

*21 The report was accepted, and Hon. Esreff * H. Banks was declared duly elected State Treasurer for the current fiscal year.

On motion by Mr. BURLEIGH of the Senate,

Messrs. Burleigh of Aroostook, Tolman of Cumberland, of the Senate; Messrs. Hill of Bucksport, Shepherd of Camden, Fletcher of Solon, Noyes of Vinalhaven and West of Franklin, of the House, were appointed a Committee to receive, sort and count the votes for seven Executive Councillors.

Having attended to that duty, the Committee reported as follows:

Whole number of votes is	155
Necessary for a choice	78
E. C. Farrington	132
Charles E. Jose	
George A. Preble	132
Charles A. Wing	132
Andrew Lacy	

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	53
Jacob Hardison	23

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

On motion by Mr. VINTON of the Senate,

Ordered, That the Secretary of the Convention * be *22 directed to inform Sumner J. Chadbourne of his election as Secretary of State, Lucilius A. Emery of his election as Attorney General, Jonathan P. Cilley of his election as Adjutant General, Esreff H. Banks of his election as State Treasurer, and E. C. Farrington, Charles E. Jose, George A. Preble, Charles A. Wing, Andrew Lacy, Charles Buffum and L. R. King of their election as Executive Councillors.

The Convention then dissolved.

IN SENATE.

Communications were received from Hons. E. C. Farrington, George A. Preble, Charles A. Wing, Andrew Lacy, Charles Buffum and L. R. King, Executive Councillors elect, signifying their acceptance, which was read and sent down.

A communication was received from Hon. L. A. Emery, Attorney General elect, signifying his acceptance, which was read and sent down.

On motion by Mr. WHEELWRIGHT,

Ordered, That a message be sent to the House of Representatives, proposing a Convention of both branches of the Legislature 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 and L. R. King, Councillors elect, the oaths required by the Constitution to qualify them to enter upon the discharge of their official duties.

The message was conveyed by the Secretary.

Subsequently a message was received from the House, by *23 Mr. Smith, its Clerk, informing the *Senate of the concur-

rence of the House in the foregoing proposition of the Senate.

The hour assigned for the Convention for the purpose aforesaid, having arrived, the Senate proceeded to the Representatives' Hall, where a Convention was formed.

IN CONVENTION.

On motion by Mr. KYES,

Ordered, That the Secretary of the Convention be directed to notify Hons. E. C. Farrinton, George A. Preble, Charles A. Wing, Andrew Lacy, Charles Buffum and L. R. King, Councillors elect, that the two branches of the Legislature are now assembled in Convention for the purpose of administering to them the oaths required by the Constitution 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 that the Councillors were pleased to say that they would attend upon the Convention forthwith for the purposes indicated in the message.

Thereupon E. C. Farrington, George A. Preble, Charles A. Wing, Andrew Lacy, Charles Buffum and L. R. King, Councillors elect, came in, and in presence of both houses of the Legislature, and 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 by Mr. WHEELWRIGHT of the Senate,

*24 Ordered, That a message be sent to the * Governor, by the Secretary, informing him of the election and 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 message was conveyed by the Secretary.

The Convention then dissolved.

IN SENATE.

The order providing for a Joint Select Committee to consider what changes are expedient in the Joint Standing Committees, passed by the Senate, came from the House passed in concurrence, with the Committee joined by that branch as follows:

Messrs. Cleaves of Portland, Chase of Bridgton, Knowles of Cambridge, Sprague of Greene, Hadlock of Cranberry Isles, Morrison of Phillips and Wentworth of Bradford.

Mr. VINTON, from the Joint Select Committee on changes in the Joint Standing Committees, reported that no changes are expedient.

The report was accepted.

Sent down for concurrence.

On motion by Mr. BRACKETT,

Resolved, The House concurring, that when the Senate adjourns it be to meet on Tuesday next at 10 o'clock A. M.

Sent down for concurrence.

Came back.

Order from the House:

That, the Senate concurring, when this House adjourns it shall adjourn until Tuesday of next week, at 10 o'clock A. M., and that * thereafter every secular day shall be deemed a *25 full working day, was read and passed in concurrence.

On motion by Mr. VINTON,

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.

And Messrs. Vinton of Cumberland, Learned of Waldo and Bartlett of Somerset were appointed on the part of the Senate.

Sent down for concurrence.

On motion by Mr. TOLMAN, at 20 minutes past 4 o'clock P. M. The Senate adjourned.

TUESDAY, JANUARY 9, 1877.

Met according to adjournment, 10 A. M.

Prayer by Rev. Mr. SARGENT of Augusta.

The Journal of Thursday was read.

Communications were received from Hon. S. J. Chadbourne, Secretary of State elect, and Hon. J. P. Cilley, Adjutant General elect, signifying their acceptance of the respective offices, which were read and sent down.

*26 Mr. BRAGDON announced the attendance * of Hon. Ambrose White, Senator elect from the Fourteenth Senatorial District, and that he was ready to be qualified.

Messrs. Bragdon of Hancock and Bailey of Cumberland were directed by the President to conduct Mr. White to the Governor and Council for that purpose.

The PRESIDENT announced the Joint Standing Committees on the part of the Senate, which were appointed and sent down to the House. As joined by that branch they 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.

TUESDAY, JANUARY 9.

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.

JOURNAL OF THE SENATE.

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.

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

TUESDAY, JANUARY 9.

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.

TUESDAY, JANUARY 9.

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, Hyler of Thomaston, Little of Bremen, of the House.

JOURNAL OF THE SENATE.

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.

TUESDAY, JANUARY 9.

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; Messts. 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.

Irish of Oxford,
Bailey of Cumberland,
Watts of Knox, of the Senate;
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. Brown 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. **.**

TUESDAY, JANUARY 9.

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.

A communication was received from Hon. S. C. Hatch, Treasurer of State, transmitting an annual statement and account of the receipts and disbursements of the Treasury Department for the year ending December 31, 1876, which was read, and

On motion by Mr. TOLMAN,

Ordered, That the report be referred to the Committee on Financial Affairs.

Sent down for concurrence.

A communication was received from Hon. S. J. Chadbourne, Secretary of State, transmitting the annual report of the Commissioners of Fisheries for the year 1876, which was read, and

On motion by Mr. STEVENS,

Ordered, That the report be referred to the Committee on Fisheries.

A communication was received from Hon. S. J. Chadbourne, Secretary of State, transmitting the annual report of the Attorney General for the year 1876, which was read, and

On motion by Mr. KYES,

Ordered, That the report be referred to the Committee on the Judiciary.

A communication was received from Hon. S. J. Chadbourne, Secretary of State, transmitting the annual report of the Visiting Committee of the Insane Hospital for the year 1876, which was read, and

On motion by Mr. THOMPSON,

Ordered, That the report be referred to the Committee on Insane Hospital.

*32 * A communication was received from Hon. S. J. Chadbourne, Secretary of State, transmitting the annual reports of the

agents of the Penobscot and Passamaquoddy tribes of Indians, which was read, and

On motion by Mr. NASH,

Ordered, That the reports be referred to the Committee on Indian Affairs.

Sent down for concurrence.

A communication was received from Hon. S. J. Chadbourne, Secretary of State, transmitting the annual report of the Insurance Commissioner for the year 1876, which was read, and

On motion by Mr. BROWN,

Ordered, That the report be referred to the Committee on Mercantile Affairs and Insurance.

Sent down for concurrence.

On motion by Mr. THOMPSON,

Ordered, That the Secretary publish for the use of the Senate, the Calendar of the Senate business, daily until the close of the present session.

On motion by Mr. STEVENS,

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.

And Messrs. Stevens of Kennebec, Learned of Waldo and Nutter of Cumberland, were appointed on the part of the Senate. Sent down for concurrence.

On motion by Mr. KYES,

Ordered, That the Committee on the Judiciary inquire into *33 the expediency of enacting *a law authorizing the appoint-

ment of a State detective, or in some way to provide for the more certain capture of criminals.

Sent down for concurrence.

Mr. WHEELWRIGHT presented the petition of White, Averill and others of Oldtown, for an abatement of island shore rents in Penobscot river, which was referred to the Committee on Indian Affairs.

50

Mr. KYES presented a bill (S. 2) "an act to amend chapter 62 of the public laws of 1876, relating to election returns;"

Also a bill (S. 3) "an act to amend section 3, chapter 7 of the revised statutes, relating to election returns."

Mr. BAILEY presented the memorial of the city of Portland in relation to damages in consequence of defective highways;

Also a memorial of the city of Portland, relating to an amendment of the charter of said city.

These bills and memorials were each referred to the Committee on the Judiciary.

Sent down for concurrence.

The PRESIDENT, Mr. Hyde, presented the memorial of the National Board of Trade, relating to the establishment of Art and Science Schools in the State of Maine, which was referred to the Committee on Manufactures.

Also the petition of Emily J. Welts of Bath, for a pension, which was referred to the Committee on Pensions.

Mr. WHEELWRIGHT presented a bill (S. 4) "an act to authorize contract between Bucksport * and Bangor Railroad *34 Company, and Trustees of European and North American Railway Company;"

Also the petition of the Bangor and Piscataquis Railroad Company, for an amendment of its charter, with bill (S. 5) "an act additional to the acts which constitute the charter of the Bangor and Piscataquis Railroad Company;"

Also the petition of the Penobscot and Lake Megantic Railroad Company, praying for further time to complete the location and building of its road, with bill (S. 6) "an act granting further time to the Penobscot and Lake Megantic Railroad Company to locate and complete its railroad."

These bills and petitions were each referred to the Committee on Railroads.

Sent down for concurrence.

Mr. WHEELWRIGHT presented the report of the Commission appointed under resolve of the Legislature of 1876, to reconstruct the savings bank law, submitting a bill (S. 7) "an act to revise and consolidate the laws relating to the government, powers, duties, privileges and liabilities of savings banks and institutions for savings," which was referred to the Committee on Banks and Banking.

Sent down for concurrence.

A communication was received from Hon. Charles E. Jose, Councillor elect, signifying his acceptance, which was read and sent down.

On motion by Mr. WADSWORTH, at 11 o'clock A. M.,

*35 *Ordered, That a message be sent to the House of Representatives, proposing a Convention of both branches of the Legislature, in the Representatives' Hall, forthwith, for the purpose of administering to Charles E. Jose, Councillor elect, the oaths required by the Constitution to qualify him to enter upon the discharge of his official duties, and asking the concurrence of the House.

The message was conveyed by the Secretary.

Subsequently a message was received from the House, by Mr. Smith, its Clerk, informing the Senate of the concurrence of the House in the foregoing proposition of the Senate.

Thereupon the Senate proceeded to the Representatives' Hall, where a Convention was formed.

IN CONVENTION.

On motion by Mr. KYES of the Senate,

Ordered, That the Secretary be directed to notify Charles E. Jose, Councillor elect, that the two branches of the Legislature are now assembled in Convention for the purpose of administering to him the oaths required by the Constitution 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 that the Councillor elect was pleased to say that he would attend upon the Convention forthwith for the purposes indicated in the message.

Thereupon Hon. Charles E. Jose, Councillor elect, came in, and in presence of both houses of the Legislature and before the President of the *Senate, took and subscribed the oaths *36 required by the Constitution to qualify him to enter upon the discharge of his official duties.

The Councillor then retired.

On motion by Mr. WHEELWRIGHT of the Senate,

Ordered, That a message be sent to the Governor by the Secretary, informing him of the election and qualification of Charles E. Jose as Executive Councillor for the current political year.

The message was conveyed by the Secretary.

The Convention then dissolved.

IN SENATE.

On motion by Mr. PHILLIPS, at 12 minutes past 11 o'clock A. M.,

The Senate adjourned.

WEDNESDAY, JANUARY 10, 1877.

Met according to adjournment, 10 A. M.

Prayer by Rev. Mr. PENNEY of Augusta.

The Journal of yesterday was read.

Orders from the House:

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 *37 the same may be rafted from any boom in the State;

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 cause granted;

Were read and passed in concurrence.

That all business of the last Legislature, referred to this, be taken from the files and referred to the appropriate committees, came from the House read and passed, and

On motion by Mr. KYES,

Ordered, That it lie on the table.

Subsequently, on motion by Mr. KYES,

The foregoing order relating to business of the last Legislature was taken from the table, and

The Senate non-concurred, and the order was refused a passage.

Petition of the Penobscot Log Driving Company, for an amendment of its charter, with bill (H. R. 7) "an act to amend the charter of the Penobscot Log Driving Company;"

H. R. 8. Bill "an act to prevent the throwing of slabs and other refuse into the Kennebec river;"

Were severally referred to the Committee on Interior Waters in concurrence.

H. R. 9. Bill "an act to amend section 24 of chapter 81 of the revised statutes, relating to attachments of personal property," was referred to the Committee on the Judiciary in concurrence.

*38 Petition of F. A. Wilson and others of Bangor, * for a change of the town line of Haynesville, was referred to the Committee on Towns in concurrence.

The PRESIDENT announced the Standing Committees of the Senate, which were appointed as follows:

On Bills in the Second Reading.

Messrs. Lennox of Lincoln, Irish of Oxford, Nash of Washington, Thompson of York, Shepherd of Somerset, Peaks of Penobscot, Brown of Piscataquis, Bailey of Cumberland, Boardman of Waldo, Burleigh of Aroostook, Bragdon of Hancock, Woodbury of Kennebec. On Engrossed Bills.

Messrs. Learned of Waldo, Sumner of Washington, Hobson of York, Bartlett of Somerset, Phillips of Penobscot, Nutter of Cumberland, White of Hancock, Stevens of Kennebec, Watts of Knox, Tolman of Cumberland, Webb of Penobscot, Wadsworth of Oxford.

Mr. BRAGDON reported, that during the recess of the Senate he had attended to the duty assigned him, and that Mr. White had, before the Governor and Council, taken and subscribed the oaths required by the Constitution to qualify him to enter upon the discharge of his official duties.

Mr. White thereupon appeared and took his seat at the Senate Board.

Mr. STEVENS announced the attendance of Hon. John Woodbury, Senator elect from the Seventh Senatorial District, and that he was ready to be qualified.

Mr. Stevens was directed by the President to conduct Mr. Woodbury to the Governor and * Council for that pur- *39 pose; who subsequently reported that he had attended to the

duty assigned him, and that Mr. Woodbury had, before the Governor and Council, taken and subscribed the oaths required by the Constitution to qualify him to enter upon the discharge of his official duties.

Mr. Woodbury thereupon appeared and took his seat at the Senate Board.

A communication was received from Hon. S. J. Chadbourne, Secretary of State, transmitting the annual report of the Trustees and resident officers of the Maine Hospital for the year 1876, which was read, and On motion by Mr. IRISH,

Ordered, That the report be referred to the Committee on Insane Hospital.

On motion by Mr. JORDAN,

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

On motion by Mr. JORDAN,

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, and the several Committees are not authorized to invite members of the Legislature or others to accompany them at the expense of the State.

On motion by Mr. TOLMAN,

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 *40 * law shall be referred.

And Messrs. Wheelwright of Penobscot, Jordan of Androscoggin and Nutter of Cumberland were appointed on the part of the Senate.

Sent down for concurrence.

Mr. TOLMAN presented the petition of Sprague Keen, praying to be set off from the town of Bridgton and annexed to the town of Harrison, which was referred to the Committee on Towns.

Mr. WHEELWRIGHT presented a bill (S. 8) "an act to amend section 31 of chapter 51 of the revised statutes, relating to brakemen on railroad trains;"

Also a bill (S. 9) "an act further extending the time within which to file the location and also to complete the Northern Aroostook Railroad," which were each referred to the Committee on Railroads.

Mr. WHITE presented a bill (S. 10) "an act to amend chapter 27 of the revised statutes, in relation to innholders, victualers and intoxicating liquors," which was referred to the Committee on Temperance.

Severally sent down for concurrence.

The order providing for the appointment of a Joint Select Committee to contract for the purchase of the Maine State Year Book, passed by the Senate, came from the House passed in concurrence, with the Committee joined by that branch as follows:

Messrs. Farrar of Turner, Newbert of China, Fellows of Windham, Stackpole of Durham, Chase of Bridgton, Strout of Alexander, and York of * Cumberland. *41

The order providing for a Joint Select Committee to contract with some suitable person or persons to do the State Printing and Binding for the current year, passed by the Senate, came from the House passed in concurrence, with the Committee joined by that branch as follows:

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

The order providing for the appointment of a Joint Select Committee of three on the part of the Senate, with such as the House may join, on the Governor's message, for the purpose of recommending a reference of its several subjects to appropriate committees, passed by the Senate, came from the House passed in concurrence, with the Committee joined by that branch as follows:

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

On motion by Mr. WADSWORTH, at 52 minutes past 10 o'clock A. M.,

The Senate adjourned.

* THURSDAY, JANUARY 11, 1877.

Met according to adjournment, 10 A. M.

Prayer by Rev. Mr. PENNEY of Augusta.

The Journal of yesterday was read.

Orders from the House:

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

That the Committee on Agriculture inquire what legislation is necessary, if any, for the better protection of sheep owners from the ravages of dogs;

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

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;

Were severally read and passed in concurrence.

That the Committee on the Judiciary be instructed to inquire *43 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 by themselves or teams, came from the House read and passed, and

On motion by Mr. WHEELWRIGHT,

Ordered, That it lie on the table.

Subsequently, on motion by Mr. WHEELWRIGHT,

The foregoing order was taken from the table and read and passed in concurrence.

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 only for all county roads in Aroostook county, with such other amendments of said resolve as they deem proper, was read and passed in concurrence.

H. R. 1. Resolve relative to municipal indebtedness.

Resolved, The Senate concurring, that the mayors of cities and the 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, * came from the House *44 read and passed, and

On motion by Mr. WHEELWRIGHT,

Ordered, That it lie on the table.

Subsequently, on motion by Mr. WHEELWRIGHT,

The foregoing resolve was taken from the table.

Mr. WHEELWRIGHT moved to amend by striking out the title, by substituting the word "Ordered" for the word "Resolved," and by striking out the word "required" and inserting instead the word "requested."

The amendment was agreed to, and the resolve, as amended, passed.

Sent down for concurrence.

Petition of T. C. Woodman, Receiver of the Bucksport Savings Bank, praying for reimbursement of tax paid on account of said bank, was referred to the Committee on Banks and Banking in concurrence.

Petition of the Assessors of Woodland plantation, praying that a mistake in the apportionment of school money to said plantation in 1875 may be rectified, was referred to the Committee on Education in concurrence.

Petition of citizens of Brunswick, praying for an amendment of sections 58 and 59 of chapter 40 of the revised statutes (as amended by chapter 248 of the public laws of 1874;)

Petition of J. B. Mitchell and others of Casco and Naples, praying for legislation to prohibit the taking of land-locked salmon in certain months;

Were each referred to the Committee on Fisheries in concurrence.

*45 * Petition of the city of Bath, praying legislation conferring

upon the Supreme Judicial Court jurisdiction of criminal cases at the December term in the county of Sagadahoc, with bill (H. R. 10) "an act relating to the Supreme Judicial Court for the county of Sagadahoc;"

Petition of inhabitants of plantation No. 8 in Hancock county, for an act of incorporation for election purposes;

Petition of members of the First Congregational Society of Wells, praying for authority to sell certain property;

H. R. 11. Bill "an act additional relating to corporations;"

Were severally referred to the Committee on the Judiciary in concurrence.

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

Petition of Francis A. Reed, praying to be released from certain liability to the State, was referred to the Committee on State Lands and State Roads in concurrence.

Petition of Frank E. Sleeper and another, praying that certain land may be set off from the town of Greene and annexed to the city of Lewiston;

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

Remonstrance of inhabitants of Oakfield plantation and others, against an act of incorporation as a town;

*46 * Were severally referred to the Committee on Towns in concurrence.

On motion by Mr. WHEELWRIGHT,

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

On motion by Mr. WEBB,

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 the trial justices who issued such executions originally.

Mr. BURLEIGH presented the petition of the County Commissioners of Aroostook county for an appropriation to defray the expenses of verifying a meridian line established agreeably to chapter 43 of the revised statutes, which was referred to the Committee on State Lands and State Roads.

The foregoing were sent down for concurrence.

Mr. PEAKS, from the Committee on Senatorial Votes, submitted the following report:

The Committee appointed to examine and report on Senatorial votes having attended to that duty, ask leave to submit their final report:

FIRST DISTRICT.

Whole number of votes 13,899	
Necessary for a choice 6,950	
* Joseph Hobson has**6,993	*47
Usher B. Thompson 7,255	
Uranus O. Brackett 7,090	
William A. Cromwell 6,633	
Francis G. Warren 6,619	
Samuel M. Cram 6,644	
	~

And Joseph Hobson, Usher B. Thompson and Uranus O. Brackett, having received a majority of all the votes thrown, are elected.

SECOND DISTRICT.

Whole number of votes	18,116
Necessary for a choice	9,059
James Bailey has	9,573
Philander Tolman	9,539
Eben T. Nutter	9,502
Warren H. Vinton	9,433

** Note-Error in footing of returns; corrected footing gives 7,193.

William G. Davis	8,522
Albert Gray	8,426
William R. Field	8,517
Edward Payson	8,386
Daniel W. Merrill	1
Seth Scammon	6
Henry A. Shorey	6
Scattering	

And James Bailey, Philander Tolman, Eben T. Nutter and Warren H. Vinton, having received a majority of all the votes thrown, are elected.

THIRD DISTRICT.

	Whole number of votes	8,330
	Necessary for a choice	4,166
	Samuel D. Wadsworth has	4,248
	James Irish	4,255
	Hiram M. Cox	3,386
*48	* Charles B. Benson	3,530
	Isaac Chase	186
	William Hall	197
	Hiram M. Cox	162

And Samuel D. Wadsworth and James Irish, having received a majority of all the votes thrown, are elected.

FOURTH DISTRICT.

Whole number of votes	8,622
Necessary for a choice	4,312
Benjamin F. Sturgis has	4,566
Charles B. Jordan	4,506
Henry A. Osgood	3,394
Philo Clark	3,371
J. S. Robinson	331
Henry B. King	329
Nahum Merrill	2

And Benjamin F. Sturgis and Charles B. Jordan, having received a majority of all the votes thrown, are elected.

×

THURSDAY, JANUARY 11.

FIFTH DISTRICT.

Whole number of votes	4,180
Necessary for a choice	2,091
Ebenezer S. Kyes has	2,308
Lucius B. Pillsbury	1,833
S. Clifford Belcher	33
William P. Frye	6

And Ebenezer Kyes, having received a majority of all the votes thrown, is elected.

SIXTH DISTRICT.

Whole number of votes	4,168
Necessary for a choice	2,085
Thomas W. Hyde has	2,601
Parker M. Whitmore	1,567
* And Thomas W. Hyde, having received a maj	ority of

all the votes thrown, is elected.

SEVENTH DISTRICT.

Whole number of votes	12,137
Necessary for a choice	6,069
John Woodbury has	7,488
Greenlief T. Stevens	7,459
Alfred Winslow	4,626
Phillips C. Bradford	4,076
P. C. Bradford	553
Joshua Nye	2
Joseph Williams	5

And John Woodbury and Greenlief T. Stevens, having received a majority of all the votes thrown, are elected.

EIGHTH DISTRICT.

Whole number of votes	8,281
Necessary for a choice	4,141
Darius H. Bartlett has	4,318
Russell B. Shepherd	4,189
Samuel W. Tinkham	3,674
Henry A. Lucas	3,794
Samuel Pinkham	168
S. W. Tinckham	1

And Darius H. Bartlett and Russell B. Shepherd, having received a majority of all the votes thrown, are elected.

JOURNAL OF THE SENATE.

NINTH DISTRICT.

Whole number of votes	3,220
Necessary for a choice	1,611
Stephen O. Brown has	2,003
Calvin Chamberlain	1,212
Elbridge A. Thompson	1
Aretas Chapin	1
	• •

*50 * And Stephen O. Brown, having received a majority of all the votes thrown, is elected.

TENTH DISTRICT.

Whole number of votes	17,289
Necessary for a choice	8,645
Joseph S. Wheelwright has	9,221
Thomas J. Peaks	9,243
Alexander Webb	9,246
J. Wyman Phillips	9,230
Henry W. Towle	6,459
William T. Pearson	6,439
Alvin H. Lindsey	4,880
Harvey S. Wilson	6,438
Albion H. Lindsey	1,534
T. J. Peaks.	2
Parker P. Burleigh	2
Alvis H. Lindsey	37
John S. Wheelwright	9

And Joseph S. Wheelwright, Thomas J. Peaks, Alexander Webb and J. Wyman Phillips, having received a majority of all the votes thrown, are elected.

ELEVENTH DISTRICT.

Whole number of votes	5,450
Necessary for a choice	2,722
Alfred Lennox has	2,742
Franklin L. Carney	2,708
And Alfred Lennox, having received a majority of	all the votes

thrown, is elected.

THURSDAY, JANUARY 11.

TWELFTH DISTRICT.

Whole number of votes	7,391
Necessary for a choice	3,696
Alfred Watts has	3,723
Joshua Jordan	3,668
*And Alfred Watts, having a majority of all the	votes

thrown, is elected.

THIRTEENTH DISTRICT.

Whole number of votes	7,677
Necessary for a choice	3,839
Isaac M. Boardman has	3,998
Orren Learned	3,961
George White	3,246
Hanson T. Gove	3,265
Eugene Hale	139
William H. McLellern	

And Isaac Boardman and Orren Learned, having received a majority of all the votes thrown, are elected.

FOURTEENTH DISTRICT.

Whole number of votes	7,282
Necessary for a choice	3,642
Ambrose White has	3,917
William W. Bragdon	3,779
George Tolman	3,206
George Reede	3,232
William H. Bragdon	133

And Ambrose White and William W. Bragdon, having received a majority of all the votes thrown, are elected.

FIFTEENTH DISTRICT.

Whole number of votes	8,249
Necessary for a choice	4,125
Albert M. Nash has	4,342
Alexander B. Sumner	4,188
James R. Talbot	3,905
Giles M. Wentworth	3,885
A . B. Sumner	31
-	

JOURNAL OF THE SENATE.

-	Alexander M. Sumner	133
*52	*G. M. Wentworth	1
	A. M. Nash	1
	A. Baker Sumner	8
	Alexander Sumner	7

And Albert M. Nash and Alexander B. Sumner, having a majority of all the votes thrown, are elected.

SIXTEENTH DISTRICT.

Whole number of votes	
Necessary for a choice	
Parker P. Burleigh has	2,708
Edmund Madigan	2,299
Edmund C. Madigan	
P. P. Burleigh	
Llewellyn Powers	

And Parker P. Burleigh, having received a majority of all the votes thrown, is elected.

(Signed)

T. J. PEAKS, Chairman.

The report was accepted.

The order providing for a Joint Select Committee on Temperance, passed by the Senate, came from the House passed in concurrence, with the Committee joined by that branch as follows:

Messrs. Smith of Auburn, Abbott of Andover, Strout of Alexander, Thomas of Yarmouth, Knowles of Cambridge, Hurd of Porter and Copeland of Dexter.

On motion by Mr. PEAKS, at 40 minutes past 10 o'clock A. M., The Senate adjourned. * FRIDAY, JANUARY 12, 1877. *53

Met according to adjournment, 10 A. M.

Prayer by Rev. Mr. TILDEN of Augusta.

The Journal of yesterday was read.

Orders from the House:

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;

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;

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

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

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;

That the Committee on Legal Affairs inquire into the expediency of abolishing imprisonment for debt;

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; 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;"

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

Were severally read and passed in concurrence.

That all petitions relating to the establishment of a State Board

of Health, with bill accompanying the same, be taken from *55 *the files and referred to the Committee on the Judiciary, was read and passed in concurrence.

In compliance with this order, the following bill, (H. R. 5) "an act to establish a State Board of Health," with the petitions of sundry persons, were taken from the files of 1876, *Package Number Five*, and referred to the Committee on the Judiciary.

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

H. R. 3. "Resolve to reimburse the town of Greenville;"

Were severally referred to the Committee on Claims in concurrence.

Petition of Daniel W. True and others, praying for legislation authorizing a lien on vessels for stores and provisions furnished;

H. R. 12. Bill "an act relating to security for stores and provisions furnished vessels owned by citizens of this State;"

Were severally referred to the Committee on Commerce in concurrence.

Petition of the town authorities of Gouldsboro', praying for school money withheld from said town in the apportionment of 1875-6, was referred to the Committee on Education in concurrence.

Petition of E. V. Lyman and others of Mt. Desert, praying for the establishment of fishways at the outlets of Somes' and Long

ponds and Echo lake in said town;

*56 * Petition of John Benson and others, praying for a continuance of the office of Commissioners of Fisheries; Petition of George Prince, praying for the encouragement and protection of trout raising on his farm in Brunswick;

H. R. 13. Bill "an act to prohibit the taking of fish from the Davis brook in the town of Limington;"

Were severally referred to the Committee on Fisheries in concurrence.

Petition of the Selectmen of Yarmouth, praying for authority to build a foot bridge over the channel between Cousans' island and Little John's island in said town, was referred to the Committee on Interior Waters in concurrence.

Petition of citizens of Cherryfield, praying for an amendment of the game laws relating to the exportation of deer and partridges;

Petition of citizens of Columbia Falls;

Petition of citizens of Addison, severally praying for an amendment of the game laws;

Petition of citizens of Chapman plantation, praying that the doings of said plantation may be legalized;

Were severally referred to the Committee on the Judiciary in concurrence.

Petition of J. W. Clark and others of Andover, praying for a charter for a telegraph line from Andover to Woodstock;

Petition of M. A. Phillips and others, praying that the assessment of taxes for the year 1876 in the town of Weld, may be legalized;

*Were severally referred to the Committee on Legal *57 Affairs in concurrence.

Petition of Magnus Jeppson and another, praying for a title to certain lots of land;

Petition of Isaac Varney, praying for a deed of lot 21 in Township 13, Range 4, Aroostook county;

Petition of Rufus F. Storer;

Petition of Charles G. Perry;

Petition of David Dudley;

Petition of Caleb G. Sprague;

Petition of Marchant L. Stuart,—severally praying that the Land Agent may be authorized to convey to them respectively a lot of land; Petition of the town of Maysville, praying for an appropriation to pay for repairs on the Aroostook bridge, on the State road in said town;

H. R. 2. "Resolve in favor of roads passing through the Indian township in Washington county;

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

The order authorizing certain committees to visit the several State institutions which they represent, and report thereon, passed by the Senate, came from the House amended as per sheet "A," and passed, as amended, by striking out all after the word "represent" in the fifth line, viz: " and the several committees are not authorized to invite members of the Legislature or others to accompany them at the expense of the State," and

On motion by Mr. KYES,

*58 * Resolved, That the Senate adheres.

The order relating to a reference to appropriate committees of all business of the last Legislature, referred to this, refused a passage by the Senate, came from the House, and that branch insists upon its vote giving the order a passage, and proposes a Committee of Conference, and appoints

Messrs. Chase of Bridgton', Cleaves of Portland and Towne of Dover, conferees on its part.

Resolved, That the Senate insists upon its former vote, and concurs in the proposed Committee of Conference, and appoints

Messrs. Kyes of Franklin, Wheelwright of Penobscot and Stevens of Kennebec, conferees on its part.

A message was received from the House of Representatives, by Mr. Hadlock of Cranberry Isles, informing the Senate that in the absence of the Speaker, the House has made choice of Hon. Henry B. Cleaves as Speaker *pro tempore*.

The following communication was received from the Governor:

STATE OF MAINE.

EXECUTIVE DEPARTMENT, Augusta, January 11, 1877,

To the President of the Senate and

Speaker of the House of Representatives:

In conformity to the provisions of section 2, Part 1st, Arti-

cle V, of the Constitution, I herewith communicate a list *embracing every case of reprieve, remission of penalty, *59 commutation or pardon granted by me in the year 1876, and stating the name of the convict, the crime of which he was convicted, the date of the reprieve, remission, commutation or pardon, and the conditions, if any, upon which the same was granted.

(Signed) Selden Connor.

The communication was read and sent down.

On motion by Mr. BURLEIGH,

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.

On motion by Mr. LENNOX,

Ordered, That the Committee on the Judiciary inquire into the expediency of so amending the divorce laws that either party may, when aggrieved at the amount of alimony allowed, have the right of appeal to the full court.

Mr. WH EELWRIGHT presented a bill (S. 11) "an act to enable jewelers to sell articles left with them for repairs and not called for, under certain conditions."

Mr. BAILEY presented a bill (S. 12) "an act to promote

the efficiency of the police force of * the city of Portland." *60 Mr. BAILEY presented a resolve of the city government

of Portland in regard to the taxation of property;

Also a resolve of the city government of Portland, relating to an amendment of section 1 of Article II of the Constitution of the State.

These bills and resolves were each referred to the Committee on the Judiciary.

Sent down for concurrence.

Mr. NASH presented the petition of Joseph H. Hamlin and others, for an act of incorporation, with bill (S. 13) "an act to

incorporate the Harrington and Jonesport Telegraph Company," which was referred to the Committee on Legal Affairs.

Sent down for concurrence.

Mr. BROWN presented the petition of S. O. Dinsmore and others, praying for an appropriation in aid of W. W. Walker, which was referred to the Committee on Pensions.

Sent down for concurrence.

Mr. WHEELWRIGHT presented preamble and resolve relating to an amendment of the Constitution of the United States, in regard to the manufacture, importation and sale of intoxicating liquors, (see resolve S. 2) and

Ordered, That they lie on the table and be printed.

Mr. STEVENS, from the Joint Select Committee on the Governor's message, submitted the following report:

*61 The Joint Select Committee to whom was * referred the Governor's message, having attended to their duty ask leave to report:

That so much of said message as relates to the State debt, the sinking fund and taxation, be referred to the Committee on Financial Affairs.

That so much as relates to the Attorney General's department, and reference to his report and the election laws, be referred to the Committee on the Judiciary.

That so much as relates to the militia, be referred to the Committee on Military Affairs.

That so much as relates to soldiers' pensions, be referred to the Committee on Pensions.

That so much as relates to State lands and Land Agent, be referred to the Committee on State Lands and State Roads.

That so much as relates to common schools, free high schools and orphan asylums, be referred to the Committee on Education.

That so much as relates to savings banks, be referred to the Committee on Banks and Banking.

That so much as relates to the Insane Hospital, be referred to the Committee on Insane Hospital.

That so much as relates to the State College of Agriculture and the Mechanic Arts, and the manufacture of beet sugar, be referred to the Committee on Agriculture. That so much as relates to the State Prison, be referred to the Committee on State Prison.

That so much as relates to the Reform School, be referred to the Committee on Reform School.

*That so much as relates to the Indians, be referred to *62 the Committee on Indian Affairs.

That so much as relates to railroads, be referred to the Committee on Railroads.

That so much as relates to the fisheries, be referred to the Committee on Fisheries.

That so much as relates to the improvement and enlargement of the State House, be referred to a Joint Select Committee of three on the part of the Senate, with such as the House may join, and that said committee be authorized to report by bill or otherwise.

The report was accepted.

Sent down for concurrence.

The PRESIDENT announced the Joint Select Committee on the enlargement of the State House, as follows:

Messrs. Lennox of Lincoln, Brown of Piscataquis and Hobson of York.

Sent down for concurrence.

Mr. STEVENS, from the Committee on Railroads, to whom was referred the bill (S 6) "an act granting further time to the Penobscot and Lake Megantic Railroad Company to locate and complete its railroad," reported the same in a new draft and that it ought to pass.

The report was accepted, the bill read once, and Monday assigned for its second reading.

The Committee on Engrossed Bills reported as truly and strictly engrossed the following bill:

S. 1. "An act to amend chapter 649 of the private and special act of the year 1871, entitled *'an act for the relin- *63 quishment to the United States in certain cases of titles to lands for sites of light stations on the coasts and waters of the State of Maine,'" which was passed to be enacted in concurrence.

And this bill, having been signed by the President, was by the Secretary presented to the Governor for his approval. On motion by Mr. KYES,

The vote was reconsidered whereby the Senate passed in concurrence the following:

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.

Mr. KYES proposed to amend by adding the following: "The several committees are not authorized to invite members of the Legislature or others to accompany them at the expense of the State."

The amendment was agreed to and the order passed.

Sent down for concurrence.

On motion by Mr. SHEPHERD,

Resolved, That when the Senate adjourns it be to meet on Monday next at 2 o'clock P. M.

On motion by Mr. JORDAN, at 43 minutes past 10 o'clock A. M.,

The Senate adjourned.

*64

* MONDAY, JANUARY 15, 1877.

Met according to adjournment, 2 P. M.

Prayer by Rev. Mr. UPJOHN of Augusta.

The Journal of Friday was read.

Orders from the House:

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;

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;

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

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;

That the Committee on Federal Relations inquire into the expediency of any recommendations or request by this Legisla-

ture to our Maine * delegation in Congress in regard to the *65 repeal or amendment of the present bankrupt law;

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;"

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

That the Committee on the Judiciary inquire into the expediency of repealing or amending chapter 146 of the public laws of 1876, relating to ways;

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;

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;

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;

* Were severally read and passed in concurrence.

*66

Petition of J. F. Twitchell and others;

Petition of Caleb Blake and others,—severally praying for the repeal of chapter 252 of the special laws of 1876, relating to the taking of trout from Rangely stream in Rangely;

Were each referred to the Committee on Fisheries in concurrence.

H. R. 14. Bill "an act to authorize Fred C. Barker to navigate Moosebocmegantic and Cupsuptic lakes in Oxford county by steam," was referred to the Committee on Interior Waters in concurrence.

H. R. 15. Bill "an act to amend section 56 of chapter 51 of the revised statutes, and additional to chapter 122 of the public laws of 1876;"

H. R. 16. Bill "an act to amend section 18 of chapter 81 of the revised statutes, relating to service on corporations in civil actions;"

H. R. 17. Bill "an act to amend section 4 of chapter 125 of the revised statutes, relating to gambling;"

H. R. 18. Bill "an act to amend section 2, chapter 65 of the public laws of 1876, relating to the organization of business corporations;"

H. R. 19. Bill "an act to amend section 8 of chapter 86 of the revised statutes, relating to trustee process;"

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

Petition of Frederick Gilkey and others, praying for authority

to sell the property of the First Baptist Parish of Gorham;

*67 * Petition of citizens of Ellsworth, praying for a change of time for municipal election in said city;

Were severally referred to the Committee on the Judiciary in concurrence.

H. R. 20. Bill "an act additional to chapter 18 of the revised statutes, in relation to defects in highways;"

H. R. 21. Bill "an act to amend chapter 6, section 53, of the revised statutes, relating to repairs of ways in unincorporated townships;

H. R. 22. Bill "an act to enlarge the powers of constables in the service of civil process;"

Were severally referred to the Committee on Legal Affairs in concurrence.

Petition of the President of the Calais and Eastport Railroad Company, praying for an extension of the charter of said company, with bill (H. R. 23) "an act to extend the provisions of an act entitled 'an act to incorporate the Calais and Eastport Railroad Company," was referred to the Committee on Railroads in concurrence. Petition of F. W. Stimson, praying for a deed of a lot of land, waiving settling duties, was referred to the Committee on State Lands and State Roads in concurrence.

The report of the Committee on the Judiciary on bill (H. R. 9) "an act to amend section 24 of chapter 81 of the revised statutes, relating to attachments of personal property," that the same ought not to pass;

The report of the same Committee, on an order relating to providing a lien on bark in * favor of persons peeling and *68 hauling the same, that legislation thereon is inexpedient;

The report of the same Committee, on an order relating to a lien upon logs, that legislation thereon is inexpedient;

Were severally accepted in concurrence.

The report of the Committee on Railroads, on bill (S. 4) "an act to authorize contract between Bucksport and Bangor Railroad Company, and Trustees of European and North American Railway Company," that the same ought to pass, was accepted in concurrence, the bill read once, and to-morrow assigned for its second reading.

H. R. 24. Bill "an act to amend section 3, chapter 26 of the public laws of 1872, relating to altering or widening of streets," introduced in the House and passed to be engrossed by that branch, was read once, and to-morrow assigned for its second reading.

The report of the Committee of Conference on the disagreeing votes of the two branches, on an order relating to taking from the files of 1876 certain papers, recommending that the Senate recede and concur with the House in the passage of the order, was accepted and the order passed in concurrence.

In compliance with the aforesaid order, the several papers of PACKAGE NUMBER FIVE, of the files of 1876, are referred to the several committees as follows:

To the Androscoggin Delegation:

Petition of M. T. Ludden and others, for the establishment of a Superior Court for Androscoggin county. *69 * To the Committee on Claims:

Petition of inhabitants of St. Francis plantation, for a reduction of State valuation.

To the Committee on Commerce:

Petition of John H. Stimson and others, for incorporation of the Sullivan Bridge Company.

To the Committee on Education:

- Petition of George W. Ranger and others, for the repeal of the law establishing free high schools;
- Petition of sundry persons, submitting bill (H. R. 1) to establish and maintain a State Normal School at North Bridgton in the county of Cumberland.

To the Committee on Financial Affairs :

H. R. 2. A bill to repeal chapter 380 and chapter 392 of the special laws of the year 1873, relating to schools in the Mada-waska territory and the town of Frenchville.

To the Committee on the Judiciary :

H. R. 3. A bill to regulate and limit municipal indebtedness;

- H. R. 4. A bill to provide for the inspection of stationary steam boilers and examination of persons in charge of same;
- Petition of Melvin Grant and others, for locks in the dam at Treat's falls;
- Petition of city of Lewiston, for amendment of the act authorizing the taking of water from Wilson pond;
- H. R. 6. "An act to authorize the formation of telegraph companies;"
- Petition of Warren Leighton and others, for the repeal of the Calais Court bill;
- Petition of M. McKusick and others, relating to the sale of hides;
- *70 * An order relating to the duties of county treasurers in regard to uncollected taxes assessed on roads in unincorporated plantations;
- Petition of Wyatt Weed and others, for remedy for damages by flowing lands by dam at Treat's falls.

To the Committee on Legal Affairs:

- Petition of Selectmen of Chester, relating to the use of certain wheel rims in said town;
- Petition of John C. Ingraham and others, for authority to sell church property in Hodgdon;
- Petition of C. L. Dunning and others, relating to sale of burial ground in Brownville;
- Petition of Thomas W. Hicks and others, for an amendment of the charter of the city of Rockland.

To the Committee on Railroads:

Petition of Castine and Ellsworth Railroad Company, for extension of road to Calais and Eastport, with bill (S. 14) "an act to amend the charter of the Castine and Ellsworth Railroad Company."

To the Committee on State Lands and State Roads:

- An order relating to conveying certain lots of land to E. S. Perry; An order relating to conveying land to Rufus F. Stone;
- An order relating to claims of John Parent, A. Dubay and Joseph Dubay, to land;
- Petition of William Brown, for conveyance of land to John M. Brown;
- Petition of Nelson Turney, for land;
- An order relating to claim of Levi Sears to land;
- Petition of Henry W. Poor and others, in *aid of road *71 through Dunn's notch, with "resolve (S. 1) in favor of
 - the road through Dunn's notch in Oxford county;"

Petition of Sumner Whitney, for a deed of land.

To the Committee on Towns:

- Petition of John H. Clough and others, for the incorporation of Oakfield plantation into a town;
- Petition of J. W. Whiting and others, for the incorporation of the town of Lakeville;
- Petition of Milford Crosby and others of plantation No. 21, Washington county, to be incorporated into a town to be called Orison;
- Petition of Thomas Hersey and others, citizens of Bangor, for the incorporation of the town of Home.

To the Committee on Ways and Bridges:

- Petition of William E. Gould and others, with bill (H. R. 25) "an act to authorize the County Commissioners of Cumberland county to lay out a road over tide waters of Long creek, in the town of Cape Elizabeth;"
- H. R. 26. A bill authorizing and regulating the construction of the Deering Boulevard and Water Park;
- Petition of Jeremiah Page and others, for aid in building a road from Lowell to Greenbush;
- Petition of Virgil P. Hall and others, for aid in building a road in Mayfield;
- Petition of William Rice and others, for legislation to make free Arrowsic and Merrymeeting toll bridges;
- Petition of D. H. Thing and others, for legislation relating to roadside watering-places;
- *72 * Petition of David Newbegin and others, for legislation requiring counties to build certain bridges.

To the Committee on Fisheries:

H. R. 27. A bill to prohibit the taking of fish of any kind with nets other than dip nets, above the weir ledges in the town of Steuben, with certain petitions and remonstrances relating to the same.

To the Committee on Temperance:

An order relating to the sale of native wines and cider;

Petitions of sundry persons for legislation to more effectually suppress the liquor traffic.

To the Committee on Indian Affairs:

The petition of Lewis Snow, for the purchase of a wood lot for the Passamaquoddy Indians.

To the Committee on Interior Waters:

The petition of John C. Blanchard, for legislation to prevent the throwing of sawdust and edgings into the Martin stream in Plymouth.

The order authorizing certain committees to visit the State institutions which they represent, passed by the House and amended by the Senate, came from the House, that branch insisting upon its vote passing the order, and proposing a Committee of Conference, with

Messrs. Rand of Greenwood, Norton of Penobscot and Chase of Bridgton, appointed conferees on its part.

Resolved, That the Senate insists upon its former vote, concurred in the proposed *Committee of Conference, and

Messrs. Kyes of Franklin, Shepherd of Somerset and Irish of Oxford were appointed conferees on its part.

On motion by Mr. PEAKS,

Ordered, That at 11 o'clock A. M., on Tuesday, January 16th, the Senate proceed to vote for a Senator in Congress, to fill the vacancy in consequence of the resignation of the Hon. Lot M. Morrill, and also for the term commencing on the fourth day of March, 1877, in accordance with the laws of the United States.

On motion by Mr. PEAKS,

Ordered, That the Committee on Federal Relations inquire into the expediency of legislation in regard to the shipment of (any) game from this State to any other State.

On motion by Mr. BURLEIGH,

Ordered, That the Committee on State Lands and State Roads inquire as to what arrangements 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.

Mr. BRAGDON presented a bill (S. 15) "an act for the better enforcement of the laws for the protection of fish and game," which was referred to the Committee on Fisheries.

Mr. BROWN presented a bill (S. 16) "an act to amend section 1 of chapter 332 of the private and special laws of 1870," relating to throwing sawdust and slabs into the Penobscot *river, which was referred to the Committee on Interior *74 Waters.

Mr. BURLEIGH presented the petition of John P. Webber, praying for a lot of land in township No. 2, range 5;

6

*73

Also the petition of B. B. Byron, praying for a conveyance of a lot of land in township No. 5, range 3;

Also the petition of Jesse Craig, local land agent of township No. 4, range 4, W. E. L. S., praying for a conveyance of lot No. 22 in said township to Benjamin R. and Joseph C. Walker;

Which were each referred to the Committee on State Lands and State Roads.

The foregoing were sent down for concurrence.

The Committee on Bills in the Second Reading reported the following bill:

S. 6. "An act granting further time to the Penobscot and Lake Megantic Railroad Company to locate and complete its railroad," which was read a second time and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. PEAKS,

The vote was reconsidered whereby the Senate accepted the report of the Committee on Senatorial Votes.

Mr. PEAKS proposed to amend the report, to correct a clerical error in regard to the First Senatorial District, by striking out the words and figures "Joseph Hobson has 6,993," and insert instead the words and figures "Joseph Hobson has ** 7,193."

The amendment was agreed to and the report accepted.

*75 * On motion by Mr. JORDAN, at 40 minutes past 2 o'clock A. M.,

The Senate adjourned.

** See page 61.

TUESDAY, JANUARY 16, 1877.

Met according to adjournment, 10 A. M.

No Chaplain present.

The Journal of yesterday was read.

Orders from the House:

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;

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;"

That the Committee on the Judiciary inquire into the expediency of limiting the amount of municipal indebtedness;

* That the same Committee inquire into the expediency of *76 further provision of law for the payment of damages to persons and property by trustees of insolvent railroad companies;

That the same Committee inquire into the expediency of further provision of law relating to insane persons confined in jail;

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

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;

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;

Were severally read and passed in concurrence.

Petition of inhabitants of Trescott, praying for legislation granting a bounty on wild-cats, was referred to the Committee on Agriculture in concurrence.

H. R. 4. "Resolve in favor of John Relehan;"

Petition of the Selectmen of Lubec, praying for reimbursement of certain sums of money paid the State in 1864;

Were severally referred to the Committee on Claims in concurrence.

H. R. 28. Bill "an act to amend chapter 263 of the special laws of 1876;"

*77 * H. R. 29. Bill "an act to protect black bass in Tripp's, Upper, Middle and Lower Range ponds, and their tributaries in the town of Poland ;"

Petition of Rufus Gibbs and others of Bridgton, praying for the continuance of the office of Fish Commissioners;

Petition of O. Templeton and others;

Petition of E. J. Campbell and others,—severally praying for the protection of fish in Piscataquis county;

Were severally referred to the Committee on Fisheries in concurrence.

H. R. 30. Bill "an act additional to section 3, chapter 86 of the revised statutes, relating to assignments of goods, effects and credits in hands of trustees;"

H. R. 31. Bill "an act relative to proceedings in court;"

H. R. 32. Bill "an act to revive the charter of the St. Croix and Mattawamkeag Railroad Company;"

Petition of George B. Ilsley and others, praying for legislation to prohibit pool-selling and gambling at fair and base ball grounds and trotting courses in this State;

Were severally referred to the Committee on the Judiciary in concurrence.

II. R. 33. Bill "an act repealing sections 5, 6, 7 and 8, chapter 30 of the revised statutes, relating to bounty on bears and wolves;"

H. R. 34. Bill "an act to amend section 6 of chapter 6 of the revised statutes, relating to the exemption from taxation of certain property;" *H. R. 35. Bill "an act to make valid certain doings of *78 the inhabitants of Bridgton Centre Village Corporation in the town of Bridgton;"

Petition of inhabitants of Brownville;

Petition of inhabitants of Milo;

Petition of inhabitants of Medford,—severally praying for the repeal of the law relating to the exportation of deer and partridges;

Were severally referred to the Committee on Legal Affairs in concurrence.

H. R. 5. "Resolve in favor of Reuben Burnham," was referred to the Committee on Pensions in concurrence.

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

Petition of citizens of Barnard in the county of Piscataquis, praying for the repeal of the act incorporating said town, was referred to the Committee on Towns in concurrence.

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

Report of the Committee on the Judiciary, on the petition of inhabitants of plantation No. 8, Hancock county, praying for an act of incorporation for election purposes, that legislation thereon is inexpedient, was accepted in concurrence.

Mr. WEBB presented the petitions of James P. Moses and others; of H. W. Golder and others; *of William B. *79 Hayford and others.

Mr. IRISH presented the petition of Lorenzo Atwood and others.

Mr. WADSWORTH presented the petition of George A. Drew and others.

The foregoing petitions, severally for the continuance of the office of Fish Commissioners, were each referred to the Committee on Fisheries.

Mr. IRISH presented the petition of Augustus W. Spaulding and others, praying for the protection of fish in North pond.

Mr. VINTON presented the petition of Charles Thayer and others, praying for the repeal or amendment of the law prohibiting the taking of fish in Little Sebago pond.

Mr. WHITE presented the petition of E. P. Emerson and others, praying for an amendment of the law relating to catching trout.

These petitions were each referred to the Committee on Fisheries.

Sent down for concurrence.

Mr. PHILLIPS presented the petition of John E. Godfrey, Judge of Probate for Penobscot county, praying for an increase of salary, which was referred to the Penobscot County Delegation.

Mr. PEAKS presented a bill (S. 17) "an act relating to witnesses and evidence," which was referred to the Committee on the Judiciary.

Mr. TOLMAN presented the petition of J. W. Holden, praying for an amendment of the statutes relating to the settlement of paupers.

Mr. BAILEY presented a bill (S. 18) "an act in relation to *80 the harbor commissioners of the * harbor of the city of Port-

land, and to amend chapter 78 of the public laws of 1876." Mr. BRACKETT presented a bill (S. 19) "an act to confirm the doings of School District No. 15 in Berwick."

Mr. WHITE presented a bill (S. 20) "an act to regulate the practice of medicine."

The foregoing petition and bills were each referred to the Committee on Legal Affairs.

Mr. STEVENS presented the petition of the Dunn Edge Tool Company, praying for legislation to prohibit the throwing of refuse lumber into the Messalonskee stream, which was referred to the Committee on Interior Waters.

The foregoing were sent down for concurrence.

On motion by Mr. KYES,

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

On motion by Mr. WHITE,

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.

On motion by Mr. BURLEIGH,

Ordered, That the Committee on State Lands and State Roads inquire into the *expediency of authorizing the Land *81 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 in range 3, W. E. L. S., 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.

On motion by Mr. VINTON,

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

Severally sent down for concurrence.

The Committee on Bills in the Second Reading reported the following bill:

S. 4. "An act to authorize contract between Bucksport and Bangor Railroad Company and trustees of the European and North American Railway Company," which was read a second time and passed to be engrossed in concurrence.

The same Committee reported the following bill:

H. R. 24. "An act to amend section 3, chapter 26 of the public laws of 1872, relating to the altering or widening of streets," which was read a second time, and

On motion by Mr. KYES,

Ordered, That it lie on the table.

On motion by Mr. WHEELWRIGHT,

S. 2. "Resolve relating to a national prohibitory law," (Sen. Print. Doc. No. 1) was taken from the table and read twice, the rules being suspended.

On motion by Mr. SHEPHERD,

*Ordered, That when the vote is taken on the passage *82 of the foregoing resolve it be taken by rising.

The resolve passed to be engrossed unanimously by a rising vote. Sent down for concurrence. The hour having arrived fixed by an order of the Senate to vote for a Senator in the Congress of the United States from this State, to fill the vacancy caused by the resignation of Hon. Lot M. Morrill, and this being the second Tuesday subsequent to the meeting and organization of the Legislature of this State, the day designated by sections 15 and 16 of chapter 1 of Title II of the revised statutes of the United States, in relation to the election of Senators, the Senate proceeded openly and by a viva voce vote of each member present to name a person for Senator in Congress from this State to fill said vacancy, and the roll being called,

8
0
5
6
2

And James G. Blaine had a majority of the whole number of votes.

The Senators who voted for James G. Blaine are:

Messrs. Bailey, Bartlett, Boardman, Brackett, Bragdon, Brown, Burleigh, Hyde, Irish, Jordan, Kyes, Learned, Nash, Nutter, Peaks, Phillips, Shepherd, Stevens, Sumner, Thompson, Tolman,

Vinton, Wadsworth, Webb, Wheelwright and White-26.

*83 * The Senators who voted for William P. Haines are :

Messrs. Lennox and Watts-2.

The following Senators were absent:

Messrs. Hobson, Sturgis and Woodbury-3.

In accordance with the order of the Senate fixing an hour for voting for a Senator in the Congress of the United States from this State, for the term of six years, commencing on the fourth day of March next, and this being the day designated in sections 14 and 15 of chapter 1, Title II of the revised statutes of the United States, in relation to the election of Senators, the Senate proceeded openly and by a viva voce vote of each member present to name a person for Senator in Congress from this State for the term of six years, commencing on the fourth day of March next, and the roll being called

The whole number of votes was	28
Necessary for a choice	15
James G. Blaine had	26
William P. Haines	2

And James G. Blaine had a majority of the whole number of votes.

The Senators who voted for James G. Blaine are :

Messrs. Bailey, Bartlett, Boardman, Brackett, Bragdon, Brown, Burleigh, Hyde, Irish, Jordan, Kyes, Learned, Nash, Nutter, Peaks, Phillips, Shepherd, Stevens, Sumner, Thompson, Tolman, Vinton, Wadsworth, Webb, Wheelwright and White-26.

The Senators who voted for William * P. Haines are: *84 Messrs. Lennox and Watts-2.

The following Senators were absent:

Messrs. Hobson, Sturgis and Woodbury-3.

On motion by Mr. IRISH, at 10 minutes past 11 o'clock A. M., The Senate adjourned.

WEDNESDAY, JANUARY 17, 1877.

Met according to adjournment, 10 A. M.

Prayer by Rev. Mr. QUINBY of Augusta.

The Journal of yesterday was read.

Orders from the House:

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

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;

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;

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 *85 Penobscot;

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 and property;" 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 word "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;"

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 twenty dollars, the trial in the appellate court shall be by a jury of three men, instead of twelve, as at present;

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;

That the Committee on the Judiciary inquire into the expediency

of so amending chapter 91 of the revised statutes, relating *86 to liens on ships * and vessels, that a party furnishing mate-

rials 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;

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;

Were severally read and passed in concurrence.

Petition of the officers of the Maine State Pure Blood Jersey Stock Association, praying for an amendment of the charter of said association, with bill .(H. R. 42) "an act to amend an act entitled an act to incorporate the Maine State Pure Blood Jersey Stock Association," was referred to the Committee on Agriculture in concurrence.

H. R. 6. "Resolve in favor of the county of Aroostook," was referred to the Committee on Claims in concurrence.

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

Petition of C. V. Minot and others, in aid of the petition of Hiram L Chase and others;

Were each referred to the Committee on Commerce in concurrence.

Petition of C. W. Curtis and others, praying for a continuance of the office of Fish Commissioner;

H. R. 36. Bill "an act for the protection of fish in certain ponds in the town of Standish;"

* H. R. 37. Bill "an act to amend chapter 279 of the *87 special laws of 1876, relating to catching smelts in Monsweag river and bay;"

Were severally referred to the Committee on Fisheries in concurrence.

Petition of Alton E. Ayer, praying for authority to navigate East pond in Kennebec and Somerset counties by steam;

Petition of John Gardner and others, praying for legislation fixing the toll on logs passing Shin Pond dam;"

H. R. 38. Bill "an act to authorize Charles A. J. Farrar to dredge bars, blast rocks and navigate Richardson lakes and intervening streams by steam;"

Were severally referred to the Committee on Interior Waters in concurrence.

Petition of J. B. Dingley and others, praying for a charter for a free bridge across the Kennebec river, under the name of Gardiner and Pittston Free Bridge Company;

Petition of Joseph W. Holden and others, praying for the repeal of section 65 of chapter 18 of the revised statutes, relating to damage on ways;

Petition of citizens of Ellsworth, praying for an act of incorporation under the name of "Fifty Associates," for loan and trust purposes;

H. R. 39. Bill "an act to amend section 16, chapter 4 of the revised statutes, relating to elections;"

H. R. 40. Bill "an act to amend chapter 107 of the public laws of 1876, relating to elections;"

H. R. 41. Bill "an act to authorize the town of Lyndon to appropriate money in aid of the Aroostook River Railroad Company:"

*88 *Were severally referred to the Committee on the Judiciary in concurrence.

Petition of the North Anson and Skowhegan Telegraph Company, praying for an amendment of its charter;

Petition of James F. Grindel, praying for the exclusive right to take ice from Meadow pond in Islesboro' for a term of years;

Petition of citizens of Whitneyville;

Petition of citizens of Wesley;

Petition of citizens of Harrington;

Petition of inhabitants of Steuben;

Petition of inhabitants of Milbridge;

Petition of citizens of Columbia Falls,—severally praying for the repeal of the act of 1869, relating to the time and place of holding the Supreme Judicial Court in Washington county;

Were severally referred to the Committee on Legal Affairs in concurrence.

Petition of Mrs. G. K. Jewett and others, praying for an appropriation in aid of the Bangor Children's Home;

Petition of Ann M. Brown and others, praying for aid for the Female Orphan Asylum of Portland;

Were each referred to the Committee on Military Affairs in concurrence.

Petition of Hector Sutherland, praying for a conveyance of lot No. 2, section 20, in township G, range 2, Aroostook county, to Jesse Sutherland;

Petition of Charles W. Porter, praying that the Land Agent may be authorized to convey to him a lot of land, No. 95 in township I, range 2, now Lyndon;

*89 * Petition of inhabitants of Wellington, praying for an

appropriation to aid in building a road;

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

S 6. Bill "an act granting further time to the Penobscot and Lake Megantic Railroad Company to locate and complete its railroad," passed to be engrossed by the Senate, came from the House read twice and referred to the Committee on the Judiciary. The Senate receded and concurred with the House.

On motion by Mr. JORDAN,

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.

On motion by Mr. JORDAN,

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

On motion by Mr. WHEELWRIGHT,

Ordered, That the Committee on the Judiciary inquire what, if any, provisions of law are requisite in order to ensure safety from fire to assemblies and collections of persons in halls and hotels, mills and other places of public resort.

On motion by Mr. VINTON,

Ordered, That the Committee on the Judiciary 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."

On motion by Mr. BARTLETT,

*Ordered, That the Committee on State Lands and State *90 Roads 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 by said parties.

Sent down for concurrence.

On motion by Mr. BRACKETT,

Ordered, That the Maine Editors' and Publishers' Association be tendered the use of the Senate Chamber this Wednesday evening.

Mr. BRACKETT presented the following :

Ordered, That the Committee on the Judiciary inquire into the expediency of reporting a bill making death the penalty for murder in the first degree.

On motion by Mr. WHITE,

That the foregoing order be indefinitely postponed, after discus-

sion, it was determined in the affirmative, { Yeas..... 21 Nays...... 9 On motion by Mr. BRACKETT,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are :

Messrs. Bailey, Bartlett, Brown, Hobson, Hyde, Irish, Jordan, Kyes, Lennox, Nash, Nutter, Peaks, Shepherd, Stevens, Sturgis, Sumner, Thompson, Tolman, Wadsworth, Webb, White—21.

Those who voted in the negative are:

Messrs. Boardman, Brackett, Bragdon, Burleigh, Learned, Phillips, Vinton, Watts, Wheelwright-9.

*91 * So the order was indefinitely postponed.

On motion by Mr. PEAKS,

Ordered, That a message be sent to the House of Representatives, 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 message was conveyed by the Secretary.

Subsequently a message was received from the House by Mr. Smith, its Clerk, informing the Senate of the concurrence of the House in the foregoing proposition of the Senate.

Mr. NUTTER presented a bill (S. 21) "an act to authorize the appointment of police officers at camp-meetings."

Mr. KYES presented a bill (S. 22) "an act to provide for the examination of judgment debtors;"

Also a bill (S. 23) "an act in relation to police and municipal courts;"

Also a bill (S. 58) "an act in relation to the municipal court for the city of Bath."

These bills were each referred to the Committee on the Judiciary.

*92 Mr. BURLEIGH presented the petition of * Hiram F. Evans, praying for a conveyance of a lot of land in Silver Ridge plantation, which was referred to the Committee on State Lands and State Roads.

Mr. BOARDMAN presented the remonstrance of Fred Atwood and others, against any change in the game laws of the State, which was referred to the Committee on Legal Affairs.

Mr. WHEELWRIGHT presented the petition of inhabitants of Lincoln, praying for the continuance of the office of Fish Commissioner, which was referred to the Committee on Fisheries.

Mr. TOLMAN presented the petition of the inhabitants of Newfield, praying for more stringent penalties for violation of the prohibitory liquor law.

Mr. KYES presented the petition of Mrs. M. Stevens and others.

Mr. HOBSON presented the petition of citizens of York county.

Mr. VINTON presented the petition of Thomas Hancock and others;

Also the petition of David Torrey and others;

Also the petition of Leonard B. Chapman and others.

These petitions, severally praying for legislation to prevent gambling and pool-selling at fair and base ball grounds and trotting parks, were each referred to the Committee on Temperance.

Severally sent down for concurrence.

Mr. JORDAN, from the Androscoggin County Delegation, to whom was referred the petition of M. T. Ludden and others, praying for the establishment of a Superior Court within and for said * county, reported that the petition be indefi- *93 nitely postponed.

Mr. VINTON, from the Committee on the Judiciary, to whom was referred a bill (S. 11) "an act to enable jewelers to sell articles left with them for repairs, and not called for, under certain conditions," reported that the same ought not to pass.

Mr. VINTON, from the same Committee, on an order relating to the right of appeal from decrees relating to alimony in divorce cases, reported that legislation thereon is inexpedient.

Mr. WHEELWRIGHT, from the same Committee, on a resolve of the city government of the city of Portland, relating to an amendment of the Constitution of the State, in relation to the qualification of electors, reported that legislation thereon is inexpedient.

These reports were severally accepted. Sent down for concurrence.

Mr. KYES, from the Committee of Conference on the disagreeing votes of the two branches on an order relating to authorizing certain committees to visit the State institutions they represent, reported that the Committee on the part of the Senate was unable to agree with the Committee on the part of the House, and ask to be discharged.

The report was accepted.

On motion by Mr. KYES, at 12 minutes past 11 o'clock A. M., The Senate took a recess of 40 minutes.

ELEVEN O'CLOCK AND FIFTY-TWO MINUTES.

On motion by Mr. KYES,

*94 H. R. 24. "An act to amend section 3 of * chapter 26 of the public laws of 1872, relating to altering or widening of streets," was taken from the table, and

On motion by the same Senator,

Ordered, That it be referred to the Committee on the Judiciary. Sent down for concurrence.

The hour of twelve o'clock meridian having arrived, the time fixed by section 15 of chapter 1, Title II of the revised statutes of the United States, for the two houses of the Legislature to convene in Joint Assembly for the purposes therein mentioned, the Senate proceeded to the Representatives' Hall, where a Convention was formed.

IN CONVENTION.

The Journal of each house for the preceding day, relating to the election of United States Senator, was read, and James G Blaine having received a majority of all the votes in each house, was declared duly elected Senator to represent the State of Maine in the Congress of the United States, to fill the vacancy occasioned by the resignation of Hon. Lot M. Morrill; and James G. Blaine having received a majority of all the votes in each house, was declared duly elected Senator to represent this State in the Congress of the United States, for the term of six years, commencing on the fourth day of March next.

On motion by Mr. SHEPHERD,

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 occasioned by the * resignation of *95 Hon. Lot M. Morrill, and also for the term of six years, commencing on the fourth day of March next.

The Convention then dissolved.

IN SENATE.

Information was received from the House by Mr. Smith, its Clerk, of the appointment by that branch of the following Committee on Enlargement of the State House:

Messrs. Hinckley of Bluehill, Greeley of Lewiston, Stone of Biddeford, Bodwell of Hallowell, Littlefield of Portland, Strickland of Bangor and Kimball of Rockland.

On motion by Mr. LENNOX, at 11 minutes past 12 o'clock M., The Senate adjourned.

THURSDAY, JANUARY 18, 1877.

Met according to adjournment, 10 A. M.

The Secretary called the Senate to order, and announced that the President would be absent from the Capitol to-day.

On motion by Mr. VINTON,

Messrs. Vinton of Cumberland, Watts of Knox, and Jordan of Androscoggin, were appointed a Committee to receive, sort and count the votes for President *pro tempore*.

Having attended to that duty, the *Committee reported as *96 follows :

The whole number of votes is 24	5
Necessary for a choice 1	3

JOURNAL OF THE SENATE.

R. B. Shepherd has	. 1
Joseph H. Wheelwright	. 1
J. W. Wheelwright	. 2
S. O. Brown	
W. H. Vinton	. 8
E. S. Kyes	. 9
And there was no choice.	

The report was accepted.

The same Committee was appointed to receive, sort and count the votes for President pro tempore.

Having attended to that duty, the Committee reported as follows:

The whole number of votes is	26
Necessary for a choice	14
S. O. Brown has	3
J. S. Wheelwright	2
W. H. Vinton	7
E. S. Kyes	14

The report was accepted, and Hon. E. S. Kyes was declared duly elected President pro tempore of the Senate.

Mr. Kyes was conducted to the chair by Mr. Watts of Knox and Mr. Sturgis of Androscoggin, and in accepting the office briefly acknowledged the honor conferred.

On motion by Mr. WHITE,

Ordered, That a message be sent to the Governor and Council, and to the House of Representatives, informing them that in the

absence of the President, the Senate has elected Hon. E.

*97 * S. Kyes as President pro tempore.

The message was conveyed by the Secretary.

Prayer by Rev. Mr. Ecob of Augusta.

The Journal of yesterday was read.

Orders from the House:

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; 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;

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;

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;

That the Committee on the Judiciary inquire into the expediency of directing the preparation * of a suitable index *98 to the public laws enacted since the revision of the statutes, for the use of future legislatures;

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;

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

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;

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;

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;

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; That the Committee on Mercantile Affairs and Insurance *99 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;

That the Committee on Mercantile Affairs and Insurance inquire into the expediency of enacting a law defining the percentage 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;

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

That the Committee on State Lands and State Roads inquire into the expediency of making an appropriation to aid in building a bridge over Thebodeau's stream in the plantation of Van Buren, gounty of Aroostook;

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;

That the Committee on State Lands and State Roads inquire into the claims of Charles McPherson, William Ouilett, Cyrille Pelletier, Theodore Pelletier and Bruno Michaud of St. Francis, for road labor done under the direction of the land agent in 1867;

That the same Committee inquire into the expediency of *100 making an appropriation to * aid in building a bridge over

Hannowell brook in St. Francis, county of Aroostook;

Were severally read and passed in concurrence.

Petition of W. W. Walker, praying for reimbursement of certain expenses;

Petition of inhabitants of Topsfield, praying for reimbursement of money lost in transit in 1867;

Were each referred to the Committee on Claims in concurrence.

Petition of Edwin Reed, praying for legislation authorizing the city of Bath to appoint a harbor master, with bill (H. R. 43) "an act to authorize the city of Bath to appoint a harbor master for the port of Bath, and establish regulations for the anchorage of vessels in said port," was referred to the Committee on Commerce in concurrence.

Petition of John Fogg and others, praying for the repeal of the free high school act;

Petition of Joseph W. Holden and others, praying for an amendment of the school laws, relating to traveling expenses of school committees;

Were each referred to the Committee on Education in concurrence.

Petition of inhabitants of Bryant's Pond, praying for the repeal of the law prohibiting the taking of trout from Rangely stream;

Petition of inhabitants of Rumford, praying for the same;

Petition of O. H. Sewall and others, praying for legislation prohibiting the catching of black bass, togue, trout and white berch in Wilson's pond and its tributaries in Wilton;

* Petition of A. B. Farnham and others, praying for an *101 amendment of chapter 125 of the public laws of 1876, re-

lating to the close-time for trout, with bill (H. R. 44) "an act amendatory of chapter 125 of the public laws of 1876, for the protection of land-locked salmon, trout and bass;"

H. R. 7. "Resolve for the appointment of a commission to reconstruct the laws relating to fisheries and the protection of fish:"

H. R. 45. Bill "an act to prevent the taking of trout in the towns of Wells and Kennebunk;"

H. R. 46. Bill "an act to prevent the taking of black bass and pickerel from North pond, in the towns of Winthrop and Readfield;"

Were severally referred to the Committee on Fisheries in concurrence.

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

The credentials of Sebattis Dana, representative of the Penobscot Indians, were referred to the Committee on Indian Affairs in concurrence.

Petition of Thomas Goodale, praying for authority to build locks and dams in the towns of Shapleigh and Acton; Petition of the Franklin Land and Lumber Company, praying for an amendment of its charter;

Petition of Charles E. Allen and others, praying for the repeal of section 7 of chapter 42 of the revised statutes, relating to logs and lumber lodged on lands by freshets;

Were severally referred to the Committee on Interior Waters in concurrence.

*102 * Petition of E. F. Webb and others, praying for an amendment of section 1, Article II of the Constitution;

Petition of William S. Rogers and others, praying for a modification of the statutes known as the trustee law;

Petition of E. Merriam, Jr., and others, praying for an amendment of section 1 of chapter 215 of the public laws of 1874, in relation to notice of claim for damages on highways;

Petition of citizens of Saco, praying for legislation to prevent gambling and pool-selling at fair grounds and elsewhere;

H R. 47. Bill "an act to amend section 27 of chapter 91 of the revised statutes, relating to mortgages of property, liens and

enforcement;

H. R. 48. Bill "an act giving authority to the city of Portland in relation to certain railroads;"

H. R. 49. Bill "an act to establish a standard of qualification for the practice of medicine in the State of Maine;"

H. R. 50. Bill "an act additional to chapter 7 of the revised statutes, relative to registers of deeds;"

Petition of Edwin Reed, praying for legislation conferring certain powers upon the mayor and aldermen of Bath, with bill (H. R. 51) "an act additional to an act entitled an act to incorporate the city of Bath;"

H. R. 52. Bill "an act to amend an act to incorporate the Trustees of the Sailors' Home in Portland;"

H. R. 53. Bill "an act to incorporate the Deering Land and Building Company;"

*103 Petition of George Minot and others, praying * for an amendment of chapter 98 of the public laws of 1876, relating to the protection of game;

H. R. 60. Bill "an act in relation to executions;"

H. R. 54. Bill "an act additional to chapter 298 of the special laws of the year 1876, establishing the Ellsworth Municipal Court;"

Were severally referred to the Committee on the Judiciary in concurrence.

Petition of inhabitants of Trescott;

Petition of inhabitants of Machias;

Petition of inhabitants of Jonesboro';

Petition of citizens of Addison,--severally praying for the repeal of the act of 1869, relating to the time and place of holding the Supreme Judicial Court in Washington county;

Petition of John G. Adams, praying that his doings as a trial justice may be legalized;

Were severally referred to the Committee on Legal Affairs in concurrence.

H. R. 55. Bill "an act to incorporate the People's Loan and Building Association," was referred to the Committee on Manufactures in concurrence.

Petition of Charles Morse and others, praying for an act of incorporation, with bill (H. R. 56) "an act to incorporate the Citizens' Mutual Relief Society of Portland, Maine," was referred to the Committee on Mercantile Affairs and Insurance in concurrence.

Petition of Charles Hayward and others, praying for an extension of the charter of the Bangor and Piscataquis Railroad Company;

H. R. 57. Bill "an act to amend section 6 of chapter 120 of the public laws of 1876, to authorize * the formation *104 of railroad companies;"

H. R. 58. Bill "an act additional relative to the Orchard Beach Railroad Company;"

Were severally referred to the Committee on Railroads in concurrence.

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

Petition of Henry Kelley and others, praying that the estate of F. P. Crowell may be set off from Fairfield Village Corporation, was referred to the Committee on Towns in concurrence.

H. R. 59. 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 in concurrence.

Report of the Committee on the Judiciary, on an order relating to prohibiting the throwing of ballast into the Kennebec river, that the same be referred to the Committee on Interior Waters;

Report of the same Committee, on bill (H. R. 18) "an act to amend section 2, chapter 65 of the public laws of 1876, relating to the organization of business corporations," that the same ought not to pass;

Report of the same Committee, on the petition of the First Congregational Society of Wells for authority to sell certain property, that the petitioners have leave to withdraw;

Report of the Committee on Railroads, on bill (S. 14) "an *105 act to amend the charter of the Castine *and Ellsworth

Railroad Company," that legislation thereon is inexpedient; Were severally accepted in concurrence.

Mr. VINTON presented the petition of John M. Brown and others, praying for an act restricting the killing of seal in Casco bay, which was referred to the Committee on Fisheries.

Mr. JORDAN presented the petition of Warren Johnson, praying for payment of balance due for services as Superintendent of Common Schools for the year 1876.

Mr. NASH presented the petition of the town of Harrington, for reimbursement for payments in 1864.

These petitions were each referred to the Committee on Claims.

Mr. BAILEY presented the petition of citizens of Cumberland county, praying for an increase of the salary of the judge of probate of said county, which was referred to the Cumberland County Delegation.

Mr. SHEPHERD presented the petition of S. W. Lane, praying for pay for certain services, which was referred to the Committee on Financial Affairs.

Mr. BURLEIGH presented the remonstrance of Simeon Carpenter against an amendment of the charter of the Shin Brook Dam Company, which was referred to the Committee on Interior Waters. Mr. BROWN presented a bill (S. 24) "an act additional to chapter 67 of the revised statutes, relating to the appointment of guardians."

* Mr. VINTON presented a bill (S. 25) "an act to amend *106 section 14 of chapter 6 of the revised statutes, relating to the taxing of personal property."

These bills were each referred to the Committee on the Judiciary.

Mr. STEVENS presented a bill (S. 26) "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," which was referred to the Committee on Railroads.

Mr. BOARDMAN presented the petition of R. S. Ayer and others, praying for an act incorporating the Mount Repose Cemetery in Montville.

Mr. JORDAN presented the petition of Ai Waterman, praying for an amendment of the act of 1876, relating to the protection of game.

These petitions were each referred to the Committee on Legal Affairs.

Mr. BROWN presented the memorial of S. B. Morrison, concerning the enlistment and examination of members of the Jameson Guards, which was referred to the Committee on Military Affairs.

Mr. BURLEIGH presented the petition of Joel Valley and others, praying that settling duties may be remitted to all holders of land certificates in the town of Blaine, which was referred to the Committee on State Lands and State Roads.

Mr. TOLMAN presented the petition of Oak Lodge of Good Templars of Deering.

Mr. VINTON presented the petition of Hartwell Little and others;

Also the petition of Gardner Leighton, Jr., and others;

*Also the petition of John E. Warren and others. *107

These petitions, severally praying for legislation prohibiting gambling and pool-selling, were each referred to the Committee on Temperance.

Mr. WHITE presented the petition of E. A. Lewis and others, praying for an amendment of the liquor law, which was referred to the Committee on Temperance.

The foregoing were sent down for concurrence.

On motion by Mr. SHEPHERD,

Ordered, That the Committee on Education be directed to inquire into the expediency of providing some method for the better instruction of school teachers.

On motion by Mr. SHEPHERD,

Ordered, That the Committee on Education 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 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 in building school houses.

On motion by Mr. WEBB,

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 judgments entered in the former does not exceed twenty dollars.

On motion by Mr. BARTLETT,

*108 Ordered, That the Committee on the Judiciary * inquire if

any legislation is necessary for the protection of the citizen 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.

On motion by Mr. BOARDMAN,

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, Representatives to the State Legislature, and other State officers, also for biennial sessions of the Legislature.

On motion by Mr. BOARDMAN,

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, the words "or a society of individuals incorporated for that purpose."

On motion by Mr. BROWN,

Ordered, That the Committee on Military Affairs 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.

On motion by Mr. BOARDMAN,

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 23d, and entitled a "resolve relating to claims of settlers on proprietors' lands."

On motion by Mr. VINTON,

Ordered, That all petitions, memorials, and *other papers *109 requesting legislative action on the subject of temperance,

gambling at fairs, and kindred subjects, be referred to the Joint Select Committee on Temperance.

Sent down for concurrence.

Mr. BAILEY, from the Committee on Federal Relations, on an order relating to the shipment of game from this to any other State, reported that the same be referred to the Committee on the Judiciary.

Mr. THOMPSON, from the Committee on Fisheries, to whom was referred the petition of Caleb Blake and others, praying for the repeal of chapter 252 of the special laws of 1876, reported that the petitioners have leave to withdraw.

Mr. WEBB, from the Committee on Pensions, to whom was referred the petition of Emily J. Welts, praying for a pension, reported that the petitioner have leave to withdraw.

These reports were severally accepted.

Sent down for concurrence.

Mr. WHITE, from the Committee on Fisheries, to whom was referred a bill (H. R. 37) "an act to amend chapter 279 of the special laws of 1876, relating to catching smelts in Monsweag river and bay," reported that the same ought to pass.

Mr. WADSWORTH, from the Committee on Towns, to whom was referred the petition of Sprague Keen, praying to have his homestead set off from Bridgton and annexed to Harrison, reported bill (S. 27) "an act to set off certain real estate from the town of Bridgton and annex the same to the town of Harrison.

These reports were accepted, the bills each read once, and tomorrow assigned for their second reading. *110 * On motion by Mr. WHEELWRIGHT, at 15 minutes past 11 o'clock A. M.,

The Senate took a recess until 12 o'clock.

TWELVE O'CLOCK MERIDIAN.

Mr. BURLEIGH presented a bill (S. 28) "an act authorizing the sale of islands belonging to the State," which was referred to the Committee on State Lands and State Roads.

Mr. BAILEY presented the petition of John T. Hull and others, praying for legislation authorizing the formation of savings and building associations, which was referred to the Committee on the Judiciary.

Mr. BOARDMAN presented the petition of the Belfast Foundry Company, praying for a change of its corporate name to that of the Castle Iron Works;"

Also the petition of William W. Castle and others of Belfast, praying for the incorporation of the Belfast Granite Works;

Which were each referred to the Committee on Manufactures. Sent down for concurrence.

On motion by Mr. BOARDMAN, at 8 minutes past 12 o'clock meridian,

The Senate adjourned.

*111

* FRIDAY, JANUARY 19, 1877.

Met according to adjournment, 10 A. M.

Prayer by Rev. Mr. DREW of Augusta.

The Journal of yesterday was read.

Orders from the House:

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;

That the Committee on Claims inquire into the expediency of repealing the law for the payment of bounty on bears;

That the Cumberland County Delegation, inquire into the expediency of any increase in the salaries of their county officers; 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;

That the Committee on Federal Relations 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;

*That the Committee on Financial Affairs inquire into *112 the expediency of making provision in the appropriation bill for the enforcement of chapter 175 of the resolves of 1876;

That the Committee on Financial Affairs 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 eight per cent. be received, the excess shall be recoverable at any time within one year from the time of payment;

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;

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;

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 and insurance companies;

That the Committee on the Judiciary inquire into the expediency of legalizing the doings of the County Commissioners of Aroostook county in locating a county road from New Sweden to Fort Kent;

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

That the Committee on the Judiciary inquire whether any further legislation is expedient for the greater security of property against loss by fire; *113 * That the Committee on Legal Affairs inquire into the expediency of changing the time for viewing roads in unincorporated places by the county commissioners;

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;

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

That the Committee on Legal Affairs inquire into the expediency of amending section 13, chapter 133 of the public laws of 1873, relating to imprisonment of criminals;

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;

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, so as to include cordwood and hemlock bark;

That the Committee on Legal Affairs inquire into the expediency of repealing or amending section 7 of chapter 6 of the revised statutes;

That the Committee on Legal Affairs inquire into the expediency

of amending section 1, chapter 93 of the public laws of *114 1876, relating to the *recording of assignment of wages;

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;

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;

That the Committee on Legal Affairs inquire into the expediency of amending chapter 81, section 13 of the revised statutes,

110

so as to allow corporations to bring civil actions in the county where their treasurer resides;

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 demestic peace and moralty;

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, and owned 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;

That the Committee on State Lands and State Roads inquire into the expediency of making * an appropriation to *115 aid in building the road between Lyndon, New Sweden and Fort Kent;

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 \$1,000 or more when built;

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 the result and his conclusions to the next Legislature;

Were severally read and passed in concurrence.

H. R. 61. Bill "an act to incorporate the Bath Driving Park;" H. R. 62. Bill "an act to amend section 1, chapter 314 of the private and special laws of 1873;"

Were referred to the Committee on Agriculture in concurrence.

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

Petition of Caleb Sherman, praying to be refunded the value of certain stumpage;

Petition of the Selectmen of Lexington, praying for reimbursement from the State; H. R. 8. "Resolve in favor of the town of Chester;"

Were severally referred to the Committee on Claims in concurrence.

*116 * H. R. 63. Bill "an act providing for the appointment of port wardens;"

H. R. 64. Bill "an act to authorize the Lincolnville Railroad Company to build a wharf in the tide waters of Penobscot bay, near the mouth of Duck Trap stream in Lincolnville;"

Were each referred to the Committee on Commerce in concurrence.

Petition of Charles E. Gibbs and others;

Petition of Samuel Haskell and others;

Petition of members of the Cumberland bar;

Petition of Marcus W. Small and others,—severally praying for the increase of the salary of the judge of probate of Cumberland county;

Were each referred to the Cumberland County Delegation in concurrence.

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

Petition of A. G. Lebroke and others, praying for a change of close-time for trout in Moosehead lake;

Remonstrance of inhabitants of Dixfield, against abolishing the office of Fish Commissioner;

H. R. 65. Bill "an act amending an act entitled an act for the better protection of lobsters;"

H. R. 66. Bill "an act to protect fish in the waters of the St. Croix river;"

H. R. 67. Bill "an act to prohibit the taking of fish from Duck pond, so called, in the towns of Westbrook and Windham;

Were severally referred to the Committee on Fisheries in concurrence.

*117 Petition of Denison Paper Manufacturing *Company, pray-

ing for authority to flow Tripp's pond in Poland, was referred to the Committee on Interior Waters in concurrence.

Petition of the Penobscot Indians, praying for an amendment of the game laws; Petition of the Penobscot Indians, praying for an appropriation for repairs of their church;

Petition of the Penobscot Indians, praying for aid for the aged and poor of said tribe;

Petition of the Penobscot Indians, praying for certain appropriations for salary of Governor and others;

H. R. 9. "Resolve in favor of the agent of the Penobscot Tribe of Indians;"

Were severally referred to the Committee on Indian Affairs in concurrence.

Petition of citizens of Saco;

Petition of S. B. Kinsley and others;

Petition of E. F. Packard and others;

Petition of John Pickard and others;

Petition of Asa Cushman and others;

Petition of M. Crafts and others;

Petition of J. S. Cushing and others;

Petition of A. Y. Moore and others;

Petition of Benj. Greene and others;

Petition of S. I. Abbott and others;

Petition of J. E. Brown and others;

Petition of Horace Hadley and others;

Petition of Thomas W. Kanada and others;

Petition of Nelson Dingley, Jr., and others;

Petition of C. I. Barker and others;

Petition of James Dumpsey and others;

Petition of E. S. Davis and others;

Petition of J. G. Coburn and others;

* Petition of R. C. Reynolds and others;

Petition of A. P. Winslow and others;

Petition of William F. Goulding and others;

Petition of Frank Starbird and others,—severally praying for a modification of the trustee law;

Petition of D. W. Sawyer and others, praying for a village charter for School District No. 1 in Boothbay;

Petition of the Portland Institute and Public Library, praying for legislation for the punishment of persons wantonly destroying books in public libraries;

8

*118:

Petition of inhabitants of the city of Rockland, praying for legislation authorizing said city to pave the streets thereof and assess the abuttors for betterments;

Petition of E. A. Barnard and others, praying for legislation to authorize the city of Calais to take stock in or loan its credit in aid of the St. Croix and Mattawamkeag Railroad;

H. R. 68. Bill "an act to amend section 8 of chapter 17 of the revised statutes, relating to nuisances;"

H. R. 69. Bill "an act to amend an act to establish a municipal court in the city of Biddeford;"

H. R. 70. Bill "an act giving county commissioners jurisdiction over the repair of ways;"

H. R. 71. Bill "an act additional to an act entitled an act to supply the people of Augusta with pure water, approved March 12, 1870;"

II. R. 72. Bill "an act to authorize the York Manufacturing Company to reduce its capital stock;"

*119 * H. R. 10. "Resolve providing for a seal of the State;"

H. R. 11. "Resolve relating to the purchase by the State of "Webb's Railroad Laws;"

Were severally referred to the Committee on the Judiciary in concurrence.

Petition of John E. Saunders and others, praying for legislation to legalize and make valid the doings of the proprietors of the Methodist meeting-house of Mechanic Falls in Maine;

Petition of Cyrus F. Elsemore and others, praying for legislation for the protection of cranberries, with bill (H. R. 73) "an act for the protection of cranberries;"

Petition of the Penobscot Indians, praying for a change in the election laws;

Petition of the Main Street M. E. Free Church of Lewiston, praying for a change of name;

Petition of citizens of Cherryfield, praying for the repeal of the act of 1869, relating to the Supreme Court in Washington county;

Petition of John H. Walker and others, praying for legislation for the protection of citizens against base ball playing in streets;"

Petition of Edwin Reed of Bath, with bill (H. R. 74) "an act relating to the police force of the city of Bath;"

Petition of members of the North Waldo Agricultural Society, with bill (H. R. 75) "an act to amend the charter of the Northern Waldo Agricultural Society;"

H. R. 76. Bill "an act to amend section 17 of chapter 116 of the revised statutes, relating to the regulation of fees and costs;"

* H. R. 77. Bill "an act authorizing the town of Wool- *120 wich to elect a director to represent stock owned by said town in the People's Ferry Company;"

H. R. 78. Bill "an act to change the name of the Main Street Methodist Episcopal Free Church Society of Lewiston;"

H. R. 12. "Resolve in relation to the binding of the acts and resolves of this State;"

H. R. 13. "Resolve relating to the purchase by the State of certain Maine reports;"

Were severally referred to the Committee on Legal Affairs in concurrence.

H. R. 79. Bill "an act additional to chapter 49 of the revised statutes, relating to life insurance;"

H. R. 80. Bill "an act to amend the charter of the Union Mutual Life Insurance Company;"

Were each referred to the Committee on Mercantile Affairs and Insurance in concurrence.

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

Memorial asking for a pension for Mrs. Spencer G. Bower, was referred to the Committee on Pensions in concurrence.

Petition of J. P. Cilley, praying for an amendment of the charter of the Lincolnville Railroad Company, with bill (H. R. 81) "an act to amend the act to incorporate the Lincolnville Railroad Company, approved February 18, 1874," was referred to the Committee on Railroads in concurrence.

Petition of S. W. Stratton, praying for a deed of a lot of land;

* Petition of citizens of Aroostook county, praying for *121 an appropriation for building a bridge across the Aroostook river at Caribou; Petition of inhabitants of Baileyville, praying for aid in the repair of roads in said town;

Petition of Vital Daigle, praying for a deed of a lot of land;

Petition of inhabitants of Blanchard and Shirley, praying for aid on roads;

Petition of Benj. Alexander, praying for a deed of a lot of land; Petition of Albion W. Stratton, praying for a deed of a lot of land;

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

Petition of W. S. McIntire and others;

Petition of P. M. Hobson and others,—severally for legislation to prevent gambling and tippling at fairs;

Petition of G. W. Burns and others, praying for the prohibition of the sale of native wines and cider;

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

Were severally referred to the Committee on Temperance in concurrence.

H. R. 82. Bill "an act to amend chapter 241 of the public laws of 1874, relating to cemeteries," was referred to the Committee on Towns in concurrence.

*122 Petition of inhabitants of Somerset county, * for an appro-

priation to build a road from Flagstaff to Dead River plantation;

Petition of Edwin Reed and others, with bill (H. R. 83) "an act to make free Merrymeeting bridge;"

Petitión of Edwin Reed and others, with bill (H. R. 84) "an act to make free Arrowsic bridge;"

Were severally referred to the Committee on Ways and Bridges in concurrence.

A communication was received from Hon. S. J. Chadbourne, Secretary of State, transmitting the annual report of the Trustees and President of the State College of Agriculture, which was read, and

On motion by Mr. WOODBURY,

Ordered, That the report be referred to the Committee on Agriculture.

Sent down for concurrence.

On motion by Mr. VINTON,

Ordered, That the Committee on the Judiciary inquire into the expediency of repealing section 31 of chapter 86 of the revised statutes, relating to disclosures of trustees.

Sent down for concurrence.

Mr. PHILLIPS presented the following :

Ordered, That the Justices of the Supreme Judicial Court be required to furnish for the information of this Legislature, an answer to the following question:

Has the Legislature authority, under the Constitution of the State, to prohibit the exportation of deer out of the State, as expressed in chapter 106 of the public laws of 1876, entitled

"an act to amend chapter 30, section 9, of the *revised *123 statutes, relating to deer?"

After discussion, on motion by Mr. PHILLIPS,

Ordered, That the foregoing order lie on the table.

Mr. TOLMAN presented the petition of citizens of Bridgton, praying for legislation to prevent pool-selling and gambling in certain places, which was referred to the Committee on Temperance.

Mr. WHEELWRIGHT presented a bill (S. 29) "an act to amend section 71 of chapter 51 of the revised statutes, relating to railroads;"

Also a bill (S. 30) "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."

The rules were suspended, and the foregoing bills referred to the Committee on Railroads.

Mr. WHEELWRIGHT presented a bill (S. 31) "an act to amend section 16 of chapter 77 of the revised statutes, relating to the powers of the Supreme Judicial Court."

The rules were suspended and this bill referred to the Committee on the Judiciary.

Mr. WHITE presented the petition of Henry Darling and others, praying for the revival of the organization of Trustees of Parsonage Funds, with bill (S. 32) "an act to revive the organization of the Trustees of the Parsonage Fund in Bucksport." The rules were suspended and the foregoing petition and bill were referred to the Committee on Legal Affairs.

*124 * The foregoing were sent down for concurrence.

Mr. STURGIS, from the Committee on Financial Affairs, to whom was referred the accounts of the State Treasurer for the year 1876, submitted the following report: •

The Committee on Financial Affairs, to whom was referred the report of the State Treasurer for the year ending December 31, 1876, submit the following report:

We hereby certify that we have examined the books in the Treasurer's office and find the accounts correctly cast, properly vouched, and agreeing with his report presented to the Legisla--ture. We find the amount of cash on hand December 31, 1876, \$394,422.27; of this amount we find \$1,042 in bank bills, \$300 in specie and \$85.24 in scrip, and \$248,769.50 deposited in National banks in this State and \$144,225.53 in the Suffolk National Bank, Boston, their respective cashiers certifying to the amount in each. agreeable to the accompanying schedule. The bond and coupons paid during the past year, \$30,000 being the amount of the public debt falling due that year, and registered bonds surrendered by holders, \$92,000, like amount being reissued to other parties, coupon bonds received in exchange for registered bonds, \$95,000. and coupons amounting to \$271,246.00, being the amount paid for interest during the year 1876, exclusive of \$87,030 paid on registered bonds, we have destroyed by burning, and made due record of the fact.

The report was accepted. *125 * Sent down for concurrence.

Mr. BOARDMAN, from the Committee on State Lands and State Roads, to whom was referred the petition of B. B. Byron, praying for a deed of a lot of land, reported that the petitioner have leave to withdraw.

The report was accepted.

Sent down for concurrence.

Mr. VINTON, from the Committee on the Judiciary, to whom was referred the memorial of the city of Portland, relating to damages in consequence of defective highways, reported a bill (S. 33) "an act to repeal sections 65, 66 and 67 of chapter 18 of the revised statutes."

Mr. WADSWORTH, from the Committee on Ways and Bridges, on an order, reported bill (S. 34) "an act to abolish the highway tax."

These reports were accepted and the bills each laid over to be printed under the Joint Rule.

The Committee on Bills in the Second Reading reported the following bill:

S. 27. "An act to set off certain real estate in the town of Bridgton and annex the same to the town of Harrison," which was read a second time and passed to be engrossed.

Sent down for concurrence.

The same Committee reported the following bill:

H. R. 37. "An act to amend chapter 279 of the special laws of 1876, relating to the catching of smelts in Monsweag river and bay," which was read a second time, and

On motion by Mr. LENNOX,

Ordered, That it lie on the table.

*On motion by Mr. NASH, at 13 minutes past 11 o'clock *126 A. M.,

The Senate adjourned.

SATURDAY, JANUARY 20, 1877.

Met according to adjournment, 10 A. M.

Prayer by Rev. Mr. Allen of Hallowell.

The Journal of yesterday was read:

Order from the House:

That all petitions, orders, etc., relating to the game laws of this State, be referred to the Committee on Legal Affairs, and it is hereby ordered that other Committees having papers before them relating to this subject be relieved from further consideration of the same, was read and passed in concurrence.

Petition of citizens of Aroostook county, praying for the extension of the charter of the Aroostook Steamboat Company, was referred to the Committee on Interior Waters in concurrence.

Petition of Nelson Turney, praying for a deed of a lot of land, was referred to the Committee on State Lands and State Roads in concurrence.

*127 Petition of citizens of Ellsworth, praying * for a change in the close-time for trout fishing;

Petition of citizens of Franklin, praying for the same;

Were referred to the Committee on Fisheries in concurrence.

H. R. 85. Bill "an act additional to chapter 101 of the public laws of 1876, relating to equity powers;

Petition of William D. Pennell and others;

Petition of E. M. Shaw and others,—severally praying for a modification of the trustee law;

Were severally referred to the Committee on the Judiciary in concurrence.

Report of the Committee on Fisheries, on the petition of J. F. Twitchell and others, for the repeal of chapter 252 of the special laws of 1876, relating to game, that the same be referred to the Committee on Legal Affairs, was accepted in concurrence.

Report of the Committee on Fisheries, on bill (H. R. 13) "an act to prohibit the taking of fish from the Davis brook in the town of Limington," that the same ought not to pass, came from the House referred to the Committee on Legal Affairs, and was referred in concurrence.

Report of the Committee on Claims, on the petition of W. W. Walker, for reimbursement, that the petitioner have leave to withdraw;

Report of the same Committee, on the petition of the town of Topsfield, for reimbursement of State aid lost in transit, that the

petitioner have leave to withdraw;*128 Report of the Committee on Fisheries, on the * petition of

E. V. Lyman and others, for fishways at the outlets of Somes and Long ponds and Echo lake in the town of Mt. Desert, that the petitioners have leave to withdraw;

Report of the same Committee, on the petition of O. Templeton

and others, for the protection of fish in Piscataquis county, that the petitioners have leave to withdraw;

Report of the Committee on Legal Affairs, on an order relating to amending chapter 57 of the public laws of 1875, that legislation thereon is inexpedient;

Report of the same Committee, on an order relating to so amending the pauper law as to limit to five years the acquiring of a pauper settlement, that legislation thereon is inexpedient;

Report of the same Committee, on an order relating to requiring returns to be made of the number and causes of divorces, that legislation thereon is inexpedient;

Report of the same Committee, on bill (H. R. 22) "an act to enlarge the powers of constables in the service of civil process," that the same bught not to pass;

Report of the Committee on State Lands and State Roads, on the petition of Hiram F. Evans, for a deed of a lot of land in Silver Ridge plantation, that the petitioner have leave to withdraw;

Report of the Committee on Ways and Bridges, on the petition of David Newbegin and others, praying that counties be required to build and maintain certain bridges, that the petitioners have leave to withdraw;

Were severally accepted in concurrence.

*Report of the Committee on Agriculture, on the peti- *129 tion of the Maine State Pure Blood Jersey Stock Associa-

tion, with bill (H. R. 42) "an act to amend an act entitled 'an act to incorporate the Maine State Pure Blood Jersey Stock Association;"

Report of the Committee on Fisheries, on bill (H. R. 28) "an act to amend chapter 263 of the special laws of 1876," that the same ought to pass;

Report of the Committee on the Judiciary, on bill (H. R. 10) "an act relating to the Supreme Judicial Court for the county of Sagadahoc," that the same ought to pass;

Report of the Committee on Legal Affairs, on the petition of B. T. Larrabee and others, submitting bill (H. R. 86) "an act relating to Bridgton Centre Village Corporation;"

Were severally accepted in concurrence, the bills each read once, and Monday assigned for their second reading. The following bills, laid over to be printed, were each read once and Monday assigned for their second reading:

S. 33. "An act to repeal sections 65, 66 and 67 of chapter 18 of the revised statutes."

S. 34. "An act to abolish the highway tax."

Mr. SUMNER presented the petition of inhabitants of the town of Vinalhaven, praying for reimbursement of money paid in 1864, which was referred to the Committee on Claims.

Sent down for concurrence.

On motion by Mr. STEVENS,

Resolved, That when the Senate adjourns it be to meet on Monday at 2 o'clock P. M.

*130 * Mr. PHILLIPS, from the Committee on Legal Affairs, on an order relating to authorizing trial justices to renew executions issued by other trial justices, under certain circumstances, reported that legislation thereon is inexpedient.

Mr. WADSWORTH, from the same Committee, on an order relating to requiring municipal corporations to keep a record of all persons moving into and out of their limits, reported that legislation thereon is inexpedient.

These reports were severally accepted.

Sent down for concurrence.

Mr. THOMPSON, from the Committee on Fisheries, to whom was referred the petition of John M. Brown and others, reported a bill (S. 35) "an act to restrict the killing of seal in Casco bay."

Mr. STEVENS, from the Committee on Railroads, to whom wasreferred bill (S. 26) "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," reported that the same ought to pass.

These reports were accepted, the bills each read once, and Monday assigned for their second reading.

Mr. THOMPSON, from the Committee on Fisheries, to whom was referred (H. R. 7) "resolve for the appointment of a commission to reconstruct the laws relating to fisheries and the protection of fish," reported that the same ought to pass.

The report was accepted, and the resolve laid over to be printed under the Joint Rule. The Committee on Engrossed Bills reported as truly and strictly engrossed the following bill:

S. 4. "An act to authorize contract between *Bucks- *131 port and Bangor Railroad Company and Trustees of European and North American Railway Company, which was passed to be enacted in concurrence.

And this bill, having been signed by the President *pro tempore*, was by the Secretary presented to the Governor for his approval.

On motion by Mr. TOLMAN, at 35 minutes past 10 o'clock A. M.,

The Senate adjourned.

MONDAY, JANUARY 22, 1877.

Met according to adjournment, 2 P. M.

Prayer by Rev. Mr. SAWYER of Hallowell.

The Journal of Saturday was read.

Order from the House:

That the several Joint Select 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 nine o'clock, came from the House read and passed, and

On motion by Mr. WOODBURY,

Ordered, That the foregoing order lie on the table.

* Petition of citizens of Deblois;

*132

Petition of inhabitants of Machiasport,—severally praying for the repeal of the act of 1869, relating to the terms of the Supreme Judicial Court in Washington county;

Remonstrance of citizens of East Machias;

Remonstrance of citizens of Machias,—severally against any change in the game laws;

Petition of citizens of Ellsworth, praying for legislation relating to the exportation of deer and partridges;

Were severally referred to the Committee on Legal Affairs in concurrence.

Report of the Committee on Claims, on an order relating to paying a bounty on bears killed in 1874, that legislation thereon is inexpedient;

Report of the Committee on the Judiciary, on an order relating to returns by persons solemnizing marriages, that legislation thereon is inexpedient;

Report of the Committee on Legal Affairs, on an order relating to abolishing imprisonment for debt, that legislation thereon is inexpedient;

Report of the same Committee, on an order relating to appeals from decisions of trial justices, municipal and police courts, when the judgment is less than twenty dollars, that legislation thereon is inexpedient;

Report of the Committee on Ways and Bridges, on the petition of inhabitants of Mariaville for aid in maintaining roads and bridges, that the petitioners have leave to withdraw;

Were severally accepted in concurrence.

Report of the Committee on Interior Waters, on bill (H. R. 7) *133 "an act to amend the charter of the * Penobscot Log Driv-

ing Company," with the same in a new draft, and that it ought to pass, was accepted in concurrence, the bill read once and to-morrow assigned for its second reading.

The following order, passed by the Senate, came from the House referred to the next Legislature :

Ordered, That the Committee on the Judiciary inquire into the expediency of repealing section 31 of chapter 86 of the revised statutes, relating to disclosures of trustees.

On motion by Mr. THOMPSON,

Ordered, That it lie on the table.

Report of the Committee of Conference on the part of the House, on the disagreeing votes of the two branches on an order relating to authorizing certain committees to visit State institutions, came from the House accepted, and that branch recedes and concurs in the passage of the order as amended by the Senate.

A communication was received from Hon. S. J. Chadbourne, Secretary of State, transmitting the annual report of the Warden and Inspectors of the State Prison for the year 1876, which was read, and Ordered, That the report be referred to the Committee on State Prison.

Sent down for concurrence.

Mr. SHEPHERD presented the petition of Samuel Robinston and others, praying for a redress of wrongs in a matter of insurance, which was referred to the Committee on Mercantile Affairs and Insurance.

Mr. NASH presented the petition of Otis S. Tibbetts * and others, praying that the valuation of township No.18 *134 may be reduced, which was referred to the Committee on Claims.

Sent down for concurrence.

On motion by Mr. WATTS, at 20 minutes past 2 o'clock P. M., The Senate adjourned.

TUESDAY, JANUARY 23, 1877.

Met according to adjournment, 10 A. M.

Prayer by Rev. Mr. FULLER of Hallowell.

The Journal of yesterday was read.

A communication was received from Hon. S. J. Chadbourne, Secretary of State, transmitting the returns of corporations of the list of stockholders, for the year 1876, which was read and sent down.

The following resolve (H. R. 7) "resolve for the appointment of a commission to reconstruct the laws relating to fisheries and the protection of fish," was read once and to-morrow assigned for its second reading.

Mr. NASH presented the remonstrance of the Penobscot Indians against any change in their election laws, which was referred to the Committee on Legal Affairs.

Sent down for concurrence.

* The Committee on Bills in the Second Reading reported *135 • the following bill :

S. 33. "An act to repeal sections 65, 66 and 67 of chapter 18 of the revised statutes," which was read a second time, and

On motion by Mr. STEVENS,

Ordered, That it lie on the table, and that Thursday next be assigned for its consideration.

The same Committee also reported the following bill:

S. 34. "An act to abolish the highway tax," which was read a second time, and

Ordered, That it be referred to the Committee on the Judiciary. Sent down for concurrence.

The Committee on Bills in the Second Reading reported the following bills:

H. R. 7. "An act to amend the charter of the Penobscot Log Driving Company;"

H. R. 10. "An act relating to the Supreme Judicial Court for the county of Sagadahoc;"

H. R. 28. "An act to amend chapter 263 of the special laws of 1876;"

H. R. 42. "An act to amend an act entitled 'an act to incorporate the Maine State Pure Blood Jersey Stock Association;"

H. R. 86. "An act relating to Bridgton Centre Village Corporation;"

Which were read a second time and passed to be engrossed in concurrence.

The same Committee reported the following bills :

S. 26. "An act to amend chapter 313 of the private and
*136 special laws of 1876, to extend the time * for the location and completion of the Somerset Railroad;"

S. 35. "An act to restrict the killing of seal in Casco bay;" Which were read a second time and passed to be engrossed. Sent down for concurrence.

Mr. WHEELWRIGHT, from the Committee on Temperance, to whom was referred sundry petitions relating to Temperance, reported bill (S. 36) "an act to amend chapter 27 of the revised statutes, relating to drinking-houses and tippling-shops."

Mr. WHEELWRIGHT, from the Committee on Temperance, to whom was referred sundry petitions, reported a bill (S. 37) "an act against pool-selling and lotteries." These reports were severally accepted, and the bills each laid over to be printed under the Joint Rule.

On motion by Mr. LENNOX,

The following bill,

H. R. 37. "An act to amend chapter 279 of the special laws of 1876, relating to catching smelts in Monsweag river and bay," was taken from the table.

Mr. LENNOX proposed to amend by inserting after the words "Monsweag bay," the words "or Sheepscot river except in the marshes or tributaries of said river below the falls."

The amendment was agreed to, and the bill as amended passed to be engrossed.

Sent down for concurrence.

On motion by Mr. PHILLIPS,

The order relating to requesting the opinion of the Justices of the Supreme Court upon the following *question: *137 Has the Legislature authority under the Constitution of the State, to prohibit the exportation of deer out of the State, as expressed in chapter 106 of the public laws of 1876, entitled "an act to amend chapter 30, section 9, of the revised statutes, relating to deer?" was taken from the table, and after discussion,

Resolved, That the order be refused a passage.

On motion by Mr. THOMPSON,

The order that the Committee on the Judiciary inquire into the expediency of repealing section 31 of chapter 86 of the revised statutes, relating to disclosures of trustees, (pending concurrence with House in reference to the next Legislature,) was taken from the table, and

On motion by Mr. VINTON,

Resolved, That the Senate insists upon its vote giving the order a passage, and proposes a Committee of Conference.

And Messrs. Vinton of Cumberland, Stevens of Kennebec and Thompson of York, were appointed conferees on the part of the Senate.

Sent down for concurrence.

On motion by Mr. PHILLIPS,

The order relating to requiring the Joint Select Committees to

report finally on or before Monday, January 29th instant, was taken from the table.

Mr. BRAGDON proposed to amend by striking out the words "Monday the 29th of January," and insert instead the words

"Wednesday, January 31st," and pending the adoption of this amendment,

*138 * On motion by Mr. SHEPHERD,

Ordered, That the order lie on the table.

Papers from the House:

Bill (H. R. 87) "an act in relation to proceedings in criminal cases," was referred to the Committee on the Judiciary in concurrence.

Remonstrance of H. W. Danforth and others, against setting off a part of the town of Alton and annexing the same to the town of Lagrange, was referred to the Committee on Towns in concurrence.

On motion by Mr. SHEPHERD, at 22 minutes past 11 o'clock A. M.,

The Senate adjourned.

WEDNESDAY, JANUARY 24, 1877.

Met according to adjournment, 10 A. M.

Prayer by Rev. Mr. CRANE of Hallowell.

The Journal of yesterday was read.

Papers from the House :

H. R. 88. Bill "an act to authorize the formation of mutual savings fund, loan or building associations," was referred to the Committee on Banks and Banking in concurrence.

Remonstrance of citizens of Orono, against abolishing the office of Fish Commissioner, was referred to the Committee on Fisheries in concurrence.

*139 * Remonstrance of inhabitants of Fairfield, against legislation to prevent the throwing of slabs and other refuse into the Kennebec river, was referred to the Committee on Interior-Waters in concurrence.

H. R. 89. Bill "an act to incorporate the Harper Manufacturing Company;"

Petition of inhabitants of Eastport, praying for the repeal of the act of 1869, relating to the terms of the Supreme Judicial Court in Washington county;

Were each referred to the Committee on the Judiciary in concurrence.

Remonstrance of inhabitants of Oldtown, against any modification of the trustee law;

Remonstrance of citizens of Whitneyville;

Remonstrance of citizens of Machiasport;

Remonstrance of citizens of Dennysville,—severally against any change in the game laws;

H. R. 90. Bill "an act authorizing views by juries in all cases;"

Were severally referred to the Committee on Legal Affairs in concurrence.

Remonstrance of inhabitants of Haynesville, against the division of said town, was referred to the Committee on Towns in concurrence.

Petition of inhabitants of Parkman;

Petition of inhabitants of Cambridge,—severally praying to have certain territory set off from the town of Parkman and annexed to Cambridge;

Were each referred to the next Legislature in concurrence.

H. R. 91. Bill "an act in aid of the deaf and dumb school of the city of Portland," was referred to * the Com- *140 mittee on Education in concurrence.

Report of the Committee on Legal Affairs, on an order relating to amending section 6 of chapter 30 of the revised statutes, requiring town treasurers to cut the ears from the skins of animals upon which bounty is claimed, that legislation thereon is inexpedient, was accepted in concurrence.

9

Report of the Committee on Fisheries, on the petition of Charles W. Roberts and others, submitting bill (H. R. 44) "an act amendatory of chapter 125 of the public laws of 1876, for the protection of land-locked salmon, trout and bass," was recommitted to the Committee on Fisheries in concurrence.

Report of the Committee on Fisheries, on an order, submitting bill (H. R. 92) "an act to prevent the taking of trout in Great Works stream and its tributaries in the towns of Amherst, Clifton and Bradley;"

Report of the Committee on the Judiciary, on bill (H. R. 60) "an act in relation to executions," that the same ought to pass;

Report of the Committee on the Judiciary, on an order, submitting bill (H. R. 93) "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;"

Report of the Committee on Legal Affairs, on bill (II. R. 35) "an act to make valid certain doings of the inhabitants of Bridgton Centre Village Corporation in the town of Bridgton," that

the same ought to pass;

*141 Report of the Committee on Railroads, on * bill (H. R. 58) "an act additional, relative to the Orchard Beach Railroad Company," that the same ought to pass;

Were severally accepted in concurrence, the bills each read once, and to-morrow assigned for their second reading.

Report of the Committee on Legal Affairs, on an order relating to requiring municipal corporations to keep a record of all persons moving into and out of their limits, that legislation thereon is inexpedient, accepted by the Senate, came from the House nonconcurred and recommitted, and was recommitted in concurrence.

Petition of Samuel Robinston and others, for redress of wrongs in a matter of insurance, referred by the Senate to the Committee on Mercantile Affairs and Insurance, came from the House nonconcurred and referred to the next Legislature.

The Senate receded and concurred with the House.

Petition of inhabitants of Vinalhaven, for reimbursement of money paid in 1864, referred by the Senate to the Committee on Claims, came from the House non-concurred and referred to the next Legislature.

The Senate receded and concurred with the House.

A communication was received from Hon. Ezreff H. Banks, Treasurer elect, signifying his acceptance of the trust, and transmitting his official bond.

The communication was read, and

On motion by Mr. STURGIS,

*Ordered, That the bond be referred to the Committee *142 on Financial Affairs.

Sent down for concurrence.

On motion by Mr. VINTON,

Ordered, That the Secretary prepare and publish, under his supervision and direction, the usual number of copies of the Journal of proceedings of the present session of the Senate.

Mr. WHEELWRIGHT, from the Committee on the Judiciary, on an order relating to the protection of citizens in the right of suffrage, who may change their residences within three months next before election, that legislation thereon is inexpedient.

Mr. WHEELWRIGHT, from the Committee on the Judiciary, to whom was referred a bill (S. 3) "an act to amend section 3, chapter 7 of the revised statutes, relating to election returns," reported that the same ought not to pass.

These reports were accepted.

Sent down for concurrence.

Mr. VINTON, from the Committee on the Judiciary, to whom was referred a bill (S. 12) "an act to promote the efficiency of the police force of the city of Portland," reported the same in a new draft and that it ought to pass.

Mr. VINTON, from the Committee on the Judiciary, to whom was referred the memorial of the city of Portland, relating to an amendment of its charter, reported a bill (S. 38) "an act additional, relating to the city of Portland, limiting its power to create debts.

These reports were accepted, the bills each read once, and tomorrow assigned for their second reading.

* Mr. SHEPHERD, from the Committee on Education, *143 to whom was referred the petition of inhabitants of Woodland, for the correction of an error in the apportionment of school money, reported (S. 2) "resolve in favor of the town of Wood-land."

Mr. VINTON, from the Committee on the Judiciary, to whom was referred the report of the Attorney General, submitted a bill (S. 39) "an act in relation to county attorneys," and that it ought to pass.

Mr. VINTON, from the Committee on the Judiciary, reported a bill (S. 40) "an act in relation to county treasurers," and that it ought to pass.

Mr. VINTON, from the Committee on the Judiciary, reported a bill (S. 41) "an act to facilitate the detection and punishment of certain offences," and that it ought to pass.

Mr. BOARDMAN, from the Committee on State Lands and State Roads, to whom was referred a bill (S. 28) "an act authorizing the sale of islands belonging to the State," reported that the same ought to pass.

Mr. BOARDMAN, from the Committee on State Lands and State Roads, on an order, reported (S. 3) "resolve relating to the partition of lands in township No. 18, in range 3, known as the town of Grand Isle."

These reports were severally accepted, and the bills and resolves each laid over to be printed under the Joint Rule.

Mr. LENNOX, from the Joint Select Committee on the Enlargement of the State House, reported, recommending:

*144 That the Governor, with the advice and * consent of the Council, be directed to appoint a commission, to consist of

three men, whose duties shall be to procure a plan or plans, specifications and estimates for enlarging the State House, said commission to report to the Governor and Council before the session of the next Legislature.

The report was accepted.

Sent down for concurrence.

On motion by Mr. PHILLIPS,

The order relating to the final reports of the Joint Select Committees, was taken from the table.

Mr. PHILLIPS proposed to amend by striking out all after the word "Ordered," and inserting the following:

That the several Committees of the Legislature be and are hereby directed to report finally on or before Wednesday, January 31st instant.

The amendment was agreed to and the order passed. Sent down for concurrence.

The order relating to amending section 31 of chapter 86 of the revised statutes, relating to disclosures of trustees, came from the House, with the Committee of Conference joined by that branch as follows:

Messrs Cleaves of Portland, Buck of Foxcroft and Chadbourne of Waterboro'.

The Committee on Bills in the Second Reading reported the following resolve:

H. R. 7. "Resolve for the appointment of a commission to reconstruct the laws relating to fisheries and the protection of fish," which was read a second time.

* Mr. SHEPHERD proposed to amend by striking out *145 all after the word "Resolved," and inserting the following :

That the Governor be instructed to appoint a commission, consisting of five persons, whose duty it shall be to codify, amend or add to the laws relating to game, to fisheries, the protection and propagation of fish, and to determine what legislation is necessary to give effect to chapter 40, section 26, of the revised statutes, in relation to opening fish-ways through dams and other obstructions, to the end that all portions of the State, so far as practicable, may be benefitted by the culture and propagation of fish, and report the same to the next Legislature.

The amendment was agreed to, and the resolve, as amended, passed to be engrossed.

Sent down for concurrence.

On motion by Mr. BRAGDON, at 5 minutes past 11 o'clock A. M.,

The Senate adjourned.

THURSDAY, JANUARY 25, 1877.

Met according to adjournment, 10 A. M.

Prayer by Rev. Mr. Allen of Hallowell.

The Journal of yesterday was read.

Papers from the House:

*146 Petition of Edwin Gray and others, praying * for legislation to authorize towns and plantations to form insurance companies;

Petition of William D. Orr, praying for a deed of a lot of land; Were referred to the next Legislature in concurrence.

Petition of J. H. Douglass and others;

Petition of citizens of Winthrop;

Petition of Cyrus Morrill and others;

Petition of W. H. Whitcomb and others,—severally praying for the continuance of the office of Fish Commissioner;

Petition of A. P. Bradbury and others, praying for an amendment of chapter 125 of the public laws of 1876, relating to the close-time for trout;

Were severally referred to the Committee on Fisheries in concurrence.

H. R. 94. Bill "an act to amend an act entitled an act to incorporate the Masonic Trustees of Lewiston;"

H. R. 95. Bill "an act to amend chapter 40, section 50, of the revised statutes, relative to Pleasant river;"

H. R. 96. Bill "an act to amend section 53 of chapter 11 of the revised statutes, relating to the election of superintending school committees;"

Remonstrance of citizens of Ellsworth;

Remonstrance of the members of the city government of Ellsworth,—severally against changing the time for holding the municipal election in said city;

Were severally referred to the Committee on the Judiciary in concurrence.

Petition of citizens of Machias, praying * for the repeal *147 of the act of 1869, relating to the Supreme Judicial Court for Washington county;

Remonstrance of George Burnham, Jr., and others, against any change in the game laws of the State;

Were each referred to the Committee on Legal Affairs in concurrence.

Petition of William Loverin and others, praying for legislation to prevent the use of certain wheels on the roads in Baileyville, came from the House referred to the Committee on State Lands and State Roads.

The Senate non-concurred, and referred the petition to the next Legislature under the Joint Order.

H. R. 14. "Resolve amendatory of chapter 156 of the resolves of 1876, entitled 'resolve in favor of John Ryan," was referred to the Committee on State Lands and State Roads in concurrence.

Report of the Committee on the Judiciary, on sundry petitions relating to the exportation of deer and partridges, that the same be referred to the Committee on Legal Affairs, was accepted in concurrence.

Report of the Committee on the Judiciary, on the petition of D. H. Bisbee, for an amendment of the charter of the Camden Village Corporation, submitting a bill (H. R. 129—without a title,) came from the House recommitted, and was recommitted in concurrence.

Report of the Committee on Education, on the petition of Joseph H. Holden and others, for an amendment of section 59 of the school laws, that legislation thereon is inexpedient;

*Report of the Committee on Commerce, on the petition *148 of Daniel W. True and others, and bill (H. R. 12) "an act

relating to security for stores and provisions furnished vessels owned by citizens of this State," that the petitioners have leave to withdraw;

Report of the Committee on Commerce, on the petition of John H. Stimson and others, for a charter for a bridge over the Sullivan river, between Sullivan and Hancock, that the petitioners have leave to withdraw;

Report of the Committee on Education, on an order relating to abolishing the school district system, that legislation thereon is inexpedient;

Report of the Committee on State Lands and State Roads, on orders relating to the claims of John Parent and others, and Wm. Hart, and the petitions of E. S. Perry, Levi Sears and Rufus G. Stone, for lots of land, that legislation thereon is inexpedient;

Report of the same Committee, on the petition of Caleb G. Sprague, for a lot of land, that the petitioner has leave to withdraw;

Report of the same Committee, on the petition of Nelson Turney, for a deed of a lot of land, that the petitioner has leave to withdraw;

Report of the same Committee, on the petition of Joel Valley and others, for the remission of settling duties to all holders of land certificates in the town of Blaine, that the petitioners have leave to withdraw;

Were severally accepted in concurrence.

Report of the Committee on Banks and Banking, on the *149 petition of T. C. Woodman, receiver * of the Bucksport Savings Bank, with (H. R. 15) "resolve in favor of Theodore C. Woodman, receiver of the Bucksport Savings Bank;"

Report of the Committee on the Judiciary, on bill (H. R. 15) "an act to amend section 56, chapter 51 of the revised statutes, and additional to chapter 122 of the public laws of 1876," with the same in a new draft, and that it ought to pass;

Report of the same Committee, on bill (H. R. 11) "an act additional relating to corporations," that the same ought to pass;

Report of the Committee on the Judiciary, on bill (H. R. 16) "an act to amend section 18 of chapter 81 of the revised statutes, relating to service on corporations in civil actions," with the same in a new draft, and that it ought to pass;

Report of the same Committee, on bill (H. R. 19) "an act to amend section 8 of chapter 86 of the revised statutes, relating to trustee process, as heretofore amended," with the same in a new draft, and that it ought to pass;

Report of the Committee on Legal Affairs, on the petition of M. A. Phillips and others, submitting a bill (H. R. 98) "an act to make valid the doings of the town of Weld;"

Report of the Joint Select Committee on Maine State Year Book, on an order, submitting (H. R. 16) "resolve for the purchase of the Maine State Year Book and Legislative Manual;"

Report of the Committee on Railroads, on an order, submitting bill (H. R. 99) "an act to prevent loitering, without right, within the station houses, or about the premises of railroad corporations;"

* Report of the same Committee, on bill (H. R. 57) "an *150 act to amend section 6 of chapter 120 of the public laws of

1876, to authorize the formation of railroad corporations," that the same ought to pass;

Report of the Committee on State Lands and State Roads, on an order, submitting (H. R. 17) "resolve amendatory to chapter 20 of resolves of 1875, entitled 'resolve in favor of Crystal plantation in the county of Aroostook;""

Were severally accepted in concurrence, the bills and resolves each read once, and to-morrow assigned for their second reading.

A communication was received from Hon. S. J. Chadbourne, Secretary of State, transmitting the annual report of the Railroad Commissioners for the year 1876, which was read, and

Ordered, That the report be referred to the Committe on Railroads.

Sent down for concurrence.

The following printed bills and resolves were each read once and to-morrow assigned for their second reading:

S. 36. "An act to amend chapter 27 of the revised statutes, relating to drinking-houses and tippling-shops."

S. 37. "An act against pool-selling and lotteries."

S. 2. "Resolve in favor of the town of Woodland."

S. 3. "Resolve relating to the partition of lands in township No. 18, in range 3, known as the town of Grand Isle."

Mr. STEVENS, from the Joint Select Committee on Printing and Binding, on an order of * the Legislature, re- *151 ported that the Committee had contracted with Messrs. Sprague, Owen & Nash to do the State printing for the current year, and submitted the contract.

The report was accepted, and the contract read and approved. Sent down for concurrence. Mr. STEVENS, from the Joint Select Committee on Printing and Binding, reported that said Committee had entered into a contract with Messrs. E. H. W. Smith & Co., to do the binding for the State for the current year, and submitted the contract.

The report was accepted, and the contract read and approved. Sent down for concurrence.

Mr. BRAGDON, from the Committee on Indian Affairs, to whom was referred the petition of White Averill and others, for abatement of shore rents in Penobscot river, reported that the petitioners have leave to withdraw.

Mr. WEBB, from the Committee on Pensions, to whom was referred the petition of S. O. Dinsmore and others, praying for an appropriation in aid of W. W. Walker, reported that the same be referred to the Committee on Claims.

Mr. WADSWORTH, from the Committee on Legal Affairs, to whom was referred the petition of inhabitants of Milbridge and others, for the repeal of the act of 1869, relating to the terms of the Supreme Judicial Court in Washington county, reported that

the petitioners have leave to withdraw.

*152 Mr. HOBSON, from the Committee on * Manufactures, to whom was referred the petition of William W. Castle, for a change of the name of the Belfast Foundry Company, reported that the petitioner has leave to withdraw.

Mr. HOBSON, from the Committee on Manufactures, to whom was referred the petition of William W. Castle and others, for the incorporation of the Belfast Granite Works, reported that the petitioners have leave to withdraw.

These reports were severally accepted.

Sent down for concurrence.

Mr. WHEELWRIGHT, from the Committee on the Judiciary, to whom was referred a bill (S. 31) "an act to amend section 16 of chapter 77 of the revised statutes, relating to the powers of the Supreme Judicial Court," reported that it ought to pass.

Mr. VINTON, from the Committee on the Judiciary, to whom was referred a bill (S. 23) "an act in relation to police and municipal courts," reported the same in a new draft, under title of (S. 23) "an act in relation to municipal and police courts."

Mr. VINTON, from the Committee on the Judiciary, to whom was referred a bill (S. 25) "an act to amend section 14 of chapter 6 of the revised statutes, relating to the taxing of personal property," reported the same in a new draft, and that it ought to pass.

Mr. WHEELWRIGHT, from the Committee on the Judiciary, to whom was referred a bill (S. 21) "an act to authorize the appointment of police officers at camp-meetings," reported that the same ought to pass.

Mr. WADSWORTH, from the Committee on Legal *Af- *153 fairs, to whom was referred a bill (S. 19) "an act to confirm the doings of School District No. 15 in Berwick," reported that the same ought to pass.

Mr. BURLEIGH, from the Committee on State Lands and State Roads, to whom was referred the petition of Jesse Craig, local agent of township No. 4, range 4, reported (S. 4) "resolve in favor of Benjamin R. Walker and Joseph C. Walker."

Mr. IRISH, from the Committee on State Lands and State Roads, to whom was referred the petition of John P. Webber, for a conveyance of land, reported (S. 5) "resolve in favor of John P. Webber."

These reports were severally accepted, and the bills and resolves each laid over to be printed under the Joint Rule.

Mr. VINTON presented a bill (S. 42) "an act to repeal section 31 of chapter 86 of the revised statutes, relating to trustee disclosures," which was referred to the Committee on the Judiciary.

Sent down for concurrence.

Mr. WHEELWRIGHT presented (S. 6) "resolve relating to the compromise bill, so called."

Resolved, That Hon. Hannibal Hamlin and Hon. James G. Blaine, Senators from this State, in voting against the compromise bill for counting the electoral vote now pending in Congress, receive the hearty approval of this Legislature.

And after discussion, on motion by Mr. WHITE,

Ordered, That it lie on the table.

On motion by Mr. WHEELWRIGHT,

The vote was reconsidered whereby the *Senate accepted *154 the report of the Committee of the Judiciary, on bill (S. 3)

"an act to amend section 3, chapter 7 of the revised statutes, relating to election returns," that the same ought not to pass, and

Ordered, That the report be recommitted.

Sent down for concurrence.

The Committee on Bills in the Second Reading reported the following bills:

H. R. 58. "An act additional relative to the Orchard Beach Railroad Company;"

H. R. 35. "An act to make valid certain doings of the inhabitants of Bridgton Centre Village Corporation in the town of Bridgton;"

H. R. 93. "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;"

H. R. 60. "An act in relation to executions ;"

H. R. 92. "An act to prevent the taking of trout in Great Works stream and its tributaries in the towns of Amherst, Clifton and Bradley;"

Which were read a second time and passed to be engrossed in concurrence.

The same Committee reported the following bills :

S. 12. "An act to promote the efficiency of the police force of the city of Portland;"

S. 38. "An act additional relating to the city of Portland, limiting its power to create debts;"

Which were read a second time and passed to be engrossed. Sent down for concurrence.

*155 * On motion by Mr. PEAKS,

The Senate proceeded to the consideration of the orders of the day.

S. 33. "An act to repeal sections 65, 66 and 67 of chapter 18 of the revised statutes," and pending its passage to be engrossed,

On motion by Mr. WOODBURY, at 40 minutes past 12 o'clock M.,

The Senate adjourned.

>

FRIDAY, JANUARY 26.

FRIDAY, JANUARY 26, 1877.

Met according to adjournment, 10 A. M.

Prayer by Rev. Mr. NEWCOMBE of Hallowell.

The Journal of yesterday was read.

Papers from the House:

Petitions of citizens of Westbrook, praying for an increase of the salary of the judge of probate of Cumberland county," was referred to the Cumberland County Delegation in concurrence.

Petition of citizens of Maine, for the protection of trout, was referred to the Committee on Fisheries in concurrence.

Credentials of Tomah Peol Tomah, representative of the Passamaquoddy Tribe of Indians, were referred to the Committee on Indian Affairs in concurrence.

* H. R. 100. Bill "an act to amend an act entitled an *156 act to extend the time for locating the route of the Portland, Rutland, Oswego and Chicago Railroad, approved February 1, 1873;"

H. R. 101. Bill "an act to amend section 15 of chapter 67 of the revised statutes, relating to guardians;"

H. R. 102. Bill "an act to amend section 27 of chapter 84 of the revised statutes, relating to offsets;"

H. R. 103. Bill "an act to amend chapter 82, section, 87 of the revised statutes, relative to admission of evidence;"

H. R. 18. "Resolve concerning an amendment of the Constitution of Maine, relating to elections;"

Were severally referred to the Committee on the Judiciary in concurrence.

H. R. 19. "Resolve in favor of the town of Anson," was referred to the Committee on Library in concurrence.

H. R. 20. "Resolve authorizing the removal of the colors presented the Seventeenth Regiment of Maine Volunteers by the merchants of Portland," was referred to the Committee on Miliitary Affairs in concurrence. H. R. 21. "Resolve is favor of Swedish settlers," was referred to the Committee on State Lands and State Roads in concurrence.

Report of the Committee on Agriculture, on bill (H. R. 61) "an act to incorporate the Bath Driving Park," that legislation thereon is unnecessary;

Report of the Committee on Commerce, on bill (H. R. 64) "an act to authorize the Lincolnville Railroad Company to build

*157 a wharf in the tide * waters of Penobscot bay, near the mouth of Duck Trap stream in Lincolnville," that legislation thereon is inexpedient;

Report of the Committee on Education, on an order and sundry petitions, relating to the repeal of the free high school act, that legislation thereon is inexpedient;

Report of the Committee on Financial Affairs, on an order relating to amending chapter 45 of the revised statutes, relating to interest, that legislation thereon is inexpedient;

Report of the Committee on Financial Affairs, on an order relating to the cost of furnishing certain Maine Reports, that legislation is inexpedient;

Report of the Committee on Indian Affairs, on the petition of the Penobscot Indians, in behalf of the aged and poor of said tribe, that the petitioners have leave to withdraw;

Report of the Committee on Indian Affairs, on the petition of the Penobscot Indians, for an amendment of the game laws of the State, that the same be referred to the Committee on Legal Affairs;

Report of the Committee on Interior Waters, on the petition of Thomas Goodale, for authority to build locks, dams and side dams in the towns of Shapleigh and Acton, that the same be referred to the next Legislature, with an order of notice;

Report of the Committee on the Judiciary, on an order relating to amending section 116 of chapter 6 of the revised statutes, relating to the taxation of personal property of non-residents, that

legislation thereon is inexpedient;

process, that legislation thereon is inexpedient;

*158 Report of the same Committee, on *(H. R. 11,) "resolve relating to the purchase by the State of 'Webb's Railroad

Laws,'" that the same ought not to pass ; Report of the same Committee, on an order relating to amending chapter 86 of the revised statutes, relating to costs in trustee

>

Report of the Committee on the Judiciary, on bill (H. R. 50) "an act additional to chapter 7 of the revised statutes, relative to registers of deeds," that the same ought not to pass;

Report of the same Committee, on bill (H. R. 53) "an act to incorporate the Deering Land and Building Company," that it ought not to pass;

Report of the same Committee, on bill (H. R. 89) "an act to incorporate the Harper Manufacturing Company," that the same ought not to pass;

Report of the Committee on the Judiciary, on the petition of citizens of Ellsworth, for a change of the day of municipal election, that the same be referred to the Hancock County Delegation;

Report of the Committee on Legal Affairs, on the petition of the Penobscot Indians, for a change in the election laws, that the petitioners have leave to withdraw;

Report of the same Committee, on bill (H. R. 34) "an act to amend section 6 of chapter 6 of the revised statutes, relating to the exemption from taxation of certain property," that the same be referred to the next Legislature, with an order of notice;

Report of the Committee on Legal Affairs, on bill (S. 20) "an act to regulate the practice of * medicine," that the *159 same ought not to pass;

Report of the Committee on Pensions, on (H. R. 5) "resolve in favor of Reuben Burnham," that the same ought not to pass;

Report of the Committee on Towns, on the petition of J. Lovejoy and and others, for a division of the town of Alton, that the petitioners have leave to withdraw;

Were severally accepted in concurrence.

Report of the Committee on Commerce, on the petition of Hiram L. Chase and others, submitting bill (H. R. 104) "an act to incorporate the Cornelius Pond Ice Company," and that it ought to pass;

Report of the same Committee, on bill (H. R. 43) "an act to authorize the city of Bath to appoint a harbor master for the port of Bath, and establish regulations for the anchorage of vessels in said port," that the same ought to pass;

Report of the Committee on Fisheries, on bill (H. R. 36) "an

act for the protection of fish in certain ponds in the town of Standish," that the same ought to pass;

Report of the Committee on the Judiciary, on the petition of Frederick Gilkey and others, with bill (H. R. 105) "an act to authorize the Second Baptist Society of Gorham to sell and convey all its personal and real estate;"

Report of the Committee on the Judiciary, on the petition of inhabitants of Rockland, praying that the city government may be authorized to pave the streets of said city and assess the abuttors for betterments, with bill (H. R. 106) "an act additional to an act to incorporate the city of Rockland;"

*160 * Report of the Committee on the Judiciary, on bill (H. R. 52) " an act to amend an act to incorporate the Trustees of

the Soldiers' Home in Portland," that the same ought to pass;

Report of the same Committee, on bill (H. R. 54) "an act additional to chapter 298 of the special laws of the year 1876, establishing the Ellsworth Municipal Court," with the same in a new draft, and that it ought to pass;

Report of the Committee on Legal Affairs, on bill (H. R. 33) "an act repealing sections 5, 6, 7 and 8, chapter 30 revised statutes, relating to bounty on bears and wolves," that the same ought to pass;

Report of the Committee on Towns, on an order relating to the election of municipal officers, with bill (H. R. 107) "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;"

Were severally accepted in concurrence, the bills each read once, and to-morrow assigned for their second reading.

Report of the Committee on Banks and Banking, on bill (S. 7)"an act to revise and consolidate the laws relating to the government, powers, duties, privileges and liabilities of savings banks and institutions for savings," recommending that the bill, as drafted by the commission to revise the savings bank laws, be amended as per sheet "A," attached to the report, and that it

ought to pass, (for bill, with amendments recommended by *161 the Committee, *incorporated, see House Printed Doc.

No. 9,) was accepted in concurrence, the bill read once, and Tuesday next assigned for its second reading. Report of the Joint Select Committee on Enlargement of the State House, came from the House recommitted, and was recommitted in concurrence.

A communication was received from Hon. S. J. Chadbourne, Secretary of State, transmitting the annual report of the Trustees and Superintendent of the State Reform School for the year 1876, which was read, and

Ordered, That the report be referred to the Committee on Reform School.

Sent down for concurrence.

The report of the Governor and Council, to whom was referred a resolve by the last Legislature, in favor of certain towns and plantations, with instructions to report to the next Legislature whether the sums therein named were illegally and wrongfully demanded and received of the several towns and plantations therein named, and if so whether the same is still equitably due them, was received, and

Ordered, That it be printed and referred to the Committee on Claims.

Sent down for concurrence.

The following printed bills were each read once, and Monday assigned for their second reading:

S. 28. "An act authorizing the sale of islands belonging to the State."

S. 39. "An act in relation to county attorneys."

*S. 40. "An act in relation to county treasurers." *162 S. 41. "An act to facilitate the detection and punishment of offences."

Mr. JORDAN, from the Committee on Interior Waters, to whom was referred the bill (S. 16) "an act to amend section 1 of chapter 332 of the private and special laws of 1870," reported the same in a new draft, under title of (S. 16) "an act to prevent the throwing of refuse wood, timber or fibrous material created by the sawing of lumber, into the Piscataquis river," and that the same ought to pass.

Mr. BROWN, from the Committee on Railroads, to whom was referred a bill (S. 9) "an act further extending the time within

10 .

which to file the location and also to complete the Northern Aroostook Railroad," reported that the same ought to pass.

Mr. BROWN, from the Committee on Railroads, to whom was referred the bill (S. 5) "an act additional to the acts which constitute the charter of the Bangor and Piscataquis Railroad Company," reported the same in a new draft, and that it ought to pass.

Mr. STEVENS, from the Committee on Railroads, to whom was referred the bill (S. 30) "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," reported that the same ought to pass.

These reports were severally accepted, the bills each read once, and Monday assigned for their second reading.

*163 Mr. WHEELWRIGHT, from the Committee on the * Judi-

ciary, to whom was referred the bill (S. 24) "an act additional to chapter 67 of the revised statutes, relating to the appointment of guardians," reported that the same ought to pass.

Mr. BOARDMAN, from the Committee on State Lands and State Roads, to whom was referred the petition of Francis A. Reed, reported (S. 7) "resolve authorizing the, Governor and Council to adjust with Francis A. Reed a note held by the State against him."

Mr. WADSWORTH, from the Committee on Ways and Bridges, to whom was referred the petition of Jeremiah Page and others, reported (S. 8) "resolve in favor of township No. 1, North Division, county of Penobscot.

These reports were severally accepted, and the bills and resolves each laid over to be printed under the Joint Rule.

Mr. STURGIS, from the Committee on Financial Affairs, to whom was referred the official bond of Hon. Ezreff H. Banks, State Treasurer elect, reported that having examined said bond, they find it correctly drawn, that the sureties are responsible and sufficient, and recommend its approval.

The report was accepted and the bond approved. Sent down for concurrence. Mr. BAILEY, from the Committee on Claims, to whom was referred the petition of Warren Johnson, for balance of pay, reported that the petitioner has leave to withdraw.

Mr. VINTON, from the Committee on the Judiciary, to whom was referred the bill (S. 22) "an act providing for the examination of judgment * debtors," reported that the *164 same ought not to pass.

Mr. WHEELWRIGHT, from the Committee on the Judiciary, on an order relating to additional safety against fire in public buildings, reported that legislation thereon is inexpedient.

Mr. BROWN, from the Committee on Railroads, to whom was referred the bill (S. 29) "an act to amend section 71 of chapter 51 of the revised statutes, relating to railroads," reported that the same ought not to pass.

Mr. STEVENS, from the Committee on Railroads, to whom was referred bill (S. 8) "an act to amend section 31 of chapter 51 of of the revised statutes, relating to brakemen on railroad trains," reported that the same ought not to pass.

Mr. WADSWORTH, from the Committee on Ways and Bridges, to whom was referred the bill (H. R. 26) "an act authorizing and regulating the construction of the Deering Boulevard and Water Park," reported that the same ought not to pass.

These reports were severally accepted.

Sent down for concurrence.

The Committee on Bills in the Second Reading reported the following bill:

S. 36. "An act to amend chapter 27 of the revised statutes, relating to drinking-houses and tippling-shops," which was read a second time.

Mr. WHEELWRIGHT proposed to amend the bill in section 6, by striking out the words, "or by complaint or indictment," and adding the words "to be brought by the Attorney General in behalf of the State," and pending its adoption,

* On motion by Mr. BRACKETT,

*165

Ordered, That the bill lie on the table, and that Tuesday next be assigned for its consideration.

The Committee on Bills in the Second Reading reported the following bills and resolve : H. R. 99. "An act to prevent loitering, without right, within the station houses, or about the premises of railroad corporations;"

H. R. 57. "An act to amend section 6 of chapter 120 of the public laws of 1876, to authorize the formation of railroad corporations;"

H. R. 15. "An act to amend section 56, chapter 51 of the revised statutes, and additional to chapter 122 of the public laws of 1876;"

H. R. 11. "An act additional relating to corporations;"

H. R. 16. "An act to amend section 18 of chapter 81 of the revised statutes, relating to service on corporations in civil actions;"

H. R. 19. "An act to amend section 8 of chapter 86 of the revised statutes, relating to trustee process, as heretofore amended;"

H. R. 98. "An act to make valid the doings of the town of Weld;"

H. R. 16. "Resolve for the purchase of the Maine State Year Book and Legislative Manual;"

Which were read a second time and passed to be engrossed in concurrence.

The same Committee reported the following resolve :

H. R. 15. "Resolve in favor of Theodore C. Woodman, receiver of the Bucksport Savings Bank," which was read a second time, House amendment "A" was agreed to, and the resolve passed to be engrossed in concurrence.

*166 * The same Committee reported the following resolve:

H. R. 17. "Resolve amendatory to chapter 20 of resolves of 1875, entitled 'resolve in favor of Crystal plantation in the county of Aroostock,'" which was read a second time, House amendment "A" agreed to, and the resolve passed to be engrossed in concurrence.

The same Committee reported the following bill and resolves :

S. 37. "An act against pool-selling and lotteries."

S. 2. "Resolve in favor of the town of Woodland."

S. 3. "Resolve relating to the partition of lands in township No. 18, in range 3, known as the town of Grand Isle."

Which were read a second time and passed to be engrossed. Sent down for concurrence.

The Committee on Engrossed Bills reported as truly and strictly engrossed the following bills :

H. R. 7. "An act to amend the charter of the Penobscot Log Driving Company;"

H. R. 10. "An act relating to the Supreme Judicial Court for the county of Sagadahoc;"

H. R. 42. "An act to amend an act entitled 'an act to incorporate the Maine State Pure Blood Jersey Stock Association;"

H. R. 86. "An act relating to Bridgton Centre Village Corporation;"

H. R. 60. "An act in relation to executions;"

Which were each passed to be enacted in concurrence.

The Committee on Engrossed Bills also reported as truly and strictly engrossed the following resolve:

*S. 12. "Resolve relating to a national prohibitory *167 law," which was finally passed in concurrence.

And these several bills and resolve, having been signed by the President, were by the Secretary presented to the Governor for his approval.

The contract with Messrs. Sprague, Owen & Nash, to do the State printing for the current year, came up from the House approved in concurrence, and was by the Secretary lodged in the office of the Secretary of State.

The contract with Messrs. E. H. W. Smith & Company to do the State binding for the current year, came from the House approved in concurrence, and was by the Secretary lodged in the office of the Secretary of State.

The Senate resumed consideration of the bill (S. 33) "an act to repeal sections 65, 66 and 67 of chapter 18 of the revised statutes," under consideration at adjournment, and

On motion by Mr. IRISH,

Ordered, That the further consideration of the bill be postponed until Tuesday next, and that the Senate proceed to vote thereon on Wednesday next at 12 o'clock M. On motion by Mr. VINTON,

Resolved, That when the Senate adjourns it be to meet on Monday next at half-past two o'clock P. M.

On motion by Mr. WEBB, at 50 minutes past 11 o'clock A. M., The Senate adjourned.

***168**

* MONDAY, JANUARY 29, 1877.

Met according to adjournment, 2:30 P. M.

Prayer by Rev. Mr. PARK of Gardiner.

The Journal of Friday was read.

Order from the House:

That the papers relating to the claim of Benjamin Smith of Appleton, for pension, be taken from the file and referred to the Committee on Pensions, came from the House read and passed.

The Senate non-concurred, and the order was referred to the next Legislature.

Sent down for concurrence.

Remonstrance of citizens of Parkman;

Remonstrance of citizens of Cambridge;

Remonstrance of citizens of Abbott;

Remonstrance of citizens of Foxcroft;

Remonstrance of citizens of Guilford,—severally against setting off a portion of Parkman and annexing the same to the town of Cambridge;

Petition of O. R. Sivois and others of Madawaska, for aid in building a bridge;

Petition of inhabitants of Fort Kent, for aid to build a road from Caribou to Fort Kent;

Petition of C. E. Beale of Pleasant Ridge plantation, for a lot of land;

Were severally referred to the next Legislature in concurrence.

*169 * Petition of Charles P. Church and others, for the continuance of the office of Fish Commissioner, was referred to the Committee on Fisheries in concurrence. H. R. 108. Bill "an act requiring accounts and claims against towns, cities, etc., to be verified by oath;"

H. R. 113. Bill "an act to amend section 36 of chapter 91 of the revised statutes;"

H. R. 114. Bill "an act for the better protection of life in buildings occupied for public purposes;"

H. R. 115. Bill "an act to amend section 21 of chapter 113 of the revised statutes;"

Were severally referred to the Committee on the Judiciary in concurrence.

H. R. 109. Bill "an act to amend section 10, chapter 131 of the revised statutes, relating to allegations in indictments," was referred to the Committee on Legal Affairs in concurrence.

Petition of E. Randall and others;

Petition of Isaiah Perry and others,—severally for legislation to make free Merrymeeting bay bridge;

Remonstrance of citizens of Cape Elizabeth;

Remonstrance of Samuel Haskell and others;

Remonstrance of J. C. York and others;

Remonstrance of Ezra Scammon and others,—severally against authorizing the County Commissioners of Cumberland county to lay out a road across tide waters in Cape Elizabeth;

Were each referred to the Committee on Ways and Bridges in concurrence.

Report of the Committee on Interior Waters, on an order relating to amending chapter 239 of the public laws of 1874,

relating to gaming and shooting *wild ducks, with bill *170 (H. R. 116) "an act to amend chapter 239, section 2, of

the public laws of 1874, relating to game," that the same be referred to the Committee on Legal Affairs;

Report of the Committee on the Judiciary, on the petition of John T. Hull and others, for legislation relating to building and loan associations, that the same be referred to the Committee on Banks and Banking;

Were severally accepted in concurrence.

Report of the Committee on State Lands and State Roads, on the petition of inhabitants of Wellington, for an appropriation in aid of building a road, with (H. R. 22) "resolve in favor of the town of Wellington," came from the House recommitted, and was recommitted in concurrence.

Report of the Committee on the Judiciary, on the petition of C. A. Barnard and others, for legislation authorizing the city of Calais to take stock in or loan its credit to the St. Croix and Mattawamkeag Railroad, came from the House recommitted, and was recommitted in concurrence.

Report of the Committee on Claims, on an order relating to repealing the law providing for paying a bounty on bears, that legislation thereon is inexpedient;

Report of the same Committee, on the petition of the town of Greenville, and (II. R. 3) "resolve to reimburse the town of Greenville," that the petitioners have leave to withdraw;

Report of the Committee on Claims, on (H. R. 4) "resolve in favor of John Relehan," that the same ought not to pass;

Report of the Committee on Indian Affairs, on the petition *171 of Lewis Snow of the Passamaquoddy *Indians, for the

purchase of a wood lot for said tribe, that the petitioner has leave to withdraw;

Report of the Committee on Interior Waters, on the petition of John Gardner and others, for legislation fixing the toll on logs passing the Shin Pond dam, that the same be referred to the next Legislature;

Report of the same Committee, on the petition of Charles E. Allen and others, for the repeal or amendment of section 7 of chapter 42 of the revised statutes, relating to logs or timber lodged on lands by freshets, that the same be referred to the next Legislature, with an order of notice;

Report of the Committee on the Judiciary, on the petition of Warren Leighton and others, for the repeal of the act of 1869, relating to the Supreme Judicial Court in Washington county, known as the Calais Court bill, that the petitioners have leave to withdraw;

Report of the same Committee, on bill (H. R. 40) "an act to amend chapter 107 of the public laws of 1876, relating to elections," that the same ought not to pass;

Report of the same Committee, on an order relating to amending sections 65 and 67 of chapter 64 of the revised statutes, re-

152

lating to the embezzlement of the property of deceased persons, that legislation thereon is inexpedient;

Report of the same Committee, on an order relating to amending and defining chapter 227 of the public laws of 1874, relating to the powers and duties of county commissioners, that legislation thereon is inexpedient;

Report of the same. Committee, on bill (H. R. 47) "an act to amend section 27, of chapter 91 * of the revised *172 statutes, relating to mortgages of property, liens and their enforcement," that the same ought not to pass;

Report of the same Committee, on the petition of E. F. Webb and others, for an amendment of section 1, Article II of the Constitution, that the petitioners have leave to withdraw;

Report of the same Committee, on an order relating to amending chapter 98 of the public laws of 1876, relating to the capture of ruffled grouse or woodcock with snare, net or trap, that legislation thereon is inexpedient;

Report of the Committee on Legal Affairs, on an order relating to actions for injuries received through defects in highways, requiring parties asking for a second hearing to give bond for the payment of costs, that legislation thereon is inexpedient;

Report of the same Committee, on an order relating to the taxation of animals which are temporarily in the State for the purpose of being wintered, that legislation thereon is inexpedient;

Report of the same Committee, on an order relating to requiring municipal corporations to keep a record of all persons moving into and out of their limits, that the same be referred to the next Legislature;

Report of the same Committee, on the petition of John H. Walker and others, for legislation to protect citizens from injury from ball playing in streets, that the petitioners have leave to withdraw;

Report of the same Committee, on bill (H. R. 76) "an act to amend section 17 of chapter 116 of the revised statutes, relating to the regulation of fees * and costs," that the *173 same ought not to pass;

Report of the same Committee, on an order relating to changing the time for viewing roads in unincorporated places by the county commissioners, that legislation thereon is inexpedient; Report of the same Committee, on an order relating to amending section 34 of chapter 91 of the revised statutes, relating to liens, so as to include cord-wood and hemlock bark, that legislation thereon is inexpedient;

Report of the Committee on State Lands and State Roads, on the petition of inhabitants of Blanchard and Shirley, for aid on roads, that the petitioners have leave to withdraw;

Report of the same Committee, on an order relating to an appropriation to aid in building a bridge over Isoie Martin stream in Madawaska, that legislation thereon is inexpedient;

Report of the same Committee, on an order relating to an appropriation to aid in building a road between Lyndon, New Sweden and Fort Kent, that the same be referred to the next Legislature;

Report of the same Committee, on an order relating to the claims of Charles McPherson, William Ouilett, Cyrille Pelletier, Theodore Pelletier and Bruno Michaud, of St. Francis plantation, for pay for road labor, that the same be referred to the next Legislature;

Report of the Committee on Ways and Bridges, on an order relating to requiring the several counties to keep in repair bridges costing one thousand dollars or more, that legislation thereon is

inexpedient;

*174 Report of the same Committee, on the petition * of Virgil P. Hall and others, for aid in building a road in the town

of Mayfield, that the petitioners have leave to withdraw;

Were severally accepted in concurrence.

Report of the Committee on Agriculture, on bill (H. R. 62) "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," that the same ought to pass;

Report of the Committee on Interior Waters, on the petition of the Selectmen of Yarmouth, with bill (H R. 117) "an act to authorize the town of Yarmouth to build a foot-bridge over tide waters;"

Report of the same Committee, on the petition of Alton E. Ayer, with bill (H. R. 118) "an act authorizing Alton E. Ayer to dredge bars, remove boulders, and navigate East pond by steam;" Report of the Committee on the Judiciary, on the petition of citizens of Ellsworth, with bill (II. R. 110) "an act to incorporate the Fifty Associates of Ellsworth;"

Report of the Committee on the Judiciary, on bill (H. R. 17) "an act to amend section 4 of chapter 125 of the revised statutes, relating to gambling," that the same ought to pass;

Report of the same Committee, submitting a bill (H. R. 111) "an act to limit municipal indebtedness," and that it ought to pass;

Report of the same Committee, on bill (H. R. 72) "an act to authorize the York Manufacturing Company to reduce its capital stock," that the same ought to pass;

Report of the same Committee, on bill (H. R. 41) * "an *175 act to authorize the town of Lyndon to appropriate money

in aid of the Aroostook River Railroad Company," that the same ought to pass;

Report of the same Committee, on the report of the Attorney General, submitting a bill (H. R. 119) "and act additional to chapter 101 of the public laws of the year 1876, relating to the equity powers of the Supreme Judicial Court;"

Report of the same Committee, on bill (H. R. 51) "an act additional to an act entitled 'an act to incorporate the city of Bath,'" that the same ought to pass;

Report of the same Committee, on bill (H. R. 71) "an act additional to an act entitled an act to supply the people of Augusta with pure water, approved March 12, 1870," that the same ought to pass;

Report of the same Committee, on bill (H R. 94) "an act to amend an act entitled an act to incorporate the Masonic Trustees of Lewiston," with the same in a new draft, and that it ought to pass;

Report of the same Committee, on bill (H. R. 87) "an act in relation to proceedings in criminal cases," that the same ought to pass;

Report of the Committee on Legal Affairs, on bill (H. R. 78) "an act to change the name of the Main Street Methodist Episcopal Free Church Society of Lewiston," that the same ought to pass;

Report of the same Committee, on the petition of James F. Grindel, with bill (H. R. 120) "an act to authorize James F. Grindel to take ice from Meadow pond in the town of Islesboroùgh;"

Report of the same Committee, on the petition of John G. Adams, submitting a bill (H. R. 121) "an act to make valid the

doings of John G. Adams, a trial justice;" *176 * Report of the Committee on Mercantile Affairs and In-

surance, on bill (H. R. 80) "an act to amend the charter of the Union Mutual Life Insurance Company," that the same ought to pass;

Report of the Committee on State Lands and State Roads, on (H. R. 14) "resolve amendatory of chapter 156 of the resolves of 1876, entitled 'resolve in favor of John Ryan,'" that the same ought to pass;

Report of the Committee on Towns, on the petition of F. P. Crowell (Henry Kelley) and others, submitting a bill (H. R. 112) "an act to set off the farm of F. P. Crowell from the Fairfield Village Corporation;"

Were severally accepted in concurrence, the bills and resolve each read once, and to-morrow assigned for their second reading.

H. R. 122. 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," introduced in the House, and passed to be engrossed by that branch, was read once and to-morrow assigned for its second reading.

H. R. 23. "Resolve in favor of Sabattis Dana;"

H. R. 24. "Resolve in favor of Tomah Peol Tomah;"

Severally introduced in the House, and passed to be engrossed by that branch, were each read twice, the rules being suspended, and passed to be engrossed in concurrence.

H. R. 28. Bill "an act to amend chapter 263 of the special laws of 1876," passed to be engrossed by the Senate, came from the House with title amended, by adding the words "relating to the fishing interests in Lufkin pond," and passed to be engrossed as amended.

The Senate receded and concurred with the House.

*177 * II. R. 7. "Resolve for the appointment of a commission to reconstruct the laws relating to fisheries and the protection of fish." amended and passed to be engrossed by the Senate, came from the House further amended, by adding the words, "and the necessary expenses of said commission shall be paid, after being audited by the Governor and Council, and nothing shall be paid for services."

The Senate receded, the House amendment was agreed to, and the resolve passed to be engrossed.

S. 34. Bill "an act to abolish the highway tax," referred by the Senate to the Committee on the Judiciary, came from the House indefinitely postponed, and

On motion by Mr. SHEPHERD,

Ordered, That it lie on the table.

H. R. 123. 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," was referred to the Committee on Legal Affairs in concurrence.

A communication was received from Hon. S. J. Chadbourne, Secretary of State, transmitting the annual report of the Bank Examiner for the year 1876, which was read, and

Ordered, That the report be referred to the Committee on Banks and Banking.

Sent down for concurrence.

The following printed bills and resolves were each read once and to-morrow assigned for their second reading:

S. 19. "An act to confirm the doings of School District No. 15 in Berwick."

* S. 21. "An act to authorize the appointment of police *178 officers at camp-meetings."

S. 23. "An act in relation to municipal and police courts."

S. 24. "An act additional to chapter 67 of the revised statutes, relating to the appointment of guardians;"

S. 25. "An act to amend section 14 of chapter 6 of the revised statutes, relating to taxation of personal property."

S. 31. "An act to amend section 16 of chapter 77 of the revised statutes, relating to the powers of the Supreme Judicial Court."

S. 4. "Resolve in favor of Benjamin R. Walker and Joseph C. Walker."

S. 5. "Resolve in favor of John P. Webber."

S. 7. "Resolve authorizing the Governor and Council to adjust with Francis A. Reed, a note held by the State against him."

S. 8. "Resolve in favor of township No. 1, North Division, county of Penobscot."

Mr. BRAGDON, from the Committee on Indian Affairs, to whom was referred (H. R. 9) "resolve in favor of the agent of the Penobscot Tribe of Indians," reported that the same be referred to the Governor and Council.

Mr. WHITE, from the Committee on Fisheries, to whom was referred the petition of J. W. Parsons and others, severally praying for the continuance of the office of Fish Commissioner, reported that legislation thereon is unnecessary.

Mr. STEVENS, from the Committee on Legal Affairs, to whom

was referred an order relating to amending chapter 81,
*179 section 13, of the revised statutes, * so as to allow corporations to bring civil actions in the county where their

treasurer resides, reported that legislation thereon is inexpedient.

Mr. WADSWORTH, from the Committee on Legal Affairs, on an order relating to amending section 1 of chapter 93 of the public laws of 1876, relating to recording assignments of wages, reported that legislation thereon is inexpedient.

Mr. STEVENS, from the Committee on Legal Affairs, on an order relating to amending the pauper law, so as to require plantations having five hundred or more inhabitants to support their poor, reported that legislation thereon is inexpedient.

These reports were severally accepted.

Sent down for concurrence.

Mr. WADSWORTH, from the Committee on Legal Affairs, to whom was referred the petition of Henry Darling and others, reported a bill (S. 32) "an act to revive the organization of the Trustees of the Parsonage Fund in Bucksport."

The report was accepted, the bill read once, and to-morrow assigned for its second reading.

Mr. BURLEIGH, from the Committee on State Lands and State Roads, on an order relating to settlers claiming lands under the Treaty of Washington, reported (S. 9) "resolve relating to settlers' lots under the Treaty of Washington."

The report was accepted, and the resolve laid over to be printed under the Joint Rule. The Committee on Bills in the Second Reading reported the following bill:

H. R. 107. "An act entitled an act authorizing * any *180 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," which was read a second time.

The Senate non-concurred with the House in the passage of the bill to be engrossed, and

On motion by Mr. WOODBURY,

Resolved, That it be indefinitely postponed.

Sent down for concurrence.

The Committee on Bills in the Second Reading reported the following bills:

H. R. 33. "An act repealing sections 5, 6, 7 and 8, chapter 30 revised statutes, relating to bounty on bears and wolves;"

H. R. 104. "An act to incorporate the Cornelius Pond Ice Company;"

H. R. 43. "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;"

H. R. 36. "An act for the protection of fish in certain ponds in the town of Standish;"

H. R. 105. "An act to authorize the Second Baptist Society of Gorham to sell and convey all its personal and real estate;"

H. R. 106. "An act additional to an act to incorporate the city of Rockland;"

H. R. 52. "An act to amend an act to incorporate the Trustees of the Sailors' Home in Portland ;"

H. R. 54. "An act additional to chapter 298 of the special laws of the year 1876, establishing the Ellsworth Municipal Court;"

Which were read twice and passed to be engrossed in concurrence.

* The same Committee reported the following bills:

*181

S. 28. "An act authorizing the sale of islands belonging to the State;"

S. 39. "An act in relation to county attorneys;"

S. 40 "An act in relation to county treasurers;"

S. 41. "An act to facilitate the detection and punishment of certain offences;"

S. 5. "An act additional to the acts which constitute the charter of the Bangor and Piscataquis Railroad Company;"

S. 16. "An act to prevent the throwing of refuse wood, timber or fibrous material, created by the sawing of lumber, into the Piscataquis river;"

S. 9. "An act further extending the time within which to file the location and also to complete the Northern Aroostook Railroad;"

S. 30. "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;"

Which were read a second time and passed to be engrossed. Sent down for concurrence.

On motion by Mr. WHITE, at 6 minutes past 4 o'clock P. M., The Senate adjourned.

*182

* TUESDAY, JANUARY 30, 1877.

Met according to adjournment, 10 A. M.

The President resumed the Chair.

Prayer by Rev. Mr. JAQUES of Hallowell.

The Journal of yesterday was read.

Order from the House:

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, was read and passed in concurrence.

H. R. 124. Bill "an act to amend an act entitled 'an act to incorporate the East Oxford Agricultural Society,' approved February 28, A. D. 1871," was referred to the Committee on Agriculture in concurrence.

Bill "an act to secure land from trespass," was H. R. 125. referred to the Committee on the Judiciary in concurrence. Petition of C. S. Hobbs of Norway, for a deed of a lot of land; H. R. 25. "Resolve in favor of C. S. Hobbs of Norway;" Were referred to the Committee on State Lands and State Roads in concurrence. * Petition of J. H. P. Merrow and others; *183 Petition of P. K. Millay and others; Petition of W. O. Hunter and others; Petition of H. S. Varney and others,-severally for legislation. to make free the Merrymeeting bridge: Remonstrance of Mallett and others: Remonstrance of S. Donnell and others; Remonstrance of William B. Lewis and others; Remonstrance of James M. Hager and others; Remonstrance of William J. Emerson and others; Remonstrance of Wm. A. Perry and others,-severally against. making free the Arrowsic and Merrymeeting bay bridges; Were referred to the Committee on Ways and Bridges in concurrence.

H. R. 131. 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 referred to the Committee on Railroads in concurrence.

H. R. 26. "Resolve in favor of the town of Stockton," was. referred to the Committee on Library in concurrence.

Report of the Committee on the Judiciary, on an order relating to amending section 145 of chapter 6 of the revised statutes, by striking out the words "one year," and insert "two years," that legislation thereon is inexpedient;

Report of the Committee on State Lands and State Roads, on the petition of Henry W. Poor and others, and (S. 1) "resolve in aid of the road through Dunn's notch in Oxford county," that the petitioners have leave to withdraw;

Were severally accepted in concurrence.

11

*184 *Report of the Committee on Fisheries, on bill (II. R. 65) "an act amending an act entitled 'an act for the better

protection of lobsters,'" that the same ought to pass; Report of the Committee on Interior Waters, on an order, sub-

mitting bill (H. R. 126) "an act amendatory to chapter 358 of the special laws of the year 1873, to prevent the throwing of ballast into the Kennebec river;"

Report of the Committee on the Judiciary, on bill (H. R. 69) "an act to amend an act to establish a municipal court in the city of Biddeford," that the same ought to pass;

Report of the same Committee, on an order, submitting a bill (H. R. 127) "an act additional to chapter 127 of the public laws of 1876, entitled 'an act in relation to appeals from county commissioners;"

Report of the same Committee, on the petition of the Portland Institute and Public Library, submitting bill (H. R. 128) "an act to prevent destruction of books, pictures, statues and paintings in public libraries;"

Report of the same Committee, on the petition of D. H. Bisbee and others, submitting bill (H. R. 129) "an act to amend the charter of the Camden Village Corporation;"

Report of the Committee on Legal Affairs, on the petition of John E. Saunders and others, submitting a bill (H. R. 130) "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;"

Report of the same Committee, on bill (H. R. 13) "an act *185 to prohibit the taking of fish from the Davis * brook, (some-

times called Whale's Back brook) in the town of Limington," that the same ought to pass;"

Were severally accepted in concurrence, the bills each read once, and to-morrow assigned for their second reading.

Mr. WEBB asked and obtained leave to present a bill (S. 43) "an act to continue in force chapter 98 of the public laws of 1872, and chapter 203 of the public laws of 1874, relating to pensions for disabled soldiers and seamen," which was laid over to be printed under the Joint Rule.

Mr. KYES presented a bill (S. 44) "an act to amend section 153 of chapter 6 of the revised statutes, relating to the powers of town treasurers," which was referred to the Committee on the Judiciary.

Sent down for concurrence.

Mr. PHILLIPS presented (S. 10) "resolve in favor of Joint Standing Committee on Education," which was read twice, the rules being suspended, and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. PEAKS,

Ordered, That the bill (H. R 61) "an act to incorporate the Bath Driving Park," was taken from the file of 1877, and referred to the Committee on the Judiciary.

Mr. BRACKETT presented a bill (S. 45) "an act to amend chapter 223 of the public laws of 1871, in relation to railroad corporations," which was referred to the Committee on Railroads;

Sent down for concurrence.

Mr. LEARNED, from the Committee on Claims, to whom was referred the petition of S. O. Dinsmore * and others, *186 for aid to W. W. Walker, reported that the petitioners have leave to withdraw;

Mr. WADSWORTH, from the Committee on Legal Affairs, on an order relating to amending section 2 of chapter 60 of the revised statutes, relating to divorce, reported that legislation thereon is inexpedient.

Mr. PHILLIPS, from the Committee on Legal Affairs, on an order relating to repealing or amending section 7 of chapter 6 of the revised statutes, reported that legislation thereon is inexpedient.

Mr. THOMPSON, from the Committee on Military Affairs, to whom was referred the memorial of S. B. Morrison, concerning the enlistment and examination of members of the Jameson Guards, reported that legislation thereon is inexpedient.

Mr. BOARDMAN, from the Committee on State Lands and State Roads, to whom was referred the petition of Vital Daigle, for deeds of lots of land in Fort Kent, reported that the petitioner has leave to withdraw.

These reports were severally accepted.

Sent down for concurrence.

Mr. PEAKS, from the Committee on Agriculture, on the Governor's message, reported (S. 11) "resolve in favor of the Maine State College of Agriculture and the Mechanic Arts."

Mr. WHEELWRIGHT, from the Committee on the Judiciary, to whom was referred the bill (S. 3) "an act to amend section 3, chapter 7 of the revised statutes, relating to election returns," reported that the same ought to pass.

Mr. WHEELWRIGHT, from the Committee on the Judi-*187 ciary, on an order, reported a bill (S. 46) "an act to * fur-

ther amend section 28 of chapter 18 of the revised statutes, relating to ways."

Mr. BOARDMAN, from the Committee on State Lands and State Roads, to whom was referred (H. R. 21) "resolve in favor of Swedish settlers," reported that the same ought to pass.

These reports were severally accepted, and the bills and resolves each laid over to be printed under the Joint Rule.

Mr. WADSWORTH, from the Committee on Legal Affairs, to whom was referred the bill (H. R. 73) "an act for the protection of cranberries," reported the same in a new draft, under title of "an act for the protection of cranberries in the towns of Machias and East Machias," and that it ought to pass.

Mr. PHILLIPS, from the Committee on Legal Affairs, to whom was referred the petition of Joseph H. Hamlin and others, reported a bill (S. 13) "an act to incorporate the Harrington and Jonesport Telegraph Company."

Mr. STEVENS, from the Committee on Legal Affairs, to whom was referred the petition of the North Anson and Skowhegan Telegraph Company, reported a bill (S. 47) "an act to extend the powers of the North Anson and Skowhegan Telegraph Company."

These reports were severally accepted, the bills each read once, and to-morrow assigned for their second reading.

The Committee on Bills in the Second Reading reported the following bill:

S. 21. "An act to authorize the appointment of police *188 officers at camp-meetings," which was * read a second time, and

On motion by Mr. TOLMAN,

Ordered, That it lie on the table.

The same Committee also reported the following bill:

H. R. 41. "An act to authorize the town of Lyndon to appropriate money in aid of Aroostook River Railroad Company," which was read a second time, and

On motion by Mr. SHEPHERD,

Ordered, That it lie on the table.

The same Committee also reported the following bill:

H. R. 111. "An act to limit municipal indebtedness," which was read a second time.

Mr. WOODBURY proposed to amend section 2, by inserting before the word "nor," in the eighth line, the words "or the municipal year next after the same is incurred."

The amendment was agreed to, and

On motion by Mr. WHITE,

Resolved, That the bill be indefinitely postponed.

Sent down for concurrence.

The Committee on Bills in the Second Reading reported the following bills and resolve:

H. R. 112. "An act to set off the farm of F. P. Crowell from the Fairfield Village Corporation;"

H. R. 80. "An act to amend the charter of the Union Mutual Life Insurance Company;"

H. R. 121. "An act to make valid the doings of John G. Adams as a trial justice;"

H. R. 120. "An act to authorize James F. Grindel to take ice from Meadow pond in the town of Islesboro';"

* H. R. 78. "An act to change the name of the Main *189 Street Methodist Episcopal Free Church Society of Lewiston;"

H. R. 87. "An act in relation to proceedings in criminal cases;"

H. R. 94. "An act to amend an act entitled an act to incorporate the Masonic Trustees of Lewiston;"

H. R. 71. "An act additional to an act entitled an act to supply the people of Augusta with pure water, approved March 12, 1870;"

H. R. 51. "An act additional to an act entitled 'an act to incorporate the city of Bath;"

H. R. 119. "An act additional to chapter 101 of the public laws of 1876, relating to the equity powers of the Supreme Judicial Court;"

H. R. 72. "An act to authorize the York Manufacturing Company to reduce its capital stock;"

H. R. 17. "An act to amend section 4 of chapter 125 of the revised statutes, relating to gambling;"

H. R. 110. "An act to incorporate the Fifty Associates of Ellsworth;"

H. R. 118. "An act authorizing Alton E. Ayer to dredge bars, remove boulders, and navigate East pond;"

H. R. 62. "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;"

H. R. 117. "An act to authorize the town of Yarmouth to build a foot-bridge over tide waters;"

H. R. 122. "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;"

*190 * H. R. 14. "Resolve amendatory of chapter 156 of the resolves of 1876, entitled 'resolve in favor of John Ryan;"

Which were read twice and passed to be engrossed in concurrence.

The same Committee reported the following bills and resolves:

S. 19. "An act to confirm the doings of School District No. 15 in Berwick;"

S. 23. "An act in relation to municipal and police courts;"

S. 24. "An act additional to chapter 67 of the revised statutes, relating to the appointment of guardians;"

S. 25. "An act to amend section 14 of chapter 6 of the revised statutes, relating to taxation of personal property;"

S. 31. "An act to amend section 16 of chapter 77 of the revised statutes, relating to the powers of the Supreme Judicial Court;"

S. 32. "An act to revive the organization of the Trustees of the Parsonage Fund in Bucksport;"

S. 4. "Resolve in favor of Benjamin R. Walker and Joseph C. Walker;"

S. 5. "Resolve in favor of John P. Webber;"

S. 7. "Resolve authorizing the Governor and Council to adjust with Francis A. Reed, a note held by the State against him;"

S. 8. "Resolve in favor of township No. 1, North Division, county of Penobscot;"

Which were read twice and passed to be engrossed. Sent down for concurrence.

* The Committee on Engrossed Bills reported as truly *191 and strictly engrossed the following bills:

S. 26. "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;"

S. 27. "An act to set off certain real estate from the town of Bridgton and annex the same to the town of Harrison;"

H. R. 15. "An act to amend section 56, chapter 51 of the revised statutes, and additional to chapter 122 of the public laws of 1876;"

H. R. 16. "An act to amend section 18 of chapter 81 of the revised statutes, relating to service on corporations in civil actions;"

H. R. 35. "An act to make valid certain doings of the inhabitants of Bridgton Centre Village Corporation in the town of Bridgton;"

H. R. 58. "An act additional relative to the Orchard Beach Railroad Company;"

H. R. 92. "An act to prevent the taking of trout in Great Works stream and its tributaries in the towns of Amherst, Clifton and Bradley;"

H. R. 93. "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;"

H. R. 98. "An act to make valid the doings of the town of Weld;"

H. R. 99. "An act to prevent loitering, without right, within the station houses, or about the premises of railroad corporations;"

Which were each passed to be enacted in * concurrence. *192 The same Committee also reported as truly and strictly engrossed the following resolves : H. R. 15. "Resolve in favor of Theodore C. Woodman, receiver of Bucksport Savings Bank;"

H. R. 17. "Resolve amendatory to chapter 20 of resolves of 1875, entitled 'resolve in favor of Crystal plantation in county county of Aroostook;""

H. R. 16. "Resolve for the purchase of the Maine State Year Book and Legislative Manual;"

Which were each finally passed in concurrence.

And these several bills and resolves, having been signed by the President, were by the Secretary presented to the Governor for his approval.

The bond of Hon. Ezreff H. Banks, State Treasurer elect, came from the House approved in concurrence, and was by the Secretary lodged in the office of the Secretary of State.

On motion by Mr. KYES,

S. 33. Bill "an act to repeal sections 65, 66 and 67 of chapter 18 of the revised statutes," was taken from the table.

The question being on the passage of the bill to be engrossed, pending discussion,

On motion by Mr. BRAGDON, at 48 minutes past 12 o'clock M., The Senate adjourned.

*193

* WEDNESDAY, JANUARY 31, 1877.

Met according to adjournment, 10 A. M.

Prayer by Rev. Mr. THOMAS of Gardiner.

The Journal of yesterday was read.

Order from the House:

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, was referred to the next Legislature in concurrence.

H. R. 132. Bill "an act to amend section 35 of chapter 27 of the revised statutes, relating to the illegal sale of intoxicating liquors," was referred to the Committee on Temperance in concurrence.

Report of the Committee on Claims on (H. R. 8) "resolve in favor of the town of Chester," that the same be referred to the Governor and Council;

Report of the Committee on the Judiciary, on an order relating to amending the law relating to the organization of savings banks and trust and business corporations, that the same be referred to the Committee on Banks and Banking;

Report of the same Committee, on an order relating to restricting the sale of opium, that the * same be referred to *194 the Committee on Temperance;

Report of the Committee on Legal Affairs, on the remonstrance of inhabitants of Oldtown, against the repeal of the trustee law, that the same be referred to the Committee on the Judiciary;

Were severally accepted in concurrence.

Report of the Committee on Claims, on the petition of Thomas W. Porter, for reimbursement of money paid on account of men enlisted for the Fourteenth Regiment Maine Volunteers, in 1861, that the petition be referred to the Governor and Council, with directions to pay such sum as they may find justly due, was accepted in concurrence.

Report of the Committee on the Judiciary, on orders relating to biennial elections and sessions of the Legislature, that legislation thereon in inexpedient, came from the House recommitted, with instructions to report an amendment to the Constitution, providing for biennial sessions of the Legislature, and

Ordered, That the report be recommitted, with further instructions to report an amendment to the Constitution providing for biennial elections of all officers now elected annually.

Sent down for concurrence.

Report of the Committee on Interior Waters, on the petition of the Denison Paper Manufacturing Company, for authority to flow Tripp's pond in Poland, that the same be referred to the next Legislature, with an order of notice;

Report of the Committee on the Judiciary, on an order relating to indexing the public laws enacted since the revision of the statutes, that legislation thereon is inexpedient; *195 *Report of the same Committee, on an order relating to

amending chapter 91 of the revised statutes, relating to liens on ships and vessels, that legislation thereon is inexpedient;

Report of the same Committee, on bill (H. R. 102) "an act to amend section 27 of chapter 84 of the revised statutes, relating to offsets," that the same ought not to pass;

Report of the same Committee, on the petition of the city of Lewiston, for an amendment of the act to authorize said city to take water from Wilson's pond and the Androscoggin river, that the petitioners have leave to withdraw;

Report of the same Committee, on bill (H. R. 103) "an act to amend chapter 82, section 87, of the revised statutes, relative to admission of evidence," that the same ought not to pass;

Report of the same Committee, on an order relating to legalizing the doings of the County Commissioners of Aroostook county in locating a county road from New Sweden to Fort Kent, that legislation thereon is inexpedient;

Report of the same Committee, on an order relating to amending chapter 231 of the private laws of 1869, that the same be referred to the next Legislature;

Report of the same Committee, on the petition of John S. Case, Philo Thurston and others, for an amendment of the charter of the city of Rockland, that the petitioners have leave to withdraw;

Report of the same Committee, on the petition of M. N. Mc-

Cusick and others, for legislation relating to the sale of

*196 hides, that the petitioners * have leave to withdraw;

Report of the same Committee, on the petition of Melvin Grant and others, for legislation requiring the construction of locks in the dam at Treat's falls, Penobscot river, that the petitioners have leave to withdraw;

Report of the Committee on Legal Affairs, on an order relating to authorizing court stenographers to administer oaths, that legislation thereon is inexpedient;

Report of the same Committee, on an order relating to amending chapter 44 of the revised statutes, so that its practical operations shall not discriminate against citizens of the State, that legislation thereon is inexpedient; Report of the same Committee, on an order relating to amending section 34 of chapter 91 of the revised statutes, so as to include cord-wood, that legislation thereon is inexpedient;

Report of the same Committee, on the petition of R. S. Ayer and others of Montville, for the incorporation of Mount Repose Cemetery in said town, that the petitioners have leave to withdraw, as legislation is unnecessary;

Report of the same Committee, on an order relating to amending the act of 1876, relating to tramps and vagrants, that legislation thereon is inexpedient;

Report of the Committee on State Lands and State Roads, on the petition of inhabitants of Wellington, for aid in building a road, and (H. R. 22) "resolve in favor of the town Wellington," that the petitioners have leave to withdraw;

Report of the same Committee, on the petition * of Nel- *197 son Turney, for a deed of a lot of land, reported that the petitioner has leave to withdraw;

Were severally accepted in concurrence.

Report of the Committee on Fisheries, on an order relating to repealing or amending chapter 78 of the public laws of 1876, submitting a bill (H. R. 133) "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;"

Report of the Committee on Interior Waters, on an order, submitting bill (H. R. 134) " an act amendatory to chapter 30 of the public laws of 1875, relating to the better protection of life and property ;"

Report of the Committee on the Judiciary, on bill (H. R. 68) "an act to amend section 8 of chapter 17 of the revised statutes, relating to nuisances," that the same ought to pass;

Report of the same Committee, on bill (H. R. 31) "an act relative to proceedings in court," that the same ought to pass;

Were severally accepted in concurrence, the bills each read once, and to-morrow assigned for their second reading.

Report of the same Committee, on an order relating to repealing or amending chapter 146 of the public laws of 1876, submitting bill (H. R. 97) "an act to repeal chapter 146 of the public laws of 1876, relating to ways, and revive the provisions of section 39 of chapter 18 of the revised statutes," was accepted in concurrence, the bill read once, and

On motion by Mr. BURLEIGH,

Ordered, That it lie on the table.

Report of the Committee on Legal Affairs, on bill (H. R. 75) *198 "an act to amend the charter of the * Northern Waldo

Agricultural Society," with the same in a new draft, and that it ought to pass;

Report of the same Committee, on bill (H. R. 90) "an act authorizing views by juries in all cases," that the same ought to pass;

Report of the Committee on Mercantile Affairs and Insurance, on an order, submitting a bill (H. R. 135) "an act to amend section 56 of chapter 38 of the revised statutes, relating to weights and measures of agricultural products;"

Were severally accepted in concurrence, the bills each read once, and to-morrow assigned for their second reading.

The following printed resolve (S. 9) "resolve relating to settlers' lots under the Treaty of Washington," was read twice, the rules being suspended.

Mr. BURLEIGH proposed to amend by striking out the word "not" in the thirteenth line.

The amendment was agreed to, and the resolve, as amended, passed to be engrossed.

Sent down for concurrence.

On motion by Mr. JORDAN,

Ordered, That the Committee on Financial Affairs be directed to visit the Maine General Hospital.

Sent down for concurrence.

On motion by Mr. BOARDMAN,

Ordered, That the Folder of the Senate have the same pay as the Folder of the House, and travel.

On motion by Mr. KYES,

Ordered, That a message be conveyed by the Secretary to the Governor and Council, informing them that Hon. Ezreff H.

*199 Banks has been duly * elected State Treasurer for the current fiscal year, that he has signified his acceptance of the office and filed his official bond, which has been duly examined and approved by the Legislature and deposited in the office of the Secretary of State.

The message was conveyed by the Secretary.

Mr. WHEELWRIGHT, from the Committee on the Judiciary, to whom was referred a bill (H. R. 114) "an act for the better protection of life in buildings occupied for public purposes," reported that the same ought not to pass.

Mr. WHEELWRIGHT, from the Committee on the Judiciary, on an order relating to appeals from trial justice courts, reported that legislation thereon is inexpedient.

Mr. WHEELWRIGHT, from the Committee on the Judiciary, to whom was referred bill (S 58) "an act in relation to the municipal court for the city of Bath," reported that the same ought not to pass.

Mr. PEAKS, from the Committee on Agriculture, on an order relating to amending sections 3, 6, 7 and 23 of chapter 22 of the revised statutes, in relation to line fences, reported that legislation thereon is inexpedient.

Mr. STEVENS, from the Committee on Legal Affairs, to whom was referred an order and sundry petitions, relating to modification of the game laws, reported that the same be referred to a commission, to be appointed by the Governor and Council, to revise, codify and amend the game and fish laws, and report to the next Legislature.

Mr. TOLMAN, from the Committee on Financial Affairs, on an order relating to refiling and indexing * the legis- *200 lative papers, reported that legislation thereon is inexpedient.

Mr. BRACKETT, from the Committee on Railroads, to whom was referred a bill (S. 45) an act to amend chapter 223 of the public laws of 1871, in relation to railroad corporations," reported that the same ought not to pass

Mr. WADSWORTH, from the Committee on Towns, to whom was referred the petition of J. H. Whitney and others, for the incorporation of the town of Lakeville, reported that the petitioners have leave to withdraw.

Mr. WOODBURY, from the Committee on Claims, to whom was referred the report of the Governor and Council on "resolve in favor of certain towns and plantations," reported that legislation thereon is unnecessary.

Mr. LEARNED, from the Committee on Claims, to whom was referred the petition of Otis S. Tibbetts and others, for the reduction of the valuation of township No. 18, reported that the same be referred to the Washington County Delegation

Mr. BOARDMAN, from the Committee on State Lands and State Roads, on an order relating to an appropriation for arranging and preserving for use and reference the records, plans and documents now in the land office, reported that legislation thereon is unnecessary.

Mr. WHITE, from the Committee on Fisheries, on an order relating to a general law for the protection of fish in all the waters of the State, reported that the same be referred to the commission provided by resolve of the Legislature to revise, codify and

amend the laws relating to fisheries.

*201 * These reports were severally accepted. Sent down for concurrence.

Mr. WHITE, from the Committee on Fisheries, on an order relating to regulating the menhaden and porgy fishery, reported a bill (S. 48) "an act for the protection of migratory fish,"

And pending the acceptance of the report,

Ordered, That it lie on the table.

Mr. SUMNER, from the Committee on Military Affairs, reported (S. 13) "resolve providing for the payment of the expenses of the Committee on Military Affairs."

The report was accepted, the resolve read twice, the rules being suspended, and passed to be engrossed.

Sent down for concurrence.

Mr. THOMPSON, from the Committee on State Prison, on an order authorizing said Committee to visit the State Prison and report thereon, reported in detail, submitting (S. 14) "resolve in favor of the State Prison."

And pending the acceptance of the report,

Ordered, That it lie on the table and be printed with accompanying resolve.

Mr. PEAKS, from the Committee on Agriculture, reported (S. 49) "an act to encourage the introduction of the manufacture of beet sugar.

174

Mr. SUMNER, from the Committee on Military Affairs, on the Governor's message, reported (S. 15) "resolve for the appointment of a commission to revise the militia law."

Mr. KYES, from the Committee on the Judiciary, on bill (S. 44) "an act to amend section 153 of chapter 6 of the revised

statutes, relating to the * powers of town treasurers," *202 reported that the same ought to pass.

Mr. STEVENS, from the Committee on Military Affairs, to whom was referred the petition of John W. Berry and others, for the location of a military company in Gardiner, reported a bill (S. 50) "an act additional to chapter 29 of the public laws of 1869, concerning the militia "

Mr. PHILLIPS, from the Committee on Library, to whom was referred (H. R. 26) "resolve in favor of the town of Stockton," reported that the same ought to pass.

Mr. PHILLIPS, from the Committee on Library, to whom was referred (H. R. 19) "resolve in favor of the town of Anson," reported that the same ought to pass.

These reports were severally accepted, the bills and resolves each read once, and to-morrow assigned for their second reading.

Mr. NASH presented a bill (S 51) "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;""

Also (S. 16) "resolve providing for payment of certain rents now in suit to the agent of the Penobscot Tribe;"

Which were each read once and to-morrow assigned for their second reading.

Mr. PEAKS presented (S. 17) "resolve in favor of the Joint Standing Committee on Agriculture," which was read twice, the rules being suspended, and passed to be engrossed.

Sent down for concurrence.

Mr. VINTON, from the Committee on the Judiciary, on bill (S. 42) "an act to repeal section 31 * of chapter 86 of *203 the revised statutes, relating to trustee disclosures," reported that the same ought to pass.

Mr. PHILLIPS, from the Committee on Library, reported (S. 18) "resolve in favor of the Maine State Library;"

Also (S. 19) "resolve in favor of compiling and printing the school laws."

Mr. SUMNER, from the Committee on Military Affairs, reported (S. 20) "resolve in favor of the Military and Naval Asylum at Bath."

Mr. VINTON, from the Committee on the Judiciary, on an order, reported (S. 52) "an act additional to section 6 of chapter 6 of the revised statutes, relating to the taxation of property of religious societies."

Mr. KYES, from the Committee on the Judiciary, on the Governor's message, reported a bill (S. 53) "an act to amend section 32, chapter 4 of the revised statutes, relating to elections."

Mr. KYES, from the Committee on the Judiciary, to whom was referred a bill (S. 2) "an act to amend chapter 62 of the public laws of 1876, relating to election returns," reported the same in a new draft, under title of "an act to amend section 5 of chapter 78 of the revised statutes, as amended by chapter 62 of the public laws of 1876, relating to election returns," and that it ought to pass.

Mr. VINTON, from the Committee on the Judiciary, to whom was referred a bill (S. 17) "an act relating to witnesses and evidence," reported the same in a new draft, and that it ought to pass.

Mr. IRISH, from the Committee on State Lands and State *204 Roads, on an order relating to an appropriation * to aid in

building a bridge over Thebodeau stream in Van Buren plantation, reported (S. 21) "resolve in favor of Van Buren plantation."

Mr. WHEELWRIGHT, from the Committee on Banks and Banking, reported a bill (S. 54) "an act to provide for the organization and management of loan and building associations."

Mr. BOARDMAN, from the Committee on State Lands and State Roads, on an order, reported (S. 22) "resolve repealing chapter 175 of the resolves of 1876."

Mr. BRAGDON, from the Committee on Ways and Bridges, on an order, reported a bill (S. 55) "an act to amend section 16 of chapter 40 of the public laws of the year 1872, relating to railroad crossings."

Mr. IRISH, from the Committee on State Lands and State Roads, on the petition of inhabitants of Kingsbury and Brighton, for aid to complete the State road from Kingsbury mills to Blanchard, reported (S. 23) "resolve in favor of the town of Kingsbury."

Mr. IRISH, from the Committee on State Lands and State Roads, on an order, reported (S. 24) "resolve in favor of Elisha W. Shaw, Franklin R. Webber and Byron Porter."

Mr. IRISII, from the Committee on State Lands and State Roads, on the petition of Sumner Whitney, for a deed of land, reported (S. 25) "resolve authorizing the Land Agent to quiet settlers on a section of land in the town of Presque Isle."

Mr. BURLEIGH, from the Committee on State Lands and State – Roads, on the petition of the County Commissioners of Aroostook county, reported (S. 26) "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 *205 lines."

These reports were severally accepted, and the bills and resolves each laid over to be printed under the Joint Rule.

Mr. SUMNER presented (S. 27) "resolve providing for the annual encampment of the Maine Volunteer Militia," which was laid over to be printed under the Joint Rule.

Mr. VINTON presented a bill (S. 56) "an act to amend section 9, chapter 116 of the revised statutes, relating to support of prisoners in jails."

Ordered, That it lie on the table and be printed.

The Committee on Bills in the Second Reading reported the following bills:

H. R. 65. "An act amending an act entitled 'an act for the better protection of lobsters;"

H. R. 126. "An act amendatory to chapter 358 of the special laws of the year 1873, to prevent the throwing of ballast into the Kennebec river;"

H. R. 127. "An act additional to chapter 127 of the public laws of 1876, entitled 'an act in relation to appeals from county commissioners;"

H. R. 128. "An act to prevent destruction of books, pictures, statues and paintings in public libraries;"

H. R. 129. "An act to amend the charter of the Camden Village Corporation;"

12

H. R. 69. "An act to amend an act to establish a municipal court in the city of Biddeford;"

H. R. 13. "An act to prohibit the taking of fish from the Davis brook, sometimes called Whales-Back brook, in the town of Limington;"

*206 * H. R. 130. "An act to make legal and valid certain acts and doings of the proprietors of the Methodist meetinghouse of Mechanic Fall in the town of Minot;"

Which were read twice and passed to be engrossed in concurrence.

The same Committee reported the following bills :

S. 47. "An act to extend the powers of the North Anson and Skowhegan Telegraph Company ;"

S. 13. "An act to incorporate the Harrington and Jonesport Telegraph Company;"

H. R. 73. "An act for the protection of cranberries in the towns of Machias and East Machias;"

Which were read twice and passed to be engrossed.

Sent down for concurrence.

The Committee on Engrossed Bills reported as truly and strictly engrossed the following bills :

H. R. 11. "An act additional relating to railroad corporations;"

H. R. 19. "An act to amend section 8 of chapter 86 of the revised statutes, relating to trustee process, as heretofore amended:"

Which were each passed to be enacted in concurrence.

And these several bills, having been signed by the President, were by the Secretary presented to the Governor for his approval.

The Committee on Engrossed Bills also reported as truly and strictly engrossed the following bill:

H. R. 57. "An act to amend section 6 of chapter 120 of
*207 the public laws of 1876, to authorize the *formation of railroad corporations;"

The Senate non-concurred with the House in the indefinite postponement of the bill. Mr. SUMNER, from the Committee on Military Affairs, reported that said Committee had acted upon all matters referred to them.

Mr. IRISH, from the Committee on Insane Hospital, made a similar report.

Mr. BURLEIGH, from the Committee on State Lands and State Roads, made a similar report.

Mr. WADSWORTH, from the Committee on Towns, made a similar report.

Mr. BRAGDON, from the Committee on Ways and Bridges, made a similar report.

Mr. BROWN, from the Committee on Railroads, made a similar report.

Mr. WOODBURY, from the Committee on Claims, made a similar report.

Mr. WEBB, from the Committee on Pensions, made a similar report.

Mr. PEAKS, from the Committee on Agriculture, made a similar report.

Mr. BOARDMAN, from the Committee on Interior Waters, made a similar report.

Mr. BRACKETT, from the Committee on Mercantile Affairs and Insurance, made a similar report.

Mr. WHITE, from the Committee on Fisheries, made a similar report.

Mr. STEVENS, from the Committee on Legal Affairs, made a similar report.

Mr. NASH, from the Committee on Indian Affairs made a similar report.

Mr. THOMPSON, from the Committee on State Prison, made a similar report.

* These reports were severally accepted. *208 Sent down for concurrence.

Mr. KYES, from the Committee on the Judiciary, made a similar report, and pending its acceptance,

Ordered, That it lie on the table.

On motion by Mr. WHITE,

Ordered, That when the Senate adjourns it be to meet this

afterngon at two and a half o'clock, and that from and after this date the Senate hold two sessions daily, the afternoon session to commence at half-past two o'clock.

On motion by Mr. KYES.

"An act to repeal sections 65, 66 and 67 of chapter 18 S. 33. of the revised statutes," was taken from the table, and

On motion by Mr. IRISH,

That the bill be indefinitely postponed, it was determined in the

negative, { Yeas 13 Nays..... 15

On motion by Mr. KYES,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are :

Messrs. Bartlett, Brackett, Brown, Irish, Kyes, Learned, Peaks, Shepherd, Stevens, Thompson, Tolman, Wadsworth. Woodbury-13.

Those who voted in the negative are:

Messrs. Bailey, Boardman, Bragdon, Burleigh, Hobson, Hyde, Jordan, Lennox, Nash, Nutter, Phillips, Sumner, Vinton, Webb, White-15.

So the motion was lost.

The question returning on the passage of the bill to be *209 engrossed, Mr. KYES proposed an *amendment marked

"A," and on the question of its adoption, it was determined in the affirmative, { Yeas 17 Nays..... 10

On motion by Mr. THOMPSON,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are:

Messrs. Bartlett, Brackett, Brown, Burleigh, Irish, Kyes, Learned, Nash, Peaks, Phillips, Shepherd, Stevens, Sumner. Thompson, Tolman, Wadsworth, Woodbury-17.

Those who voted in the negative are:

Messrs. Bailey, Boardman, Bragdon, Hobson, Jordan, Lennox. Nutter, Vinton, Webb, White-10.

So the amendment was agreed to.

Amendment "A" amends the title so as to read as follows: S. 33. "An act to amend section 65 of chapter 18 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."

The bill, as amended, passed to be engrossed. Sent down for concurrence.

On motion by Mr. WEBB, at 35 minutes past 12 o'clock M., The Senate adjourned.

* AFTERNOON-Half-past Two o'clock. *210

Met according to adjournment.

Mr. BAILEY, from the Committee on Federal Relations, reported that said Committee had acted upon all matters referred to them.

The report was accepted.

Sent down for concurrence.

On motion by Mr. VINTON,

S. 34. "An act to abolish the highway tax," was taken from the table, and after discussion, the Senate receded and concurred with the House in the indefinite postponement of the bill.

On motion by Mr. BRACKETT,

S. 36. "An act to amend chapter 27 of the revised statutes, relating to drinking-houses and tippling-shops," was taken from the table.

Amendment marked "A," proposed by Mr. WHEELWRIGHT, was agreed to.

Mr. BRACKETT proposed an amendment marked "B," and pending its adoption,

On motion by Mr. WEBB,

Ordered, That the bill lie on the table.

On motion by Mr. BAILEY,

The vote was reconsidered whereby the Senate passed to be engrossed the bill (S. 33) "an act to amend section 65 of chapter 18 of the revised statutes, relating to damage on ways, as amended by chapter 215 of public laws of 1874, and chapter *97 of public laws of 1876." *211 Mr. VINTON proposed to amend by adding a section, viz:

SECT. 2. This act shall not affect suits now pending nor rights of action already accrued.

The amendment was agreed to, and

On motion by Mr. VINTON,

Ordered, That the bill lie on the table and be printed as amended.

On motion by Mr. LENNOX,

The vote was reconsidered whereby the Senate resolved to hold two sessions daily after this day, and

Resolved, That the Senate hold one session daily until otherwise determined.

On motion by Mr. KYES, at 45 minutes past 3 o'clock P. M., The Senate adjourned.

THURSDAY, FEBRUARY 1, 1877.

Met according to adjournment, 10 A. M.

Prayer by Rev. Mr. LEFFINGWELL of Gardiner.

The Journal of yesterday was read.

Papers from the House:

Report of the Committee on the Judiciary, on bill (H. R. 95) "an act to amend chapter 40, section 50, of the revised statutes,

relative to Pleasant river," that the same ought to pass;

*212 * Report of the Committee on Legal Affairs, on the petition of Edwin Reed and others, submitting bill (H. R. 74) "an

act relating to the police force of the city of Bath ;"

Report of the same Committee, on bill (H. R. 77) "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," that the same ought to pass;

Report of the same Committee, on (H. R. 12) "resolve in relation to the binding of the acts and resolves of this State," that the same ought to pass; Report of the Committee on Military Affairs, on (H. R. 20) "resolve authorizing the removal of the colors presented to the Seventeenth Regiment of Maine Volunteers by the merchants of Portland," that the same ought to pass;

Report of the Committee on State Lands and State Roads, on the petition of Charles G. Perry, for deed of land, submitting (H. R. 27) "resolve in favor of Charles G. Perry;"

Report of the same Committee, on the petition of Benjamin Alexander, for a lot of land, submitting (H. R. 28) "resolve in favor of Benjamin Alexander;"

Report of the same Committee, on the petition of David Dudley, for a deed of a lot of land, submitting (H. R. 29) "resolve in favor of David Dudley;"

Report of the same Committee, on the petition of William Brown, submitting (H. R. 30) "resolve in favor of John M. Brown;"

Report of the same Committee, on the petition of F. W. Stimson, for a lot of land, submitting (H. R. 31) "resolve in favor of F. W. Stimson;"

Were severally accepted in concurrence, the * bills and *213 resolves each read once, and to-morrow assigned for their second reading.

Report of the same Committee, on the petition of citizens of Northern Aroostook, for aid for building a bridge at Caribou across the Aroostook river, submitting (H. R. 32) "resolve in favor of bridge in the town of Lyndon," was accepted in concurrence, the resolve read once, and to-morrow assigned for its second reading.

Subsequently a message was received from the House, by Mr. Smith, its Clerk, requesting the return to the House of the foregoing resolve, and

On motion by Mr. VINTON,

The vote was reconsidered whereby the Senate assigned tomorrow for a second reading of the resolve, and

Ordered, That the Secretary return the bill to the House.

Report of the same Committee, on the petition of Isaac Varney, for a deed of a lot of land, submitting (H. R. 33) "resolve in favor of Isaac Varney;" Report of the same Committee, on the petition of M. L. Stewart, submitting (H. R. 34) "resolve in favor of M. L. Stewart;"

Report of the same Committee, on the petition of inhabitants of Baileyville, for aid in repairing roads, submitting (H. R. 35) "resolve in favor of the town of Baileyville;"

Report of the same Committee, on the petition of Albion W. Stratton, for a lot of land, submitting (H. R. 36) "resolve in favor of Albion W. Stratton;"

Report of the same Committee, on the petition of S. W. Stratton, for a deed of land, submitting (H. R. 37) "resolve in favor

of S. W. Stratton;"

*214 * Report of the same Committee, on the petition of Hector Sutherland, for a conveyance of land to Jessie Sutherland, submitting (H. R. 38) "resolve in favor of Jessie Sutherland;"

Report of the same Committee, on the petition of Olof Ljungren and Magnus Jeppson, submitting (H. R. 39) "resolve in favor of Olof Ljungren and Magnus Jeppson;"

Were severally accepted in concurrence, the resolves each read once, and to-morrow assigned for their second reading.

H. R. 40. "Resolve authorizing the Land Agent to convey by deed to John Estes a lot of land," introduced in the House and passed to be engrossed by that branch, was read once, and to-morrow assigned for its second reading.

The following printed bills and resolves were each read once and to-morrow assigned for their second reading:

S. 46. "An act to further amend section 28 of chapter 18 of the revised statutes, relating to ways;"

S. 11. "Resolve in favor of the Maine State College of Agriculture and the Mechanic Arts;"

S. 3. "An act to amend section 3, chapter 7 of the revised statutes, relating to election returns;"

H. R. 21. "Resolve in favor of Swedish settlers;"

Mr. HOBSON, from the Committee on Manufactures, to whom was referred the memorial of the National Board of Trade, relating to the establishment of art and science schools, reported that the same be referred to the next Legislature.

The report was accepted.

Sent down for concurrence.

Mr. WATTS, from the Committee on Commerce, *re- *215 ported that said Committee has acted upon all matters referred to them.

Mr. SHEPHERD, from the Committee on Education, made a similar report.

'Mr. HOBSON, from the Committee on Manufactures, made a similar report.

These reports were severally accepted.

Sent down for concurrence.

Mr. PHILLIPS, from the Committee on Education, on the Governor's message, reported the following resolve:

S. 28. "Resolve in favor of the Western Normal School."

Mr. SHEPHERD, from the Committee on Education, on the Governor's message, reported a bill (S. 57) "an act to amend chapter 76 of the public laws of 1876, entitled 'an act relating to normal schools."

These reports were severally accepted, and the bill and resolve each laid over to be printed under the Joint Rule.

The Committee on Bills in the Second Reading reported the following bill and resolve :

S. 51. "An act entitled an act providing for division of rents of island shores to the Penobscot Indians, and for other purposes;"

S. 16. "Resolve providing for payment for certain rents now in suit to the agent of the Penobscot tribe;"

Which were each read a second time, and

On motion by Mr. KYES,

Ordered, That they lie on the table and be printed.

The same Committee also reported the following bill:

*S. 49. "An act to encourage the introduction of the *216 manufacture of beet sugar," which was read a second time, and

On motion by Mr. VINTON,

Ordered, That it lie on the table and be printed.

The same Committee also reported the following bills:

H. R. 68. "An act to amend section 8 of chapter 17 of the revised statutes, relating to nuisances;"

H. R. 135. "An act to amend section 56 of chapter 38 of the revised statutes, relating to weights and measures of agricultural products;"

Which were each read a second time, and

Ordered, That they lie on the table.

The Committee on Bills in the Second Reading reported the following bills:

H. R. 134. "An act amendatory to chapter 30 of the public laws of 1875, relating to the better protection of life and property;"

H. R. 31. "An act relative to proceedings in court;"

H. R. 75. "An act to amend the charter of the Northern Waldo Agricultural Society;"

H. R. 90. "An act authorizing views by juries in all cases;"

Which were read twice and passed to be engrossed in concurrence.

The same Committee reported the following bill:

H. R 133. "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," which was read a second time, House amendment "A" was agreed to, and the bill passed to be engrossed in concurrence.

*217 * The same Committee reported the following bills and resolves:

S. 50. "An act additional to chapter 29 of the public laws of 1869, concerning the militia;"

S. 44. "An act to amend section 153 of chapter 6 of the revised statutes, relating to the powers of town treasurers;"

H. R. 19. "Resolve in favor of the town of Stockton;"

H. R. 26. "Resolve in favor of the town of Anson;" Which were read twice and passed to be engrossed.

Sent down for concurrence.

The same Committee reported the following resolve:

S. 15. "Resolve for the appointment of a commission to revise the militia law," which was read a second time.

Mr. VINTON proposed an amendment marked "A," which was agreed to, and the resolve passed to be engrossed.

Sent down for concurrence.

The Committee on Engrossed Bills reported as truly and strictly engrossed the following bills :

H. R. 52. "An act to amend an act to incorporate the Trustees of the Sailors' Home in Portland ;"

H. R. 43. "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;"

H. R. 33. "An act repealing sections 5, 6, 7 and 8, chapter 30 revised statutes, relating to bounty on bears and wolves;"

H. R. 54. "An act additional to chapter 298 of the special laws of the year 1876, establishing the Ellsworth Municipal Court;"

*H. R. 28. "An act to amend chapter 263 of the special *218 laws of 1876, relating to the fishing interest in Lufkin pond;"

H. R. 105. "An act to authorize the Second Baptist Society of Gorham to sell and convey all its personal and real estate;"

H. R. 106. "An act additional to an act to incorporate the city of Rockland;"

H. R. 104. "An act to incorporate the Cornelius Pond Ice Company;"

H. R. 36. "An act for the protection of fish in certain ponds in the town of Standish;"

S. 12. "An act to promote the efficiency of the police force of the city of Portland;"

S. 35. "An act to restrict the killing of seal in Casco bay;"

S. 38. "An act additional relating to the city of Portland, limiting its power to create debts;"

Which were each passed to be enacted in concurrence.

The Committee on Engrossed Bills also reported as truly and strictly engrossed the following resolves :

H. R. 7. "Resolve for the appointment of a commission to reconstruct the laws relating to fisheries and the protection of fish;"

H. R. 24. "Resolve in favor of Tomah Peol Tomah;"

H. R. 23. "Resolve in favor of Sabattis Dana;"

S. 3. "Resolve relating to the partition of lands in township No. 18, in range 3, known as the town of Grand Isle;"

Which were each finally passed in concurrence.

*219 And these several bills and resolves, having * been signed

by the President, were by the Secretary presented to the Governor for his approval.

Papers from the House:

Report of the Committee on Pensions, on the memorial of Mrs. Spencer G. Bowers, that the same be referred to the Governor and Council;

Report of the Committee on Education, to whom was referred the papers of the last Legislature relating to the proposed Bridgton Normal School, that the same be referred to the Superintendent of Common Schools;

Were severally accepted in concurrence.

Report of the Committee on Claims, on an order relating to the claim of the town of Smyrna, for reimbursement for money paid the State in 1864, that legislation thereon is inexpedient, came from the House recommitted.

Report of the same Committee, on the petitions of the towns of Lubec, Harrington, Linneus and Lexington, for reimbursement of money paid the State in 1864, that the petitioners have leave to withdraw, came from the House recommitted, and

On motion by Mr. KYES,

The Senate non-concurred with the House in recommitting the foregoing reports, and the same were accepted.

Sent down for concurrence.

On motion by Mr. PEAKS,

The report of the Committee on Claims, on the petition of Warren Johnson, for pay for services, was referred to the Committee on the Judiciary.

Sent down for concurrence.

On motion by Mr. PEAKS,

*220 * S. 21. "An act to authorize the appointment of police officers at camp-meetings," was taken from the table, and *Resolved*, That it be indefinitely postponed. Sent down for concurrence.

On motion by Mr. WHEELWRIGHT,

S. 7. "An act to revise and consolidate the laws relating to the government, powers, duties, privileges and liabilities of savings banks and institutions for savings," (Senate Printed Doc. No. 24 and House Printed Doc. No. 9) was taken from the table and read a second time.

On motion by Mr. VINTON,

The Senate proceeded to the consideration of House amendment "H."

Mr. WHEELWRIGHT moved that the Senate non-concur in its adoption, and pending this question,

On motion by Mr. PEAKS, at 10 minutes past 1 o'clock P. M. The Senate adjourned.

FRIDAY, FEBRUARY 2, 1877.

Met according to adjournment, 10 A. M.

Prayer by Rev. Mr. Emmons of Hallowell.

The Journal of yesterday was read.

Papers from the House :

Petition of Lewis McDonald, for authority to extend a wharf into tide waters of Fox Island Thoroughfare;

* Remonstrance of the county officers of Piscataquis *221 county;

Remonstrance of citizens of Monson,—severally against setting off a portion of Parkman and annexing the same to the town of Cambridge;

Were each referred to the next Legislature in concurrence.

H. R. 136. Bill "an act to change the name of the town of Lyndon to Caribou," was referred to the Committee on Towns in concurrence.

Report of the Committee on Agriculture, on the petition of inhabitants of Trescott, for a bounty for killing wild-cats, that the same be referred to the next Legislature;

Report of the Committee on Claims, on the petition of Caleb Sherman, for pay for the stumpage of timber cut on certain lots, that the same be referred to the next Legislature; Report of the Committee on Education, on an order relating to uniformity of text-books, that legislation thereon is inexpedient;

Report of the same Committee, on an order relating to the appointment of a suitable person to make a geological survey of the State, that the same be referred to the next Legislature;

Report of the same Committee, on the petition of the municipal officers of Gouldsboro', for reimbursement of school money, that the petitioners have leave to withdraw;

Report of the Committee on Indian Affairs, on the petition of Penobscot Indians, for an appropriation for the repair of their

church, that the petitioners have leave to withdraw;

*222 Report of the Committee on Interior Waters, * on the petition of J. C. Blanchard, for legislation to prohibit the

throwing of sawdust into Martin stream in Plymouth, that legislation thereon is inexpedient;

Report of the same Committee, on the petition of the Dunn Edge Tool Company, for legislation to prevent the throwing of refuse timber into the Messalonskee river, that legislation thereon is inexpedient;

Report of the Committee on the Judiciary, on an order relating to security of property against fires, that legislation thereon is inexpedient;

Report of the same Committee, on an order relating to the appointment of a State detective, that legislation thereon is inexpedient;

Report of the same Committee, on an order relating to amending chapter 49 of the revised statutes, that legislation thereon is inexpedient;

Report of the same Committee, on the petition of citizens of Chapman plantation, for legislation to legalize the doings of said plantation, that the petitioners have leave to withdraw;

Report of the same Committee, on bill (H. R. 115) "an act to amend section 21 of chapter 113 of the revised statutes," that the same ought not to pass;

Report of the same Committee, on bill (H. R. 113) "an act to amend section 36 of chapter 91 of the revised statutes," that the same ought not to pass;

Report of the same Committee, on bill (H. R. 39) "an act to amend section 16, chapter 4 of the revised statutes, relating to elections," that the same ought not to pass; Report of the same Committee, on the petition of D. W. Sawyer and others, for the incorporation of District No. 1 in Boothbay, that the same be referred * to the next Legisla- *223 ture, with an order of notice;

Report of the same Committee, on bill (H. R. 32) "an act to revive the charter of the St. Croix and Mattawamkeag Railroad Company," that the same ought not to pass;

Report of the Committee on Legal Affairs, on an order relating to preventing the making of temporary deposits in savings banks to avoid taxation, that legislation thereon is inexpedient;

Report of the Committee on Mercantile Affairs and Insurance, on an order relating to defining the percentage of actual value of buildings which may be covered by insurance, that legislation thereon is inexpedient;

Report of the Committee on Railroads, on a bill (H. R. 23) and the petition of L. D. Leavitt, for the extension of the provisions of an act to incorporate the Calais and Eastport Railroad Company, that the same be referred to the next Legislature;

Report of the Committee on Towns, on the petition of John Clough and others, for the incorporation of the town of Oakfield, that the same be referred to the next Legislature, with an order of notice;

Report of the same Committee, on the petition of Thomas Hersey and others of Bangor, for the incorporation of the town of Home, that the petitioners have leave to withdraw;

Report of the same Committee, on the petition of Milford Crosby and others of plantation No. 21, Washington county, to be incorporated into a town, that the petitioners have leave to withdraw;

Report of the Committee on Ways and Bridges, on the petition of inhabitants of Somerset county, * for aid to *224 build a road from Flagstaff to Dead River plantation, that the same be referred to the next Legislature;

Report of the same Committee, on the petition of William E. Gould and others, for legislation to authorize the County Commissioners of Cumberland county to lay out a road over tide waters in Cape Elizabeth (with bill H. H. 25) that the petitioners have leave to withdraw;

Report of the Committee on Education, on bill (H. R. 91) "an

act in aid of the deaf and dumb school of the city of Portland," that the same ought not to pass;

Report of the same Committee, on an order relating to amending chapter 11, section 6, of the revised statutes, that the same be referred to the next Legislature;

Report of the Committee on Fisheries, on sundry bills (H. R. 29, H. R. 44, H. R. 46, H. R. 45, H. R. 66, H. R. 67, H. R. 27, and S. 15,) and petitions relating to the protection of fish in various rivers and streams, that the same be referred to the commission to be appointed in accordance with a "resolve for the appointment of a commission to reconstruct the laws relating to fisheries and the protection of fish;

Report of the Committee on the Judiciary, on bill (II. R. 30) "an act additional to section 3, chapter 86 of the revised statutes, relating to assignment of goods, effects and credits in the hands of trustees," that the same ought not to pass;

Report of the Committee on the Judiciary, on the petition of C. A. Barnard and others, for legislation to authorize the city of

Calais to take stock in or loan credit to the St. Croix and

*225 Mattawamkeag * Railroad Company, that the petitioners have leave to withdraw;

Report of the same Committee, on the petition of J. B. Dingley, for a charter for a free bridge across the Kennebec river from Gardiner to Pittston, that the same be referred to the next Legislature;

Report of the same Committee, on an order relating to amending chapter 70 of the revised statutes, relating to assignments of debtors, that legislation thereon is inexpedient;

Report of the Committee on Manufactures, on bill (H. R. 55) "an act to incorporate the People's Loan and Building Association," that legislation thereon is inexpedient;

Were severally accepted in concurrence.

Report of the Committee on Fisheries, on the report of the Commissioners of Fisheries, submitting (H. R. 41) "resolve making an appropriation for the propagation of fish;"

Report of the same Committee, submitting a bill (H. R. 138) "an act additional to an act restricting the killing of seal in Casco bay," that the same ought to pass; Report of the Committee on Claims, on (H. R. 6) "resolve in favor of the county of Aroostook," that the same ought to pass;

Report of the Hancock County Delegation, on the petition of citizens of Ellsworth, submitting a bill (H. R. 139) "an act changing the time of the municipal election in the city of Ellsworth;"

Report of the Committee on Indian Affairs, on the petition of the Penobscot Indians, submitting (H. R. 42) "resolve making appropriations for the Penobscot tribe of Indians;"

* Report of the Committee on Interior Waters, on the *226 petition of the Franklin Land and Lumber Company, sub-

mitting a bill (H. R. 140) "an act to amend an act entitled an act to incorporate the Franklin Land and Lumber Company;"

Report of the same Committee, on the petition of citizens of Aroostook county, submitting a bill (H. R. 141) "an act to extend the charter of the Aroostook Steamboat Company;"

Report of the Committee on the Judiciary, on bill (H. R. 100) "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, A. D. 1873," that the sameought to pass;

Report of the same Committee, on bill (S. 6) "an act granting further time to the Penobscot and Lake Megantic Railroad Company to locate and complete its railroad," that the same ought to pass;

Report of the same Committee, on bill (H. R. 24) "an act to amend section 3 of chapter 26 of the public laws of 1872, relating to the altering or widening of streets," with the same in a new draft, and that it ought to pass;

Report of the same Committee, on (H. R. 10) "resolve providing for a seal of the State," that the same ought to pass;

Report of the same Committee, on bill (H. R. 96) "an act to amend section 53 of chapter 11 of the revised statutes, relating to the election of superintending school committees," with the same in a new draft, and that it ought to pass;

Report of the Committee on Legal Affairs, on an order, submitting a bill (H. R. 145) "an act to amend * chapter *227 60 of the public laws of 1876, relating to administrators, executors and trustees;"

13

Report of the same Committee, on bill (H. R. 123) "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," that the same ought to pass;

Report of the same Committee, on the petition of J. W. Clark and others; submitting a bill (H. R. 144) "an act to incorporate the Bryant's Pond and Andover Telegraph Company;"

Report of the same Committee, on (H. R. 13) "resolve relating to the purchase by the State of certain Maine reports," that the same ought to pass;

Report of the Committee on Military Affairs, on an order relating to commutation for clothing for the Montgomery Guards of Portland, submitting (H. R. 43) "resolve providing clothing for the Portland Montgomery Guards;"

Report of the Committee on Railroads, on bill (H. R. 81) "an act to amend the 'act to incorporate the Lincolnville Railroad Company,' approved February 18, 1874," that the same ought to pass;

Report of the Committee on State Lands and State Roads, on (H. R. 2) "resolve in favor of roads passing through the Indian township in Washington county," with the same in a new draft, and that it ought to pass;

Report of the same Committee, on an order relating to aid in building a bridge over Hunnewell stream, submitting (H. R. 44) "resolve in favor of St. Francis plantation;"

Report of the same Committee, on an order relating to aid *228 in building a bridge in Wallagrass * plantation, submitting

(H. R. 45) "resolve in favor of the plantation of Wallagrass;"

Report of the same Committee, on the petition of citizens of Northern Aroostook, for aid in building a bridge at Caribou, submitting (H. R. 32) "resolve in favor of bridge in the town of Lyndon;"

Report of the Committee on Towns, on the petition of citizens of Barnard, submitting bill (H. R. 146) "an act to repeal an act entitled 'an act to incorporate the town of Barnard;'"

Report of the Committee on Ways and Bridges, on bill (H.R. 59) "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,'" that the same ought to pass;

Were severally accepted in concurrence, the bills and resolves each read once, and to-morrow assigned for their second reading.

Report of the Committee on Agriculture, on an order relating to the protection of sheep, submitting a bill (H. R. 137) "an act additional to chapter 30 of the revised statutes, relating to mischievous dogs," was accepted in concurrence, the bill read once, and

On motion by Mr. WEBB,

Ordered, That it lie on the table.

H. R. 107. "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," came from the House, and that branch insists upon its vote passing the bill to be engrossed, and proposes a Committee of Conference, and appoints

* Messrs. Kimball of Rockland, Hinckley of Georgetown *229 and White of Orono, conferees on its part.

Resolved, That the Senate insists upon its vote to indefinitely postpone the bill, and concurs in the proposed conference, and

Messrs. Woodbury of Kennebec, Vinton of Cumberland and Irish of Oxford, were appointed conferees on the part of the Senate.

H. R. 111. "An act to limit municipal indebtedness," came from the House, and that branch insists upon its vote passing the bill to be engrossed, and proposes a Committee of Conference, and appoints

Messrs. Pike of Calais, Stone of Biddeford and Robie of Gorham, conferees on its part.

Resolved, That the Senate insists upon its vote to indefinitely postpone the bill, and concurs in the proposed conference, and

Messrs. Stevens of Kennebec, White of Hancock and Nash of Washington, were appointed conferees on the part of the Senate.

H. R. 57. "An act to amend section 6 of chapter 120 of the public laws of 1876, to authorize the formation of railroad corporations," came from the House, and that branch insists upon its vote to indefinitely postpone the bill, and proposes a Committee of Conference, and appoints

Messrs. Pilsbury of Lewiston, Locke of Portland and Kimball of Rockland, conferees on its part.

Resolved, That the Senate insists upon the passage of the bill, and concurs in the proposed conference,

*230 * And Messrs. Brown of Piscataquis, Vinton of Cumberland and Stevens of Kennebec, were appointed conferees on its part.

The following printed bills were each read once, and to-morrow assigned for their second reading:

S. 2. "An act to amend section 5 of chapter 78 of the revised statutes, as amended by chapter 62 of the public laws of 1876, relating to election returns."

S. 17. "An act relating to witnesses and evidence."

S. 52. "An act additional to section 6 of chapter 6 of the revised statutes, relating to the taxation of property of religious societies."

S. 53. "An act to amend section 32, chapter 4 of the revised statutes, relating to elections."

S. 55. "An act to amend section 16 of chapter 40 of the public laws of the year 1872, relating to railroad crossings."

Mr. BOARDMAN presented (S. 29) "resolve relating to sale of Lassell's island in Penobscot bay," which was referred to the Governor and Council.

Sent down for concurrence.

Mr. THOMPSON presented (S. 30) "resolve in favor of the Joint Standing Committee on State Prison."

Mr. JORDAN presented (S. 31) "resolve in favor of the Joint Standing Committee on Financial Affairs."

These resolves were each read twice, the rules being suspended, and passed to be engrossed.

Sent down for concurrence.

Mr. JORDAN, from the Committee on Temperance, to whom was referred a bill (H. R. 132) "an act to amend section 35 of chapter 27 of the revised statutes, relating to the illegal sale of intoxicating liquors," that the same be referred to the next Legislature.

* The report was accepted.

Sent down for concurrence.

Mr. WHEELWRIGHT, from the Committee on Banks and Banking, reported that said Committee had acted upon all matters referred to them.

Mr. TOLMAN, from the Committee on Public Buildings, made a similar report.

Mr. WHEELWRIGHT, from the Committee on Temperance, made a similar report.

These reports were severally accepted.

Sent down for concurrence.

On motion by Mr. STURGIS,

Ordered, That when the Senate adjourns it be to meet this afternoon at half-past two o'clock.

The Committee on Bills in the Second Reading reported the following bill:

S. 46. "An act to further amend section 28 of chapter 18 of the revised statutes, relating to ways," which was read a second time.

Mr. KYES proposed to amend by adding a section :

Sect. —. This act shall not affect the duties of said commissioners in any matter wherein their judgment has been reversed on appeal within two years.

And pending its adoption,

On motion by Mr. THOMPSON,

Ordered, That the bill lie on the table.

The same Committee also reported the following resolve:

S. 11. "Resolve in favor of the Maine State College of Agriculture and the Mechanic Arts," which was read a second time, and

On motion by Mr. IRISH,

Ordered, That it lie on the table.

*The Committee on Bills in the Second Reading reported *232 the following bills and resolves:

H. R. 74. "An act relating to the police force of the city of Bath;"

*231

H. R 77. "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;"

H. R. 95. "An act to amend chapter 40, section 50, of the revised statutes, relative to Pleasant river;"

H. R. 20. "Resolve authorizing the removal of the colors presented to the Seventeenth Regiment of Maine volunteers, by the merchants of Portland;"

H. R. 40. "Resolve authorizing the Land Agent to convey by deed to John Estes a lot of land;"

H. R. 38. "Resolve in favor of Jessie Sutherland;"

H. R. 36. "Resolve in favor of Albion W. Stratton;"

H. R. 28. "Resolve in favor of Benjamin Alexander;"

H. R. 37. "Resolve in favor of S. W. Stratton;"

H. R. 27. "Resolve in favor of Charles G. Perry;"

H. R. 39. "Resolve in favor of Olof Ljungren and Magnus Jeppson;"

H. R. 31. "Resolve in favor of F. W. Stimson;"

H. R. 29. "Resolve in favor of David Dudley;"

H. R. 34. "Resolve in favor of M. L. Stewart;"

H. R. 33. "Resolve in favor of Isaac Varney;"

H. R. 12. "Resolve in relation to the binding of the acts and resolves of this State;"

H. R. 35. "Resolve in favor of the town of Baileyville;"

H. R. 30. "Resolve in favor of John M. Brown;"

Which were read twice and passed to be engrossed in concurrence.

The same Committee also reported the following bill and resolve:

*233 * S. 3. "An act to amend section 3, chapter 7 of the revised statutes, relating to election returns;"

H. R. 21. "Resolve in favor of Swedish settlers;"

Which were read twice and passed to be engrossed.

Sent down for concurrence.

The Committee on Engrossed Bills reported as truly and strictly engrossed the following bills :

H. R. 78. "An act to change the name of the Main Street Methodist Episcopal Free Church Society of Lewiston;" H. R. 122. "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;"

H. R. 62. "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;"

H. R. 72. "An act to authorize the York Manufacturing Company to reduce its capital stock;"

H. R. 80. "An act to amend the charter of the Union Mutual Life Insurance Company;"

H. R. 87. "An act in relation to proceedings in criminal cases;"

H. R. 94. "An act to amend an act entitled an act to incorporate the Masonic Trustees of Lewiston;"

H. R. 17. "An act to amend section 4 of chapter 125 of the revised statutes, relating to gambling;"

H. R. 119. "An act additional to chapter 101 of the public laws of the year 1876, relating to the equity powers of the Supreme Judicial Court;"

H. R. 117. "An act to authorize the town of * Yar- *234 mouth to build a foot-bridge over tide waters;"

H. R. 110. "An act to incorporate the Fifty Associates of Ellsworth;"

H. R. 112. "An act to set off the farm of F. P. Crowell from the Fairfield Village Corporation;"

H. R. 121. "An act to make valid the doings of John G. Adams, a trial justice;"

H. R. 71. "An act additional to an act entitled an act to supply the people of Augusta with pure water, approved March 12, 1870;"

H. R. 118. "An act authorizing Alton E. Ayer to dredge bars, remove boulders, and navigate East pond by steam;"

H. R. 120. "An act to authorize James F. Grindel to take ice from Meadow pond in the town of Islesboro';"

H. R. 51. "An act additional to an act entitled 'an act to incorporate the city of Bath;"

Which were each passed to be enacted in concurrence.

The Committee on Engrossed Bills also reported as truly and strictly engrossed the following resolve :

H. R. 14. "Resolve amendatory of chapter 156 of the resolves of 1876, entitled 'resolve in favor of John Ryan," which was finally passed in concurrence.

The Committee on Engrossed Bills also reported as truly and strictly engrossed the following bill:

S. 37. "An act against pool-selling and lotteries."

On motion by Mr. PHILLIPS,

That the bill be indefinitely postponed, was determined in the negative.

*235 * On motion by Mr. WHEELWRIGHT,

The vote was reconsidered whereby the Senate passed the bill to be engrossed.

The same Senator proposed to amend by striking out section 2. The amendment was agreed to, and the bill passed to be engrossed as amended.

Sent down for concurrence.

On motion by Mr. VINTON,

S. 7. "An act to revise and consolidate the laws relating to the government, powers, duties, privileges and liabilities of savings banks and institutions for savings," (Senate Printed Doc. No. 24 and House Printed Doc. No. 9) was taken from the table.

House amendment "H," to amend by striking out of section 15, in 16th line, the words, "one-half of one per cent," and inserting "one per cent," was disagreed to, and

On motion by Mr. VINTON,

Ordered, That the bill lie on the table.

On motion by Mr. PEAKS,

H. R. 135. "An act to amend section 56 of chapter 38 of the revised statutes, relating to weights and measures of agricultural products," was taken from the table, and

Resolved, That it be indefinitely postponed. Sent down for concurrence.

On motion by Mr. JORDAN, at 43 minutes past 12 o'clock M., The Senate adjourned.

*AFTERNOON-HALF-PAST TWO O'CLOCK. *236

Met according to adjournment.

In the absence of the President, the Senate was called to order by the Secretary.

On motion by Mr. THOMPSON,

Messrs. Thompson of York, Bragdon of Hancock and Webb of Penobscot, were appointed a Committee to receive, sort and count the votes for President *pro tempore*.

Having attended to that duty, the Committee reported as follows:

The whole number of votes is	16
Necessary for a choice	9
J. S. Wheelwright has	11
Warren H. Vinton	5

The report was accepted, and Hon. Joseph S. Wheelwright was declared duly elected President pro tempore of the Senate.

Mr. Wheelwright was conducted to the Chair by Mr. Vinton of Cumberland and Mr. Shepherd of Somerset, and accepted the office in remarks acknowledging the honor conferred.

On motion by Mr. WHITE,

Ordered, That a message be sent to the Governor and Council, informing the Executive Department that in the absence of the President, * Hon. Joseph S. Wheelwright has been *237 elected President pro tempore.

On motion by the same Senator,

Ordered, That a message be sent to the House of Representatives, informing that branch that in the absence of the President, Hon. Joseph S. Wheelwright has been chosen President pro tempore.

The messages were conveyed by the Secretary.

On motion by Mr. KYES,

S. 46. "An act to further amend section 28 of chapter 18 of the revised statutes, relating to ways," was taken from the table.

Mr. KYES withdrew his proposed amendment adding a section, and

Resolved, That the bill be indefinitely postponed.

Sent down for concurrence.

On motion by Mr. IRISH,

S. 11. "Resolve in favor of the Maine State College of Agriculture and the Mechanic Arts," was taken from the table.

Mr. KYES proposed an amendment, to amend by striking out the words "fifteen thousand two hundred eighteen," and insert "eight thousand."

Mr. VINTON moved a division of the question, and on the question of striking out the words "fifteen thousand two hundred

eighteen," it was determined in the negative, { Yeas..... 10 Nays..... 13

On motion by Mr. KYES,

The yeas and nays being desired by one-fifth of the Senators present,

*238 * Those who voted in the affirmative are :

Messrs. Boardman, Bragdon, Irish, Kyes, Nash, Stevens, Sumner, Thompson, Wadsworth, Watts-10.

Those who voted in the negative are:

Messrs. Bailey, Bartlett, Brown, Burleigh, Learned, Peaks, Phillips, Shepherd, Sturgis, Vinton, Wheelwright, White, Woodbury-13.

So the amendment was disagreed to.

The question returning on the passage of the resolve to be en-

grossed, it was determined in the affirmative, {Yeas..... 16 Nays..... 7

On motion by Mr. KYES,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are :

Messrs. Bailey, Bartlett, Bragdon, Brown, Burleigh, Learned, Peaks, Phillips, Shepherd, Stevens, Sturgis, Sumner, Vinton, Wheelwright, White, Woodbury-16.

Those who voted in the negative are :

Messrs. Boardman, Irish, Kyes, Nash, Thompson, Wadsworth, Watts-7.

So the resolve passed to be engrossed.

Sent down for concurrence.

On motion by Mr. VINTON,

The several votes of the Senate were reconsidered whereby the Senate passed to be enacted and finally passed the following bills and resolve: H. R. 78. "An act to change the name of the Main Street Methodist Episcopal Free Church Society of Lewiston;"

* H. R. 122. "An act to amend section 8 of chapter 78 *239 of the revised statutes, relating to the adjournment of the sessions of the county commissioners' court;"

H. R. 62. "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;"

H. R. 72. "An act to authorize the York Manufacturing Company to reduce its capital stock ;"

H. R. 80. "An act to amend the charter of the Union Mutual Life Insurance Company;"

H. R. 87. "An act in relation to proceedings in criminal cases;"

H. R. 94. "An act to amend an act entitled an act to incorporate the Masonic Trustees of Lewiston;"

H. R. 17. "An act to amend section 4 of chapter 125 of the revised statutes, relating to gambling;"

H. R. 119. "An act additional to chapter 101 of the public laws of the year 1876, relating to the equity power of the Supreme Judicial Court;"

H. R. 117. "An act to authorize the town of Yarmouth to build a foot-bridge over tide waters;"

H. R. 110. "An act to incorporate the Fifty Associates of Ellsworth;"

H. R. 112. "An act to set off the farm of F. P. Crowell from the Fairfield Village Corporation;"

H. R. 121. "An act to make valid the doings of John G. Adams, a trial justice;"

H. R. 71. "An act additional to an act entitled an act to supply the people of Augusta with pure water, approved March 12, 1870;"

H. R. 118. "An act authorizing Alton E. Ayer to dredge bars, remove boulders and navigate East pond by steam;"

* H. R. 120. "An act to authorize James F. Grindle to *240 take ice from Meadow pond, in the town of Islesboro';"

H. R. 51. "An act additional to an act entitled an act to incorporate the city of Bath;"

H. R. 14. "Resolve amendatory of chapter 156 of the resolves of 1876, entitled "resolve in favor of John Ryan" . The question returning upon the passage of the foregoing bills to be enacted, and upon the final passage of the resolve, it was

Resolved, That the several bills pass to be enacted and the resolve finally pass in concurrence.

And these several bills and resolve, having been signed by the President *pro tempore*, were by the Secretary presented to the Governor for his approval.

The Committee on Engrossed Bills reported as truly and strictly engrossed the following bill:

H. R. 129. "An act to amend the charter of the Camden Village Corporation," which was passed to be enacted in concurrence.

And this bill, having been signed by the President pro tempore, was by the Secretary presented to the Governor for his approval.

On motion by Mr. THOMPSON,

Resolved, That when the Senate adjourns, it be to meet to-morrow morning at 9 o'clock.

On motion by the same Senator, at 40 minutes past 4 o'clock P. M.,

The Senate adjourned.

*241

* SATURDAY, FEBRUARY 3, 1877.

Met according to adjournment, 9 A. M.

Prayer by Rev. Mr. PENNEY of Augusta.

The Journal of yesterday was read:

Papers from the House:

Petition of John S. Marsh and others, for legislation to prevent the taking of smelts from Sheepscot river, was referred to the next Legislature in concurrence.

Report of the Committee on Temperance, on an order relating to restricting the sale of opium, that the same be referred to the next Legislature, was accepted in concurrence.

Report of the Committee on the Judiciary, on an order relating to insane persons confined in jail, submitting a bill (H. R. 147) "an act to amend chapter 137 of the revised statutes, in relation to disposal of criminals," was accepted in concurrence, the bill read once, and Monday assigned for its second reading.

Report of the same Committee, on bill (H. R. 70) "an act giving county commissioners jurisdiction over the repairs of ways," that the same ought to pass, was accepted in concurrence, the bill read once, and Monday assigned for its second reading.

Subsequently a message was received from the House, by Mr. Smith, its Clerk, requesting the return to that branch of the foregoing bill.

The vote was reconsidered assigning Monday * for its *242 second reading, and

Ordered, That the bill be returned to the House.

Report of the Committee on Legal Affairs, on bill (H. R. 109) "an act to amend section 10, chapter 131 of the revised statutes, relating to allegations in indictments," with the same in a new draft, under title of "an act to amend section 10 of chapter 131 of the revised statutes, relating to indictments," and that it ought to pass;

Report of the same Committee, on bill (H. R. 21) "an act to amend chapter 6, section 53, of the revised statutes, relating to repairs of ways in unincorporated townships," that the same ought to pass;

Report of the Committee on Military Affairs, on the petition of Mrs. G. K. Jewett and others, submitting (H. R. 46) "resolve in favor of the Bangor Children's Home;"

Report of the same Committee, on the petition of Ann M. Brown and others, submitting (H. R. 47) "resolve in favor of the Female Orphan Asylum, Portland;"

Report of the Committee on State Lands and State Roads, on the petition of Rufus F. Stone, for a lot of land, submitting (H. R. 48) "resolve in favor of Rufus F. Stone;"

Report of the same Committee, on the petition of inhabitants of Maysville, for an appropriation to pay for repairs on the Aroostook bridge in said town, submitting (H. R. 49) " resolve in favor of the town of Maysville;"

Report of the Committee on the Judiciary, on (H. R. 18) "resolve concerning an amendment of the Constitution of Maine, relating to-electors," that the same ought to pass; *243 Were severally accepted in concurrence, the * bills and resolves each read once, and Monday assigned for their second reading.

H. R. 148. "An act to provide in part for the expenditures of government," introduced in the House, from the Committee on Ways and Means, and passed to be engrossed by that branch, was read once and Monday assigned for its second reading.

Subsequently a message was received from the House, by Mr. Smith, its Clerk, requesting the return of the foregoing bill to that branch.

The vote assigning Monday for the second reading of the bill was reconsidered, and

Ordered, That the bill be returned to the House.

Report of the Committee on Interior Waters, on bill (H. R. 8) "an act to prevent the throwing of slabs and other refuse into the Kennebec river and its tributaries," that the same ought to pass, was accepted in concurrence, and the bill read twice, the rules being suspended.

The Senate non-concurred with the House in referring the bill to the next Legislature, and

Resolved, That it pass to be engrossed.

Sent down for concurrence.

Report of the Committee on Towns, on the petition of Frank E. Sleeper and others, submitting bill (H. R. 149) "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 accepted, the bill read twice, the rules being suspended, and indefinitely postponed in concurrence

H. R. 73. "An act for the protection of cranberries in the towns of Machias and East Machias," passed to be engrossed by

the Senate, came from the House amended per sheets "A" *244 and "B," and * passed to be engrossed.

The Senate receded, the amendments "A" and "B" were rejected, and

Resolved, That the bill be indefinitely postponed.

Sent down for concurrence.

Report of the Committee on Legal Affairs, on bill (H. R. 20) "an act additional to chapter 18 of the revised statutes, in relation to defects in highways," that the same ought not to pass, was accepted in concurrence.

Report of the Committee on Interior Waters, on the petition of Fred C. Barker, and bill (H. R. 14) "an act to authorize Fred C. Barker to navigate Moosebomegantic and Cupsuptic lakes in Oxford county by steam," that the same be referred to the next Legislature, with an order of notice;

Report of the same Committee, on the petition of Charles A. J. Farrer, and bill (H. R. 38) "an act to authorize Charles A. J. Farrer to dredge bars, blast rocks and navigate Richardson's lakes and intervening streams by steam," that the same be referred to the next Legislature, with an order of notice;

Were severally accepted in concurrence.

Subsequently a message was received from the House, by Mr. Smith, its Clerk, requesting the return to that branch of the foregoing reports on the petition of Fred C. Barker (and bill H. R. 14) and the petition of Charles A. J. Farrer (and bill H. R. 38).

The votes accepting said reports were reconsidered, and the reports were returned to the House.

A communication was received from Hon. S. J. Chadbourne, Secretary of State, transmitting the annual report of the Maine Industrial School * for Girls, which was read and *245 sent down.

The following printed bills and resolves were each read once, and Monday assigned for their second reading:

S. 54. "An act to provide for the organization and management of loan and building associations."

S 56. "An act to amend section 9, chapter 116 of the revised statutes, relating to support of prisoners in jails."

S. 19. "Resolve in favor of compiling and printing the school laws."

S. 20. "Resolve in favor of the military and naval asylum at Bath."

S. 26. "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."

A message was received from the House of Representatives, by Mr. Smith, its Clerk, proposing a Convention of the two branches of the Legislature in the Hall of the House of Representatives, on Tuesday evening next at seven o'clock, for the purpose of listening to a centennial address by the Hon. Joshua L. Chamberlain.

The Senate concurred in the foregoing proposition, of which the Secretary informed the House by message.

Mr. BROWN, from the Joint Select Committee on Enlargement of the State House, on an order, reported (S. 32) "resolve relating to the improvement and enlargement of the State House."

The report was accepted, the rules were suspended, the resolve read once, and Monday assigned for its second reading.

*246 * Mr. JORDAN, from the Committee on Reform School, submitted final report of said Committee, that they had acted on all matters referred to them.

The report was accepted, Sent down for concurrence.

Mr. JORDAN presented (S. 33) "resolve in favor of the Maine Industrial School for Girls," which was read once, and

On motion by Mr. VINTON,

Ordered, That Tuesday next be assigned for its consideration.

The Committee on Bills in the Second Reading, reported the following bills and resolves:

H. R. 145. "An act to amend chapter 60 of the public laws of 1876, relating to administrators, executors and trustees;"

H. R. 96. "An act to amend section 53 of chapter 11 of the revised statutes, relating to the election of superintending school committees;"

H. R. 24. "An act to amend section 3 of chapter 26 of the public laws of 1872, relating to the altering or widening of streets;"

H. R. 59. "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;"

H. R. 146. "An act to repeal an act to incorporate the town of Barnard;"

H. R. 81. "An act to amend the act to incorporate the Lincolnville Railroad Company, approved February 18, 1874;"

H R. 144. "An act to incorporate the Bryant's Pond and Andover Telegraph Company;" H. R. 123. "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;"

* H. R. 100. "An act to amend an act entitled an act *247 to extend the time for locating the route of the Portland, Rutland, Oswego and Chicago Railway, approved February 19,

1873;"

H. R. 141. "An act to extend the charter of the Aroostook Steamboat Company;"

H. R. 140. "An act to amend an act entitled an act to incorporate the Franklin Land and Lumber Company;"

H. R. 138. "An act additional to an act restricting the killing of seal in Casco bay;"

S. 6. "An act granting further time to the Penobscot and Lake Megantic Railroad Company to locate and complete its railroad;"

H. R. 45. "Resolve in favor of the plantation of Wallagrass;"

H. R. 44. "Resolve in favor of St. Francis plantation;"

H. R. 2. "Resolve in favor of roads passing through the Indian township in Washington county;"

H. R. 43. "Resolve providing clothing for the Portland Montgomery Guards;"

H. R. 13. "Resolve relating to the purchase by the State of certain Maine reports ;"

H. R. 10. "Resolve providing for a seal of the State;"

H. R. 42. "Resolve making appropriations for the Penobscot tribe of Indians;"

H. R. 41. "Resolve making appropriation for the propagation of fish;"

H. R. 6. "Resolve in favor of the county of Aroostook;"

Which were each read a second time and passed to be engrossed in concurrence. \cdot

The same Committee also reported the following bills:

S. 2 "An act to amend section 5 of chapter 78 of the revised statutes, as amended by chapter 62 of * the public *248 laws of 1876, relating to election returns;"

S. 17. "An act relating to witnesses and evidence;"

S. 53. "An act to amend section 32, chapter 4 of the revised statutes, relating to elections;"

S. 55. "An act to amend section 16 of chapter 40 of the public laws of the year 1872, relating to railroad crossings;"

Which were read a second time and passed to be engrossed. Sent down for concurrence.

The same Committee also reported the following resolve :

H. R. 32. "Resolve in favor of bridge in the town of Lyndon," which was read a second time, and pending the adoption of House amendment "A," by adding the words, "and to be paid when the bridge is completed,"

On motion by Mr. KYES,

Ordered, That the resolve lie on the table, and that Tuesday next be assigned for its consideration.

The same Committee also reported the following bill:

H. R. 139. "An act changing the time of the municipal election of the city of Ellsworth," which was read a second time, and

On motion of Mr. BRAGDON,

Ordered, That it lie on the table.

The same Committee also reported the following bill:

S. 52. "An act additional to section 6 of chapter 6 of the revised statutes, relating to the taxation of property of religious societies," which was read a second time.

Mr. BOARDMAN proposed an amendment marked "A," pending the adoption of which

*249 * On motion by Mr. STEVENS,

Ordered, That the bill lie on the table, and that Monday be assigned for its consideration.

On motion by Mr. PEAKS,

H. R. 41. "An act to authorize the town of Lyndon to appropriate money in aid of the Aroostook River Railroad Company," was taken from the table and passed to be engrossed in concurrence.

On motion by Mr. BURLEIGH,

H. R. 97. "An act to repeal chapter 146 of the public laws of 1876, relating to ways, and revive the provisions of section 39 of chapter 18 of the revised statutes," was taken from the table.

The same Senator proposed an amendment marked "A," which was agreed to, and the bill, as amended, passed to be engrossed.

Sent down for concurrence.

On motion by Mr. PEAKS,

Ordered, That Tuesday next at 11 o'clock A. M., be assigned for the consideration of bill (S. 36) "an act to amend chapter 27 of the revised statutes, relating to drinking-houses and tipplingshops.

On motion by Mr. PEAKS,

H. R. 137. "An act additional to chapter 30 of the revised statutes, relating to mischievous dogs," was taken from the table.

Mr. VINTON proposed an amendment marked "A," to strike out the words "and not previously paid out," in section 5.

The amendment was agreed to and the bill, as amended, passed to be engrossed.

Sent down for concurrence.

* On motion by Mr. VINTON,

*250

S. 33. "An act to amend section 65 of chapter 18 of

the revised statutes; relating to damage on ways, as amended by chapter 215 of the public laws of 1874, and chapter 97 of public laws of 1876," was taken from the table.

Mr. VINTON proposed amendments marked "B" and "C," which were agreed to.

Mr. BOARDMAN proposed to strike out the word "sixty," in line 21, and insert "seven," per amendment "D."

Mr. VINTON called for a division of the question, which was ordered.

The word "sixty" was stricken out.

Mr. WOODBURY proposed to insert the word "thirty," which was agreed to.

The bill, as amended, passed to be engrossed.

Sent down for concurrence.

The Committee on Engrossed Bills reported as truly and strictly engrossed the following bills :

H. R. 130. "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;"

H. R. 126. "An act amendatory to chapter 358 of the special laws of the year 1873, to prevent the throwing of ballast into the Kennebec river;" H. R. 13. "An act to prevent the taking of fish from Davis brook, sometimes called Whale's Back brook, in the town of Limington;"

H. R. 69. "An act to amend an act to establish a municipal court in the city of Biddeford;"

*251 H. R. 128. "An act to prevent destruction * of books, pictures, statues and paintings in public libraries;"

H. R. 127. "An act additional to chapter 127 of the public laws of 1876, entitled 'an act in relation to appeals from county commissioners;"

Which were each passed to be enacted in concurrence.

And these several bills, having been signed by the President, pro tempore, were by the Secretary presented to the Governor for his approval.

On motion by Mr. JORDAN,

Resolved, That when the Senate adjourns, it be to meet on Monday next at half-past two o'clock P. M.

On motion by Mr. BRAGDON, at 24 minutes past 12 o'clock M., The Senate adjourned.

MONDAY, FEBRUARY 5, 1877.

Met according to adjournment, 2:30 P. M.

Prayer by Rev. Mr. BLAISDELL of Gardiner.

The Journal of Saturday was read.

Papers from the House :

Report of the Committee on County Estimates, submitting (H. R. 50) "resolve laying a tax on the several counties of the

State ;"

*252 * Report of the Committee on Indian Affairs, submitting (H. R. 51) "resolve in favor of the Passamaquoddy In-

dians;"

Report of the Committee on the Judiciary, on bill (H. R. 48) "an act giving authority to the city of Portland in relation to certain railroads," that the same ought to pass; Were severally accepted, the bill and resolves each read twice, the rules being suspended, and passed to be engrossed in concurrence.

Report of the Committee on the Judiciary, on an order relating to biennial sessions and elections, submitting (H. R. 52) "resolve for amendment of the Constitution;"

Report of the same Committee, on an order relating to municipal indebtedness, submitting (H. R. 53) "resolve for the amendment of the Constitution," (relating to municipal indebtedness;)

Were severally accepted in concurrence, the resolves each read twice, the rules being suspended, and

Ordered, That they lie on the table.

Report of the same Committee, submitting bill (H. R. 150) "an act to prevent incompetent persons from conducting the business of apothecaries," and that it ought to pass;

Report of the Committee on Legal Affairs, on bill (S. 18) "an act in relation to the harbor commissioners of the harbor of the city of Portland, and to amend chapter 78 of the public laws of 1876," with the same in a new draft, under title of "an act in relation to Portland harbor and to the harbor commissioners of Portland harbor;"

Report of the same Committee, on an order, * submitting *253 bill (H. R. 151) "an act to amend section 13, chapter 133

of the public laws of 1873, relating to the punishment of criminals;"

Report of the Committee on Mercantile Affairs and Insurance, on bill (H. R. 79) "an act additional to chapter 49 of the revised statutes, relating to life insurance," that the same ought to pass;

Report of the Committee on Railroads, submitting two bills, viz:

H. R. 152. "An act to obtain uniform returns from railroad corporations;"

H. R. 153. "An act requiring railroad corporations to be holden for labor;"

Report of the Committee on State Lands and State Roads, on (H. R. 25) "resolve in favor of C. S. Hobbs of Norway," submitting the same in a new draft, and that it ought to pass;

Report of the Committee on Towns, on the petition of F. H. Wilson and others, submitting a bill (H. R. 142) "an act to change and fix the limits of the town of Haynesville;" Were severally accepted in concurrence, the bills and resolves each read twice, the rules being suspended, and passed to be engrossed in concurrence.

H. R. 148. "An act to provide in part for the expenditures of government," came from the House passed to be engrossed, and was read a second time and passed to be engrossed in concurrence.

Report of the Committee on State Lands and State Roads, on the petition of Joseph Webster, for authority to open a road across a certain lot of land, that the petitioner has leave to withdraw, was accepted in concurrence.

*254 * Report of the Committee on Ways and Bridges, on the petition of Edwin Reed and others, submitting a bill (H. R. 83) "an act to make free Merrymeeting bridge," was accepted in concurrence, the bill read twice, the rules being suspended.

The Senate non-concurred with the House in reference of the bill to the next Legislature.

Mr. BRAGDON proposed amendments marked "A," "B," "C," "D" and "E," which were agreed to, and the bill, as amended, passed to be engrossed.

Sent down for concurrence.

Report of the Committee on Ways and Bridges, on the petition of William Rice and others, submitting a bill (H. R. 84) "an act to make free Arrowsic bridge," and that it ought to pass, was accepted in concurrence, the bill read twice the rules being suspended.

The Senate non-concurred with the House in the reference of the bill to the next Legislature.

Mr. BRAGDON proposed amendments marked "A," "B," "C" and "D," which were agreed to, and the bill, as amended, passed to be engrossed.

Sent down for concurrence.

S. 37. "An act against pool-selling and lotteries," came from the House, and that branch adheres to its vote passing the bill to be enacted.

The Senate receded and concurred with the House.

And this bill, having been signed by the President pro tempore, was by the Secretary presented to the Governor for his approval.

S. 39. "An act in relation to county attorneys," came from the House, pending passage to be enacted, indefinitely postponed," and

On motion by Mr. WHITE,

* Ordered, That it lie on the table.

H. R. 26. "Resolve in favor of the town of Stockton," came back from the House amended by striking out from the eighth line the words, "and Maine reports," and passed to be engrossed as amended.

Resolved, That the Senate insists upon its vote passing the resolve to be engrossed, and proposes a Committee of Conference.

And Messrs. Boardman of Waldo, Stevens of Kennebec, and Shepherd of Somerset were appointed conferees on the part of the Senate.

Sent down for concurrence.

H. R. 61. "An act to incorporate the Bath Driving Park," came from the House amended by striking out the word "trotting" in section 3 and inserting the word "driving," and passed to be engrossed.

The Senate receded, the bill was read twice, the rules being suspended, the House amendment was agreed to, and the bill, as amended, passed to be engrossed in concurrence.

H. R. 65. "An act to amend section 1 of chapter 13 of the public laws of 1875," came from the House with title amended, by adding the words, "relating to close-time for lobsters," and passed to be engrossed.

The Senate receded and concurred with the House.

Report of the Committee of Conference, on the disagreeing votes of the two branches on bill (H. R. 107) "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," that the House recede and concur with the Senate in the *indefinite post- *256 ponement of the bill, came from the House rejected, and a second Committee of Conference proposed by that branch, with

*255

Messrs. Fellows of Windham, Hobson of Wiscasset and Goodwin of Farmington, appointed conferees on its part.

The Senate concurred in the proposed second Committee of Conference, and

Messrs. Stevens of Kennebec, Webb of Penobscot and White of Hancock, were appointed conferees on its part.

A message was received from the House, by Mr. Hinckley of Bluehill, informing the Senate that in the absence of the Speaker the House has made choice of Hon. B. T. Chase of Bridgton as Speaker *pro tempore*.

The following printed bills and resolves were each read twice, the rules being suspended, and passed to be engrossed :

S. 57. "An act to amend chapter 76 of the public laws of 1876, entitled 'an act relating to normal schools.""

S. 49. "An act to encourage the introduction of the manufacture of beet sugar."

S. 42. "An act to repeal section 31 of chapter 86 of the revised statutes, relating to trustee disclosures."

S. 16. "Resolve providing for payment for certain rents now in suit to the agent of the Penobscot tribe."

S. 21. "Resolve in favor of Van Buren plantation."

S. 25. "Resolve authorizing the Land Agent to quiet settlers on a section of land in the town of Presque Isle."

S. 22. "Resolve repealing chapter 175 of the resolves of 1876, relating to claims of settlers on proprietors' lands."

*257 * S. 27. "Resolve providing for the annual encampment of the Maine volunteer militia."

S. 18. "Resolve in favor of the Maine State Library."

S. 23. "Resolve in favor of the town of Kingsbury."

S. 24. "Resolve in favor of Elisha W. Shaw, Franklin R. Webber and Byron Porter."

S. 28. "Resolve in favor of the Western Normal School."

The following printed bill was taken from the table and passed to be engrossed:

S. 51. "An act entitled an act providing for division of rents of island shores to the Penobscot Indians, and for other purposes."

Mr. BURLEIGH presented (S. 34) "resolve authorizing the Land Agent to convey certain lots of land in townships numbered 4 and 5, range 13, in the county of Piscataquis," which was read twice, the rules being suspended, and passed to be engrossed.

Severally sent down for concurrence.

Mr. JORDAN, from the Committee on Reform School, on an order authorizing the Committee to visit said institution and report thereon, reported in detail, submitting (S. 35) "resolve in favor of the State Reform School," and pending its acceptance,

Ordered, That it lie on the table and be printed with accompanying resolve.

The Committee on Bills in the Second Reading reported the following bill:

H. R. 21. "An act to amend chapter 6, section 53, of the revised statutes, relating to repairs of ways in unincorporated townships," which was read a second time, and pending the adoption of House amendment "A,"

* On motion by Mr. BURLEIGH,

*258

Ordered, That it lie on the table.

The same Committee also reported the following resolve:

"Resolve concerning an amendment to the Consti-H. R. 18. tution of Maine, relating to electors," which was read a second time. and

On motion by Mr. WATTS,

Ordered. That it lie on the table.

The same Committee also reported the following resolve:

S. 32. "Resolve relating to the improvement and enlargement of the State House," which was read a second time, and

On motion by Mr. BROWN,

Ordered, That it lie on the table.

The same Committee also reported the following bills and resolves:

"Resolve in favor of the Bangor Children's Home;" H. R. 46.

H. R. 47. "Resolve in favor of the Female Orphan Asylum, Portland ;"

H. R. 48. "Resolve in favor of Rufus F. Stone;"

"Resolve in favor of the town of Maysville;" H. R. 49.

H. R. 109. "An act to amend section 10, chapter 131 of the revised statutes, relating to indictments;"

H. R. 147. "An act to amend chapter 137 of the revised statutes, in relation to disposal of criminals;"

Which were each read a second time and passed to be engrossed in concurrence.

The same Committee also reported the following bills and resolves:

S. 54. "An act to provide for the organization and management of loan and building associations;"

*259 * S. 56. "An act to amend section 9, chapter 116 of the revised statutes, relating to support of prisoners in jails;"

S. 19. "Resolve in favor of compiling and printing the school laws;"

S. 20. "Resolve in favor of the military and naval asylum at Bath;"

S. 26. "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:" '

Which were each read a record time and passed to be engrossed.

Sent down for concurrence.

The Committee on Engrossed Bills reported as truly and strictly engrossed the following bills :

H. R. 37. "An act to amend chapter 279 of the special laws of 1876, relating to catching smelts in Monsweag river and bay;"

H. R. 133. "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:"

H. R. 75. "An act to amend the charter of the Northern Waldo Agricultural Society;"

H. R. 134. "An act amendatory to chapter 30 of the public laws of 1875, relating to the better protection of life and property;"

H. R. 31. "An act relating to proceedings in court;"

H. R. 90. "An act authorizing views by juries in all cases;"

S. 41. "An act to facilitate the detection and punishment of certain offences;"

S. 16. "An act to prevent the throwing of refuse wood, timber and fibrous material, created by the sawing of lumber, into the Piscataquis river;" *S. 9. "An act further extending the time within which *260 to file the location and also to complete the Northern Aroostook Railroad;"

S. 28. "An act authorizing the sale of islands belonging to the State;"

S. 40 "An act in relation to county treasurers;"

S. 44. "An act to amend section 153 of chapter 6 of the revised statutes, relating to the powers of town treasurers;"

Which were each passed to be enacted in concurrence.

The Committee on Engrossed Bills also reported as truly and strictly engrossed the following resolve :

S. 2. "Resolve in favor of the town of Woodland," which was finally passed in concurrence.

And these several bills and resolve, having been signed by the President *pro tempore*, were by the Secretary presented to the Governor for his approval.

On motion by Mr. BRAGDON,

H. R. 139. "An act changing the time of the municipal election in the city of Ellsworth," was taken from the table.

The same Senator proposed an amendment marked "A," which was agreed to, and the bill, as amended, passed to be engrossed.

Sent down for concurrence.

On motion by Mr. THOMPSON,

The report of the Committee on State Prison, submitting (S. 14) "resolve in favor of the Maine State Prison," was taken from the table and accepted, the resolve read twice, the rules being suspended, and passed to be engrossed.

Sent down for concurrence.

* On motion by Mr. SUMNER, at 10 minutes past 5 *261 o'clock P. M.,

The Senate adjourned.

TUESDAY, FEBRUARY 6, 1877.

Met according to adjournment, 10 A. M.

Prayer by Rev. Mr. ADAMS of Augusta.

The Journal of yesterday was read.

Papers from the House:

Report of the Committee on the Judiciary, on bill (H. R. 5) "an act to establish a State Board of Health," that the same ought not to pass, was accepted in concurrence.

Report of the Committee on Agriculture, on bill (H. R. 124) "an act to amend an act entitled 'an act to incorporate the East Oxford Agricultural Society,' approved February 28, A. D. 1861," that the same ought to pass;

Report of the Committee on Commerce, on bill (H. R. 63) "an act providing for the appointment of port wardens," with the same in a new draft, under title of "an act to amend chapter 147 of the public laws of 1873, relating to the appointment and duties of port wardens;"

Report of the Cumberland County Delegation, on the petition

of Woodman, True and Company and others, submitting a *262 bill (H. R. 143) "an act * to establish the salary of the

judge of probate of the county of Cumberland;"

Report of the Cumberland County Delegation, on an order, submitting bill (H. R. 154) "an act establishing the compensation of the chairman of the County Commissioners for Cumberland county;"

Report of the Committee on Education, on an order, submitting bill (H. R. 155) "an act to provide for the more careful expenditure of school money in towns;"

Report of the same Committee, on an order, submitting bill (H. R. 156) "an act to amend section 31, chapter 11 of the revised statutes of 1871, relating to the powers of school districts;"

Report of the Committee on the Judiciary, on bill (H. R. 108) "an act requiring accounts and claims against towns, cities, &c., to be verified by oath," that the same ought to pass; Report of the Committee on the Judiciary, on an order relating to further provisions of law for the payment of damages to person and property by trustees of insolvent railroad companies, submitting bill (H R. 157) "an act to amend chapter 77 of the revised statutes, relative to the equity powers of the Supreme Judicial Court;"

Report of the Committee on State Lands and State Roads, on the petition of Charles W. Porter, submitting (H. R. 54) "resolve in favor of Charles W. Porter;"

Report of the Committee on Towns, on bill (H. R. 136) "an act to change the name of the town of Lyndon to Caribou," that the same ought to pass;

Report of the same Committee, an bill (H. R. 82) "an act to amend chapter 241 of the public laws of 1874, relating to cemeteries," that the same ought to pass;

*Were severally accepted, the bills and resolves each *263 read twice, the rules being suspended, and passed to be engrossed in concurrence.

H. R. 158. "An act providing for bridge-guards on railroads," introduced in the House, and passed to be engrossed by that branch, was read twice, the rules being suspended, and passed to be engrossed in concurrence.

H. R. 159. "An act to authorize Samuel Cunningham to navigate Androscoggin pond and Dead river by steam," introduced in the House, and passed to be engrossed by that branch, was read twice, the rules being suspended, and passed to be engrossed in concurrence.

H. R. 55. "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," was referred to the next Legislature in concurrence.

Report of the Committee on Indian Affairs, on (H. R. 9) "resolve in favor of the agent of the Penobscot tribe of Indians," was accepted, the resolve read twice, the rules being suspended, and passed to be engrossed in concurrence.

H. R. 13. "Resolve relating to the purchase by the State, of certain Maine reports," came from the House indefinitely postponed, pending final passage, and On motion by Mr. PEAKS,

Ordered, That it lie on the table, and that to-morrow afternoon be assigned for its consideration.

Report of the Committee on the Judiciary, on bill (H. R. 70)

"an act giving county commissioners jurisdiction over the *264 repair of ways," that the *same ought to pass, was

accepted in concurrence, the bill read twice, the rules being suspended, the Senate non-concurred in the indefinite postponement of the bill, and passed the same to be engrossed.

Sent down for concurrence.

Report of the Committee on Mercantile Affairs and Insurance, on an order relating to transferring the duties of the Commissioner of Insurance to the Secretary of State, or otherwise devising some method whereby the State shall receive a more equitable proportion of the revenues derived from this office, that legislation thereon is inexpedient, came from the House amended by substituting the minority report of said committee, submitting a bill (H. R. 160) "an act to amend section 44, chapter 49 of the revised statutes, relating to the office of Insurance Commissioner;"

The Senate rejected the House amendment substituting the minority report, and the (majority) report was accepted.

Sent down for concurrence.

Report of the Committee on Claims, on the petition of Warren Johnson, that the petitioner has leave to withdraw, came from the House, and that branch adheres to its vote accepting the report and

Resolved, That the Senate adheres to its vote recommitting the report.

H. R. 8. "An act to prevent the throwing of slabs and other refuse into the Kennebec river and its tributaries," came from the House, and that branch insists upon its action, and proposes a Committee of Conference, with

Messrs. Bowers of Saco, Lord of Bangor and Nutt of Pembroke, appointed conferees on its part.

*265 Resolved, That the Senate insists upon the * passage of the bill, and concurs in the proposed Committee of Conference.

And Messrs. Brown of Piscataquis, White of Hancock and Stevens of Kennebec, were appointed conferees on the part of the Senate.

Mr. STEVENS presented (S. 36) "resolve in favor of Sprague, Owen and Nash," which was read twice, the rules being suspended, and passed to be engrossed.

Sent down for concurrence.

Mr. SHEPHERD presented the petition of Joel Colby and others, for reimbursement for labor on State road, which was referred to the next Legislature.

Sent down for concurrence.

The Committee on Engrossed Bills reported as truly and strictly engrossed the following bills :

S. 32. "An act to revive the organization of the Trustces of the Parsonage Fund in Bucksport;"

H. R. 100. "An act to extend 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;"

H. R. 146. "An act to repeal an act entitled 'an act to incorporate the town of Barnard;"

H. R. 141. "An act to extend the charter of the Aroostook Steamboat Company;"

S. 19. "An act to confirm the doings of School District No. 15 in Berwick;"

H. R. 138. "An act additional to an act restricting the killing of seal in Casco bay;"

H. R. 77. "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;"

*S. 3. "An act to amend section 3, chapter 7 of the *266 revised statutes, relating to election returns;"

H. R 59. "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;"

H. R. 81. "An act to amend an act to incorporate the Lincolnville Railroad Company, approved February 18, 1874;" S. 6. "An act granting further time to the Penobscot and Lake Megantic Railroad Company to locate and complete its railroad;"

S. 25. "An act to amend section 14 of chapter 6 of the revised statutes, relating to taxation of personal property;"

H. R. 123. "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;"

H. R. 145. "An act to amend chapter 60 of the public laws of 1876, relating to administrators, executors and trustees;"

S. 30. "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;"

H. R. 95. "An act to amend chapter 40, section 50, of the revised statutes, relative to Pleasant river;"

H. R. 24. "An act to amend section 3 of chapter 26 of the public laws of 1872, relating to altering and widening of streets;"

S. 24. "An act additional to chapter 67 of the revised statutes, relating to the appointment of guardians;"

H. R. 144. "An act to incorporate the Bryant's Pond and Andover Telegraph Company;"

*267 * H. R. 74, "An act relating to the police force of the city of Bath;"

S. 13. "An act to incorporate the Harrington and Jonesport Telegraph Company;"

H. R. 41. "An act to authorize the town of Lyndon to appropriate money in aid of the Aroostook Railroad Company;"

S. 31. "An act to amend section 16 of chapter 77 of the revised statutes, relating to the powers of the Supreme Judicial Court;"

S. 5. "An act additional to the acts which constitute the charter of the Bangor and Piscataquis Railroad Company;"

H. R. 96. "An act to amend section 53 of chapter 11 of the revised statutes, relating to the election of superintending school committees;"

Which were each passed to be enacted in concurrence.

The Committee on Engrossed Bills reported as truly and strictly engrossed the following resolves :

S. 13. "Resolve providing for the payment of the expenses of
the Committee on Military Affairs;"
S. 17. "Resolve in favor of the Joint Standing Committee on
Agriculture;"
S. 7. "Resolve authorizing the Governor and Council to adjust
with Francis A. Reed, a note held by the State against him ;"
H. R. 42. "Resolve making appropriation for the Penobscot
tribe of Indians;"
H. R. 43. "Resolve providing for clothing for the Portland
Montgomery Guards;"
H. R. 36. "Resolve in favor of Albion W. Stratton;"
S. 8. "Resolve in favor of township No. 1, North Division,
county of Penobscot;"
* H. R. 41. "Resolve making an appropriation for the *268
propagation of fish;"
S. 5. "Resolve in favor of John P. Webber;"
H. R. 6. "Resolve in favor of the county of Aroostook;"
H. R. 30. "Resolve in favor of John M. Brown;"
S. 4. "Resolve in favor of Benjamin R. Walker and Joseph C.
Walker ;"
H. R. 37. "Resolve in favor of S. W. Stratton;"
H. R. 39. "Resolve in favor of Olof Ljungren and Magnus
Jeppson ;''
H. R. 33. "Resolve in favor of Isaac Varney;"
H. R. 2. "Resolve in favor of roads passing through Indian
township in Washington county;"
H. R. 34. "Resolve in favor of M. L. Stewart;"
H. R. 35. "Resolve in favor of the town of Baileyville;"
H. R. 45. "Resolve in favor of the plantation of Wallagrass;"
H. R. 20. "Resolve authorizing the removal of the colors pre-
sented to the Seventeenth Regiment of Maine Volunteers by the
merchants of Portland;"
H. R. 40. "Resolve authorizing the Land Agent to convey by
deed to John Estes a lot of land;"
H. R. 10. "Resolve providing for a seal of the State;"
H. R. 38. "Resolve in favor of Jessie Sutherland;"
H. R. 31. "Resolve in favor of F. W. Stimson;"
H. R. 21. "Resolve in favor of Swedish settlers;"
H. R. 44. "Resolve in favor of St. Francis plantation;"
15

H. R. 29. "Resolve in favor of David Dudley;"

S. 30. "Resolve in favor of the Joint Standing Committee on State Prison;"

H. R. 12. "Resolves in relation to the binding of the acts and resolves of this State;"

H. R. 28. "Resolve in favor of Benjamin Alexander;"

H. R. 27. "Resolve in favor of Charles G. Perry ;"

*269 * Which were each finally passed in concurrence.

And these several bills and resolves, having been signed by the President *pro tempore*, were by the Secretary presented to the Governor for his approval.

On motion by Mr. BOARDMAN,

S. 52. "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.

Amendment "A," offered by the same Senator, was agreed to, and the bill, as amended, passed to be engrossed.

Sent down for concurrence.

On motion by Mr. PEAKS,

S. 36. "An act to amend chapter 27 of the revised statutes, relating to drinking-houses and tippling-shops," was taken from the table.

Amendment "B," proposed by Mr. Brackett, was disagreed to.

Amendment "B": [Further amend section 6, by adding after the words "in behalf of the State" of said section, as amended, the following: "And if the attorney general neglects or refuses to proceed against any delinquent county attorney, trial justice. recorder or judge of any municipal or police court, as aforesaid, he shall on complaint of any twelve persons within the county, competent to testify in civil suits, be cited to appear forthwith before the chief justice of the State, to show cause why summary injunction should not issue against him for such neglect or refusal; and he shall further forfeit two hundred dollars, to be recovered in an action of debt, brought in the name of the Governor, by the president, secretary or treasurer of any incorporated temperance organization within the State, or by complaint or indictment or information of either of said officers, to be prosecuted in any county other than that of the delinquent county attorney, trial justice, recorder or judge."]

Amendments "C" and "D" were offered and rejected.

Amendment "C:" [Amend section 6, 13th line, by adding after the word "attorney" the word "wilfully."]

Amendment "D:"

i

[SECT. 7. It shall be the duty of any person having knowledge that intoxicating liquors are to be unlawfully sold within this State, to give immediate notice thereof to the nearest constable. deputy sheriff, recorder, trial justice, or municipal judge, or the county attorney or attorney general, or to some justice of the supreme judicial court, and any such person failing to do so shall be deemed accessory before the fact, and shall suffer the same penalties prescribed for his principal; and any person present and witnessing the unlawful sale of intoxicating liquors within this State, shall be deemed an aider and abetter of the offence, and shall be punished in like manner, unless he shall give immediate notice thereof as aforesaid; and any person who shall obtain knowledge that intoxicating liquors have been unlawfully sold within this State within thirty days after such sale, shall give immediate notice thereof as aforesaid; and if he fails so to do, he shall be deemed an accessory after the fact, and shall receive onehalf of the punishment prescribed for his principal.]

The bill, as previously amended per sheet "A," passed to be engrossed.

Sent down for concurrence.

On motion by Mr. WEBB,

S. 43. "An act to continue in force chapter 98 of the public laws of 1872, and chapter 203 of the public laws of 1874, relating to pensions for disabled soldiers and seamen," was taken from the table, and

Resolved, That it be indefinitely postponed.

On motion by Mr. BRAGDON,

H. R. 21. "An act to amend chapter 6, section 53 of the revised statutes, relating to repairs of ways in unincorporated town-

ships," was taken from the table.

* House amendment "A" was agreed to. *270

Mr. BRAGDON proposed an amendment marked "B," which was agreed to, and the bill, as amended, passed to be engrossed.

Sent down for concurrence.

On motion by Mr. WHEELWRIGHT,

S. 32. "Resolve relating to the improvement and enlargement of the State House," was taken from the table.

On motion by Mr. BAILEY,

That the resolve be indefinitely postponed, it was determined in the negative, 11 in the affirmative and 11 in the negative, the Chair, Mr. White, deciding in the negative.

On the question of passing the resolve to be engrossed, it was

On motion by Mr. THOMPSON,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are:

Messrs. Brown, Burleigh, Hobson, Lennox, Nash, Peaks, Shepherd, Stevens, Sumner, Vinton, Wheelwright, White, Woodbury-13.

Those who voted in the negative are:

Messrs. Bailey, Bartlett, Irish, Jordan, Kyes, Learned, Nutter, Phillips, Thompson, Tolman, Wadsworth, Watts, Webb-13.

So the resolve was refused a passage.

Sent down for concurrence.

On motion by Mr. VINTON,

The vote was reconsidered whereby the Senate passed to be engrossed (H. R. 50) "resolve laying a tax on the several coun-

ties of the State."

* The same Senator proposed an amendment marked "A," * 271

which was agreed to, and the resolve, as amended, passed to be engrossed.

Sent down for concurrence.

On motion by Mr. JORDAN,

The vote was reconsidered whereby the Senate passed to be engrossed the bill (H. R. 150) "an act to prevent incompetent persons from conducting the business of apothecaries."

The same Senator proposed an amendment marked "A," which was agreed to, and the bill, as amended, passed to be engrossed.

Sent down for concurrence.

On motion by Mr. PEAKS,

Resolved, That when the Senate adjourns it be to meet this afternoon at half-past two o'clock.

On motion by Mr. IRISII, at 30 minutes past 12 o'clock M., The Senate adjourned.

AFTERNOON-HALF-PAST TWO O'CLOCK.

Met according to adjournment.

Papers from the House:

Petition of Henry F. Butler and others, praying for legislation for the protection of pickerel, was referred to the next Legislature in concurrence.

* Report of the Committee on the Judiciary, submitting a *272 bill (H. R. 161) "an act to amend section 65 of chapter 18 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," was accepted in the concurrence, the bill read twice, the rules being suspended, and

On motion by Mr. VINTON,

Ordered, That it lie on the table.

H. R. 140. "An act to amend an act entitled 'an act to incorporate the Franklin Land and Lumber Company," passed to be engrossed by the Senate, came from the House amended per " Λ ," and passed to be engrossed.

The Senate receded, agreed to the amendment, and passed the bill to be engrossed in concurrence.

S. 2. "An act to amend section 5 of chapter 78 of the revised statutes, as amended by chapter 62 of the public laws of 1876, relating to election returns," passed to be engrossed by the Senate, came from the House amended per sheet "A," and passed to be engrossed.

The Senate receded, agreed to the amendment, and passed the bill to be engrossed in concurrence.

On motion by Mr. BAILEY,

S. 7. "An act to revise and consolidate the laws relating to the government, powers, duties, privileges and liabilities of savings banks and institutions for savings," was taken from the table.

House amendments marked "J" and "L" were disagreed to; House amendments "A," "B," "C," "D," "E," "F," "G," "H," "I," "K," "M," "N," "O" and "P," were severally agreed to.

*273 * Mr. BAILEY proposed amendments Nos. 1 and 2.

Mr. WHEELWRIGHT proposed amendment No. 3.

Mr. STEVENS proposed amendment No. 4.

These several amendments were agreed to, and the bill as amended passed to be engrossed.

Sent down for concurrence.

On motion by Mr. BROWN,

Ordered, That a message be sent to the Governor, requesting the return to the Senate of bill (H. R. 123) "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."

The message was conveyed by the Secretary, and in response thereto the bill was returned to the Senate, and

Ordered, That it lie on the table.

On motion by Mr. LENNOX,

Resolved, That when the Senate adjourns it be to meet this evening at half-past seven o'clock.

The Committee on Engrossed Bills reported as truly and strictly engrossed the following bills :

S. 23. "An act in relation to municipal and police courts;"

S. 47. "An act to extend the powers of the North Anson and Skowhegan Telegraph Company ;"

Which were each passed to be enacted in concurrence.

And these several bills, having been signed by the President *pro tempore*, were by the Secretary presented to the Governor for his approval.

*274 *H. R. 26. "Resolve in favor of the town of Stockton,"

came from the House with the Committee of Conference appointed by that branch, as follows :

Messrs. Pike of Calais, Stone of Biddeford, Morrison of Phillips.

On motion by Mr. VINTON at 56 minutes past 4 o'clock P. M., The Senate adjourned.

EVENING-HALF-PAST SEVEN O'CLOCK.

Met according to adjournment.

The hour assigned for the Convention for the purpose of listening to a centennial address by Hon. Joshua L. Chamberlain, having arrived, the Senate proceeded to the Representatives' Hall, where a Convention was formed.

IN CONVENTION.

On motion by Mr. PEAKS of the Senate,

Messrs. Peaks of Penobscot, Thompson of York, Kimball of Rockland were appointed a Committee to wait upon the Governor and Council, and Hon. Joshua L. Chamberlain, informing them that the two branches of the Legislature are assembled in Convention for the purpose of listening to an address by the Hon. Joshua L. Chamberlain.

*Mr. PEAKS, from the foregoing Committee, subsequently *275 reported that they had attended to the duty assigned them,

and asked leave to report that the Governor, General Chamberlain and the Executive Council, would attend upon the Convention forthwith for the purposes indicated.

Thereupon the Governor, attended by General Chamberlain, the Executive Council and heads of departments, came in, whereupon the President of the Convention introduced General Chamberlain, who proceeded to address the Convention as follows, upon the subject of

MAINE: HER PLACE IN HISTORY.

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 onehalf 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 \parallel —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 gedrangt, als auch das Wassar habe mit verliebten Armen nach der schonen Aue gegriffen, nach ihren hoch schwankenden Grasern 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 overtasked 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 obscuration 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 seow 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 themselues *Christians*, and yet haue but the name of it, cursed and abhominable 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.

 \ddagger 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. Tt. sustains a moral as well as a physical relation to him. lst. 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 stofm-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 Frisland 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.

242

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 Voiages, London, 1589, p. 506.

+ See Rafn's Antiquitates Americanæ, 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 Iclandic 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 Verrazzano, 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 valeat. 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 Cosmographic 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 Disc. 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 Disc. 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 Eugland 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 alwaise 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 it's 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 fourfifths 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

* Aucocisco 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 Southhampton 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.

250

TUESDAY, FEBRUARY 6.

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. Voll. 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 familliar 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." \ddagger

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 fishmen 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 seuere Iustice Sir Iohn Popham and others: the successe whereof hath been such that from the N rth 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 \dagger .

^{*} 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 absoluteidentity 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. \dagger

The French claim was founded: 1st, on the voyage of Verrazzano, 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 nad 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 valeat" 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 visitel 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 Norumb ga—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.

JOURNAL OF THE SENATE.

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, of 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 This was an odds too great for his four guns, and he tried sail. 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 chartergiven 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." \ddagger

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, chapt. 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 Kennebee, 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 Kennebee Purchase. The company had to contend with powerful neighbors, east and west—the Pemaquid and the Pejepscot Proprietors—but it maintained its regular meetings until 1816. See the valuable History of the Kennebee 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 latitnde,---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 Massachusets 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 1628 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 Sagadahoe 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 undergreat 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 Casoo.

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 gotton, 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 Massa-Bancroft, no over-willing witness, admits * settlements chusetts. 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 Piscatagua and the Penobscot at Williamson 1 gives a table, I know not on what that time. 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. Ile 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. Germains;

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 Louisburg 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 shortsighted 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 "Bishoppscotte" (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 to 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 (Merrymeeting 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 manly 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."1

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 hittle 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 Sulivan'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 libertyloving 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 entartaining 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." \ddagger

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."

JOURNAL OF THE SENATE.

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 "offensivedefensive" 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. 1 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 $\pounds 1250$ —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 de-We find, also, a due proportion of the expenses of the fence. 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 greate 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 perogative. (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.

JOURNAL OF THE SENATE.

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 tersenss 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 of 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 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.

I

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 But nought has been set down in malice. The early acts part. 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 peacc. 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. Willie' Portland, 162.

'JOURNAL OF THE SENATE.

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 Flip 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 guit drinking,carries a lesson of military as well as moral prudence : "No Rum to be dranke on that side the fort 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 $\pounds 12$. 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 $\pounds 5$. Mr. Thomas Taylor (1670) was duly punished for abusing Capt. Raynes being in authority, by "theeing and thouing of him." Mr. John Bonithon refusing to recognize the jurisdiction of the conrt, and intimating pretty plainly that it would not be a pleasant business to try ts 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 \ddagger

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-

‡York Records, 1654.

^{*}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 statemant 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.

JOURNAL OF THE SENATE.

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.

 \S 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 ealiest 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 conscious 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." \ddagger

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 Walcot, 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. Α 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.

 \ddagger 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 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 Seituate, 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 treasen;—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 abbor 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 To harbor these insidious foes, would be stultification and fled. Intolerance was her only defence. You say this was suicide. bigoted and narrow? That may be true; but so is loyalty in the midst of treason. Their charter was obtained to secure them inthe 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 Govern-And it was in accordance with good tactics-legal as well ors. 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.

JOURNAL OF THE SENATE.

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 This has grown up from the mingled so earnestly to see. 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 sentment, 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 daugh-But it was ters to make up the robust character of Maine. 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 in-Though existing under different and sometimes dependence. 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. Bv 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, selfreliant, 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 Massachnsetts —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 begun. 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 commonwealth 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 ironworking 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 The fact of the matter is, that in our way of doing our case. 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 catting 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.

i 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. Ĩť. 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 apitude. 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.

She has driven off the small owners and free-holders from the all_ 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 Tried by the maxim of her Bentham,-""The greatest nature. 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. Brodrick in his essay on the "Law and Custom of Primogeniture," (Cobden Club Eassays, 1876,) canvansses 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 honds 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 necessaries 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 livefreedom 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 refluent 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 sunsteeped 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 the address the Convention dissolved.

IN SENATE.

On motion by Mr. THOMPSON, at 58 minutes past 9 o'clock, P. M.

The Senate adjourned.

WEDNESDAY, FEBRUARY 7, 1877.

Met according to adjournment, 10 A. M.

Prayer by Rev. Mr. MARTIN of Augusta.

The Journal of yesterday was read.

Papers from the House:

H. R. 162. Bill "an act to incorporate the Bangor Board of Trade," was indefinitely postponed in concurrence.

*276 * Report of the Committee on Financial Affairs, submitting

(H. R. 56) "resolve relating to salary of clerk of Superintendent of Schools," and that it ought to pass, was accepted, the resolve read twice, the rules being suspended, and passed to be engrossed in concurrence.

Report of the Committee on Education, on an order, submitting a bill (H. R. 164) "an act to establish training classes for teachers of common schools;"

Report of the Committee on Federal Relations, on an order relating to frauds in elections, submitting a bill (H. R. 165) "an act to prevent illegal voting;"

Were severally accepted, the bills each read twice, the rules being suspended, and indefinitely postponed in concurrence.

Report of the Committee on the Judiciary, on bill (II. R. 49) "an act to establish a standard of qualification for the practice of medicine in the State of Maine," that the same ought not to pass, came from the House indefinitely postponed, and was indefinitely postponed in concurrence.

Report of the Committee on Interior Waters, on the petition of Fred C. Barker, for authority to navigate Moosebocmeguntic and Cupsuptic lakes by steam, that the petition be referred to the next Legislature, came from the House amended by substituting a bill (H. R. 14) "an act to authorize Fred C. Barker to navigate Moosebocmeguntic and Cupsuptic lakes in Oxford county by steam."

The amendment was agreed to, the bill read twice, the rules being suspended, and passed to be engrossed in concurrence.

Report of the same Committee, on the petition of Charles A. J. Farrer, that the same be referred to the * next Legis- *277 lature, with an order of notice, came from the House amended by substituting a bill (H. R. 38) "an act to authorize Charles A. J. Farrer to dredge bars, blast rocks and navigate Richardson's lakes and intervening streams by steam."

The amendment was agreed to, the bill read twice, the rules being suspended, and passed to be engrossed in concurrence.

S. 33. "An act to amend section 65 of chapter 18 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," amended and passed to be engrossed by the Senate, came from the House with Senate amendment "D" amended per sheet "E," and with Senate amendments "A," "B" and "C" agreed to, and the bill, as amended, passed to be engrossed.

The Senate receded, agreed to amendment "E," and passed the bill to be engrossed in concurrence. The following communication was received from the Governor:

STATE OF MAINE.

EXECUTIVE DEPARTMENT, Augusta, February 6, 1877,

To the Senate and House of Representatives:

I have the honor to transmit herewith the report of the United States Centennial Commissioners for this State, who, in conjunction with the Directors appointed by the Governor, constituted

the State Board of Centennial Managers. *278 The success of the International Exhibition * in celebration

of the one hundredth anniversary of the Independence of the United States, is universally conceded, and amply justifies the pride and gratification with which the whole country regards its grand commemorative holiday season.

Viewed as a national celebration, the exhibition tended to strengthen the bonds of amity by which our country seeks to be connected with all the nations of the earth, to revive and confirm the sentiment of nationalty among our own people, and to mitigate the effects of recent estrangement. As a display of the samples of their material wealth and of the best results of their labor and art presented by the various countries of the world, it was a rare means of instruction and a prolific source of the highest enjoyment to the multitudes that thronged to it from all parts of the land. The stimulating and suggestive influence which it exercised upon the business and industrial energies of the country is already plainly felt, and cannot fail to lead to the most beneficial results to its material prosperity. New markets were disclosed which before were thought to be out of the reach of our competition, and the attention of American ingenuity and enterprise was called to new industries applicable to our circumstances and capable of prosecution on our own soil.

The detailed statement of exhibits and awards contained in the Commissioners' Report, shows that the contributions made by this State were many and important, and served to indicate the natural resources of the State, the variety and extent of its indus-

tries, and the character of its public schools.

*279 Creditable as the part taken by the State * in the exhibition

manifestly was, it is evident that had the importance of the exhibition and the advantages to be derived from a participation

WEDNESDAY, FEBRUARY 7.

in it been more generally comprehended and foreseen, there would have been a far more liberal response to the appeals and efforts of the Board of Managers, and the products of our soil and manufactories would have had a greatly enlarged representation.

Acting upon the request of the Centennial Commission that some person be designated by me to deliver an Historical and Descriptive Address upon the subject of the State of Maine, at some time during the exhibition, I invited Ex-Governor J. L. Chamberlain to perform that office, and an address was accordingly delivered by him in November, near the close of the exhibition

I respectfully recommend that the address be requested of the author, and that provision be made for giving it the wide distribution deserved by its interest and value.

(Signed)

Selden Connor.

The communication was read and sent down.

On motion by Mr. WHITE,

Ordered, That 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 instant.

On motion by Mr. WHITE,

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 accom- *280 panying; 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.

Severally sent down for concurrence. Came back concurred.

Mr. STEVENS, by leave, presented a bill (S. 59) "an act additional to chapter 193 of the public laws of the year 1874, relating to clerks of judicial courts," which was laid over to be printed under the Joint Rule.

Mr. JORDAN presented (S. 37) "resolve in favor of the Joint Standing Committee on Reform School," which was read twice, the rules being suspended, and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. PEAKS,

Resolved, That when the Senate adjourns it be to meet this afternoon at half-past two o'clock.

On motion by Mr. WATTS,

H. R. 123. "An act to amend chapter 557 of the private and special laws of the year 1874, enntitled an act to establish the compensation of the County Commissioners of Knox county," was taken from the table.

Ordered, That the Secretary be directed to present the same to the Governor for his approval.

The bill was accordingly presented to the Governor for approval.

On motion by Mr. JORDAN,

The report of the Committee on Reform School, submitting (S. 35) "resolve in favor of the State Reform School," was taken

from the table.

*281 The report was accepted, the resolve read *twice, the rules being suspended, and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. VINTON,

S. 33. "Resolve in favor of the Maine Industrial School for Girls," was taken from the table.

The resolve was read a second time and passed to be engrossed. Sent down for concurrence.

On motion by Mr. WHITE,

Report of the Committee on Fisheries, submitting bill (S. 48) "an act for the protection of migratory fish," was taken from the table, and pending acceptance,

Ordered, That it be referred to the Commission to revise the fishery laws.

Sent down for concurrence.

On motion by Mr. VINTON,

S. 39. "An act in relation to county attorneys," was taken from the table.

Resolved, That the Senate non-concur with the House in the indefinite postponement of the bill.

Sent down for concurrence.

On motion by Mr. PEAKS,

H. R. 13. "Resolve relating to the purchase by the State of certain Maine reports," was taken from the table.

Resolved, That the Senate non-concur with the House in the indefinite postponement of the resolve.

On motion by Mr. BURLEIGH,

H. R. 32. "Resolve in favor of bridge in the town of Lyndon," was taken from the table.

House amendment "A" was agreed to.

* Mr. BRAGDON proposed an amendment marked "B," *282which was agreed to, and the resolve as amended passed to be engrossed.

Sent down for concurrence.

On motion by Mr. VINTON,

Ordered, That the bill (H. R. 161) "an act to amend section 65 of chapter 18 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," lie on the table, and be dropped from the Senate Calendar.

On motion by Mr. KYES,

The vote was reconsidered whereby the Senate passed to be engrossed the bill (S. 51) "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,'" and

Resolved, That the bill be indefinitely postponed.

Sent down for concurrence.

On motion by Mr. TOLMAN,

"Resolve for amendment of the constitution," (re-H. R. 52. lating to biennial elections and sessions) was taken from the table.

On motion by the same Senator,

That the resolve be indefinitely postponed, it was determined in the affirmative, $\begin{cases} Yeas \dots 18 \\ Nays \dots 9 \end{cases}$

On motion by Mr. BOARDMAN,

The yeas and nays being desired by one-fifth of the Senators. present,

Those who voted in the affirmative are:

Messrs. Bailey, Bartlett, Brackett, Brown, Burleigh, Hob-

*283 son, Lennox, Nutter, Peaks, Phillips, * Stevens, Sumner, Tolman, Vinton, Wadsworth, Wheelwright, White, Woodbury-18.

Those who voted in the negative are:

Messrs. Boardman; Bragdon, Irish, Jordan, Kyes, Learned, Nash, Watts, Webb-9.

So the resolve was indefinitely postponed.

Sent down for concurrence.

On motion by Mr. BRAGDON,

H. R. 53. "Resolve for amendment to the constitution, (relating to municipal indebtedness) was taken from the table.

The same Senator moved that the resolve be indefinitely postponed, and after discussion, pending this question,

On motion by Mr. WATTS, at 40 minutes past 12 o'clock M., The Senate adjourned.

AFTERNOON-HALF-PAST TWO O'CLOCK.

Met according to adjournment.

Papers from the House:

Petition of Martha Sock and others, for arrears of pay from Indian Agent of the Penobscot Indians, was referred to the next Legislature in concurrence.

Report of the Committee on Railroads, on bill (H. R. 131) "an

act to enable the city of Bangor to aid the Bangor and *284 Piscataguis Railroad Company * in the construction of its

*284 Piscataquis Railroad Company * in the construction of its railroad from some point in Bangor to some point in the line of its present road," that the same ought to pass, was accepted, the bill read twice, the rules being suspended, and passed to be engrossed in concurrence.

The Senate resumed consideration of (H. R. 53) "resolve for amendment to the Constitution, relating to municipal indebtedness," under discussion at adjournment.

The motion by Mr. Bragdon, that the resolve be indefinitely postponed, was determined in the negative.

The question returning on the passage of the resolve to be engrossed, it was determined in the affirmative, { Yeas...... 19 Nays...... 6 And a two-thirds vote being required, the yeas and nays were ordered, and

Those who voted in the affirmative are :

Messrs. Bailey, Bartlett, Boardman, Brackett, Jordan, Kyes, Nutter, Peaks, Phillips, Shepherd, Sumner, Thompson, Tolman, Vinton, Wadsworth, Watts, Webb, Wheelwright, White-19.

Those who voted in the negative are:

Messrs. Bragdon, Brown, Burleigh, Lennox, Nash, Stevens-6. So the resolve passed to be engrossed in concurrence.

On motion by Mr. BRACKETT,

H. R. 18. "Resolve concerning an amendment to the Constitution of Maine, relating to electors," was taken from the table.

House amendments "A" and "B" were disagreed to.

Mr. VINTON proposed an amendment marked * " Sen- *285 ate No. 1," which was agreed to.

On the question of passing the resolve to be engrossed, it was determined in the affirmative, { Yeas 23 Nays 4

A two-thirds vote being required, the yeas and nays were ordered, and

Those who voted in the affirmative are:

Messrs. Bailey, Bartlett, Boardman, Brackett, Brown, Hobson, Jordan, Kyes, Learned, Lennox, Nash, Nutter, Peaks, Phillips, Shepherd, Stevens, Sumner, Thompson, Tolman, Vinton, Webb, Wheelwright, White-23.

Those who voted in the negative are:

Messrs. Bragdon, Irish, Wadsworth, Watts-4.

Absent-Messrs. Burleigh, Hyde, Sturgis and Woodbury.

So the resolve passed to be engrossed.

Subsequently Mr. STEVENS asked and obtained unanimous consent to change his vote from the affirmative to the negative.

Mr. KYES asked and obtained unanimous consent to change his vote from the affirmative to the negative.

On motion by Mr. THOMPSON,

That the vote be reconsidered whereby the Senate passed the foregoing bill to be engrossed, it was determined in the nega-

tive, { Yeas 11 Nays..... 17 On motion by Mr. THOMPSON,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are :

*286 * Messrs. Brackett, Bragdon, Burleigh, Irish, Kyes, Learned, Nash, Stevens, Sumner, Thompson, Watts-11. Those who voted in the negative are:

Messrs. Bailey, Bartlett, Boardman, Brown, Hobson, Jordan, Lennox, Nutter, Peaks, Phillips, Shepherd, Tolman, Vinton, Webb, Wheelwright, White, Woodbury-17.

So the Senate refused to reconsider.

The following Senators, who were absent when the vote was taken on the passage of the resolve to be engrossed, asked and obtained unanimous consent to record their votes upon the passage of the resolve, to wit: Messrs. Burleigh and Woodbury.

Mr. Burleigh voted Nay.

Mr. Woodbury voted Yea.

The vote of the Senate as finally determined, upon the passage

of the resolve to be engrossed, is as follows $\begin{cases} Yeas \dots 22 \\ Nays \dots 7 \end{cases}$

Those who voted in the affirmative are :

Messrs. Bailey, Bartlett, Boardman, Brackett, Brown, Hobson, Jordan, Learned, Lennox, Nash, Nutter, Peaks, Phillips, Shepherd, Sumner, Thompson, Tolman, Vinton, Webb, Wheelwright, White, Woodbury-22.

Those who voted in the negative are:

Messrs. Bragdon, Burleigh, Irish, Kyes, Stevens, Wadsworth, Watts-7.

Absent-Messrs. Hyde and Sturgis.

So the resolve passed to be engrossed as amended.

Sent down for concurrence.

*287 * Papers from the House:

H. R. 57. "Resolve in relation to the salary of the Judge of Probate of Penobscot county," was read twice, the rules being suspended, and passed to be engrossed in concurrence.

S. 36. "Resolve in favor of Sprague, Owen & Nash," passed to be engrossed by the Senate, came from the House referred to the Committee on Financial Affairs.

The Senate receded and concurred with the House.

S. 39. "An act in relation to county attorneys," came from the House, and that branch adheres to its vote to indefinitely postpone the bill.

The Senate receded and concurred with the House.

H. R. 83. "An act to make free Merrymeeting bridge;"

H. R. 84. "An act to make free the Arrowsic bridge;"

Severally came from the House, and that branch adheres to its votes referring the bills to the next Legislature.

Resolved, That the Senate adheres to its votes passing the bills to be engrossed.

H. R. 70. "An act giving county commissioners jurisdiction over the repair of ways," came from the House, and that branch insists upon its vote to indefinitely postpone the bill, and proposes a Committee of Conference, with

Messrs. Wadsworth of Manchester, Norton of Penobscot and Chase of Standish, conferees on its part.

Resolved, That the Senate insists upon the passage of the bill to be engrossed, and concurs in the proposed Committee of Conference, and

* Messrs. Stevens of Kennebec, Vinton of Cumberland *288 and Irish of Oxford, were appointed conferees on the part of the Senate.

A message was received from the House of Representatives by Mr. Smith, its Clerk, requesting the return to that branch of bill (H. R. 99) "an act to prevent loitering, without right, within the station-houses or about the premises of railroad corporations."

On motion by Mr. THOMPSON,

Ordered, That a message be sent to the Governor requesting the return to the Senate of the foregoing bill, if the same has not been approved.

The message was conveyed by the Secretary, who subsequently reported that the Governor replied that the bill had been approved.

Ordered, That a message be sent to the House of Representatives, informing that branch that the foregoing bill had passed to be enacted in concurrence, had been presented to the Governor, and had been approved.

The message was conveyed by the Secretary.

On motion by Mr. BRACKETT, at 5 minutes past 3 o'clock P. M.,

The Senate took a recess until half-past 3 o'clock.

HALF-PAST THREE O'CLOCK.

The Committee on Engrossed Bills reported as truly and strictly engrossed the following bills :

H. R. 151. "An act to amend section 13, chapter 133 of the public laws of 1873, relating to the punishment of criminals:"

*289 * H. R. 65. "An act to amend section 1 of chapter 13 of the public laws of 1875, relating to close-time for lobsters;"

S. 17. "An act relating to witnesses and evidence;"

S. 18. "An act in relation to Portland harbor and the Harbor Commissioners of Portland harbor;"

H. R. 48. "An act giving authority to the city of Portland in relation to certain railroads;"

H. R. 142. "An act to change and fix the limits of the town of Haynesville;"

H. R. 148. "An act to provide in part for the expenditures of government;"

H. R. 153. "An act requiring railroad corporations to be holden for labor;"

S. 49. "An act to encourage the introduction and manufacture of beet sugar;"

H. R. 147. "An act to amend chapter 137 of the revised statutes, in relation to disposal of criminals;"

H. R. 79. "An act additional to chapter 49 of the revised statutes, relating to life insurance;"

H. R. 109. "An act to amend section 10, chapter 131 of the revised statutes, relating to indictments;"

H. R. 61. "An act to incorporate the Bath Driving Park;"

Which were each passed to be enacted in concurrence.

The Committee on Engrossed Bills also reported as truly and strictly engrossed the following resolves :

H. R. 25. "Resolve in favor of C. S. Hobbs of Norway;"

S. 10. "Resolve in favor of the Joint Standing Committee on Education;"

S. 15. "Resolve for the appointment of a Commission to revise the militia laws;"

H. R. 51. "Resolve in favor of the Passamaquoddy Indians;"

*H. R. 48. "Resolve in favor of Rufus F. Stone;" *290 H. R. 49. "Resolve in favor of the town of Maysville;"

S. 31. "Resolve in favor of the Joint Standing Committee on Financial Affairs;"

H. R. 47. "Resolve in favor of the Female Orphan Asylum, Portland;"

. H. R. 46. "Resolve in favor of the Bangor Children's Home;" Which were each finally passed in concurrence.

And these several bills and resolves, having been signed by the President *pro tempore*, were by the Secretary presented to the Governor for his approval.

On motion by Mr. LENNOX, at 18 minutes past 4 o'clock P. M., The Senate adjourned.

THURSDAY, FEBRUARY 8, 1877.

Met according to adjournment, 10 A. M.

Prayer by Rev. Mr. HUTCHINS of Gardiner.

The Journal of yesterday was read.

Papers from the House:

Report of the Committee on Financial Affairs, on the petition of the Maine General Hospital, submitting (H. R. 58) "resolve in favor of the Maine General Hospital," was accepted, the resolve read twice, the rules being suspended, and passed to be engrossed in concurrence.

* Report of the Committee on Ways and Means, submit- *291 ting a bill (H. R. 166) "an act for the assessment of State tax for the year one thousand eight hundred seventy-seven, amounting to the sum of six hundred seventy-five thousand one hundred seventy-three dollars fifty-three cents," was accepted, the bill read twice, the rules being suspended, and passed to be engrossed in concurrence.

S. 36. "An act to amend chapter 27 of the revised statutes, relating to drinking-houses and tippling-shops," came from the House with Senate amendment "A" agreed to, further amended per sheets "B" and "C," and passed to be engrossed.

The Senate receded and agreed to the amendments.

Mr. JORDAN proposed to amend by adding a section, to wit: Sect. —. All acts or parts of acts inconsistent with this act are hereby repealed.

The amendment was agreed to, and the bill, as amended, passed to be engrossed.

Sent down for concurrence.

S. 7. "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 from the House, and that branch insists upon its former action, and proposes a Committee of Conference, with

Messrs. Pilsbury of Lewiston, Pike of Calais and Wadsworth of Manchester, conferees on its part.

Resolved, That the Senate insists upon its former action, and concurs in the proposed conference, and

Messrs. Bailey of Cumberland, Watts of Knox and Stevens of Kennebec, were appointed conferees on its part.

*292 * S. 52. "An act additional to section 6 of chapter 6 of

the revised statutes, relating to the taxation of property of religious societies," came from the House, with Senate amendment "A" further amended per sheet "B," and passed to be engrossed.

The Senate receded. Amendment "B" was disagreed to.

Mr. VINTON proposed an amendment marked "C," which was agreed to, and the bill, as amended, passed to be engrossed.

Sent down for concurrence.

Report of the Committee of Conference, on bill (H. R. 8) "an act to prevent the throwing of slabs and other refuse into the Kennebec river and its tributaries," recommending that the House recede and concur with the Senate in the passage of the bill, came from the House rejected.

The Senate non-concurred, insisted upon its former action, and proposed a second Committee of Conference, and

Messrs. Boardman of Waldo, Shepherd of Somerset and Sum-

ner of Washington, were appointed conferees on the part of the Senate.

Sent down for concurrence.

S. 18. "Resolve in favor of Maine State Library," came from the House amended per sheet "A," and indefinitely postponed.

Resolved, That the Senate insists upon its former action, and proposes a Committee of Conference, and

Messrs. Phillips of Penobscot, Shepherd of Somerset and Kyes of Franklin, were appointed conferees on the part of the Senate. Sent down for concurrence.

S. 56. "An act to amend section 9, chapter 116 of * the *293 revised statutes, relating to support of prisoners in jails," came from the House indefinitely postponed.

The Senate receded and concurred with the House.

A communication was received from Hon. S. J. Chadbourne, Secretary of State, transmitting the annual report of the Soldiers' Orphans' Home at Bath, for the year 1876, which was read and sent down.

Mr. THOMPSON presented (S. 38) "resolve in favor of education in the State Prison."

Mr. SHEPHERD presented (S. 39) "resolve relating to the investment and deposit of surplus funds in the Treasury."

Also (S. 60) "an act to provide security for bonds in the State Treasury."

The resolves and bill were each read twice, the rules being suspended, and passed to be engrossed.

Sent down for concurrence.

Mr. VINTON presented (S. 40) "resolve in relation to the reports of State institutions," which was read twice, the rules being suspended, and

On motion by Mr. PHILLIPS,

Ordered, That it lie on the table.

Mr. NASH, from the Washington County Delegation, on the petition of Otis S. Tibbetts and others, reported a bill (S. 61) "an act to reduce the valuation of Township No. 18, Middle Division, county of Washington."

The report was accepted, the bill read twice, the rules being suspended, and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. STEVENS,

*294 S. 59. "An act additional to chapter 193 of the *public laws of the year 1874, relating to clerks of judicial courts,"

was taken from the table, read twice, the rules being suspended, and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. BURLEIGH,

Ordered, That a message be sent to the Governor, requesting the return to the Senate of (H. R. 39) "resolve in favor of Olof Ljungren and Magnus Jeppson."

The message was conveyed by the Secretary, and in response thereto the resolve was returned to the Senate.

On motion by Mr. BURLEIGH,

The votes were reconsidered whereby the foregoing resolve was finally passed and passed to be engrossed.

The same Senator proposed an amendment marked "A," which was agreed to, and the resolve, as amended, passed to be engrossed.

Sent down for concurrence.

A message was received from the House of Representatives, by Mr. Smith, its Clerk, requesting the return to that branch of (H. R. 8) "resolve in favor of the town of Chester."

Ordered, That the Secretary convey a message to the Governor and Council, requesting the return to the Senate of the aforesaid resolve.

On motion of TOLMAN,

Resolved, That when the Senate adjourns, it be to meet this afternoon at half past two o'clock.

On motion by Mr. KYES, at half-past eleven o'clock A. M., The Senate took a recess until 12 M.

*295

* Twelve o'clock meridian.

Papers from the House:

Report of the Committee on Financial Affairs, on (S. 36) "resolve in favor of Sprague, Owen and Nash," that the same ought to pass (as amended,) was accepted in concurrence, the resolve read twice, the rules being suspended, and passed to be engrossed, as amended, in concurrence.

S. 19. "Resolve in favor of compiling and printing the school laws," came from the House indefinitely postponed.

The Senate receded and concurred with the House.

H. R. 13. "Resolve relating to the purchase by the State of certain Maine reports," came from the House, and that branch adheres to its vote to indefinitely postpone.

Resolved, That the Senate adheres to the passage of the resolve.

H. R. 8. "An act to prevent the throwing of slabs and other refuse into the Kennebec river and its tributaries," came from the House with second Committee of Conference appointed by that branch as follows:

Messrs. Burrill of Fairfield, Jewett of Richmond and Copeland of Dexter.

On motion by Mr. PHILLIPS,

S. 40. "Resolve in relation to the reports of State institutions," was taken from the table.

The same Senator proposed to amend by substituting "resolve in relation to institutions receiving appropriations from the State."

* The amendment was agreed to and the resolve passed *296 to be engrossed.

Mr. BURLEIGH presented a bill (S. 62) "an act to legalize the acts of John B. Trafton as justice of the peace and quorum," which was read twice, the rules being suspended, and passed to be engrossed.

Sent down for concurrence.

The Committee on Engrossed Bills reported as truly and strictly engrossed the following bill:

H. R. 140. "An act to amend an act entitled an act to incorporate the Franklin Land and Lumber Company," and pending its passage to be enacted,

On motion by Mr. KYES,

Ordered, That it lie on the table.

 $\mathbf{22}$

On motion by Mr. BURLEIGH,

The vote was reconsidered whereby the Senate passed to be engrossed (S. 26) "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."

The same Senator proposed an amendment marked "A," and pending its consideration,

On motion by Mr. BRAGDON, at 5 minutes before 1 o'clock P. M.,

The Senate adjourned.

AFTERNOON-HALF-PAST TWO O'CLOCK.

*297 * Met according to adjournment.

The Secretary of the Senate reported that he had delivered the message with which he was charged to the Governor and Council, and that (H. R. 8) "resolve in favor of the town of Chester," had been returned to the Senate.

Ordered, That the resolve be sent to the House.

Papers from the House:

S. 52. "An act additional to section 6 of chapter 6 of the revised statutes, relating to the taxation of property of religious societies," came from the House, and that branch insists upon its former action, and proposes a Committee of Conference, with

Messrs. Hadlock of Cranberry Isle, Jackson of Portland and Chase of Bridgton, appointed conferees on its part.

Resolved, That the Senate insists upon its former action, concurs in the proposed conference,

And Messrs. Boardman of Waldo, Vinton of Cumberland and Hobson of York, were appointed conferees on its part.

S. 18. "Resolve in favor of Maine State Library," came from the House with Committee of Conference proposed by the Senate, joined by the House as follows:

Messrs. Pike of Calais, Kimball of Rockland and Stone of Biddeford.

S. 25. "Resolve authorizing the Land Agent to quiet settlers on a section of land in the town of Presque Isle," came from the House amended per sheet "A," and passed to be engrossed. The Senate receded, agreed to the amendment, * and *298 passed the resolve to be engrossed in concurrence.

Report of the Committee of Conference on the disagreeing votes of the two branches on (H. R. 26) "resolve in favor of the town of Stockton," recommending that the resolve be amended per sheet "B," and that it ought to pass, was accepted.

The Senate receded, the amendment was agreed to, and the resolve, as amended, passed to be engrossed in concurrence.

Report of the Committee on the Judiciary, on the petition of William S. Rogers and others, submitting a bill (H. R. 167) "an act to amend part sixth, of section 55 of chapter 86 of the revised statutes, relating to trustee process," was accepted, the bill read twice, the rules being suspended, and passed to be engrossed in concurrence.

Report of the Committee on Federal Relations, on an order relating to establishing the boundary line between Maine and New Hampshire, that the same be referred to the Governor and Council, was accepted in concurrence.

Report of the Committee of Conference, on the disagreeingvotes of the two branches, on bill (H. R. 107) "an act entitled an act authorising 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," recommending that the House recede and concur with the Senate, came from the Houseaccepted and the bill indefinitely postponed in concurrence.

Mr. BOARDMAN, from the Committee of Conference on the disagreeing votes of the two branches on bill (H. R. 8) "an act to prevent the throwing of slabs and other refuse into the Kennebec river and * its tributaries," reported, recommend- *299 ing that the Senate recede and concur with the House.

The report was accepted, and the bill referred to the next Legislature, with an order of notice, in concurrence.

Mr. STEVENS, from the Committee of Conference on the disagreeing votes of the two branches on bill (II. R. 70) "an act giving county county commissioners jurisdiction over the repair of ways," reported that the Committee were unable to agree with the Committee appointed on the part of the House, and asked to be discharged.

The report was accepted.

The Senate resumed consideration of (S. 26) "resolve in favor of an appropriotion to carry into effect the provisions of chapter 58 of the public laws of 1869, in relation to the establishment of meridian lines," under discussion at adjournment.

Amendment "A," was agreed to.

Mr. VINTON proposed an amendment marked "B," which was agreed to, and the resolve, as amended, passed to be engrossed.

Sent down for concurrence.

Mr. STURGIS presented (S. 41) "resolve in favor of the Secretary of the Senate," which was read twice, the rules being suspended, and passed to be engrossed.

Sent down for concurrence.

On motion by Mr. BRACKETT, at 45 minutes past 3 o'clock P. M.,

The Senate took a recess for thirty minutes.

*300

* QUARTER-PAST FOUR O'CLOCK.

The Committee on Engrossed Bills reported as truly and strictly engrossed the following bills:

H. R. 159. "An act to authorize Samuel Cunningham to navigate Androscoggin pond and river by steam ;"

S. 50. "An act additional to chapter 29 of the public laws of 1869, concerning the militia;"

H. R. 97. "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;"

H. R. 63. "An act to amend chapter 147 of the public laws of 1873, relating to the appointment and duties of port wardens;"

S. 55. "An act to amend section 16 of chapter 40 of the public laws of the year 1872, relating to railroad crossings;"

II. R. 82. "An act to amend chapter 241 of the public laws of 1874, relating to cemeteries;"

S. 54. "An act to provide for the organization and management of loan and building associations;" H. R. 108. "An act requiring accounts and claims against cities, towns, &c., to be verified under oath ;"

H. R. 157. "An act to amend chapter 77 of the revised statutes, relative to the equity power of the Supreme Judicial Court;"

H. R. 158. "An act providing bridge-guards on railroads;"

H. R. 137. "An act additional to chapter 30 of the revised statutes, relating to mischievous dogs;"

H. R. 155. "An act to provide for the more careful expenditure of school money in towns;"

* H. R. 136. "An act to change the name of the town *301 of Lyndon to Caribou;"

H. R. 143. "An act to establish the salary of the Judge of Probate of the county of Cumberland;"

S. 57. "An act to amend chapter 76 of the public laws of 1876, entitled 'an act relating to normal schools;'"

H. R. 154. "An act establishing the compensation of the chairman of the County Commissioners for Cumberland county;"

H. R. 124. "An act to amend an act entitled 'an act to incorporate the East Oxford Agricultural Society,' approved February 28, 1861;"

Which were each passed to be enacted in concurrence.

The Committee on Engrossed Bills also reported as truly and strictly engrossed the following resolve :

H. R. 50. "Resolve laying a tax on the several counties of the State," which was finally passed in concurrence

And these several bills and resolve, having been signed by the President *pro tempore*, were by the Secretary presented to the Governor for his approval.

The Committee on Engrossed Bills also reported as truly and strictly engrossed the following bill:

S. 53. "An act to amend section 32 of chapter 4 of the revised statutes, relating to elections;"

On motion by Mr. KYES,

The vote was reconsidered whereby the Senate passed the foregoing bill to be engrossed.

The same Senator proposed an amendment marked "A," which was agreed to, and the bill, as amended, passed to be engrossed.

Sent down for concurrence.

*302 * Mr. PHILLIPS, from the Committee of Conference on the

disagreeing votes of the two branches on (S. 18) "resolve in favor of Maine State Library," reported, recommending that the Senate recede and concur with the House.

The report was accepted, the Senate receded, and the resolve was indefinitely postponed in concurrence.

Papers from the House :

Report of the Committee of Conference on the disagreeing votes of the two branches on bill (H. R. 57) "an act to amend section 6 of chapter 120 of the public laws of 1876, to authorize the formation of railroad corporations," recommending that the House recede and concur with the Senate, came from the House accepted and the bill passed to be enacted.

The report was accepted, and the bill passed to be enacted in concurrence.

An this bill, having been signed by the President pro tempore, was by the Secretary presented to the Governor for his approval.

Report of the Committee of Conference on the disagreeing votes of the two branches on bill (S. 52) "an act additional to section 6 of chapter 6 of the revised statutes, relating to the taxation of property of religious societies," recommending that the bill be amended by inserting "and all parsonages not exceeding six thousand dollars in value and from which no rent is received," was accepted.

The Senate receded, the amendment recommended was agreed to, and the bill, as amended, passed to be engrossed in concurrence.

Report of the Committee of Conference on the disagreeing *303 votes of the two branches on bill *(S. 7) "an act to re-

vise and consolidate the laws relating to the government, powers, duties, privileges and liabilities of savings banks and institutions for savings," recommending that the House recede and concur in Senate amendment No. 1; that the Senate recede from its amendment No. 2 and concur with the House; that Senate amendments Nos. 3 and 4 be concurred in; that the House recede and concur with the action of the Senate in rejecting House amendment "L," section 36; and that the House nonconcur with the action of the Senate in rejecting amendment "H," section 10; amend said amendment by striking out the words "connected with the home industries," and that the act, as thus amended, be finally passed, was accepted.

The Senate receded, the several recommendations of the Committee were adopted, and the bill, as amended, passed to be engrossed in concurrence.

On motion by Mr. PHILLIPS,

Resolved, That when the Senate adjourns, it be to meet this evening at half-past seven o'clock, and that the Senate meet tomorrow at nine o'clock A. M.

On motion by Mr. WATTS, at 45 minutes past 4 o'clock P. M., The Senate adjourned.

EVENING-HALF-PAST SEVEN O'CLOCK.

Met according to adjournment.

* There being no quorum present, *304 The PRESIDENT pro tempore declared the Senate adjourned.

FRIDAY, FEBRUARY 9, 1877.

Met according to adjournment.

Prayer by Rev. Mr. SARGENT of Augusta.

The Journal of yesterday was read.

Papers from the House:

H. R. 59. "Resolve in favor of an assistant in the State Library," was read twice, the rules being suspended, and passed to be engrossed in concurrence.

H. R. 60. "Resolve for support of prisoners in county jails," introduced in the House, and passed to be engrossed by that branch, was read twice, the rules being suspended, and

On motion by Mr. LENNOX,

Ordered, That it lie on the table.

Subsequently, on motion by the same Senator, the foregoing resolve was taken from the table, and

Resolved, That it be indefinitely postponed.

H. R. 61. "Resolve in favor of the Secretary of State;"

H. R. 62. "Resolves providing for certain amendments to the Constitution of the State of Maine;"

*305 Were each read twice, the rules being suspended, * and passed to be engrossed in concurrence by unanimous vote.

Report of the Committee on Claims, on (H. R. 8) "resolve in favor of the town of Chester," that the State Treasurer be authorized to pay the said town such sum as the Governor and Council find to be due them, was accepted in concurrence.

S. 9. "Resolve relating to settlers' lost under the Treaty of Washington," came from the House amended as per sheets "A" and "B," and passed to be engrossed.

The Senate receded, agreed to amendments "A" and "B," and passed the resolve to be engrossed in concurrence.

On motion by Mr. VINTON,

H. R. 68. "An act to amend section 8 of chapter 17 of the revised statutes, relating to huisances," was taken from the table, and the bill passed to be engrossed in concurrence.

On motion by Mr. KYES,

II. R. 140. "An act to amend an act entitled an act to incorporate the Franklin Land and Lumber Company," was taken from the table, and the bill passed to be enacted in concurrence.

And this bill, having been signed by the President *pro tempore*, was by the Secretary presented to the Governor for his approval.

On motion by Mr. VINTON,

Ordered, That a message be sent to the Governor, requesting the return to the Senate of bill (H. R. 108) "an act requiring accounts and claims against cities, towns, &c., to be verified under oath."

The message was conveyed by the Secretary, and in re-*306 sponse thereto the bill was returned to * the Senate.

On motion by Mr. VINTON,

The votes were reconsidered whereby the foregoing bill was passed to be enacted and passed to be engrossed.

The same Senator proposed an amendment marked "A," which was agreed to, and the bill, as amended, passed to be engrossed.

Sent down for concurrence.

The Committee on Engrossed Bills reported as truly and strictly engrossed the following bills :

H. R. 166. "An act for the assessment of State tax for the year one thousand eight hundred seventy-seven, amounting to the sum of six hundred seventy-five thousand one hundred seventy-three dollars fifty-three cents;"

S. 42. "An act to repeal section 31 of chapter 86 of the revised statutes, relating to trustee disclosures;"

H. R. 21. "An act to amend chapter 6, section 53, of the revised statutes, relating to repairs of ways in unincorporated townships;"

H. R. 14. "An act to authorize Fred C. Barker to navigate Moosebocmeguntic and Cupsuptic lakes in Oxford county by steam;"

H. R. 150. "An act to prevent incompetent persons from conducting the business of apothecaries ;"

H. R. 156. "An act to amend section 31, chapter 11 of the revised statutes of 1871, relating to the powers of school districts;"

Which were each passed to be enacted in concurrence.

And these several bills, having been signed by the Presi-

dent pro tempore, were by the Secretary * presented to the *307 Governor for his approval.

The Committee on Engrossed Bills reported as truly and strictly engrossed the following resolve :

H. R. 18. "Resolve concerning an amendment to the Constitution of Maine, relating to electors," which was finally passed in concurrence by the requisite two-thirds vote, there being no objection.

Subsequently, on motion by Mr. KYES, that the vote on the final passage of the resolve be reconsidered,

It was determined in the negative, six voting in the affirmative and fifteen in the negative, the vote being by rising.

So the Senate refused to reconsider.

And this resolve, having been signed by the President *pro tempore*, was by the Secretary presented to the Governor for his approval.

The Committee on Engrossed Bills also reported as truly and strictly engrossed the following resolve:

H. R. 53. "Resolve for an amendment to the Constitution, relating to municipal indebtedness," which was finally passed in concurrence, two-thirds of the Senate concurring therein.

And this resolve, having been signed by the President *pro tempore*, was by the Secretary presented to the Governor for his approval.

The Committee on Engrossed Bills also reported as truly and strictly engrossed the following resolves :

H. R. 9. "Resolve in favor of the agent of the Penobscot tribe of Indians;"

S. 24. Resolve in favor of Elisha W. Shaw, Franklin R. Webber and Byron Porter;"

S. 21. "Resolve in favor of Van Buren plantation;" *308 * H. R. 19. "Resolve in favor of the town of Anson;"

S. 16. "Resolve providing for payment of certain rents now in suit to the agent of the Penobscot tribe of Indians;"

S. 14. "Resolve in favor of the Maine State Prison;"

S. 33. "Resolve in favor of the Maine Industrial School for Girls;"

S. 34. "Resolve authorizing the Land Agent to convey certain lots of land in townships numbered 4 and 5, range 13, in the county of Piscataquis;"

S. 28. "Resolve in favor of the Western Normal School;"

H. R. 57. "Resolve in relation to the salary of the Judge of Probate of Penobscot county;"

S. 37. "Resolve in favor of the Joint Standing Committee on Reform School;"

S. 27. "Resolve providing for the annual encampment of the Maine volunteer militia;"

H. R. 32. "Resolve in favor of bridge in the town of Lyndon;"

H. R. 56. "Resolve relating to salary of clerk of superintendent of schools;"

S. 22. "Resolve repealing chapter 175 of the resolves of 1876, relating to claims of settlers on proprietors' lands;"

S. 20. "Resolve in favor of the Military and Naval Asylum'at Bath;"

S. 11. "Resolve in favor of the Maine State College of Agriculture and the Mechanic Arts;" S. 35. "Resolve in favor of the State Reform School;"

H. R. 54. "Resolve in favor of Charles W. Porter;"

S. 23. "Resolve in favor of the town of Kingsbury;"

Which were each finally passed in concurrence.

The Committee on Engrossed Bills also reported as truly and strictly engrossed the following bills:

* H. R. 139. "An act changing the time of the munici- *309 pal election in the city of Ellsworth;"

S. 61. "An act to reduce the valuation of township No. 18, Middle Division, county of Washington;"

S. 33. "An act to amend section 65 of chapter 18 of the revised statutes, relating to damage on ways, as amended by chapter 215 of public laws of 1874 and chapter 97 of public laws of 1876;"

S. 59. "An act additional to chapter 193 of the public laws of the year 1874, relating to clerks of judicial courts;"

H. R. 38. "An act to authorize Charles A. J. Farrer to dredge bars, blast rocks and navigate Richardson's lakes and intervening streams by steam ;"

H. R. 167. "An act to amend part sixth of section 55 of chapter 86 of the revised statutes, relating to trustee process;"

Which were each passed to be enacted in concurrence.

And these several resolves and bills, having been signed by the President *pro tempore*, were by the Secretary presented to the Governor for his approval.

On motion by Mr. KYES,

Ordered, That Hon. D. H. Bartlett be excused from further attendance, and that the Secretary make up his pay for the session.

On motion by Mr. SUMNER,

Ordered, That Hon. A. M. Nash be excused from further attendance, and that the Secretary make up his pay for the session.

On motion of TOLMAN,

Ordered, That Hon. Alexander Webb, Senator from Penobscot, be excused from further attendance, * and that *310th the Secretary make up his pay for the session. Mr. STURGIS, from the Committee on Financial Affairs, reported that said Committee had acted upon all matters referred to them.

The report was accepted.

Sent down for concurrence.

On motion by Mr. BRAGDON,

Resolved, That when the Senate adjourns, it be to meet this afternoon at half-past two o'clock.

On motion by the same Senator, at 15 minutes past 12 o'clock M., The Senate adjourned.

AFTERNOON-HALF-PAST TWO O'CLOCK.

Met according to adjournment.

Paper from the House:

H. R. 168. "An act authorizing the city of Lewiston to loan the credit of the city for the purpose of introducing pure water into the city," was read twice, the rules being suspended, and passed to be engrossed in concurrence.

On motion by Mr. KYES,

Resolved, That when the Senate adjourns it be to meet this evening at half-past nine o'clock.

*311 * The Committee on Engrossed Bills reported as truly and strictly engrossed the following bills :

H. R. 131. "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;"

H. R. 152. "An act to obtain uniform returns from railroad corporations;"

S. 2. "An act to amend section 5 of chapter 78 of the revised statutes, as amended by chapter 62 of the public laws of 1876, relating to election returns;"

S. 62. "An act to legalize the acts of John B. Trafton as justice of the peace and quorum;"

Which were each passed to be enacted in concurrence.

And these several bills, having been signed by the President

pro tempore,, were by the Secretary presented to the Governor for his approval.

On motion by Mr. BAILEY, at 10 minutes past 4 o'clock P. M., The Senate adjourned.

EVENING-HALF-PAST NINE O'CLOCK.

Met according to adjournment.

Mr. SHEPHERD, from the Committee on Financial Affairs, presented (S. 42) "resolve on the pay roll of the Senate," which was read twice, the rules * being suspended, and *312 passed to be engrossed.

Sent down for concurrence.

Papers from the House:

H. R. 63. "Resolve on the pay roll of the House," was read twice, the rules being suspended, and passed to be engrossed in concurrence.

H. R. 169. "An act to provide in part for the expenditures of government," was read twice, the rules being suspended, and passed to be engrossed in concurrence.

Mr. SHEPHERD presented (S. 43) "resolve authorizing a temporary loan," which was read twice, the rules being suspended, and passed to be engrossed.

Sent down for concurrence.

The Committee on Engrossed Bills reported as truly and strictly engrossed the following bills:

H. R. 168. "An act authorizing the city of Lewiston to loan the credit of the city for the purpose of introducing pure water into the city;"

S. 53. "An act to amend section 32, chapter 4 of the revised statutes, relating to elections;"

S. 52. "An act additional to section 6 of chapter 6 of the revised statutes, relating to taxation of property of religious societies;"

H. R. 108. "An act requiring accounts and claims against towns and cities, etc., to be verified by oath;"

S. 60. "An act to provide security for bonds in the State Treasury;"

H. R. 68. "An act to amend section 8 of chapter 17 of the revised statutes, relating to nuisances;"

S. 7. "An act to revise and consolidate the laws relating
*313 to the government, powers, duties, privileges * and liabilities of savings banks and institutions for savings;"

S. 36. "An act to amend chapter 27 of the revised statutes, relating to drinking-houses and tippling-shops;"

Which were each passed to be enacted in concurrence.

The Committee on Engrossed Bills also reported as truly and strictly engrossed the following resolves :

H. R. 26. "Resolve in favor the town of Stockton;"

S. 26. "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;"

S. 39. "Resolve relating to investment and deposit of the surplus funds in the Treasury;"

S. 36. "Resolve in favor of Sprague, Owen and Nash;"

H. R. 59. "Resolve in favor of an assistant in the State Library;"

S. 25. "Resolve authorizing the land agent to quiet settlers on a section of land in Presque Isle;"

S. 38. "Resolve in favor of education in the State Prison;"

H. R. 58. "Resolve in favor of the Maine General Hospital;"

H. R. 39. "Resolve in favor of Olof Ljungren and Magnus Jeppson;"

S. 41. "Resolve in favor of the Secretary of the Senate;"

H. R. 62. "Resolve providing for certain amendments to the Constitution of the State of Maine;"

S. 9. "Resolve relating to settlers' lots under the treaty of Washington;"

*314 * S. 40. "Resolve in relation to institutions receiving appropriations from the State;"

H. R. 61. "Resolve in favor of the Secretary of State;"

S. 42. "Resolve on the pay roll of the Senate;"

H. R. 63. "Resolve on the pay roll of the House;"

Which were each finally passed in concurrence.

And these several bills and resolves, having been signed by the President *pro tempore*, were by the Secretary presented to the Governor for his approval. The Committee on Engrossed Bills also reported as truly and strictly engrossed the following bill:

H. R. 169. "An act to provide in part for the expenditures of government," which was passed to be enacted in concurrence.

The Committee on Engrossed Bills also reported as truly and strictly engrossed the following resolve:

S. 43. "Resolve authorizing a temporary loan," which was finally passed in concurrence.

And this bill and resolve, having been signed by the President *pro tempore*, were by the Secretary presented to the Governor for his approval.

A message was received from the House of Representatives, by Mr. Hadlock of Cranberry Isle, informing the Senate that the House has disposed of all business before it, and is now ready to adjourn without day.

On motion by Mr. PHILLIPS,

Ordered, That a message be sent to the House of Representatives, informing that body that the Senate has disposed of all business before it, and is now ready to adjourn without day.

The message was conveyed by Mr. Phillips.

On motion by Mr. THOMPSON,

*Ordered, That a Committee of three on the part of the *315 Senate, 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 now ready to receive any communication he may be pleased to make, and

Messrs. Thompson of York, Watts of Knox and Boardman of Waldo, were appointed on the part of the Senate.

Sent down for concurrence.

Subsequently came back concurred, with

Messrs. Cleaves of Portland, Adams of Deering, Woods of Belfast, Cook of Lewiston, Lord of Kennebunk, Perkins of Brooksville, and Clark of Damariscotta, joined on the part of the House.

Mr. THOMPSON, from the foregoing Committee, subsequently reported that the Committee had waited upon the Governor and discharged the duty assigned them, and that the Governor was pleased to say that he would communicate to the two Houses forthwith through the Secretary of State.

Thereupon the Secretary of State, Hon. S. J. Chadbourne, came in and laid before the Senate the following message from the Governor:

STATE OF MAINE.

EXECUTIVE DEPARTMENT, Augusta, February 9, 1877,

To the President of the Senate:

I transmit herewith a list of the Acts and Resolves passed during the present session of the Legislature and approved by

*316 me, * numbering 151 Acts and 89 Resolves.

I have no further communication to make.

(Signed)

SELDEN CONNOR.

Titles of Acts passed by the present Legislature and approved by the Governor:

PUBLIC LAWS.

S. 2. An act to amend section 5 of chapter 78 of the revised statutes as amended by chapter 62 of the public laws of 1876, relating to election returns.

S. 3. An act to amend section 3, chapter 7 of the revised statutes, relating to election returns.

S. 7. An act to revise and consolidate the laws relating to the government, powers, duties, privileges and liabilities of savings banks and institutions for savings.

S. 17. An act relating to witnesses and evidence.

S. 23. An act in relation to municipal and police courts.

S..24. An act additional to chapter 67 of the revised statutes, relating to the appointment of guardians.

S. 25. An act to amend section 14 of chapter 6 of the revised statutes, relating to taxation of personal property.

S. 28. An act authorizing the sale of islands belonging to the State.

S. 31. An act to amend section 16, chapter 77 of the revised statutes, relating to the powers of the supreme judicial court.

S. 33. An act to amend section 65 of chapter 18 of the revised statutes, relating to damage on ways, as amended by chapter 215 of public laws of 1877, and chapter 97 of public laws of 1876.

352

*S. 36. An act to amend chapter 27 of the revised stat- *317 utes, relating to drinking-houses and tippling-shops.

S. 37. An act against pool selling and lotteries.

S. 40. An act in relation to county treasurers.

S. 41. An act to facilitate the detection and punishment of certain offences.

S. 42. An act to repeal section 31 of chapter 86 of the revised statutes, relating to trustee disclosures.

S. 44. An act to amend section 153 of chapter 6 of the revised statutes, relating to the powers of town treasurers.

S. 49. An act to encourage the introduction and manufacture of beet sugar.

S. 50. An act additional to chapter 29 of the public laws of 1869, concerning the militia.

S. 52. An act additional to section 6 of chapter 6 of the revised statutes, relating to the taxation of religious societies.

S. 53. An act to amend section 32, chapter 4 of the revised statutes, relating to elections.

S. 54. An act to provide for the organization and management of loan and building associations.

S. 55. An act to amend chapter 40 of the public laws of the year 1872, relating to railroad crossings.

S. 57. An act to amend chapter 76 of the public laws of 1876, entitled "an act relating to normal schools."

S. 59. An act additional to chapter 193 of the public laws of the year 1874, relating to clerks of judicial courts.

S. 60. An act to provide security for bonds in the State Treasury.

H. R. 10. An act relating to the supreme judicial court for the county of Sagadahoc.

H. R. 11. An act additional relating to corporations.

*H. R. 15. An act to amend section 56, chapter 51 of *318 the revised statutes, and additional to chapter 122 of the public laws of 1876.

H. R. 16. An act to amend section 18 of chapter 81 of the revised statutes, relating to service on corporations in civil actions."

H. R. 17. An act to amend section 4 of chapter 125 of the revised statutes, relating to gambling.

23

H. R. 19. An act to amend section 8 of chapter 86 of the revised statutes, relating to trustee process, as heretofore amended.

H. R. 21. An act to amend chapter 6, section 53, of the revised statutes, relating the repair of ways in unincorporated townships.

H. R. 24. An act to amend section 3 of chapter 26 of the public laws of 1872, relating to altering or widening of streets.

H. R. 31. An act relative to proceedings in court.

H. R. 33. An act repealing sections 5, 6, 7 and 8, chapter 30 revised statutes, relating to bounty on bears and wolves.

H. R. 57. An act to amend section 6 of chapter 120 of the public laws of 1876, to authorize the formation of railroad corporations.

H. R. 60. An act in relation to executions.

H. R. 63. An act to amend chapter 147 of the public laws of 1873, relating to the appointment and duties of port wardens.

II. R. 65. An act to amend section 1 of chapter 13 of the public laws of 1875, relating to close-time for lobsters.

- H. R. 68. An act to amend section 8 of chapter 17 of the revised statutes, relating to nuisances.
- *319 H. R. 79. An act additional to chapter 49 of the * revised statutes, relating to life insurance.

H. R. 82. An act to amend chapter 241 of the public laws of 1874, relating to cemeteries.

H. R. 87. An act in relation to proceedings in criminal cases.

H. R. 90. An act authorizing views by juries in all cases.

H. R. 93. 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.

H. R. 95. An act to amend chapter 40, section 50, of the revised statutes, relative to Pleasant river.

H. R. 96. An act to amend section 53 of chapter 11 of the revised statutes, relating to the election of superintending school committees.

H. R. 97. An act to repeal chapter 146 of the public laws of 1876, relating to ways, and revive the provisions of section 39 of chapter 18 of the revised statutes.

H. R. 99. An act to prevent loitering without right within the station-houses or about the premises of railroad corporations.

H. R. 108. An act requiring accounts and claims against towns, cities, etc., to be verified by oath.

H. R. 109. An act to amend section 10, chapter 131 of the revised statutes, relating to indictments.

H. R. 119. An act additional to chapter 101 of the public laws of 1876, relating to the equity powers of the Supreme Judicial Court.

H. R. 122. 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.

*H. R. 127. An act additional to chapter 127 of the *320 public laws of 1876, entitled "an act in relation to appeals from county commissioners."

H. R. 128. An act to prevent the destruction of books, pictures; statutes and paintings in public libraries.

H. R. 133. 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.

H. R. 134. An act amendatory to chapter 30 of the public laws of 1875, relating to the better protection of life and property.

H. R. 137. An act additional to chapter 30 of the revised statutes, relating to mischievous dogs.

H. R. 143. An act to establish the salary of the judge of probate of the county of Cumberland.

H. R. 145. An act to amend chapter 60 of the public laws of 1876, relating to administrators, executors and trustees.

H. R. 147. An act to amend chapter 137 of the revised statutes, in relation to disposal of criminals.

H. R. 150. An act to prevent incompetent persons from conducting the business of apothecaries.

H. R. 151. An act to amend section 13 of chapter 133 of thepublic laws of 1873, relating to the punishment of criminals.

H. R. 152. An act to obtain uniform returns from railroad corporations.

H. R. 153. An act requiring railroad corporations to be holdenfor labor.

H. R. 154. An act establishing the compensation of the chairman of the county commissioners for Cumberland county.

*321 H. R. 155. An act to provide for the more careful *expenditure of school money in towns.

H. R. 156. An act to amend section 31, chapter 11 of the revised statutes of 1871, relating to the powers of school districts.

H. R. 157. An act to amend chapter 77 of the revised statutes, relative to the equity powers of the supreme judicial court.

H. R. 158. An act providing for bridge guards on railroads.

H. R. 167. An act to amend part sixth of section 55 of chapter 86 of the revised statutes, relating to trustee process.

PRIVATE AND SPECIAL LAWS.

S. 1. An act to amend chapter 649 of the private and special acts of the year 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 coasts and waters of the State of Maine."

S. 4. An act to authorize contract between Bucksport and Bangor Railroad Company, and Trustees of European and North American Railway Company.

S. 5. An act act additional to the acts which constitute the charter of the Bangor and Piscataquis Railroad Company.

S. 6. An act granting further time to the Penobscot and Lake Megantic Railroad Company to locate and complete its railroad.

S. 9. An act further extending the time within which to file the location and also to complete the Northern Aroostook Railroad.

S. 12. An act to promote the efficiency of the police force of the city of Portland.

*322 *S. 13. An act to incorporate the Harrington and Jonesport Telegraph Company.

S. 16. An act to prevent the throwing of refuse wood, timber or fibrous material created by the sawing of lumber, into the Piscataquis river.

S. 18. An act in relation to Portland harbor and to the harbor commissioners of Portland harbor.

S. 19. An act to confirm the doings of school district number fifteen, in Berwick.

S. 26. 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.

856

S. 27. An act to set off certain real estate from the town of Bridgton and annex the same to the town of Harrison.

S. 30. 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.

S. 32. An act to revive the organization of the trustees of the parsonage fund at Bucksport.

S. 35. An act to restrict the killing of seal in Casco bay.

S. 38. An act additional relating to the city of Portland, limiting its powers to create debt.

S. 47. An act extending the powers of the North Anson and Skowhegan Telegraph Company.

S. 61. An act to reduce the valuation of township number eighteen, Middle Division, county of Washington.

S. 62. An act to legalize the acts of John B. Trafton as a justice of the peace and quorum.

H. R. 7. An act to amend the charter of the Penobscot Log Driving Company.

II. R. 13. An act to prohibit the taking of fish from the Davis brook, sometimes called Whale's Back *brook, in the *323 town of Limington.

H. R. 14. An act to authorize Fred C. Barker to navigate Mooselocmeguntic and Cupsuptic lakes in Oxford county, by steam.

H. R. 28. An act to amend chapter 263 of the special laws of 1876, relating to the fishing interests in Lufkin pond.

H. R. 35. An act to make valid certain doings of the inhabitants of Bridgton Centre Village Corporation in the town of Bridgton.

H. R. 36. An act for the protection of fish in certain ponds in the town of Standish.

H. R. 37. An act to amend chapter 279 of the special laws of 1876, relating to catching smelts in Monsweag river and bay.

H. R. 38. An act to authorize Charles A. J. Farrer to dredge bars, blast rocks, and navigate Richardson's lakes and intervening streams by steam.

H. R. 41. An act to authorize the town of Lyndon to appropriate money in aid of the Aroostook River Railroad Company.

H. R. 42. An act to amend an act entitled "an act to incorporate the Maine State Pure Blood Jersey Stock Association. H. R. 43. 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.

H. R. 48. An act giving authority to the city of Portland, in relation to certain railroads.

H. R. 51. An act additional to an act entitled "an act to incorporate the city of Bath."

H. R. 52. An act to amend "an act to incorporate the trustees of the Sailors' Home in Portland."

*324 *H. R. 54. An act additional to chapter 298 of the special laws of the year 1876, establishing the Ellsworth Municipal Court.

H. R. 58. An act additional relative to the Orchard Beach Railroad Company.

H. R. 59. 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."

H. R. 61. An act to incorporate the Bath Driving Park.

H. R. 62. 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.

H. R. 69. An act to amend an act to establish a municipal court in the city of Biddeford.

H. R. 71. An act additional to an act entitled "an act to supply the people of Augusta with pure water," approved March 12, 1870.

H. R. 72. An act to authorize the York Manufacturing Company to reduce its capital stock.

H. R. 74. An act relating to the police force of the city of Bath.

H. R. 75. An act to amend the charter of the Northern Waldo Agricultural Society.

H. R. 77. 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.

H. R. 78. An act to change the name of the Main Street Methodist Episcopal Free Church Society of Lewiston.

H. R. 80. An act to amend the charter of the Union Mutual Life Insurance Company.

*H. R. 81. An act to amend an act to incorporate the *325 Lincolnville Railroad Company, approved February 18, 1874.

H. R. 86. An act relating to Bridgton Centre Village Corporation.

H. R. 92. An act to prevent the taking of trout in Great Works stream and its tributaries, in the towns of Amherst, Clifton and Bradley.

H. R. 94. An act to amend an act entitled "an act to incorporate the Masonic Trustees of Lewiston."

H. R. 98. An act to make valid the doings of the town of Weld.

H. R. 100. 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.

H. R. 104. An act to incorporate the Cornelius Pond Ice Company.

H. R. 105. An act to authorize the Second Baptist Society of Gorham to sell and convey all of its personal and real estate.

H. R. 106. An act additional to "an act to incorporate the city of Rockland."

H. R. 110. An act to incorporate the Fifty Associates of Ellsworth.

H. R. 112. An act to set off the farm of F. P. Crowell from the Fairfield Village Corporation.

H. R. 117. An act to authorize the town of Yarmouth to build a foot bridge over tide waters.

H. R. 118. An act authorizing Alton E. Ayer to dredge bars, remove boulders, and navigate East Pond by steam.

H. R. 120. An act to authorize James F. Grindel to take ice from Meadow pond, in the town of Islesborough.

* H. R. 121. An act to make valid the doings of John G. *326 Adams, a trial justice.

H. R. 123. 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."

H. R. 124. An act to amend an act entitled "an act to incorporate the East Oxford Agricultural Society," approved February 28, A. D. 1861. H. R. 126. An act amendatory to chapter 358 of the special laws of the year 1873, to prevent the throwing of ballast into the Kennebec river.

H. R. 129. An act to amend the charter of the Camden Village Corporation.

II. R. 130. 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.

H. R. 131 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.

H. R. 136. An act to change the name of the town of Lyndon to Caribou.

H. R. 138. An act additional to an act restricting the killing of seal in Casco bay.

H. R. 139. An act changing the time of the municipal election in the city of Ellsworth.

H. R. 140. An act to amend an act entitled "an act to incorporate the Franklin Land and Lumber Company."

H. R. 141. An act to extend the charter of the Aroostook Steamboat Company.

H. R. 142. An act to change and fix the limits of the town of Haynesville.

*327 *H. R. 144. An act to incorporate the Bryant's Pond and Andover Telegraph Company.

H. R. 146. An act to repeal an act entitled "an act to incorporate the town of Barnard."

H. R. 148. An act to provide in part for the expenditures of government.

H. R. 159. An act to authorize Samuel Cunningham to navigate Androscoggin pond and Dead river by steam.

H. R. 166. 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 and fifty-three cents.

H. R. 168. An act authorizing the city of Lewiston to loan the credit of the city for the purpose of introducing pure water into the city.

H. R. 169. An act to provide in part for the expenditures of government.

TITLES OF RESOLVES.

Passed by the present Legislature and approved by the Governor:

S. 3. Resolve relating to the partition of lands in township number eighteen, in range three, known as the town of Grand Isle.

S. 4. Resolve in favor of Benjamin R. Walker and Joseph C. Walker.

S. 5. Resolve in favor of John P. Webber.

S. 7. Resolve authorizing the Governor and Council to adjust with Francis A. Reed a note held by the State against him.

S. 8. Resolve in favor of township No. 1, North Division, county of Penobscot.

*S. 9. Resolve relating to settlers' lots under Treaty *328 of Washington.

S. 10. Resolve in favor of the Joint Standing Committee on Education.

S. 11. Resolve in favor of the Maine State College of Agriculture and the Mechanic Arts.

S. 12. Resolves relating to national prohibitory law.

S. 13. Resolve providing for the payment of the expenses of the Committee on Military Affairs.

S. 14. Resolve in favor of the Maine State Prison.

S. 15. Resolve for the appointment of a commission to revise the militia law.

S. 16. Resolve providing for payment of certain rents, now in suit, to the agent of the Penobscot tribe of Indians.

S. 17. Resolve in favor of the Joint Standing Committee on Agriculture.

S. 20. Resolve in favor of the Military and Naval Asylum at Bath.

S. 21. Resolve in favor of Van Buren plantation.

S. 22. Resolve repealing chapter 175 of the resolves of 1876, relating to claims of settlers on proprietors' lands.

S. 23. Resolve in favor of the town of Kingsbury.

S. 24. Resolve in favor of Elisha W. Shaw, Franklin R. Webber and Byron Porter.

S. 25. Resolve authorizing the Land Agent to quiet settlers on a section of land in town of Presque Isle.

S. 26. 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.

S. 27. Resolve providing for the annual encampment of the Maine Volunteer Militia.

*329 *S. 28. Resolve in favor of the Western Normal School.

S. 30. Resolve in favor of the Joint Standing Committee on State Prison.

S. 31. Resolve in favor of the Joint Standing Committee on Financial Affairs.

S. 33. Resolve in favor of the Maine Industrial School for Girls.

S. 34. Resolve authorizing the land agent to convey certain lots of land in townships numbered 4 and 5, range 13, in the county of Piscataquis.

S. 35. Resolve in favor of the State Reform School.

S. 36. Resolve in favor of Sprague, Owen and Nash.

S. 37. Resolve in favor of the Joint Standing Committee on Reform School.

S. 38. Resolve in favor of education in the State Prison.

S. 39. Resolve relating to the investment and deposit of surplus funds in the treasury.

S. 40. Resolve in relation to institutions receiving appropriations from the State.

S. 41. Resolve in favor of the Secretary of the Senate.

S. 42. Resolve on pay roll of the Senate.

S. 43. 'Resolves authorizing a temporary loan.

H. R. 2. Resolve in favor of roads passing through the Indian township in Washington county.

H. R. 6. Resolve in favor of the county of Aroostook.

H. R. 7. Resolve for the appointment of a commission to reconstruct the laws relating to fisheries and the protection of fish.

H. R. 9. Resolve in favor of the agent of the Penobscot tribe of Indians.

H. R. 10. Resolves providing for a seal of the State.

*330 *H. R. 12. Resolves in relation to the binding of the acts and resolves of this State.

H. R. 14. Resolve amendatory of chapter 156 of the resolves of 1876, entitled "resolve in favor of John Ryan."

H. R. 15. Resolve in favor of Theodore C. Woodman, receiver of the Bucksport Savings Bank.

H. R. 16. Resolve for the purchase of the Maine State Year Book and Legislative Manual.

H. R. 17 Resolve amendatory of chapter 20 of the resolves of 1875, entitled "resolve in favor of Crystal plantation in the county of Aroostook."

H. R. 18. Resolve concerning an amendment of the Constitution of Maine, relating to electors.

H. R. 19. Resolve in favor the town of Anson.

H. R. 20. Resolve authorizing the removal of the colors presented to the Seventeenth Regiment of Maine Volunteers by the merchants of Portland.

H. R. 21. Resolve in favor of Swedish settlers.

H. R. 23. Resolve in favor of Sabattis Dana.

H. R. 24. Resolve in favor of Tomah Peol Tomah.

H. R 25. Resolve in favor of C. S. Hobbs of Norway.

H. R. 26. Resolve in favor of the town of Stockton.

H. R. 27. Resolve in favor of Charles G. Perry.

H. R. 28. Resolve in favor of Benjamin Alexander.

H. R. 29. Resolve in favor of David Dudley.

H. R. 30. Resolve in favor of John M. Brown.

H. R. 31. Resolve in favor of F. W. Stimson.

H. R. 32. Resolve in favor of bridge in the town of Lyndon.

H. R. 33. Resolve in favor of Isaac Varney.

H. R. 34. Resolve in favor of M. L. Stewart.

H. R. 35. Resolve in favor of the town of Baileyville.

H. R. 36. Resolve in favor of Albion W. Stratton.

* H. R. 37. Resolve in favor of S. W. Stratton. *331

H. R. 38. Resolve in favor of Jesse Sutherland.

H. R. 39. Resolve in favor of Olof Ljungren and Magnus Jeppson.

H. R. 40. Resolve authorizing the Land Agent to convey by deed, to John Estes, a lot of land.

H. R. 41. Resolve making appropriation for the propagation of fish.

H. R. 42. Resolve making appropriations for the Penobscot tribe of Indians.

H. R. 43. Resolve providing clothing for the Portland Montgomery Guards.

H. R. 44. Resolve in favor of St. Francis plantation.

H. R. 45. Resolve in favor of the plantation of Wallagrass.

H. R. 46. Resolve in favor of the Bangor Children's Home.

H. R. 47. Resolve in favor of the Female Orphan Asylum, Portland.

H. R. 48. Resolve in favor of Rufus F. Stone.

H. R. 49. Resolve in favor of the town of Maysville.

H. R. 50. Resolve laying a tax on the several counties of the State.

H. R. 51. Resolve in favor of the Passamaquoddy Indians.

H. R. 53. Resolve for an amendment of the Constitution, relating to municipal indebtedness.

H. R. 54. Resolve in favor of Charles W. Porter.

H. R. 56. Resolve relating to salary of clerk of Superintendent of Schools.

H. R. 57. Resolve in relation to the salary of the Judge of Probate of Penobscot county.

H. R. 58. Resolve in favor of the Maine General Hospital.

*332 *H. R. 59. Resolve in favor of an assistant in the State Library.

H. R. 61. Resolve in favor of the Secretary of State.

H. R. 62. Resolves providing for certain amendments to the Constitution of the State of Maine.

H. R. 63: Resolve on the pay roll of the House.

Mr. BRAGDON presented the following:

Resolved, That the thanks of the Senate are due and are hereby tendered to James H. Banks, Messenger, Benjamin F. Stevens, Assistant Messenger, James Pattee, Folder, and Ralph A. Wadsworth, Page, for the prompt and faithful manner in which they have discharged their several duties.

The resolution was unanimously adopted.

Mr. BROWN presented the following :

Resolved, That the thanks of the Senate be extended to our efficient Reporter, W. E. S. Whitman, Esq., for the prompt and efficient manner in which he has discharged his duty in reporting the proceedings of the Senate.

The resolution was unanimously adopted.

Mr. KYES presented the following resolves :

Resolved, That the thanks of the Senate be tendered to Samuel W. Lane, Esq., Secretary, and Charles W. Tilden, Assistant Sec-

retary, for the prompt and efficient manner in which they have discharged their duties this session.

Resolved, That the books on the Secretary's desk be presented to the Secretary and Assistant Secretary.

The PRESIDENT stated the question to be upon the passage of the resolutions.

Mr. Lane, Secretary of the Senate, addressed the Chair, expressing his appreciation of the spirit of the *resolu- *333 tions, but asked leave to suggest to the Senator from Franklin (Mr. Kyes) a modification or amendment of the second resolve, by striking out the words "Secretary and," so that the resolve should read:

Resolved, That the books on the Secretary's desk be presented to the Assistant Secretary.

Mr. Kyes accepted the amendment and the resolutions were unanimously adopted, the vote being by rising.

Mr. Lane, Secretary, and Mr. Tilden, Assistant Secretary, briefly responded.

Mr. WATTS presented the following:

Resolved, That the sincere thanks of the Senate are due and are hereby tendered to the Hon. E. S. Kyes and the Hon. J. S. Wheelwright, for the faithful, able and impartial manner with which they have discharged the duties of presiding officers *pro tempore* of the Senate during the present session.

The question was stated by the Secretary, and the resolve was unanimously adopted, the vote being by rising.

Mr. LENNOX rose and said :

Mr. PRESIDENT,—Our duties as members of this Legislature are drawing to a close, and the fifty-sixth session of the Senate of Maine, after having disposed of all the matters that have been brought before it that pertains to business, are about to dissolve by final adjournment. Let us hope that we have performed our duties for the best interest of our State and the people. I trust we shall never have occasion to regret any act of our legislation.

* You have legislated in a way that you believed to be *334 for the best interest of your constituents, and you trust they

will endorse your action. Every matter that has been brought before you for your consideration you have given your careful inspection, and finally acted according to your best judgment. It cannot be expected that all legislation will be perfect when we consider how little time we have had in legislative bodies to get at the facts; but with the knowledge we have had, we have acted with our best judgment.

The session through which we have just passed has been of the most pleasant nature. You have been conservative, kind and obliging towards the minority, and we have to thank you, and trust that if it should ever be your misfortune to be placed in the minority you will have the same consideration shown you which you have extended to us.

Words will not express the regard and esteem which I have for all the members and officers of this Senate for the kindness extended to me personally. As we are about to separate and return to our homes, I trust we shall remember with pleasure the associations we have formed here.

Mr. Secretary and gentlemen of the Senate, before finally bidding you adieu, it becomes my duty to offer the following resolution as the sincere expression of our hearts.

Mr. LENNOX then presented the following:

Resolved, That the heartfelt thanks of this Senate are due, and are hereby tendered, to the Hon. Thomas W. Hyde for the impartial, able and faithful manner with which he has discharged the

duties of presiding officer of the Senate during the present *335 * session, and we deeply regret the cause which deprives

him of the privilege of being present at the close of this session.

Mr. KYES said :

Mr. PRESIDENT,—Our brief deliberations are closed, and the feeling of relief is mingled with regret that many of the pleasant acquaintances made in this chamber will to-night be "indefinitely postponed." I am sure, however, that many such acquaintances will be "referred to the next Legislature" by an appreciating constituency, while the intimacy and friendships here formed will brighten memory in future years.

To simply thank our absent presiding officer for the impartial discharge of his duties would but meagerly express my gratitude for his forbearance and assistance in relieving me from those embarrassments which attended my first experience in the legislature of last year.

The dignity and ability with which he has filled the Chair has elicited much praise, but Senators will especially remember the courteous treatment they have received at his hands, and will ever hold him in the highest esteem as a president and as a man. May our present anxiety be relieved by his speedy restoration to health.

Our discussions and close attention to the multiplicity of affairs before us have placed among our statutes laws which I believe will compare favorably with those of previous years, and tend to increase the prosperity of our noble State.

Grateful for the courtesy in recording your approval of my temporary occupancy of the Chair, I desire especially to thank you for the honor conferred by calling me to preside, and[®]the uniform kindness extended to me in every duty of the session.

Thanking you, Mr. President, Senators, Secretaries, and all the officers of the Senate, for esteemed favors and kindnesses, and wishing you all a safe return to your homes and several vocations in life, I bid you farewell.

Mr. STEVENS said :

Mr. PRESIDENT,-Our deliberations have closed; we are about to part. Before bidding you farewell I desire to express my esteem for each and every officer of this Senate, for the uniform kindness and courtesy you have at all times extended, I believe, to each of our members. Fortunate indeed will be the Senate of the old "Pine Tree State," in the future, if it secures the services of as able and faithful servants. And to you, brother Senators, let me say that there is one thing that I regret. Our session has been so brief that I have not become so intimately acquainted with many of you as I desire. But I am glad to say that our acquaintance, brief as it is, has been most happy. During the whole session not a personality has been attempted in this chamber, or a word uttered that could in any way, I think, wound or mar the feelings of any member. We, like brothers, have disputed among ourselves for our better instruction, have not like enemies quarreled to destroy one another. No partisan feeling has been manifest When we separate at this time, according to human events, here. we shall probably never all meet in these earthly courts again.

This is not a pleasant thought. But I have faith to believe that by living pure and upright lives, we shall one day all meet in the courts above where parting will be no more. I now bid you one and all an affectionate farewell.

Mr. THOMPSON said:

Mr. PRESIDENT,—The closing hours of a legislative session always bring a mingling of sorrow and joy—sorrow, that the pleasant associations formed within these halls and in the deliberations of the committee room are to be sundered; joy, that we take up again the work of life and return to the endearing scenes of home. Honored by my constituents with a seat at this board for two consecutive terms, I cannot retire without an expression of thanks to the officers of the Senate, and its members, my associates, for numerous personal courtesies extended, and the utterance of my deep convictions that the work done here has been for the best interests of the entire State. This session, especially, though brief in point of time, has been eminently a laborious and busy one.

Coming together at a time when the industries of the State were partially paralyzed by reason of the general depression affecting seriously all departments of business, every act has been critically scrutinized; and while jealous care has been taken that there should be no prodigal waste of the people's money, our acts have not been shaped by parsimony, and the appropriations have not been niggardly. A liberal policy has been pursued towards the educational, reformatory, charitable and penal institutions of the State; the great and preponderating interest of agriculture has been wisely fostered; while the mechanical and manufacturing interests have not suffered at our hands. In a review of the brief period of the session mistakes may be discovered, but I am sure that the honest verdict of the people upon our enactments will be that they have been wise and salutarv. This having been our aim, and this our deep conviction. we may retire from these halls with the consciousness of duty well performed, which is the richest and most gratifying reward a servant of the public can receive.

Mr. JORDAN said:

Mr. PRESIDENT,---We are about to separate, and this session of the Legislature will be numbered with others that have passed.

368

Our doings are to be submitted to our constituents, and agreeable will it be to have the report of "well done good and faithful servant."

Among the pleasant rememberances which will cling to us hereafter, will be our associations with each other during the short time that we have been together at this Senate board.

The closing hour of this session has arrived, and in reviewing the past, while we have been here to transact business for the State, I believe we can do so with satisfaction, conscious that if we have fallen into errors in our legislative action, they have been errors of the head, and not of the heart. I thank you, gentlemen, for the kind and pleasant words with which I have been favored while we have been together. The session which is about to close has been shorter than usual, yet the amount of business upon which we have acted, has been proportionally large as compared with longer ones. This fact indicates diligence and attention more strongly than any words of mine can express. You can carry with you my best wishes that you may receive the approbation of your constituents, that you may find your families in the enjoyment of health, and that you may spend the remainder of your days in full possession of the confidence of your fellow men, which is the highest reward of public servants.

I shall long cherish your memories, and hope and trust that your lives may be so blessed that by and by we may be crowned with that reward that is due the faithful.

Mr. WHEELWRIGHT, President pro tempore, addressed the Senate as follows:

SENATORS,—For the many kind sentiments expressed you have my sincere thanks. I should accept them all the more cheerfully did I think them deserved. I most heartily concur in all that has been so well said relating to our President, who has so faithfully and acceptably performed the duties of this position. There is always connected with partings many painful thoughts, and to-day they are intensified by the fact that our respected President is prostrate upon a bed of sickness and unable to be with us. But we leave him in the hands of a kind Providence, trusting that he may be speedily restored to his accustomed health. Many of us are here for the last time. We shall carry with us many pleasant recollections of the frienships formed, never to be forgotten. It is a pleasing throught, also, that through the entire session never so much as in a single instance has there been any unkind words or recriminations between the members. So far as I am able to judge, each and every member has constantly had in mind the oaths of office assumed and proved faithful to them. May the blessing of God rest upon us all, and in whatever department of life we may be called to labor, may we prove ourselves faithful to the end.

The resolution was unanimously adopted by a rising vote.

*336 * On motion by Mr. STEVENS, at 17 minutes past 1 o'clock A. M., February 10th, 1877,

The Senate adjourned sine die.

SAMUEL W. LANE, Secretary.

I certify that the foregoing is a true transcript of the Journal of the Senate of the Fifty-sixth Legislature of the State of Maine.

ATTEST :

SAMUEL W. LANE, Secretary.

SENATE ORDER OF PROCEEDINGS AND DEBATES.

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. The report of committees, and if accompanied by a bill or resolve, the first reading of such bill or resolve. Bills, resolves, &c., 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.

When a question is under debate no motion shall be received but-

1st. To adjourn;

2d. To lay on the table;

3d. To postpone to a day certain;

4th. To commit;

5th. To amend;

6th. To postpone indefinitely;

Which several motions shall have precedence in the order in which they stand arranged.

Questions of concurrence or otherwise with the house shall have precedence of each other in the following order:

1st. To recede.

2d. To concur.

3d. To insist.

4th. To adhere.

A motion to adjourn shall always be first in order, and shall be decided without debate.

The name of the senator presenting petitions, memorials and remonstrances should be endorsed on the back thereof, *near the bottom*, with the place of his residence.

The senator 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.

RULES OF THE SENATE.

CONTENTS.

RULE 1. President to take the chair at time of calling to order—secretary to preside in his absence.

- " 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.
- " 7. Motion to adjourn always in order.
- " 8. Order of precedence in motions.
- " 9. Motions to be in writing if desired-right to withdraw.
- " 10. Right to the floor-senator to speak but once to same question.
- " 11. Different subject, under color of amendment, out of order-amendment ingrafting general provision of law upon private bill, out of order.
- " 12. Amendment of amendments-reconsideration of vote-special time assigned.
- " 13. Precedence of motion to reconsider.
- " 14. Questions of order.
- " 15. Division of question.
- " 16. Filling up blanks.
- " 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.
- " 23. Taking yeas and nays.
- " 24. No debate after question is put to vote.
- " 25. Unfinished business to have precedence.
- " 26. No engrossed bills to be sent to house without notice to senators.
- " 27. Manner of presenting petitions.
- " 28. Confidential communications to be kept secret.
- " 29. Suspension of rules.
- " 30. Exchange of seats.

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, Ilouse papers not acted on; and if accompained 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

RULES OF THE SENATE.

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.

JOINT RULES OF THE TWO HOUSES.

CONTENTS.

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 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.

MEMORANDA.

- 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.
- 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.

INDEX

I

то

BILL'S AND RESOLVES

OF THE

SENATE AND HOUSE OF REPRESENTATIVES.

FIFTY-SIXTH LEGISLATURE.

SENATE BILLS.

No.	TITLE AND ACTION.	PAGE.
1	An act to amend chapter 649 of the private and special acts of the year 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 coasts and waters of the State of Maine"	
	presented, rules suspended, read twice and passed to be engrossed passed to be enacted	12 73 356
2	An act to amend chapter 62 of the public laws of 1876, relating to elec- tion returns.	
	presen ed and referred reported in new draft, under title of "an act to amend section 5 of chapter 78 of the revised statutes, as amended by chapter 62 of the public laws of 1876, relating to election returns," laid over to be	51
	printed	176
	read and assigned	196
	read a second time and passed to be engrossed	209
	considered, amended and passed to be engrossed	229 348
	passed to be enacted	352
3	An act to amend section 3, chapter 7 of the revised statutes, relating to election returns.	001
	presented and referred	51
	reported ought not to pass	131
	recommitted.	139
	reported ought to pass, laid over to be printed	164
	read and assigned	184
	read a second time and passed to be engrossed	198
	passed to be enacted	223 352
4	An act to authorize contract between Bucksport and Bangor Railroad Com- pany and Trustees of Furopean and North American Railway Company.	504
	presented and referred	51
	reported ought to pass, read once and assigned	77
	read a second time and passed to be engrossed	87
	passed to be enacted	123
	approved	356

JOURNAL OF THE SENATE.

SENATE BILLS-CONTINUED.

٦o.	TITLE AND ACTION.	PAGE
5	An act additional to the acts which constitute the charter of the Bangor	
	and Piscataquis Railroad Company.	
	presented and referredreported in a new draft, read and assigned	
	reported in a new draft, read and assigned	1
	read a second time and passed to be engrossed	1
	passed to be enacted	2
	approved	3
6	An act granting further time to the Penobscot and Lake Megantic Rail-	
	road Company to locate and complete its railroad.	
	presented and referred	
	reported, read once and assigned	
	read a second time and passed to be engrossed	
	receded and referred to Committee on the Judiciary	1
	reported ought to pass, read and assigned	1
	read a second time and passed to be engrossed	$\tilde{2}$
	passed to be enacted	2
	approved	3
7	approved An act to revise and consolidate the laws relating to the government, powers, duties, privileges and liabilities of savings banks and institu-	J
	tions for savings.	
	presented and referred	
	reported, tabled, specially assigned	1
	considered, amended and passed to be engrossed	200,2
	Committee of Conference	3
	reported, amended and passed to be engrossed	3
	passed to be enacted	3
	approved	3
8	An act to amend section 31 of chapter 51 of the revised statutes, relating	
-	to brakeman on railroad trains.	
	reported ought not to pass	
	presented and referred	
9	An act further extending the time within which to file the location and	1
•	also to complete the Northern Aroostook Railroad.	
	presented and referred	
	reported ought to pass, read and assigned	
	read a second time and passed to be engrossed	1
	newed to be ensetted	1
	passed to be enacted	2
0	approved. An act to amend chapter 27 of the revised statutes, in relation to inn-	3
.0	All act to allend chapter 27 of the revised statutes, in relation to inn-	
	holders, victualers and intoxicating liquors.	
1	presented and referred	
1	An act to enable jewelers to sell articles left with them for repairs and	
	not called for, under certain conditions.	
	presented and referred	
~	reported ought not to pass	
2	An act to promote the efficiency of the police of the city of Portland.	
	presented and referred	
	reported ought to pass, read and assigned	1
	read a second time and passed to be engrossed	1
	passed to be enacted	1
	approved	3
3	An act to incorporate the Harrington and Jonesport Telegraph Com-	•
	pany.	
	presented and referred	
	reported, read and assigned	1
	read a second time and passed to be engrossed	1
	passed to be enacted	2
4	approved An act to amend the charter of the Castine and Ellsworth Railroad Com-	3
*		
	pany.	
	taken from the files of 1876 and referred reported legislation is inexpedient	-
		1

INDEX.

SENATE BILLS-CONTINUED.

No.	TITLE AND ACTION.	PAGE
15	An act for the better enforcement of the laws for the protection of fish and	
	game.	
	presented and referred	8
	reported, referred to commission to revise fishery laws	19
16	An act to amend section 1 of chapter 332 of the private and special laws	
	of 1870.	
	presented and referred reported in new draft under title of "an act to prevent the throwing	8
	reported in new draft under title of "an act to prevent the throwing	
	of refuse wood, timber or fibrous material, created by the sawing of	
	lumber, into the Piscataquis river," read and assigned	14
	read a second time and passed to be engrossed	16
	passed to be enacted	21
	approved	35
17	An act relating to witnesses and evidence.	
	presented and referred	8
	reported ought to pass, laid over to be printed	17
	read and assigned	19
	read a second time and passed to be engrossed	20
	passed to be enacted	33
	approved	35
18	An act in relation to the harbor commissioners of the harbor of the city	50
10	of Dertland and to amond abarter 79 of the public laws of 1976	
	of Portland, and to amend chapter 78 of the public laws of 1876.	0
	presented and referredreported in new draft under title of "an act in relation to Portland	8
	harbor and to the harbor commissioners of Portland harbor," read	
	twice and passed to be engrossed	21
	passed to be enacted	33
••	approved	35
19	An act to confirm the doings of school district No. 15 in Berwick.	
	presented and referred	8
	reported ought to pass, laid over to be printed	13
	read and assigned	15
	read a second time and passed to be engrossed	16
	passed to be enacted	22
~~	approved.	35
20	An act to regulate the practice of medicine.	
	presented and referred	8
	reported ought not to pass	14
21	An act to authorize the appointment of police officers at camp meetings.	_
	presented and referred	9
	reported ought to pass, laid over to be printed	13
	read and assigned.	15
	read a second time and tabled	16
	indefinitely postponed	18
22	An act providing for the examination of judgment debtors.	
	presented and referred	9
	reported ought not to pass	14
23	An act in relation to police and municipal courts.	
	presented and referred	9
	reported in new draft under title of "an act in relation to municipal	
	and police courts," ought to pass, laid over to be printed	13
	read and assigned	15
	read a second time and passed to be engrossed	16
	passed to be enacted	23
	passed to be enacted	35
24	An act additional to chapter 67 of the revised statutes, relating to the	
	appointment of guardians.	
	presented and referred	10
	reported ought to pass, laid over to be printed	14
	read and assigned.	18
	read a second time and passed to be engrossed	10
	passed to be enaoted	22
	approved	35

387

JOURNAL OF THE SENATE.

SENATE BILLS-CONTINUED.

No.	TITLE AND ACTION.	PAGE
25	An act to amend section 14 of chapter 6 of the revised statutes, relating	
	to the taxation of personal property.	
	presented and referred	1
	reported in new draft, ought to pass, laid over to be printed	1
	read and assigned	1
	read a second time and passed to be engrossed	1
	passed to be enacted	2
	approved	3
26	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 Rail-	
	road.	
	presented and referred	1
	reported ought to pass, read and assigned	1
	read a second time and passed to be engrossed	1
	passed to be enacted	1
	approved	3
27	An act to set off certain real estate from the town of Bridgton and annex	
	the same to the town of Harrison.	
	reported on petition, read and assigned	1
	read a second time and passed to be engrossed	1
	passed to be enacted	1
	approved	3
28	An act authorizing the sale of islands belonging to the State.	
	presented and referred	1
	reported ought to pass, laid over to be printed	1
	read once and assigned.	1
	read a second time and passed to be engrossed	1
	passed to be enacted	2
	approved	3
29	An act to amend section 71 of chapter 51 of the revised statutes, relating	
	to railroads.	
	presented and referred	1
	reported ought not to pass	1
30	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 Rail-	
	road	
	presented and referred	1
	reported ought to pass, read and assigned	1
	read a second time and passed to be engrossed	1
	passed to be enacted	2
	approved	3
31	An act to amend section 16 of chapter 77 of the revised statutes, relating	
	to the powers of the Supreme Judicial Court.	· _
	presented and referred	1
	reported ought to pass, laid over to be printed	1
	read and assigned	1
	read a second time and passed to be engrossed	1
	passed to be enacted	2
	approved .	3
32	An act to revive the organization of the Trustees of the Parsonage Fund	
	in Bucksport.	-
	presented and referred	1
	reported, read and assigned	1
	read a second time and passed to be engrossed	1
	passed to be enacted	2
	approved.	3
13	An act to repeal sections 65, 66 and 67 of chapter 18 of the revised	
	statutes.	
	reported on memorial and laid over to be printed	1
	read once and assigned read a second time, tabled and specially assigned	12
		- 12

INDEX.

SENATE BILLS-CONTINUED.

₹o.	TITLE AND ACTION.	PAGE.
33	An act to repeal sections 65, 66 and 67 of chapter 18 of the revised statutes.—Concluded.	
	considered, amended (yeas and nays,) title changed to "an act to	
	amend section 65 of chapter 18 of the revised statutes, relating to damage on ways, as amended by chapter 215 of public laws	
	of 1874, and chapter 97 of public laws of 1876," tabled, ordered	
	printed 140, 149, 168,	180,18
	considered, further amended and passed to be engrossed	
	passed to be enacted	34
34	approved.	35
94	An act to abolish the highway tax. reported on an order and laid over to be printed	11
	read once and assigned	12
	read a second time and referred	12
	considered	15
	indefinitely postponed in concurrence	18
35	An act to restrict the killing of seal in Caseo bay.	
	reported on petition, read and assigned	12
	read a second time and passed to be engrossed	12
	passed to be enacted	18
	approved	35
36	An act to amend chapter 27 of the revised statutes, relating to drinking-	
	houses and tippling-shops.	
	reported on petitions, laid over to be printed	12
	read and assigned	13
	read a second time, pending amendment specially assigned	14
	considered, amended, tabled, specially assigned considered and passed to be engrossed	181,21
	considered, amended and passed to be engrossed	33
	passed to be enacted	35
	approved	35
17	An act against pool-selling and lotteries.	00
	reported on petitions, laid over to be printed	12
	read and assigned	13
	read a second time and passed to be engrossed	14
	reconsidered, amended and passed to be engrossed	20
	passed to be enacted	21
	approved	35
8	An act additional relating to the city of Portland, limiting its power to	
	create debt. reported on memorial, read and assigned	13
	read a second time and passed to be engrossed	14
	passed to be enacted	18
	approved	35
9	An act in relation to county attorneys.	
	reported, laid over to be printed	13
	read once and assigned	14
	read a second time and passed to be engrossed	15
	considered	
0	indefinitely postponed	33
U	An act in relation to county treasurers.	10
	reported, laid over to be printed read and assigned	13 14
	read a second time and passed to be engrossed	14
	passed to be enacted	21
	approved	35
1	An act to facilitate the detection and punishment of certain offences.	
-	reported, laid over to be printed	, 13
		14
	read once and assigned read a second time and passed to be engrossed	16
	passed to be enacted	21
	approved	35

JOURNAL OF THE SENATE.

SENATE BILLS—CONTINUED.

To.	TITLE AND ACTION.	PAGE
42	An act to repeal section 31 of chapter 86 of the revised statutes, relating	
	to trustee disclosures.	
	presented and referred reported ought to pass, laid over to be printed	13
	reported ought to pass, laid over to be printed	17
	read twice and passed to be engrossed	21
	passed to be enacted	34
	approved	35
43	An act to continue in force chapter 98 of the public laws of 1872, and	
	chapter 203 of the public laws of 1874, relating to pensions for disabled	
	soldiers and seamen.	
	presented and laid over to be printed	16
1	considered, indefinitely postponed	22
44	An act to amend section 153 of chapter 6 of the revised statutes, relating	
	to the powers of town treasurers.	
l	presented and referred	16
	reported, read and assigned	17
1	read a second time and passed to be engrossed	18
ļ	passed to be enacted	21
ļ	approved	38
15	An act to amend chapter 223 of the public laws of 1871, in relation to rail-	
1	road corporations	
	presented and referred	16
	reported ought not to pass An act to further amend section 28 of chapter 18 of the revised statutes,	17
6		
	relating to ways.	
	reported on an order, laid over to be printed	10
	read and assigned	1
	read a second time, considered and tabled	19
	indefinitely postponed	20
.7	An act to extend the powers of the North Anson and Skowhegan Telegraph	
ļ	Company.	
1	reported on petition, read and assigned	10
	read a second time and passed to be engrossed	1'
	passed to be enacted	23
	approved	3
8	An act for the protection of migratory fish.	
. 1	reported on an order, tabled	1
<u>_</u>	referred to the commission to revise the fishery laws	3
9	An act to encourage the introduction of the manufacture of beet sugar.	
	reported, read and assigned	1'
	read a second time, tabled and ordered to be printed	1
	passed to be engrossed	2
	passed to be enactedapproved	3
	approved	3
0	An act additional to chapter 29 of the public laws of 1869, concerning the	
	militia.	-
	reported, read and assigned	1
	read a second time and passed to be engrossed	1
	passed to be enacted	3
.	approved	3
1	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."	
	presented, read and assigned	1
	read a second time, tabled and ordered to be printed	11
	passed to be engrossed	2
<u> </u>	indefinitely postponed	33
2	An act additional to section 6 of chapter 6 of the revised statutes, relating	
	to the taxation of property of religious societies.	
	reported on an order, laid over to be printed	13
	read and assigned read a second time, tabled and specially assigned	19
	read a second time, tabled and specially assigned considered, amended and passed to be engrossed	21

•

INDEX.

SENATE BILLS-Concluded.

No.	TITLE AND ACTION.	PAGE.
52	An act additional to section 6 of chapter 6 of the revised statutes, relating	-
	to the taxation of property of religious societiesConcluded.	
	reported amended, passed to be engrossed	342
	passed to be enacted	349
	approved	353
53	An act to amend section 32, chapter 4 of the revised statutes, relating to elections.	
	reported, laid over to be printed	176
	read and assigned	196
	read a second time and passed to be engrossed	209
	reconsidered, amended and passed to be engrossed	341
	passed to be enacted	349
	approved	353
54	An act to provide for the organization and management of loan and build- ing associations	
	reported, laid over to be printed	176
	read and assigned	207
	read a second time and passed to be engrossed	218
	passed to be enacted	340
	approved	353
55	An act to amend section 16 of chapter 40 of the public laws of the year 1872, relating to railroad crossings.	
	reported on an order, laid over to be printed	176
	read and assigned	196
	read a second time and passed to be engrossed	210
	passed to be enacted	340
	approved	353
56	An act to amend section 9, chapter 116 of the revised statutes, relating to support of prisoners in jails.	
	presented, tabled, ordered printed	177
	read and assigned	207
	read a second time and passed to be engrossed	218
	considered and indefinitely postponed.	335
57	An act to amend chapter 76 of the public laws of 1876, entitled "an act relating to normol schools."	
	reported, laid over to be printed	185
	read twice and passed to be engrossed	216
	passed to be enacted	341
58	approved An act in relation to the municipal court of the city of Bath.	353
	referred	94
	reported ought not to pass	173
59	An act additional to chapter 193 of the public laws of the year 1874, re- lating to clerks of judicial courts.	
	presented by leave, laid over to be printed	325
	read twice and passed to be engrossed	336
	passed to be enacted	347
	approved	353
60	An act to provide security for bonds in the State Treasury.	•
	presented, read twice and passed to be engrossed	335
	passed to be enacted	349
	approved	353
61	An act to reduce the valuation of township No. 18, Middle Division, county of Washington.	
	reported on petition, read twice and passed to be engrossed	335
	passed to be enacted	347
	approved.	357
62	An act to legalize the acts of John B. Trafton as justice of the peace and quorum.	
	presented, read twice and passed to be engrossed	337
	passed to be enacted	348
	approved.	357

JOURNAL OF THE SENATE.

HOUSE BILLS.

No.	TITLE AND ACTION.	PAGE.
1	An act to establish and maintain a State normal school at North Bridgton, in the county of Cumberland	İ
	taken from files of 1876 and referred	78
	reported, referred to the Superintendent of Common Schools for in-	
	quiry and report to the next Legislature	
2	An act to repeal chapter 380 and chapter 392 of the special laws of the	
	year 1873, relating to schools in the Madawaska territory and the town	
	of Frenchville.	
3	taken from the files of 1876 and referred	78
э	An act to regulate and limit municipal indebtedness. taken from the files of 1876 and referred	78
4	An act to provide for the inspection of stationary steam boilers and exam-	
-	ination of persons in charge of same.	
	taken from the files of 1876 and referred	78
5	An act to establish a State Board of Health.	Į
	taken from the files of 1876 and referred	68
	reported ought not to pass	220
6	A bill to authorize the formation of telegraph companies.	
-	taken from the files of 1876 and referred	78
7	An act to amend the charter of the Penobscot Log Driving Company.	54
	referred reported in new draft, read and assigned	124
	read a second time and passed to be engrossed	124
	passed to be enacted	149
	approved	357
8	An act to prevent the throwing of slabs and other refuse into the Kennebec	
	river.	
	referred	54
	reported ought to pass, read twice and passed to be engrossed	206
	considered, conference, report and second conference	
9	referred to the next Legislature with order of notice	339
9	An act to amend section 24 of chapter 81 of the revised statutes, relating to attachments of personal property.	
	referred.	54
	reported that it ought not to pass	77
10	An act relating to the Supreme Judicial Court for the county of Saga-	
	dahoc.	
	referred	60
	reported, read and assigned	121
	read a second time and passed to be engrossed	126 149
	passed to be enacted	353
11	An act additional relating to corporations.	300
	referred.	60
	reported ought to pass, read and assigned	136
	read a second time and passed to be engrossed	148
	passed to be enacted	178
• •	approved	353
12	An act relating to security for stores and provisions furnished vessels	
	owned by citizens of this State.	68
	referred reported with petition of Daniel W. True and others, leave to with-	00
	draw	135
13	An act to prohibit the taking of fish from Davis brook, sometimes called	
	Whale's Back brook, in the town of Limington.	1
	referred	69
	reported ought not to pass and referred	120
	reported ought to pass, read and assigned	162
	read a second time and passed to be engrossed	178
	passed to be enacted	212 357
	approved	เ ออว

392

INDEX.

HOUSE BILLS-CONTINUED.

[0.	TITLE AND ACTION.	PAGE.
14	An act to authorize Fred C Barker to navigate Mooseloomeguntic and Cupsuptic lakes, in Oxford county, by steam.	
	referred	7
	reported, referred to next Legislature, recalled to the House	20
	read twice and passed to be engrossed	32
	passed to be enacted	34 35
15	approved	
10	ditional to chapter 122 of the public laws of 1876.	
	referred	7
	reported in new draft ought to pass, read and assigned	13
	read a second time and passed to be engrossed	14
	passed to be enacted	16
	approved	35
16	An act to amend section 18 of chapter 81 of the revised statutes, relating	
	to service on corporations in civil actions.	
	referred	7
	reported in a new draft, ought to pass, read and assigned	13
•	read a second time and passed to be engrossed	14
	passed to be enacted	16
17	approved	35
	to gambling.	
	referred	7
	reported ought to pass, read and assigned	15
	read a second time and passed to be engrossed	16
	passed to be enacted	
	approved	35
18	An act to amend section 2, chapter 65 of the public laws of 1876, relating	
	to the organization of business corporations.	
1	referred	7
	reported ought not to pass	10
.9	An act to amend section 8 of chapter 86 of the revised statutes, relating to	
	trustee process as heretofore amended.	7
	referred	13
	reported in a new draft, ought to pass, read and assignedread a second time and passed to be engrossed	13
	passed to be enacted	17
	approved .	35
20	An act additional to chapter 18 of the revised statutes, in relation to	
	defects in highways.	
	referred	7
21	reported ought not to pass	20
а т –	An act to amend chapter 6, section 53, of the revised statutes, relating to	
	repairs of ways in unincorporated townships.	7
	referredreported ought to pass, read and assigned	20
	read a second time and tabled	21
	considered, amended and passed to be engrossed	22
	passed to be enacted	34
	approved	35
2	An act to enlarge the powers of constables in the service of civil process.	
	referred	7
	reported ought not to pass	12
3	An act to extend the provisions of an act entitled "an act to incorporate	
	the Calais and Eastport Railroad Company."	
	referred	7
24	reported referred to the next Legislature An act to amend section 3 of chapter 26 of the public laws of 1872, relat-	19
94	An act to amend section 3 of chapter 25 of the public laws of 1872, relat-	
	ing to altering or widening of streets. read once and assigned	7
1	read once and assigned	8
	read a second time and tabled	

t

JOURNAL OF THE SENATE.

HOUSE BILLS-CONTINUED.

read a second time and passed to be engrossed 20 passed to be enacted. 32 approved. 35 25 An act to authorize the county commissioners of Cumberland county to lay out a road over tide waters of Long orcek in the town of Cape Blizabeth. 36 26 An act to authorize the county construction of the Deering Boule- vard and Water Park. 90 27 An act to prohibit the taking of fish of any kind with nets, other than dip nets, above what is known as the weir ledges, in the town of Steuben. 14 27 An act to prohibit the taking of fish of any kind with nets, other than dip nets, above what is known as the weir ledges, in the town of Steuben. 14 27 An act to amend chapter 263 of the special laws of 1876, relating to the fish- ing interests in Laykin pond. 18 28 An act to amend chapter 263 of the special laws of 1876, relating to the fish- ing interests in Laykin pond. 12 29 An act to proteet black bass in Tripp's Upper, Middle and Lower Range ponds and their tributaries in the town of Poland. 18 29 An act to proteet black bass in Tripp's Upper, Middle and Lower Range ponds and their tributaries in the own of Poland. 19 30 An act relative to proceedings in court. 19 31 An act relative to proceedings in court. 19 32 An act to revive the charter of the St. Groix and Mattawankeag Railroad Company. 16 31 An act relating actions 5,			
ing to altering or widening of streetsConcluded. 19. reported in new draft, read and assigned	No.	. TITLE AND ACTION.	PAGE.
reported in new draft, read and assigned. 19. read a second time and passed to be engressed 20. approved. 35. 25 An act to authorize the county commissioners of Cumberland county to lay out a road over tile waters of Long creek in the town of Cape Elizabeth. 36. 26 An act to authorize the county control of the Deering Boule- Vision and Water Park. 19. 26 An act suthorizing and regulating the construction of the Deering Boule- vard and Water Park. 18. 27 An act to prohibit the taking of fish of any kind with nets, other than dip nets, abore what is known as the weir ledges, in the town of Steuben. 18. 28 An act to amend chapter 263 of the special laws of 1876, relating to the fish- ing interests in Lafkin pond. 80. 29 An act to proteet black bass in Tripp's Upper, Middle and Lower Range poorted ought not to pass. 19. 29 An act to proteet black bass in Tripp's Upper, Middle and Lower Range ported, referred to commission to revise fishery laws. 19. 30 An act to revise the optica and passed to be engrossed. 19. 30 An act to goods, effects and credits in hands of trustees. 80. 31 An act to proteet black bass in Tripp's Upper, Middle and Lower Range ported. 80. 30 An act relative to proceedings in co	24		
reid a second time and passed to be engrossed			193
25 An act to authorize the county commissioners of Cumberland county to lay out a road over tide waters of Long creek in the town of Cape Elizabeth. 35. 26 An act authorize the county commissioners of Cumberland county to lay out a road over tide waters of Long creek in the town of Cape Elizabeth. 88. 26 An act suthorizing and regulating the construction of the Deering Boule-vard and Water Park. 19 26 An act suthorizing and regulating the construction of the Deering Boule-vard and Water Park. 14 27 An act to prolibit the taking of fish of any kind with nets, other than dip nets, abore what is known as the weir ledges, in the town of Stouben. 14 27 An act to anend chapter 263 of the special laws of 1876, relating to the fishing interests in Lingkin pand. 18 28 An act to and assigned 12 29 An act to protect black bass in Tripp's Upper, Middle and Lower Range ponds and their tributaries in the town of Poland. 18 29 An act relative to proceeding in court. 19 30 An act relative to proceedings in court. 19 31 An act relative to proceedings in court. 19 32 An act to adjutton to pass. 19 30 An act to proteed statute of the St. Groix and Mattawamkeag Railroad Company. 19 31			208
25 An act to authorize the county commissioners of Cumberland county to Bizabeth. 88 taken from the files of 1876 and referred. 89 26 An act suthorizing and regulating the construction of the Deering Boule- vard and Water Park. 19 27 An act suthorizing and regulating the construction of the Deering Boule- vard and Water Park. 14 27 An act to prohibit the taking of fish of any kind with nets, other than dip nets, above what is known as the weir ledges, in the town of Steuben. 14 28 An act to amend chapter 263 of the special laws of 1876, relating to the fish- ing interests in Lufkin pond. 19 29 An act to prohibit due amended and passed to be engrossed. 12 29 considered, tild amended and passed to be engrossed. 12 20 neat to protect black bass in Trip's Upper, Middle and Lower Range ponds and their tributaries in the town of Poland. 19 30 An act to proceedings in court. 19 31 An act to proceedings in court. 19 32 An act to revive the charter of the St. Croix and Mattawamkeag Railroad Company. 19 33 An act to revive the charter of the St. Croix and Mattawamkeag Railroad Company. 19 34 act to revive the charter of the St. Croix and Mattawamkeag Railroad Company.		passed to be enacted	224
lay out a road over tide waters of Long creek in the town of Cape Elizabeth. Signal taken from the files of 1876 and referred. Signal 26 An act suthorizing and regulating the construction of the Deering Boule- vard and Water Park. 19 27 An act to prohibit the taking of fish of any kind with nets, other than dip nets, above what is known as the weir ledges, in the town of Steuben. 14' 28 An act to prohibit the taking of fish of any kind with nets, other than dip nets, above what is known as the weir ledges, in the town of Steuben. 19 29 An act to prohibit the taking of and referred. 19' 29 An act to amend chapter 263 of the special laws of 1876, relating to the fish- ing interests in LayKin pond. 19 29 An act to proted, referred to commission to revise fishery laws. 19' 20 An act to protect black bass in Tripp's Upper, Middle and Lower Range ponds and their tributaries in the town of Poland. 19' 20 An act to protect of goods, effects and credits in hands of trustees. 19' 31 An act relative to proceedings in court. 19' 32 An act to revive the charter of the St. Croix and Mattawamkeag Railroad Company. 19' 32 An act to revive the charter of the St. Croix and Mattawamkeag Railroad Company. 19' 34 act to revive the charter of the St. Croix and Mattawamkeag Railroad Company. 19' 35 An act to revive the charter of			354
taken from the files of 1876 and referred. 88 reported with petition leave to withdraw 19 26 An act suthorizing and regulating the construction of the Deering Boule- vard and Water Park. 88 27 An act to probibit the taking of fish of any kind with nets, other than dip nets, above what is known as the weir ledges, in the town of Steuben. 84 27 An act to probibit the taking of fish of any kind with nets, other than dip nets, above what is known as the weir ledges, in the town of Steuben. 84 28 An act to amend chapter 263 of the special laws of 1876, relating to the fish- ing interests in Lufkin pand. 84 28 An act to amend dam passed to be engrossed 12 29 read a second time and passed to be engrossed 12 20 considered, tille amended and passed to be engrossed 12 21 read a second time and passed to be engrossed 12 22 an act to protect black bass in Tripp's Upper, Middle and Lower Range 15 29 An act to protect black bass in Crevise fishery laws. 16 30 An act to protect black hass in Crevise fishery laws. 19 31 An act to protect black hass in Crevise fishery laws. 19 32 An act to protect black hases in Crevise fishery laws.	25	lay out a road over tide waters of Long creek in the town of Cape	
26 An act suthorizing and regulating the construction of the Deering Boulevard and Water Park. 19 26 An act suthorizing and regulating the construction of the Deering Boulevard and Water Park. 84 27 An act to prohibit the taking of fish of any kind with nets, other than dipnets, above what is known as the weir ledges, in the town of Steuben. 14 27 An act to amend chapter 263 of the special laws of 1876, relating to the fishing interests in Lafkin pond. 19 28 An act to amend chapter 263 of the special laws of 1876, relating to the fishing interests in Lafkin pond. 19 28 An act to amend chapter 263 of the special laws of 1876, relating to the fishing interests in Lafkin pond. 19 29 read a second time and passed to be engrossed 12 29 read a second time and passed to be engrossed 16 29 An act to protect black bass in Tripp's Upper, Middle and Lower Range ponds and their tributaries in the town of Poland. 19 30 An act additional to section 3, chapter 86 of the revised statutes, relating to assignments of goods, effects and credits in hands of trustees. 19 31 An act to revive the obtarter of the St. Croix and Mattawamkeag Railroad Company. 19 32 An act to revive the obtart of the St. Croix and Mattawamkeag Railroad Company. 19 34 <td></td> <td></td> <td>80</td>			80
vard and Water Park. taken from the files of 1876 and referred		reported with petition leave to withdraw	191
reported ought not to pass	2 6	vard and Water Park.	
27 An act to prohibit the taking of fish of any kind with nets, other than dip nets, above what is known as the weir ledges, in the town of Steuben. taken from the files of 1876 and referred			80
nets, above what is known as the weir ledges, in the town of Steuben. 86 taken from the files of 1876 and referred. 96 28 An act to amend chapter 263 of the special laws of 1876, relating to the fishing interests in Lufkin pond. 197 28 An act to amend chapter 263 of the special laws of 1876, relating to the fishing interests in Lufkin pond. 197 29 An act to amend chapter 263 of the special laws of 1876, relating to the fishing interests in Lufkin pond. 12 reported, read and assigned 12 read a second time and passed to be engrossed 12 considered, title amended and passed to be engrossed 12 gassed to be enacted 186 approved. 186 approved. 186 approved. 186 approved. 186 approved. 187 30 An act to protect black bass in Tripp's Upper, Middle and Lower Range ponds and their tributaries in the town of Poland. 199 31 An act additional to section 3, chapter 86 of the revised statutes, relating to assignments of goods, effects and credits in hands of trustees. 199 32 An act additional to pass. 190 33 An act to revive the otherter of the St. Croix and Mattawamkeag Railroad Company. 191 34 An act repeating sections 5, 6, 7 and		reported ought not to pass	147
reported, referred to commission to revise fishery laws	27	nets, above what is known as the weir ledges, in the town of Steuben.	00
28 An act to amend chapter 263 of the special laws of 1876, relating to the fishing interests in Lafkin pond. 98 reforred reforred 12 read a second time and passed to be engrossed 15 passed to be enacted 15 approved 16 reported, refered to commission to revise fishery laws 18 30 An act do protect black bass in Tripp's Upper, Middle and Lower Range ponds and their tributaries in the town of Poland. 88 reforred referred to commission to revise fishery laws 193 31 An act additional to section 3, chapter 26 of the revised statutes, relating to assignments of goods, effects and credits in hands of trustees. 84 reported ought not to pass 193 31 An act relative to proceedings in court. 84 reported ought to pass, read and assigned 17 read a second time and passed to be engrossed 184 approved 214 approved 354 32 An act to revive the charter of the St. Croix and Mattawamkeag Railroad Company. 84 referred 164 reported ought not to pass. 193 33 An act to mend section 6 of chapter 6 of the revised statutes, rel			
reported, read and assigned 12 read a second time and passed to be engrossed 124 considered, title amended and passed to be engrossed 126 passed to be enacted 186 approved 187 29 An act to protect black bass in Tripp's Upper, Middle and Lower Range 186 ponds and their tributaries in the town of Poland. 86 reforred referred to commission to revise fishery laws. 199 30 An act additional to section 3, chapter 86 of the revised statutes, relating 86 to assignments of goods, effects and credits in hands of trustees. 199 an act relative to proceedings in court. 199 reforred 199 An act to revive tho charter of the St. Croix and Mattawamkeag Railroad 100 Company. 199 referred 84 reported ought not to pass 100 approved 101 31 An act repealing sections 5, 6, 7 and 8, chapter 30, revised statutes, relating 101 approved 102 32 An act repealing sections 5, 6, 7 and 8, chapter 30, revised statutes, relating 103 33 An act repealing sections 5, 6, 7 and 8, chapter 30, revised statutes, relating to bounty on bears and wol	28	An act to amend chapter 263 of the special laws of 1876, relating to the fish-	194
reported, read and assigned 12 read a second time and passed to be engrossed 124 considered, title amended and passed to be engrossed 126 passed to be enacted 186 approved 187 29 An act to protect black bass in Tripp's Upper, Middle and Lower Range 186 ponds and their tributaries in the town of Poland. 86 reforred referred to commission to revise fishery laws. 199 30 An act additional to section 3, chapter 86 of the revised statutes, relating 86 to assignments of goods, effects and credits in hands of trustees. 199 an act relative to proceedings in court. 199 reforred 199 An act to revive tho charter of the St. Croix and Mattawamkeag Railroad 100 Company. 199 referred 84 reported ought not to pass 100 approved 101 31 An act repealing sections 5, 6, 7 and 8, chapter 30, revised statutes, relating 101 approved 102 32 An act repealing sections 5, 6, 7 and 8, chapter 30, revised statutes, relating 103 33 An act repealing sections 5, 6, 7 and 8, chapter 30, revised statutes, relating to bounty on bears and wol		referred	84
considered, title amended and passed to be engrossed		reported, read and assigned	121
considered, title amended and passed to be engrossed		read a second time and passed to be engrossed	126
approved		considered, title amended and passed to be engrossed	156
ponds and their tributaries in the town of Poland. 84 reforred		passed to be enacted	187
ponds and their tributaries in the town of Poland. 84 reforred		approved	357
30 An act additional to section 3, chapter %6 of the revised statutes, relating to assignments of goods, effects and credits in hands of trustees. 195 31 An act additional to section 3, chapter %6 of the revised statutes, relating to assignments of goods, effects and credits in hands of trustees. 84 32 An act relative to proceedings in court. 84 33 reported ought not to pass. 195 34 An act relative to proceedings in court. 84 35 reported ought to pass, read and assigned. 17 36 reported ought to pass, read and assigned. 17 37 read a second time and pased to be engrossed. 86 36 approved 85 37 An act to revive the charter of the St. Croix and Mattawamkeag Railroad Company. 86 36 referred . 86 37 An act propaging sections 5, 6, 7 and 8, chapter 30, revised statutes, relating to bounty on bears and wolves. 86 38 reported ought to pass, read and assigned. 144 39 An act to amend section 6 of chapter 6 of the revised statutes, relating to the exemption from taxation of certain property. 86 39 reported, referred to the next legislature with order of notice. 143 <	29	ponds and their tributaries in the town of Poland.	
30 An act additional to section 3, chapter %6 of the revised statutes, relating to assignments of goods, effects and credits in hands of trustees. referred		reported referred to commission to revise fishery laws	
1 An act relative to proceedings in court. 19: 21 An act relative to proceedings in court. 84 reported ought to pass, read and assigned. 17 read a second time and pased to be engrossed 160	30	An act additional to section 3, chapter 86 of the revised statutes, relating to assignments of goods, effects and credits in hands of trustees.	
31 An act relative to proceedings in court. 84 referred reported ought to pass, read and assigned 17 read a second time and passed to be engrossed 184 ,passed to be enacted 211 a approved 354 An act to revive the charter of the St. Croix and Mattawamkeag Railroad 84 Company. referred a reported ought not to pass 191 33 An act repealing sections 5, 6, 7 and 8, chapter 30, revised statutes, relating to bounty on bears and wolves. 191 referred		referred	84
reported ought to pass, read and assigned	31	An act relative to proceedings in court.	
read a second time and passed to be engrossed			
passed to be enacted 211 approved 354 32 An act to revive the charter of the St. Croix and Mattawamkeag Railroad 354 Company. referred 84 reported ought not to pass 191 33 An act repealing sections 5, 6, 7 and 8, chapter 30, revised statutes, relating to bounty on bears and wolves. 84 referred • • reported ought to pass, read and assigned. 144 read a second time and passed to be engrossed 155 passed to be enacted 185 approved		read a second time and passed to be engrossed	186
approved 354 An act to revive the charter of the St. Croix and Mattawamkeag Railroad Company. 854 referred 84 reported ought not to pass 191 33 An act repealing sections 5, 6, 7 and 8, chapter 30, revised statutes, relating to bounty on bears and wolves. 84 reported ought to pass, read and assigned 84 reported ought to pass, read and assigned 144 read a second time and passed to be engrossed 165 passed to be enacted 354 An act to amend section 6 of chapter 6 of the revised statutes, relating to the exemption from taxation of certain property. 354 An act to make valid certain doings of the inhabitants of Bridgton Centre 143 354 An act to make valid certain doings of the inhabitants of Bridgton Centre 143 an act to make valid certain doings of the inhabitants of Bridgton Centre 143 village Corporation in the town of Bridgton. 354 reported ought to pass, read and assigned. 354 An act to make valid certain doings of the inhabitants of Bridgton Centre 143 village Corporation in the town of Bridgton. 354 reported ought to pass, read and assigned. 354 An act to make valid certain doings of the			218
32 An act to revive the charter of the St. Croix and Mattawamkeag Railroad Company. 84 referred		approved	354
reported ought not to pass 191 33 An act repealing sections 5, 6, 7 and 8, chapter 30, revised statutes, relating to bounty on bears and wolves. 181 reported ought to pass, read and assigned. 144 read a second time and passed to be engrossed 185 approved 354 An act to amend section 6 of chapter 6 of the revised statutes, relating to the exemption from taxation of certain property. 354 An act to make valid certain doings of the inhabitants of Bridgton Centre Village Corporation in the town of Bridgton. 84 reported ought to pass, read and assigned. 356 An act to make valid certain doings of the inhabitants of Bridgton Centre Village Corporation in the town of Bridgton. 84 reported ought to pass, read and assigned. 356 An act to be enacted . 356 An act to make valid certain doings of the inhabitants of Bridgton Centre Village Corporation in the town of Bridgton. 357 reported ought to pass, read and assigned. 350 read second time and passed to be engrossed. 364 read second time and passed to be engrossed. 364 rest to be enacted. 365 rest to be enacted. 365 rest to be enacted. 365 read second time and pass	32	An act to revive the charter of the St. Croix and Mattawamkeag Railroad Company.	
33 An act repealing sections 5, 6, 7 and 8, chapter 30, revised statutes, relating to bounty on bears and wolves. 84 reported ought to pass, read and assigned. 144 read a second time and passed to be engrossed 155 approved. 354 An act to amend section 6 of chapter 6 of the revised statutes, relating to the exemption from taxation of certain property. 84 referred		referred	84
referred 84 reported ought to pass, read and assigned. 144 read a second time and passed to be engrossed 165 passed to be enacted 187 approved 354 An act to amend section 6 of chapter 6 of the revised statutes, relating to the exemption from taxation of certain property. 354 An act to make valid certain doings of the inhabitants of Bridgton Centre Village Corporation in the town of Bridgton. 84 reforred 85 An act to make valid certain doings of the inhabitants of Bridgton Centre Village Corporation in the town of Bridgton. 85 reported ought to pass, read and assigned. 130 read second time and passed to be engrossed. 140 passed to be enacted 140	33	An act repealing sections 5, 6, 7 and 8, chapter 30, revised statutes, relat-	191
reported ought to pass, read and assigned			84
read a second time and passed to be engrossed 165 passed to be enacted 185 approved 354 An act to amend section 6 of chapter 6 of the revised statutes, relating to the exemption from taxation of certain property. 84 referred reported, referred to the next legislature with order of notice 143 35 An act to make valid certain doings of the inhabitants of Bridgton Centre Village Corporation in the town of Bridgton. 85 reported ought to pass, read and assigned 130 read second time and passed to be engrossed. 140 passed to be enacted 140			144
passed to be enacted 187 approved 354 An act to amend section 6 of chapter 6 of the revised statutes, relating to 354 the exemption from taxation of certain property. 84 reported, referred to the next legislature with order of notice. 143 35 An act to make valid certain doings of the inhabitants of Bridgton Centre 143 village Corporation in the town of Bridgton. 85 reported ought to pass, read and assigned. 130 read second time and passed to be engrossed. 140 passed to be enacted 167		read a second time and passed to be engrossed	
approved 354 An act to amend section 6 of chapter 6 of the revised statutes, relating to the exemption from taxation of certain property. 354 approved referred 84 reported, referred to the next legislature with order of notice 143 35 An act to make valid certain doings of the inhabitants of Bridgton Centre 143 village Corporation in the town of Bridgton. 85 reported ought to pass, read and assigned. 30 read second time and passed to be engrossed. 140 passed to be enacted 167		nassed to be enacted	
34 An act to amend section 6 of chapter 6 of the revised statutes, relating to the exemption from taxation of certain property. 84 35 An act to make valid certain doings of the inhabitants of Bridgton Centre Village Corporation in the town of Bridgton. 143 36 reported order to the next legislature with order of notice		approved	
the exemption from taxation of certain property. 84 referred 143 35 An act to make valid certain doings of the inhabitants of Bridgton Centre Village Corporation in the town of Bridgton. 85 reported ought to pass, read and assigned. 130 read second time and passed to be engrossed. 140	34	An act to amend section 6 of chapter 6 of the revised statutes, relating to	
referred 84 reported, referred to the next legislature with order of notice			
reported, referred to the next legislature with order of notice		referred	84
35 An act to make valid certain doings of the inhabitants of Bridgton Centre Village Corporation in the town of Bridgton. 85 referred 85 reported ought to pass, read and assigned. 130 read second time and passed to be engrossed. 140 passed to be enacted 167		reported, referred to the next legislature with order of notice	143
reported ought to pass, read and assigned	35	An act to make valid certain doings of the inhabitants of Bridgton Centre Village Corporation in the town of Bridgton.	
read second time and passed to be engrossed		referred	85
passed to be enacted 167			130
passed to be enacted			140
approved		passed to be enacted	, 167
	1	approved	357

•

INDEX

HOUSE BILLS-CONTINUED.

No.	TITLE AND ACTION.	PAGE.
36	An act for the protection of fish in certain ponds in the town of	
	Standish. referred	91
	reported ought to pass, read and assigned	143
	read a second time and passed to be engrossed	159
	passed to be enacted	187
	annroved	357
37	An act to amend chapter 279 of the special laws of 1876, relating to catch- ing smelts in Monsweag river and bay.	
	referred	91
	reported ought to pass, read and assigned	107
	read a second time and tabled	119
	considered, amended and passed to be engrossed	127 218
	passed to be enacted	357
38	approved. An act to authorize Charles A. J. Farrer to dredge bars, blast rocks and	201
90	navigate Richardson lakes and intervening streams by steam.	
	referred	91
	reported, referred to the next Legislature, recalled to the House	207
	read twice and passed to be engrossed	323
	passed to be enacted	347
	approved	357
39	An act to amend section 16, chapter 4 of the revised statutes, relating to elections.	
	referred	91
	reported ought not to pass	190
40	An act to amend chapter 107 of the public laws of 1876, relating to elec-	
	tions.	
	referred	.91
41	reported out not to pass	152
41	An act to authorize the town of Lyndon to appropriate money in aid of the Aroostook River Railroad Company.	92
	referredreported ought to pass, read and assigned	155
	read a second time, tabled	165
	considered and passed to be engrossed	210
	passed to be enacted.	224
	approved	357
42	An act to amend an act entitled an act to incorporate the Maine State Pure Blood Jersey Stock Association.	
	referred	90
	reported, read and assigned	121
	read a second time and passed to be engrossed	126
	passed to be enacted	149 357
43	An act to authorize the city of Bath to appoint a harbor master for the	991
40	port of Bath, and establish regulations for the anchorage of vessels in	
	said port.	
	referred	100
	reported ought to pass, read and assigned	143
	read a second time and passed to be engrossed	159
	passed to be enacted	187
	approved	358
44	An act amendatory of chapter 125 of the public laws of 1876, for the pro- tection of land-locked salmon, trout and bass.	
	referred	101
	reported and recommitted	130
45	reported, referred to commission to revise fishery laws An act to prevent the taking of trout in the towns of Wells and Kenne-	192
	bunk.	101
	referred	101
	reported, referred to commission to revise fishery laws	192

JOURNAL OF THE SENATE.

HOUSE BILLS-CONTINUED.

No.	TITLE AND ACTION.	PAGE.
46	An act to prevent the taking of black bass and pickerel from North pond in the towns of Winthrop and Readfield.	
47	referred reported, referred to commission to revise fishery laws An act to amend section 27 of chapter 91 of the revised statutes, relating to mortgages of property, liens and their enforcement.	101 192
4 8	referred	102 153
	referred reported ought to pass, read twice and passed to be engrossed passed to be enacted	102 212 332
49	approved An act to establish a standard of qualification for the practice of medicine in the State of Maine.	358 102
50	referred	323
51	referred reported ought not to pass An act additional to an act entitled an act to incorporate the city of	102 143
52	Bath. referred. reported ought to pass, read and assigned. read a second time and passed to be engrossed. passed to be enacted approved. An act to amend an act to incorporate the Trustees of the Sailors' Home	102 155 165 199,203 358
	in Portland. referred. reported ought to pass, read and assigned read a second time and passed to be engrossed passed to be enacted approved.	102 144 159 187 358
53	An act incorporate the Deering Land and Building Company. referred. reported ought not to pass	102 143
54	An act additional to chapter 298 of the special laws of the year 1876, establishing the Ellsworth Municipal Court.	
	referred reported ought to pass, read and assigned read a second time and passed to be engrossed passed to be enacted approved	102 144 159 187 358
55	An act to incorporate the People's Loan and Building Association. referred	103
56	reported that legislation is inexpedient An act to incorporate the Citizens' Mutual Relief Society, Portland, Maine.	192
57	referred An act to amend section 6 of chapter 120 of the public laws of 1876, to authorize the formation of reilroad corporations.	103
	referred	103 137 148 178 195 342 354

0.	TITLE AND ACTION.	PAGE.
58	An act additional relative to the Orchard Beach Railroad Company.	
	referred	10
	reported ought to pass, read and assigned	13
	read a second time and passed to be engrossed	14
	passed to be enacted.	16
59	passed to be enacted. approved An act to amend an act to incorporate the Peoples' Ferry Company and to repeal, "an act to establish the Sagadahoo Ferry Company," and "an	35
	act to incorporate the Union Ferry Company."	10
	referred	19
	read a second time and passed to be engrossed	20
	passed to be enacted	22
		35
30	approved An act in relation to executions.	10
	referred	13
	reported ought to pass, read and assigned	
	read a second time and passed to be engrossed	14
	passed to be enacted	14
51	approved	35
	referred	11
	report that legislation thereon is inexpedient	14
	taken from file and referred	16
	considered, amended and passed to be engrossed	21
	passed to be enacted	33
	approved	35
2	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 Agricul- tural and Horticultural Society.	
	referred	11
	reported ought to pass, read and assigned	15
	read a second time and passed to be engrossed	16
	passed to be enacted	
	approved	35
3	An act providing for the appointment of port wardens.	00
10		
	referred	11
	port wardens," read twice and passed to be engrossed	22
	passed to be enacted	34
	approved	35
4	An act to authorize the Lincolnville Railroad Company to build a wharf in the tide waters of Penobscot bay, near the mouth of Duck Trap stream,	
	in Lincolnville.	
	referred	11
	report that legislation is inexpedient	14
5	In act amending an act entitled an act for the better protection of lobsters.	
	referred	11
	reported ought to pass, read and assigned	16
	read a second time, title changed to "an act to amend section 1	1
	of chapter 13 of the public laws of 1875," and passed to be en-	
	grossed	17
	considered, title amended to " an act to amend section 1 of chapter 13	
	of the public laws of 1875, relating to close-time for lobsters," and	
	passed to be engrossed	21
	passed to be enacted	33
	approved	35
6	An act to protect fish in the waters of the St. Uroix river	1
3 6	An act to protect fish in the waters of the St. Croix river referred	11

0.	TITLE AND ACTION.	PAGE.
7	An act to prohibit the taking of fish from Duck pond, so called, in the	
	towns of Westport and Windham.	
	referredreferred to commission to revise fishery laws	11 19
8	An act to amend section 8 of chapter 17 of the revised statutes, relating	10
0	to nuisances.	
	referred	11
	reported ought to pass, read and assigned	17
	read a second time and tabled	18
	passed to be engrossed	34
	passed to be enacted	30
9	approved	
-	Biddeford.	
	referred	1
	reported ought to pass, read and assigned	10
	read a second time and passed to be engrossed	$\frac{1}{2}$
	passed to be enacted and the second sec	3
0	passed to be enacted	
	ways.	
	referred	1
	reported, read and assigned, reconsidered and returned to the House. received, read a second time, non-concurred, and passed to be en-	2
	received, read a second time, non-concurred, and passed to be en-	2
	grossed considered, conference	3
	report disagreement of Committee of Conference	3
1	An act additional to an act entitled an act to supply the people of Au-	
	gusta with pure water, approved March 12, 1870.	
	referred reported ought to pass, read and assigned	1
	read a second time and passed to be engrossed	j
	passed to be enacted	
_	approved.	3
2	An act to anthorize the York Manufacturing Company to reduce its capital	
	stock. referred	1
	reported ought to pass, read and assigned	ī
	read a second time and passed to be engrossed	ī
	passed to be enacted	
•	approved	3
3	An act for the protection of cranberries in the towns of Machias and East Machias.	
	referred	1
	reported in new draft, read and assigned	i
	read a second time and passed to be engrossed	1
	House amendments rejected and indefinitely postponed	2
4	An act relating to the police force of the city of Bath.	
	referred reported, read and assigned	1
	read a second time and passed to be engrossed	i
	passed to enacted	2
	approved	3
5	An act to amend the charter of the Northern Waldo Agricultural Society.	_
	referred	1
	reported in new draft, read and assignedread a second time and passed to be engrossed	
	passed to be enacted.	2
	approved	3
6	An act to amend section 17 of chapter 116 of the revised statutes, relating	
0		
0	to the regulation of fees and costs. referred	• 1

No.	., TITLE AND ACTION.	PAGE.
77	An act authorizing the town of Woolwich to elect a director to represent	
	stock owned by said town in the Peoples' Ferry Company.	
•	referred	115
	reported ought to pass read and assigned	182
<i>'</i>	read a second time and passed to be engrossed	198
	passed to be enacted	223
-	approved	358
78	An act to change the name of the Maine Street Methodist Episcopal Free Church Society of Lewiston.	1
	referred	110
	reported ought to pass, read and assigned	15
	read a second time and passed to be engrossed	16
	passed to be enacted	
	annroved	35
79	approved	000
	insurance.	
	referred	118
	reported ought to pass, read twice and passed to be engrossed	213
1	passed to be enacted	332
	approved	354
80	An act to amend the charter of the Union Mutual Life Insurance Com- pany.	
	referred	11
	reported ought to pass, read and assigned	150
	read a second time and passed to be engrossed	16
	passed to be enacted	
	approved	
		358
81	An act to amend an act to incorporate the Lincolnville Railroad Company, approved Feb. 18, 1874.	
	referred	115
i	reported ought to pass, read and assigned	194
	read a second time and passed to be engrossed	208
	passed to be enactedapproved .	223
	approved	359
82	An act to amend chapter 241 of the public laws of 1874, relating to ceme- teries.	
	referred	116
	reported ought to pass, read twice and passed to be engrossed	22
	passed to be enacted	340
	approved	354
83	An act to make free the Merrymeeting bridge.	
	referred	110
1	reported, read twice, amended and passed to be engrossed	214
~	lost by adherance	331
84	An act to make free the Arrowsic bridge.	
	referred	116
1	reported ought to pass, read twice, amended and passed to be en-	
	grossed	214
	lost by adherance	331
85	An act additional to chapter 101 of the public laws of 1876, relating to	
	equity powers.	
. 1	referred	120
36	An act relating to Bridgton Centre Village Corporation.	
	reported on petition, read and assigned	121
	read a second time and passed to be engrossed	120
	passed to be enacted	149
37	approved	359
D1	An act in relation to proceedings in criminal cases.	10/
	referred	128
	reported ought to pass, read and assigned	158
	read a second time and passed to be engrossed	165
1	passed to be enacted	199, 203 354
- 1	approved	

[o.	TITLE AND ACTION.	PAGE.
88	An act to authorize the formation of mutual savings fund, loan or build- ing associations.	
89	referred An act to incorporate the Harper Manufacturiug Company.	12
	referred	12 14
90	An act authorizing views by juries in all cases.	
	referred	12 17
	read a second time and passed to be engrossed	18
	passed to be enacted	21
0.1	approved.	35
91	An act in aid of the deaf and dumb school of the city of Portland. referred.	12
	reported ought not to pass	19
92	An act to prevent the taking of trout in Great Works stream and its tribu- taries in the towns of Amherst, Clifton and Bradley.	
	reported on order, read and assigned	13
	read a second time and passed to be engrossed	14
	passed to be enacted	16
93	approved An act amendatory to chapter 119 of the revised statutes, relating to	35
00	offences against habitations, dwellings, etc.; also amendatory to chapter	
	120 of the revised statutes, relating to larceny and receiving stolen	
	goods.	
	reported on an order, read and assigned read a second time and passed to be engrossed	13 14
	passed to be enacted	14
	approved	35
94	An act to amend an act entitled an act to incorporate the Masonic Trustees of Lewiston.	[
	referred	13
	reported in new draft, ought to pass, read and assigned	15
	read a second time and passed to be engrossed	100 90
	approved	35
)5	An act to amend chapter 40, section 50, of the revised statutes, relative to Pleasant river.	
	referred	13
	reported, read and assigned	18
	read a second time and passed to be engrossed	18
	approved	35
96	An act to amend section 53 of chapter 11 of the revised statutes, relating	
	to the election of superintending school committees	
	referredreported in new draft, read and assigned	19
	read a second time and passed to be engrossed	20
	passed to be enacted	29
_	spproved.	38
7	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.	
	reported on an order, read and tabled	17
	read a second time, amended and passed to be engrossed	21
	passed to be enacted	34 35
8	An act to make valid the doings of the town of Weld.	30
	reported on petition, read and assigned	13
	read a second time and passed to be engrossed	14
	passed to be enacted	16

HOUSE BILLS-CONTINUED.

No.	TITLE AND ACTION.	PAGE.
99	An act to prevent loitering, without right, within the station houses, or	
	about the premises of railroad corporations.	
	reported on an order, read and assigned	137
•	read a second time and passed to be engrossed	148
	passed to be enacted	167
	messages relating to	331
	approved.	355
100	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 1, 1873.	
	referred	141
	reported ought to pass, read and assigned	193
	read a second time and passed to be engrossed	208
	passed to be enacted	223
	approved	359
01	approved. An act to amend section 15 of chapter 67 of the revised statutes, relating to guardians.	
	referred	141
02	An act to amend section 27, chapter 84 of the revised statutes, relating to	
	offsets.	
	referred	141
03	reported ought not to pass	170
	referred	14
	reported ought not to pass	14
04	An act to incorporate the Cornelius Pond Ice Company.	11
νŦ	reported on petition, read and assigned	143
	read a second time and passed to be engrossed	159
	passed to be enacted	187
	approved	359
05	An act to authorize the Second Baptist Society of Gorham to sell and con- vey all its personal and real estate	
	reported on petition, read and assigned	144
	read a second time and passed to be engrossed	159
	passed to be enacted	187
	approved	359
06	An act additional to an act to incorporate the city of Rockland.	
	reported on petition, read and assigned	144
	read a second time and passed to be engrossed	159
	passed to be enacted	187
	approved.	359
07	An act entitled an act authorizing any town in the State to elect its muni-	
	cipal officers for a term of three years, in the same manner as the county commissioners are now elected.	
	reported on an order, read and assigned	144
	read a second time and indefinitely postponed	159
	House disagrees, conference, report and second conference	195, 210
08	reported aud indefinitely postponed An act requiring accounts and claims against towns, cities, etc., to be verified by oath.	339
	referred	151
	reported ought to pass, read twice and passed to be engrossed	220
	passed to be enacted and presented to the Governor	34
	recalled by message	344
	reconsidered, amended and passed to be engrossed	344
	passed to be enacted	349
	approved	356
09	approved	
	to allegations in indictments.	•
		15

No.	TITLE AND ACTION.	PAGE.
109	An act to amend section 10, chapter 131 of the revised statutes, relating to allegations in indictments.— <i>Concluded</i> . reported in a new draft under title of "an act to amend section 10, chapter 131 of the revised statutes, relating to indictments," read	
	and assigned	20
	read a second time and passed to be engrossed	21
	passed to be enactedapproved	33 35
110	An act to incorporate the Fifty Associates of Ellsworth.	
	reported on petition, read and assigned	15
	read a second time and passed to be engrossed	16
	passed to be enacted	199,20
m	An act to limit municipal indebtedness.	30
	reported ought to pass, read and assigned	15
	read a second time, amended, and indefinitely postponed	16
	House disagrees, conference	19
112	An act to set off the farm of F. P. Crowell from the Fairfield Village Corporation.	
	reported on petition, read and assigned	15
	read a second time and passed to be engrossed	· 16
	passed to be enacted	
13	approved	35
119	referred	15
	reported ought not to pass	19
14	An act for the better protection of life in buildings occupied for public	
	purposes.	
	referred reported ought not to pass	15
15	An act to amend section 21 of chapter 113 of the revised statutes.	
	referred	15
10	reported ought not to pass	19
16	An act to amend chapter 239 of the public laws of 1874, relating to game. reported and referred	15
17	An act to authorize the town of Yarmouth to build a foot bridge over tide	
1	waters.	
	reported on petition, read and assigned	15
	read a second time and passed to be engrossed	
	approved	35
18	An act authorizing Alton E. Ayer to dredge bars, remove boulders and	
1	- navigate East pond by steam.	
	reported on petition, read and assigned	15 16
	passed to be enacted	
	approved	35
1.9	An act additional to chapter 101 of the public laws of the year 1876, re-	
	a lating to the equity powers of the Supreme Judicial Court.	15
	read a second time and passed to be engrossed	16
	passed to be enacted	199,20
	approved	35
20	An act to authorize James F. Grindel to take ice from Meadow pond in	
	the town of Islesborough. reported on petition, read and assigned	15
	read a second time and passed to be engrossed	16
!	passed to be enacted	
	approved	35
21	An act to make valid the doings of John G. Adams, a trial justice.	.,
ł	reported on petition, read and assigned	15 16
	passed to be enacted	
	approved	35

No.	TITLE AND ACTION.	PAGE.
122	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.	
	read and assigned	15
	read a second time and passed to be engrossed	16
	passed to be enacted	199, 20
	approved	35
123	passed to be enacted approved An act to amend chapter 557 of the private and special laws of the year :874, entitled "an act to establish the compensation of the county com- mis-ioners of Knox county"	
	referred	15
	reported ought to pass, read and assigned	19
	read a second time and passed to be engrossed	20
	passed to be enacted and presented to the Governor	22
	recalled from the Governor by message	23
	presented to the Governor for his approval	32
		35
24	approved. An act to amend an act entitled "an act to incorporate the East Oxford Agricultural Society," approved February 28, A. D., 1861.	50
	referred	16
	reported ought to pass, read twice and passed to be engrossed	22
	passed to be enaoted	34
	approved	35
25	An act to secure land from trespass.	
	referred	16
26	An act amendatory to chapter 358 of the special laws of the year 1873, to prevent the throwing of ballast into the Kennebec river.	
	reported on an order, read and assigned	16
	read a second time and passed to be engrossed	17
	passed to be enacted	21
	approved	36
27	An act additional to chapter 127 of the public laws of 1876, entitled "an act in relation to appeals from county commissioners."	
	reported on an order, read and assigned	16
	read a second time and passed to be engrossed	17
	passed to be enacted	21
	approved	35
28	An act to prevent the destruction of books, pictures, statues and paintings in public libraries.	_
	reported on petition, read and assigned	16
	read a second time and passed to be engrossed	17
	passed to be enacted	21
29	approved. An act to amend the charter of the Camden Village Corporation.	35
	reported on petition and recommitted	13
	reported on petition, read and assigned	16
	read a second time and passed to be engrossed	17
	passed to be enacted	20
30	approved	36
	of the Methodist Meeting-House of Mechanic Falls in the town of	
	Minot	,
	reported on petition read and assigned	16
	read a second time and passed to be engrossed	17
	passed to be enacted	21
	approved.	36
31	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.	
	referred	16
	reported ought to pass, read twice and passed to be engrossed	32
	passed to be enacted	34
	approved	36

HOUSE BILLS-CONTINUED.

₹o.	TITLE AND ACTION.	PAGE.
32	An act to amend section 35 of chapter 27 of the revised statutes, relating to the illegal sale of intoxicating liquors.	
33	referred	168 190
	reported on an order, read and assigned	171 186
.34	passed to be enacted approved An act amendatory to chapter 30 of the public laws of 1875, relating to	218 358
	the better protection of life and property. reported on an order, read and assigned read a second time and passed to be engrossed	171 186
	passed to be enacted	218 355
35	An act to amend section 56 of chapter 38 of the revised statutes, relating to weights and measures of agricultural products. reported on an order, read and assigned	172
	read a second time, tabled indefinitely postponed An act to change the name of the town of Lyndon to Caribou.	186 200
196	An act to change the name of the town of Lyndon to Caribou. referred reported ought to pass, read twice and passed to be engrossed	189 221
37	passed to be enacted approved . An act additional to chapter 30 of the revised statutes, relating to mis-	341 360
JI	chievous dogs. reported on an order, read and tabled	19
	read a second time, amended and passed to be engrossed passed to be enacted approved	211 341 356
38	An act additional to an act restricting the killing of seal in Casco bay.	195
	reported, read and assigned read a second time and passed to be engrossed passed to be enacted approved An act changing the time of the municipal election in the city of Ells-	209 229 360
39	worth.	
	reported on petition, read and assigned read a second time and tabled amended and passed to be engrossed	193 210 219
40	passed to be enacted approved An act to amend an act entitled "an act to incorporate the Franklin Land	343 360
	and Lumber Company." reported, read and assigned	193
	read a second time and passed to be engrossed reconsidered, amended and passed to be engrossed pending passage to be enacted, tabled	209 229 331
141	passed to be enacted approved An act to extend the charter of the Aroostook Steamboat Company.	34 36
	reported on petition, read and assigned read a second time and passed to be engrossed	193 209
42	passed to be enacted approved An act to change and fix the limits of the town of Haynesville.	223 360
	reported on petition, read twice and passed to be engrossed passed to be enacted	213 333 360

.

ł

No.	TITLE AND ACTION.	PAGE.
43	An act to establish the salary of the Judge of Probate of the county of	
	Cumberland.	
	reported, read twice and passed to be engrossed	22
	passed to be enacted	34
44	approved An act to incorporate the Bryant's Pond and Andover Telegraph Com-	35
	pany.	19
	reported on petition, read and assigned	
	read a second time and passed to be engrossed	20 22
	passed to be enacted	
45	approved . An act to amend chapter 60 of the public laws of 1876, relating to admin- istrators, executors and trustees.	36
•	reported on an order, read and assigned	19
	read a second time and passed to be engrossed	20
	passed to be enacted	22
	approved	35
1 6	approved An act to repeal an act entitled "an act to incorporate the town of Bar- nard."	
	reported on petition, read and assigned	19
	read a second time and passed to be engrossed	20
	passed to be enacted	22
	approved	36
17	An act to amend chapter 137 of the revised statutes, in relation to disposal of oriminals.	
	reported on an order, read and assigned	20
	read a second time and passed to be engrossed	21
	passed to be enacted	33
	approved	35
18	An act to provide in part for the expenditures of government.	
	read and assigned, reconsidered and returned to the House	20
	read a second time and passed to be engrossed	21
	passed to be enacted	33
9	approved	36
	annex the same to the city of Lewiston.	
	reported on petition, read twice and indefinitely postponed in concur-	
	rence	. 20
50	An act to prevent incompetent persons from conducting the business of apothecaries.	
	reported, read twice and passed to be engrossed	21
	reconsidered, amended and passed to be engrossed	22
	passed to be enacted	34 35
51	approved An act to amend section 13 of chapter 133 of the public laws of 1873, re- lating to the punishment of criminals.	90
	reported on an order, read twice and passed to be engrossed	21
	passed to be enacted	33
	approved	35
52	An act to obtain uniform returns from railroad corporations.	
	reported, read twice and passed to be engrossed	21
	passed to be enauted	34
	approved	35
53`	An act requiring railroad corporations to be holden for labor.	
-	reported, read twice and passed to be engrossed	21
	passed to be enacted	33
	approved	35
54	An act establishing the compensation of the chairman of the county com- missioners for Cumberland county.	
	reported on an order, read twice and passed to be engrossed	22
	reported on an order, read twice and passed to be engrossed passed to be enacted	22 34

HOUSE BILLS-Concluded.

No.	TITLE AND ACTION	PAGE.
155	An act to provide for the more careful expenditure of school money in towns.	
	reported on an order, read twice and passed to be engrossed	220
	passed to be enacted	341
	approved	356
156	An act to amend section 31, chapter 11 of the revised statutes of 1871, relating to the powers of school districts.	
	reported on an order, read twice and passed to be engrossed	220
	passed to be enacted	345
157	approved An act to amend chapter 77 of the revised statutes, relative to the equity powers of the supreme judicial court.	356
	reported on an order, read twice and passed to be engrossed	221
	passed to be enacted	341
	approved	356
158	An act providing for bridge guards on railroads.	
	read twice and passed to be engrossed	221
	passed to be enacted	341
	approved	356
159	An act to authorize Samuel Cunningham to navigate Androscoggin pond and Dead river by steam.	
	read twice and passed to be engrossed	221
	passed to be enacted	340
160	approved An act to amend section 44, chapter 49 of the revised statutes, relating to	360
	the office of insurance commissioner.	
161	reported by minority, majority report inexpedient accepted An act to amend section sixty-five of chapter 18 of the revised statutes, relating to damage on ways, as amended by chapter 215 of the public	222
	laws of 1874, and chapter 97 of the public laws of 1876.	· · · · · ·
	reported, read twice and tabled	229
	dropped from the calendar	327
162	An act to incorporate the Bangor Board of Trade.	
1 00	indefinitely postponed	322
163	An act to amend section 2 of chapter 50 of the revised statutes, relating to divorce.	
164	An act to establish training classes for teachers of common schools.	
104	reported, read twice and indefinitely postponed	322
165	An act to prevent illegal voting	544
	reported, read twice and indefinitely postponed	323
166	An act for the assessment of State tax for the year one thousand eight	
	hundred seventy-seven, amounting to the sum of six hundred seventy- five thousand one hundred seventy-three dollars, fifty three cents.	
	reported, read twice and passed to be engrossed	333
	passed to be enacted	345
	approved	360
167	An act to amend part 6th of section 55 of chapter 86 of the revised stat-	
	utes, relating to trustee process.	
	reported, read twice and passed to be engrossed	339
	passed to be enacted	347
100	approved.	356
168	An act authorizing the city of Lewiston to loan the credit of the city for the purpose of introducing pure water into the city.	
	read twice and passed to be engrossed	348
	passed to be enacted	348 349
	approved	349 360
169	An act to provide in part for the expenditures of government.	200
	read twice and passed to be engrossed	349
		010
	passed to be enacted	351

JOINT RESOLUTIONS-Senate.

0.	TITLE AND ACTION.	PAGE.
1	Resolve in favor of the road through Dunn's notch in Oxford county.	
	taken from the files of 1876 and referred	79
6	reported with petition, leave to withdraw	16
2	Resolve in favor of the town of Woodland.	10
	reported on petition, laid over to be printed	13 1 13 1
	read and assigned.	
	read a second time and passed to be engrossed	148
3	finally passed	219
	reported on an order, laid over to be printed	13:
	read and assigned	13
	read a second time and passed to be engrossed	14
	finally passed	18
	approved Resolve in favor of Benjamin R. Walker and Joseph C. Walker.	36
4	Resolve in favor of Benjamin R. Walker and Joseph C. Walker.	
	reported on petition, laid over to be printed	139
	read and assignedread a second time and passed to be engrossed	15'
	read a second time and passed to be engrossed	16
	finally passed	22
	approved	36
5	Resolve in favor of John P Webber.	
	reported on petition, laid over to be printed	13
	read and assigned	15
	read a second time and passed to be engrossed	16
	finally passed	22
	approved	36
6	Resolve relating to the compromise bill, so called.	
	presented and tabled	13
7	Resolve authorizing the Governor and Council to adjust with Francis A.	
	Reed, a note held by the State against him.	
	reported on petition, laid over to be printed	14
	read and assigned	-15
	read a second time and passed to be engrossed	16
	finally passed	22
_	approved .	36
8	Resolve in favor of township No. 1, Northern Division, county of Penob- scot.	
	reported on petition, laid over to be printed	14
	read and assigned	15
	read a second time and passed to be engrossed	16
	finally passed	22
	approved	36
9	Resolve relating to settlers' lots under Treaty of Washington.	
-	reported on order, laid over to be printed	15
	read twice, amended and passed to be engrossed	17
	receded, amended and passed to be engrossed	34
	finally passed	35
	approved	36
10	Resolve in favor of Joint Standing Committee on Education.	
	presented, read twice and passed to be engrossed	16
	finally passed	33
	approved	36
11	Resolve in favor of the Maine State College of Agriculture and the Me-	
	chanic Arts.	1
	reported and laid over to be printed	16
	read and assigned	18
	read a second time and tabled	19
	considered (yeas and nays) passed to be engrossed (yeas and nays)	20
	finally passed	34

SENATE RESOLVES—CONTINUED.

No.	TITLE AND ACTION.	PAGE.
12	Resolves relating to a national prohibitory law.	
	presented and tabled	72
	reported, read twice and passed to be engrossed	87
	finally passed approved. Resolve providing for the payment of the expenses of the Committee on	149
••	approved.	361
13	Military Affairs.	
	reported, read twice and passed to be engrossed	
	finally passed	225
	approved	361
14	Resolve in favor of the Maine State Prison.	
	reported, laid over to be printed	
	read twice and passed to be engrossed	219
	finally passed	346
	approved	361
15	Resolve for the appointment of a commission to revise the militia law.	1
	reported, read and assigned	175
	read a second time, amended and passed to be engrossed	186
	finally passed	33
	approved	361
16	Resolve providing for payment of certain rents now in suit, to the agent of the Penobscot tribe of Indians.	
	presented, read and assigned	175
	read a second time, tabled and ordered to be printed	185
	passed to be engrossed	216
	finally passed	340
	approved	361
17	Resolve in favor of the Joint Standing Committee on Agriculture.	
	presented, read twice and passed to be engrossed	178
	finally passed	220
	approved	36
18	Resolve in favor of the Maine State Library.	
	reported, laid over to be printed	170
	read twice and passed to be engrossed	216
	considered. Committee of Conference	335.338
	considered, Committee of Conference indefinitely postponed	34
19	Resolve in favor of compiling and printing the school laws.	
	reported, laid over to be printed	178
	read and assigned	207
	read a second time and passed to be engrossed	218
	indefinitely postponed	33'
20	Resolve in favor of the Military and Naval Asylum at Bath.	
	reported, laid over to be printed	176
	read and assigned	20'
	read twice and passed to be engrossed	218
	finally passed	34
	approved	36
21	Resolve in favor of Van Buren plantation	00.
	reported on an order, laid over to be printed	170
	read twice and passed to be engrossed	21
	finally passed	34
	approved	36
22	Resolve repealing chapter 175 of the resolves of 1876, relating to claims	
22	of settlers on proprietors' lands.	
	reported on an order, laid over to be printed	17
	read twice and passed to be engrossed	21
		34
	finally passed	
23	approved	36
60	Resolve in favor of the town of Kingsbury.	1 1
	reported on petition, laid over to be printed	
	read twice and passed to be engrossed	21
	finally passed	34
	approved	36

SENATE RESOLVES-CONTINUED.

No.	TITLE AND ACTION.	PAGE.
24	Resolve in favor of Elisha W. Shaw, Franklin R. Webber and Byron Porter.	
	reported on an order, laid over to be printed	177
	read twice and passed to be engrossed	216
	finally passed	346
	approved	361
25	Resolve authorizing the Land Agent to quiet settlers on a section of land in the town of Presque Isle.	
	reported on petition, laid over to be printed	
	read twice and passed to be engrossed	1 210
	receded, House amendment agreed to, passed to be engrossed	338
	finally passed	350
96	approved Resolve in favor of an appropriation to carry into effect the provisions of	361
20:	chapter 58 of the public laws of 1869, in relation to the establishment of meridian lines.	
	reported on petition, laid over to be printed	177
	read and assigned	207
	read a second time and passed to be engrossed	218
	reconsidered, amended, and passed to be engressed	338,340
	finally passed	350
	approved	361
27	Resolve providing for the annual encampment of the Maine volunteer militia.	
	presented, laid over to be printed	177
	read twice and passed to be engrossed	210
	finally passed	340
28	approved. Resolve in favor of the Western Normal School.	36
	reported, laid over to be printed	185
	read twice and passed to be engrossed	216
	inally passed	346
29	finally passed. approved. Resolve relating to sale of Lassell's island in Penobscot bay.	362
	presented, and referred to the Governor and Council	196
30	Resolve in favor of the Joint Standing Committee on State Prison.	
	read twice and passed to be engrossed	196
	finally passed	226
	approved.	362
31	Resolve in favor of the Joint Standing Committee on Financial Affairs.	
	read twice and passed to be engrossed	190
	finally passed	333
• •	approved.	362
32	Resolve relating to the improvement and enlargement of the State House.	•
	reported, read and assigned	208
	read a second time and tabled	217
	considered, refused a passage (yeas and nays)	228
33	Resolve in favor of the Maine Industrial School for Girls. presented, read and specially assigned	208
	read a second time and passed to be engrossed	320
	finally passed.	34
	finally passed	36
34	Resolve authorizing the land agent to convey certain lots of land in town- ships numbered 4 and 5, range 13, in the county of Piscataquis.	
	presented, read twice and passed to be engrossed	216
	finally passed	340
35	approved Resolve in favor of the State Reform School.	36
	reported on an order, laid over to be printed	217
	read twice and passed to be engrossed	32
	finally passed	34'
	approved	36

SENATE RESOLVES-CONCLUDED.

No.	TITLE AND ACTION.	PAGE.
36	Resolve in favor of Sprague, Owen and Nash.	
	presented, read twice and passed to be engrossed	223
	referred	330
	reported, read twice and passed to be engrossed	336
	finally passed	350
	approved	362
37	Resolve in favor of the Joint Standing Committee on Reform School.	
	presented, read twice and passed to be engrossed	3 2 5
	finally passed	346
	approved	362
38	Resolve in favor of Education in the State Prison.	
	presented, read twice and passed to engrossed	335
	finally passed	350
	approved	362
39	Resolve relating to the investment and deposit of surplus funds in the	
	Treasury.	
	presented, read twice and passed to be engrossed	335
	finally passed	350
	approved	362
40	Resolve in relation to the reports of State institutions.	
	presented, read twice and tabled	335
	considered, amended by substituting "resolve in relation to institu-	
	tions receiving appropriations from the State," and passed to be	
	engrossed	337
	finally passed	350
	approved	362
41	Resolve in favor of the Secretary of the Senate.	
	presented, read twice and passed to be engrossed	340
	finally passed.	350
	approved	362
42	Resolve on the pay roll of the Senate.	
	presented, read twice and passed to be engrossed	349
	finally passed	350
	approved	
43	Resolves authorizing a temporary loan	
	presented, read twice and passed to be engrossed	349
	finally passed	351
	approved	

JOINT RESOLUTIONS-House.

No.	TITLE AND ACTION.	PAGE.
1	Resolve relative to municipal indebtedness. considered, amended and passed	59
2	Resolve in favor of roads passing through the Indian township in Wash- ington county	
	referred	
	reported in a new draft, read and assigned	
	read a second time and passed to be engrossed	209
	finally passedapproved	$225 \\ 362$
3	Resolve to reimburse the town of Greenville.	
	referred	68
	reported with petition, leave to withdraw	152
4	Resolve in favor of John Relehan.	
	referred	84
	reported ought not to pass	152

HOUSE RESOLVES-CONTINUED.

No.	TITLE AND ACTION.	PAGE.
5	Resolve in favor of Reuben Burnham. referred	85
. 6	reported ought not to pass	143
-	referred	90
	reported ought to pass, read and assigned	193
	finally passed	203
	finally passedapproved	362
7	Resolve for the appointment of a commission to reconstruct the laws relat- ing to fisheries and the protection of fish.	
	referred	101 122
	reported ought to pass, laid over to be printed	122
	read a second time, amended and passed to be engrossed	133
	considered, amended and passed to be engrossed	156
	finally passed	187
8	approved. Resolve in favor of the town of Chester.	362
	referred	112 169
	messages relating to	336.338
9	messages relating to referred to the Governor and Council Resolve in favor of the agent of the Penobscot tribe of Indians.	344
	referred	113
	reported that it be referred to the Governor and Council	158
	reported, read twice and passed to be engrossed	221 346
10	finally passed approved Resolve providing for a seal of the State.	362
	referred	114
	reported ought to pass, read and assigned	193
	read a second time and passed to be engrossed	209
	Inally passed	225 362
11	finally passed approved Resolve relating to the purchase by the State of "Webb's Railroad Laws." referred.	114
	reported ought not to pass	142
12	Resolve in relation to the binding of the acts and resolves of this State.	
	referred	115
	reported ought to pass, read and assignedread a second time and passed to be engrossed	182 198
	finally passed	226
	finally passedapproved	362
13	Resolve relating to the purchase by the State of certain Maine reports.	
	referred	115 194
	reported ought to pass, read and assignedread a second time and passed to be engrossed	209
	considered	221.327
	both branches adhere	337
14	Resolve amendatory of chapter 156 of the resolves of 1876, entitled resolve in favor of John Ryan.	
1	referred	135
	reported ought to pass, read and assigned	156
	read a second time and passed to be engrossed	166
15	approved	362
	ings Bank.	
	reported on petition, read and assigned	136
	the second time among the second	148
	read a second time, amendment agreed to, and passed to be engrossed finally passed	168

HOUSE RESOLVES-CONTINUED.

No.	· TITLE AND ACTION.	PAGE.
16	Resolve for the purchase of the Maine State Year Book and Legislative Manual.	
	reported on an order, read and assigned	137
	read a second time and passed to be engrossed	148
	finally passed	168
17	approved. Resolve amendatory to chapter 20 of resolves of 1875, entitled resolve in	363
	favor of Crystal plantation in the county of Aroostook. reported on an order read and assignedread a second time, House amendment agreed to, and passed to be	137
	engrossed	148
	engrossed	168
•	approved	363
18	Resolve concerning an amendment to the Constitution of Maine, relating to electors	1 4 1
	referred	141
	reported ought to pass, read and assignedread a second time and tabled	205 217
	considered, amended and passed to be engrossed (yeas and nays)	329
	finally passed	345
	approved	363
19	Resolve in favor of the town of Anson. referred.	141
	reported ought to pass, read and assigned	175
	read a second time and passed to be engrossed	186
	finally passed	346
	approved	363
20	Resolve authorizing the removal of the colors presented to the Seventeenth	
	Regiment Maine Volunteers by the merchants of Portland.	
	referred	141 183
	reported ought to pass, read and assigned	198
	read a second time and passed to be engrossed	225
01	approved	363
21	Resolve in favor of Swedish settlers. referred	142
	reported ought to pass, laid over to be printed	164
	read and assigned	184 198
	read a second time and passed to be engrossed	225
	approved	363
22	Resolve in favor of the town of Wellington.	
	reported and recommitted	151
23	reported with petition, leave to withdraw Resolve in favor of Sabattis Dana.	171
	read twice and passed to be engrossed	156
	finally passed	187
24	approved Resolve in favor of Tomah Peol Tomah.	363
24	read twice and passed to be engrossed	156
25	finally passed Resolve in favor of C. S. Hobbs of Norway.	187
	referred	161
	reported in new draft, read twice and passed to be engrossed	213
	finally passed	332 363
26	Resolve in favor of the town of Stockton.	363
	referred	161
	reported ought to pass, read and assigned read a second time and passed to be engrossed	175
	considered, Committee of Conference	
	reported amended, passed to be engrossed	339
	finally passed	350
	approved	363

HOUSE RESOLVES-CONTINUED.

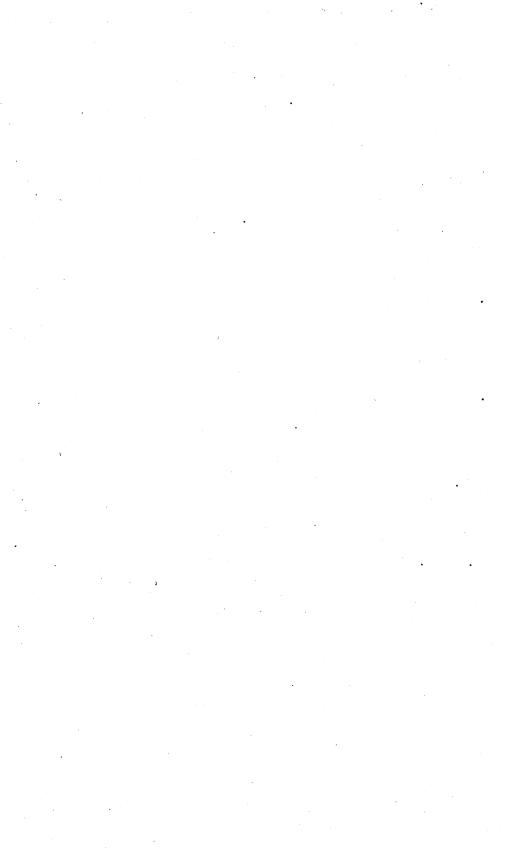
No.	TITLE AND ACTION.	PAGE.
27	Resolve in favor of Charles G. Perry.	
	reported, read and assigned	183
	read a second time and passed to be engrossed	198
	finally passed	226
	approved	363
28	Resolve in favor of Benjamin Alexander.	
	reported on petition, read and assigned	183
	read a second time and passed to be engrossed	198
	finally passed	226
	approved.	363
29	Resolve in favor of David Dudley.	909
40		109
	reported on petition, read and assigned	183
	read a second time and passed to be engrossed	198
	finally passed	226
	approved	363
30	Resolve in favor of John M. Brown.	
	reported on petition, read and assigned	183
	read a second time and passed to be engrossed	198
	finally passed	225
	finally passed	363
31	Resolve in favor of F. W. Stimson.	
	reported on petition, read and assigned	183
	read a second time and passed to be engrossed	198
	finally passed	225
		363
32	approved Resolve in favor of bridge in the town of Lyndon.	
	reported, read and assigned, reconsidered and returned to the House	183
	received from House, read and assigned	194
	read a second time, tabled and specially assigned	210
	considered, amended and passed to be engrossed	327
	finally passed	346
	finally passed	363
83	Resolve in favor of Isaac Varney.	
	reported on petition, read and assigned	183
	read a second time and passed to be engrossed	198
	finally passed	225
	approved	363
34	Resolve in favor of M. L. Stewart.	000
34		10/
	reported on petition, read and assgned	184
	read a second time and passed to be engrossed	198
	finally passed	225
	approved	363
35	Resolve in favor of the town of Baileyville.	
	reported on petition, read and assigned	184
	read a second time and passed to be engrossed	198
	finally passed	225
	approved	363
36	Resolve in favor of Albion W. Stratton.	
	reported on petition, read and assigned	184
	read a second time and passed to be engrossed	198
	finally nessed.	225
	finally passed	363
37	Resolve in favor of S. W. Stratton.	
	reported on notition wood and again ad	184
	reported on petition, read and assigned	
	read a second time and passed to be engrossed	198
	nnally paasea	225
	finally passed approved Resolve in favor of Jessie Sutherland.	363
38	Resolve in favor of Jessie Sutherland.	
	reported on petition, read and assigned	184
	read a second time and passed to be engrossed	198
	finally passed	225
	approved	363

HOUSE RESOLVES-CONTINUED.

To.	TITLE AND ACTION.	PAGE.
39	Resolve in favor of Olof Ljungren and Magnus Jeppson.	
	reported on petition, read and assigned	18
	read a second time and passed to be engrossed	19
	finally passed and presented to the Governor	22
	recalled, reconsidered, amended and passed to be engrossed	33
	finally passed	35
	approved	36
40	Resolve authorizing the Land Agent to convey by deed to John Estes a lot of land.	
	read and assigned	18
	read a second time and passed to be engrossed	19
	finally passed	22
	approved.	36
41	Resolve making an appropriation for the propagation of fish.	
	reported, read and assigned	19
	read a second time and passed to be engrossed	20
	finally passed	22
	finally passed	36
12	Resolve making appropriations for the Penobscot tribe of Indians.	
	reported on petition, read and assigned	19
	read a second time and passed to be engrossed	20
	finally passed	22
43	approved	36
	reported on an order, read and assigned	19
	read a second time and passed to be engrossed	20
	finally passed.	22
4	approved Resolve in favor of St. Francis plantation.	36
	reported on order, read and assigned	19
	read a second time and passed to be engrossed	20
	finally passed	22
	approved .	36
5	Resolve in favor of the plantation of Wallagrass.	
	reported on an order, read and assigned	19
	read a second time and passed to be engrossed	20
	finally passed	22
	approved	36
6	Resolve in favor of the Bangor Children's Home.	
	reported on petition, read and assigned	20
	read a second time and passed to be engrossed	21
	finally passed	33
7	finally passed approved Resolve in favor of the Female Orphan Asylum, Portland.	36
	reported on petition, read and assigned	20
	read a second time and passed to be engrossed	21
	finally passed	33
	finally passed	36
8	Resolve in favor of Rufus F Stone	•
	reported on petition, read and assigned	`2 0
	read a second time and passed to be engrossed	21
	finally passed	33
	approved	. 36
9	Resolve in favor of the town of Maysville. reported on petition, read and assigned	20
	read a second time and passed to be engrossed	20
	finally passed	33
0	approved.	36
v	Resolve laying a tax on the several counties of the State.	
	reported, read twice and passed to be engrossed	21
	reconsidered, amended and passed to be engrossed	22
	finally passed	34
	0 h h r u r o d	36

HOUSE RESOLVES-CONCLUDED.

No.	TITLE AND ACTION.	PAGE.
51	Resolve in favor of the Passamaquoddy Indians.	
	reported, read twice and passed to be engrossed	212
	finally passed	333
	approved	364
52	Resolve for amendment of the Constitution, (relating to biennial elections	
	and sessions.)	
	reported, read twice and tabled	213
70	considered and indefinitely postponed (yeas and nays)	327
53	Resolve for amendment of the Constitution, relating to municipal in-	
	debtedness.	010
	reported, read twice and tabled.	213
	considered	328
	considered and passed to be engrossed, (yeas and nays)	328
	finally passed	346
54	approved Resolve in favor of Charles W. Po [.] ter.	364
04	reported on petition, read twice and passed to be engrossed	221
	finally passed.	347
	approved	364
55	Resolve providing for the removal of the remains of General Henry Knox	0.0%
00	from the cemetery at Thomaston to the grounds of the State Capitol at	
	Augusta.	
	referred to the next Legislature	221
56	Resolve relating to salary of clerk of Superintendent of Schools.	
	reported, read twice and passed to be engrossed	322
	finally passed	346
	approved.	364
57	approved. Resolve in relation to the salary of the Judge of Probate of Penobscot	
	county.	
	read twice and passed to be engrossed	330
	finally passed	346
	approved	364
58	Resolve in favor of the Maine General Hospital.	
	reported, read twice and passed to be engrossed	333
	finally passed	350
	approved	364
59	Recolve in favor of an assistant in the State Library.	
	read twise and passed to be engrossed	343
	finally passed	350
	approved Resolve for support of prisoners in county juils.	364
60	read twice and tabled	343
	considered and indefinitely postponed	545 343
61	Resolve in favor of the Secretary of State.	343
01	read twice and passed to be engrossed	344
	finally passed	350
	approved	364
62	Resolves providing for certain amendments to the Constitution of the State	
	of Maine.	
	read twice and passed to be engrossed	344
	finally passed	350
	approved	364
63	Resolve on the pay roll of the House.	
	read twice and passed to be engrossed	349
	finally passed.	350
	approved	364
	,	



A.

P	AGE.
Accounts and claims against cities and towns, required to be verified by oath(see	
bill H. R. 108)	401
Actions, civil, service on corporations-(see bill H. R. 16)	39 3
of corporations, where brought 110,	158
Acts and resolves, copies ordered	11
in relation to the binding of-(see bill H R. 12)	411
titles	356
Adams, John G., trial justice, to make valid doings-(see bill H. R. 121) 103,	
Address, annual of the Governor	16
Governor's Committee on), 57
report of	72
ordered printed	34
of Chamberlain, Gen. J. L	231
requested for publication	325
President Hyde	6
Senator Jordan	368
Кусз	366
Lennox.	365
Stevens	367
Thompson	368
Wheelwright	369
Adjournment, final	370
Adjutant General, Cilley, J. P., acceptance	40
election of	36
Administrators, executors and trustees—(see bill H. R. 145)	405
Agricultural college, annual report received	116,
in favor of-(see Res. S. 11)	407
products, weights and measures-(see bill H. R. 135)	
societies, amount paid to by the State	74
Society, East Kennebec, to legalize doings-(see bill H. R. 62)	397
East Oxford, to amend charter of-(see bill H. R 124)	403
Northern Waldo, to amend charter-(see bill H. R. 75)	398
Agriculture, Committee on	44
in favor of—(see Res. S. 17)	408
Alexander, Benj, in favor—(see Res. H. R 28)	
Allegations and indictments-(see bill H. R. 109)	

PAGE.
Alton and Lagrange, set off 128
town division of
Amherst, Clifton and Bradley, to prevent the taking of trout in Great Works
Stream in-(see bill H R. 92) 400
Anson, town, in favor of-(see Res H. R. 19) 412
Apothecaries, to prevent incompetent persons from conducting the business of-
(see bill H. R. 150) 405
Appeals from county commissioners-(see bill H. E. 127)
trial justices, certain cases to be tried by jury of three
and police courts, to restrict in certain cases 106
Aroostook County Commissioners, to legalize doings 109
in favor of—(see Res. H R 6) 411
to defray expenses of establishing meridian lines 61, 409
Steamboat Company, to extend the charter-(see bill H. R. 141) 119, 404
Arrowsic Bridge, to make free-(see bill II. R. 84)
Assignments for benefit of creditors
of goods, effects and credits in hands of trustees-(see bill H. R. 30). 394
wages, recording of 110, 158
Assistant Messenger, election of 8
Secretary, election of 8
Attachments of personal property-(see bill H. R. 9) 392
Attorney General, Emery, L. A., acceptance 37
election
Augusta, to amend act of 1870 to supply people with pure water-(see bill H. R.
71) 398
Ayer, Alton E, authorizing to navigate East Pond—(see bill II. R. 118)91, 402

B.

Baileyville, town, in favor of-(see Res. H. R. 35) 413	6
use of certain wheel rims in. to prevent 135	ò
Bangor Board of Trade, to incorporate-(see bill II. R. 162) 406	\$
Childrens' llome, in favor-(see Res. H. R. 46)	
Bank Examiner, annual report sent to the Senate 157	ſ
Examiner's report, additional copies ordered printed	,
Bankrupt law, relating to repeal or amendment of	,
Banks and Banking, Committee on 43	6
E II., acceptance of office of State Treasurer 131	L
bond referred and approved 131, 146, 168	5
elected State Treasurer 36	
James H., complimentary to 364	F
elected messenger 8	\$
savings and institutions for savings, to revise and consolidate the laws re-	
lating to-(see bill S. 7)	ŝ
business corporations and trust companies, organization of	,
to prevent temporary deposits in, to avoid taxation	L
Bark, lien for peeling or hauling 58, 77	í
Barker, Fred C., authorized to navigate certain lakes-(see hill H. R. 14)	ł

INDEX.

PA	GE.
Barnard, town, to repeal act to incorporate-(see bill H. R. 146)	405
Bartlett, D. H., Senator excused	347
Base ball, playing in streets to prevent 114,	153
Bath, city of, additional to charter-(see bill H. R 51)	396
municipal court—(see bill S. 58)	391
relating to the police force of-(see bill H. R. 74)	398
to authorize to appoint harbor-master for the port of-(see bill H.	
R. 43)	395
Driving Park to incorporate—(see bill II. R. 61)	397
Military and Naval Asylum, annual report sent to the Senate	335 ·
in favor(see Res. S. 20)	408
Beale, C. E., petitioner for land	150
	394
bounty on to repeal	108
certain bounty on	
Beet, sugar, to encourage the manufacture of-(see bill S. 49)	3 90
Belfast Foundry Company, to change name of 108,	
Granite Works, to incorporate 108,	
Bible ordered.	11
Biddeford municipal court, to amend act to establish—(see bill H R. 69)	398
Bills in the Second Reading, Committee on.	54
Binders, State, E. H. W. Smith & Co 138,	
Binding and printing, Committee on	
State, contract for	
Blaine, James G., elected U. S. Senator	
town, to remit settling duties to holders of land certificates	105 392
Board of health, State, to establish-(see bill II. R. 5)	
Bonds in the State Treasury to provide security for-(see bill S. 60)	391
Books ordered for use of Senate	11
pictures statues and paintings in public libraries, to prevent the destruc-	
tion of—(see bill II. R. 128)	403
Boothbay, town, petition for village charter in	191
Boundary, Maine and New Hampshire	
Bounty on animals, duty of Town Treasurers	
¥`` wild cats	
Bowers, Mrs. Spencer G., memorial for pension 115	
Brakemen on railroad trains-(see bill S 8)	386
Bridge, Aroostook, in Maysville, repairs of	70
river at Caribou, to aid	115
Arrowsic, to make free-(see bill H. R. 84)	, 399
foot over tide waters, to authorize the town of Yarmouth, to build-(see	
biil H. R. 117)	, 402
Gardiner and Pittston Free Company91	
guards on railroads, providing for-(see bill H. R. 158)	406
Hannowell brook in St. Francis	100
in Lyndon, in favor of-(see Res. H. R. 32)	413
Isoie Martin in Madawaska 100	, 154

PA	GE,
Bridge, Merrymeeting, to make free-(see bill H. R. 83)	399
Thebodeau's, in Van Buren 100, 1	176
Wallagrass stream in Wallagrass, to aid in building	75
Bridges, Arrowsic and Merrymeeting, to make free 2	214
requiring counties to build certain,	154
Bridgton and Harrison, set off-(see bill S. 27) 56, 3	388
Centre Village corporation, relating to-(see bill H. R. 86)	399
to make valid certain doings-(see bill H.	
R. 35)	394
Normal School-(see bill H. R. 1) 3	392
	79
in favor of—(see Res. H. R. 30) 4	£13
Brownville, town, sale of burial ground in	79
Bryant's Pond and Andover Telegraph Company, to incorporate-(see bill H. R.	
144)	105
Buffam, Charles, elected and qualified councillor	38
Building and Loan Associations, Mutual Savings Fund, formation of-(see bill H.	
· R. 88) 4	10 0
to provide for the organization and management	
of-(see bill S. 54) 151, 3	19 1
Buruham, Reuben, in favor of-(see Res. H. R. 5) 4	111
Business corporations-(see bill H. R. 18) 3	39 3
savings banks and trust companies, organization of99, 1	69
Butler, Henry F., petitioner for protection of pickerel 2	229
Byron, B. B., petitioner for land	18

C.

Calendar of Senate business, publication ordered	50
Cambridge and Parkman, set off 129, 150,	189
Camden Village Corporation, to amend the charter of-(see bill H. R. 129)76,	403
Campmeetings, to authorize the appointment of police officers at-(see bill S. 21).	387
Casco bay, to restrict the killing of seal-(see bills S. 35 and H. R. 138)104, 389,	404
Cemeteries, relating to-(see bill H. R. 82)	399
Centennial address and report ordered printed	325
Chadbourne, S. J., acceptance of	4.0
elected Secretary of State	35
Chamberlain, Gen. J. L., address of	231
Chaplains, appointment of	14
relating to election of	11
Chapman plantation, to legalize doings 69,	190
Chase, B. T., Speaker pro tem	216
Hiram L., petitioner to build dam in Phipsburg	91
Chester, town, in favor of-(see Res. H. R. 8)	411
relating to use of certain wheel rims	79
Cider and native wines, sale of	116
Cilley, J. P., acceptance as Adjutant General	40
elected Adjutant General	36
Citizens' Mutual Balief Society Portland to incornorate (see hill H. B. 56)	396

INDEX.

PAGE.
Claims, Committee on 47
of towns and plantations, report of Governor and Council thereon referred, 145
Cleaves, Henry B., Speaker pro tem
Clerk of Superintendent of Schools, salary of—(see Res. H. R. 56)
Colby, Joel and others, petitioners, pay for labor on State Road
Colors of Seventeenth Maine Volunteers, removal of—(see Res. H. R 20) 412
Commerce, Committee on
Commission to reconstruct the fishery laws, for the appointment of(see Res.
H. R, 7)
Committee on Agriculture, in favor—(see Res. S. 17)
Bills in the Second Reading
-
Education, in favor of—(see Res. S. 10)
8
Enlargement of State House
Governor's Message 50, 57
report of 72
Gubernatorial votes
report of 13
Maine State Year Book, and report of-(see Res. H. R. 16)39, 57, 137
Military Affairs, to pay expenses of—(see Res. S. 13) 408
Printing and Binding14, 57
reports of 137
Reform School, in favor of—(see Res. S. 35)
ordered to visit the Industrial School for Girls 83
Revision of Joint Standing Committees and report11, 39
Senatorial votes
reports of 61, 82
State Prison, in favor of-(see Res. S. 30)
Temperance
Committees, authorized to visit certain institutions
Joint Select—see "Joint Select Committees."
Standing, appointment
of Conference 70, 81, 127, 195, 196, 215, 222, 331, 334, 335, 337, 338
reports of
ordered to report finally 123, 133, 334
Senate, Standing, appointment of
Committee to inform the Governor of his election
wait on the Governor at final adjourment
Communication from Adjutant General elect, signifying acceptance 40
Attorney General elect, signifying acceptance
Secretary of State elect, signifying, acceptance
State Treasurer elect, signifying acceptance and transmitting
official bond 131
State Treasurer transmitting annual report
Communications from Executive Councillors elect signifying their acceptance37, 52
Communications from the Governor transmitting:
lists of acts and resolves
insta of reprior or, paraolo, dotter the test for the test of the
report of the Centennial Commissioners 324

PAG	c.
Communications from the Secretary of State transmitting:	_
	0
	0
Agricultural College 11	
Attorney General 4	
Bank Examiner, 15	
Fish Commissioners 4	
Insane Hespital 5	-
Visiting Committee 4	
Insurance Commissioner	
Maine Industrial School for Girls 20	
Orphans' Home at Bath 33	
Railroad Commissioners 13	
State Prison 12	
Reform School 14	
Returns of stockholders of corporations 12	
	9
	9
	3
Compromise, bill relating to-(see Res. S. 6) 40	
Congregational Society, Wells, to authorize to soll property	4
Connor, Selden, declared elected Governor 1	3
Governor, address of 1	6
Committee on	7
report of 7	2
ordered printed	4
qualification of1	5
Constables, to enlarge the powers of, in civil service process-(see bill H. R. 22) 39	
Constitution, amendment of, relating to electors-(see Res. H. R. 18) 95, 41	
Article II, section 1, to amend	3
for amendments of biennial elections and sessions(see Res. H. R.	
52) 41	5
for the amendment of municipal indebtedness-(see Res H. R. 53) 41	5
of Maine, providing for amendments to-(see Res. H. R. 62) 41	5
United States, to amend relating to prohibitory law-(see Res.	
8. 12) 7	2
Convention, address by J. L. Chamberlain 23	
to elect State Officers	
State Treasurer 35, 3	6
qualify Councillors elect 38, 5	2
Governor elect 11	5
Cord wood, lien on 56, 110, 17	1
Cornelius Pond Ice Company, to incorporate—(see bill H. R. 104) 40	1
Corporations, additional relating to-(see bill H. R. 11) 39	2
business, relating to-(see bill H. R. 18) 395	3
service of civil action on-(see bill H. R. 16) 393	3
to bring civil actions in county where Treasurer resides	3
Cost and fees, regulation of, to amend-(see bill H. R. 76) 398	3
Cost in trustee process	2

INDEX.

P	AGE.
Councillors, acceptance of	37
election and qualification of 37, 3	8, 52
Counties, Committee on	46
laying a tax on the several-(see Res. H. R. 50)	414
to require, to construct and maintain certain bridges	, 154
County Attorney, in relation to-(see bill S. 39)	389
Commissioners, appeal from-(see bill H. R. 127)	403
bill giving jurisdiction over the repair of ways-(see bill	
H. R. 70)	398
Court adjournment of-(see bill H. R. 122)	403
of Knox county, salary of-(see bill H. R. 123)	403
powers and duties of 99,	153
jails, for the support of prisoners in-(see Res. H. R. 60).	415
of Aroostook, to legalize doings of commissioners of	109
Cumberland, salary of chairman of county commissioners-(see bill H.	
R. 154)	405
Cumberland, salary of Judge of Probate-(see bill H. R. 143)104, 112,	405
to increase salary of officers of	108
Penobscot, salary of Judge of Probate-(see Res. H. R. 57)86,	415
Treasurer, duties relating to certain uncollected taxes	78
in relation to-(see bill S 40)	389
Court, Biddeford Municipal-(see bill H. R. 69)	398
Calais bill, Washington County, to repeal 78, 114, 123, 129, 135, 138,	152
County Commissioners, adjournment of-(see bill H. R. 122)	403
Ellsworth municipal-(see bill H. R 54)	396
Municipal, City of Bath-(see bill S. 58)	391
relative to proceedings in-(see bill H. R. 31)	394
Superior, Androscoggin County 77	, 95
Supreme Judicial, equity powers of-(see bill H. R. 119)	402
for Sagadahoc county-(see bill H. R. 10)	392
relating to the powers of-(see bill S. 31)	388
relative to equity powers-(see bill H. R. 157)	406
to request opinion of justices upon certain game laws.117,	127
Washington County, relating to time and place of hold-	
ing	103
Courts, Judicial, relating to clerks of-(see bill S. 59)	391
Police and Municipal, in relation to-(see bill S. 23)	387
trial justices, appeals from106, 124,	173
Cranberries, for the protection of-(see bill H R. 73)	398
Criminal cases, in relation to proceedings in-(see bill H. R. 87)	399 '
Criminals, disposal of—(see bill H. R. 147)	405
punishment of-(see bill H. R. 151) 110,	405
Crowell, F. P., to set off from Fairfield Village Corporation-(see bill H. R.	
112) 103,	402
Crystal Plantation, in favor of-(see Res. H. R. 17)	412
Cunningham, Samuel, to authorize to navigate Androscoggin pond and Dead river	
by steam—(see bill H. R. 159)	406
Cupsuptic lake, to navigate by steam-(see bill H. R. 14)	393
Cushing's Manual ordered	11.

1	h	
J)	٠

	_
PAGE Daigle, Vital, petitioner for land116, 16	
	.0
•	0
• •	-
Damages on ways, as amended—(see bills S. 33 and H. R. 161)91, 388, 389, 40	
Dam in Phipsburg across tide waters	_
Shin Pond, to fix toll on logs passing	
Dana Sabattis, in favor of—(see Res. H. R. 23) 41	-
Death penalty for murder in 3d degree 9	-
Debtors, judgment, for the examination of (see bill S. 22) 38	
Debt, to abolish imprisonment for 67, 12	
Deceased persons, embezzlement of property of	2
Deeds, registers of—(see bill H. R. 50)	6
Deering Boulevards and Water Park-(see bill H. R. 26) 39	4
Land and Building Company to incorporate—(see bill H. R. 53) 39	6
Denison Paper Manufacturing Company, petitioner for authority to flow Tripp's	
pond in Poland 112, 16	9
Detective, State, for the appointment of	0
Diagrams of Senate Chamber ordered 16	0
Dictionaries and other books ordered 1	1
Disclosures, trustee, to repeal—(see bill S. 42)	0
District No. 1, Boothbay, to incorporate113, 19	1
15, in Berwick, to confirm the doings of-(see bill S. 19)	7
Divorce, laws relating to alimony to provide for appeals	5
relating to-(see bill H. R. 163) 111, 163, 40	6
Divorces, returns of, to Secretary of State	
Dogs, mischievous—(see bill H. R. 137) 40	4
Drinking houses and tippling shops-(see bill S. 36) 38	9
Dubay, A., and others, claims for land 7	9
Joseph and others, claims for land 7	9
Dudley, David, petitioner for land-(see Res. H. R. 29)	3

E.

East Kennebec Agricultural and Horticultural Society, to legalize doings-(see	
bill H. R. 62) 39)7
East Oxford Agricultural Society, to amend charter-(see bill H. R. 124) 40)3
pond, to authorize Alton E. Dyer to navigate-(see bill H. R. 118)91, 40	2
Editors and Publishers' Association, tendered the Senate Chamber	3
Education, Committee on 4	2
in favor of-(see Res. S. 10) 40	17
in the State Prison, in favor of-(see Res. S. 38) 41	9
Election returns, relating to-(see bill S. 2, 3 and 53) 385, 39	1
Elections, biennial-(see Res. H. R. 52)	
relating to-(see bills H. R. 39 and 40) 39	5
to prevent frauds at 109, 32	
Electors changing residence within certain time, to protect in elective franchise. 10	
to amend Constitution—(see Res. H. R. 18)	2

INDEX.

PAGE.

Ellsworth, city municipal election, to change time of-(see bill H. R. 139)
76, 134, 143, 404
Fifty Associates, to incorporate-(see bill H. R. 110)
municipal court-(see bill H. R. 54) 396
Emery, L. A , acceptance of office of Attorney General 37
elected Attorney General 36
Engrossed Bills, Committee on 54
Equity powers-(see bills H. R. 85 and 119)
of Supreme Judicial Court-(see bill H. R. 157) 406
Estes, John to authorize land agent to convey land to-(see Res. H. R. 40)103, 414
Evans, Hiram F., petitioner for land
Evidence, admission of-(see bill H. R. 103) 401
and witnesses, relating to-(see bill S. 17) 387
Executions, in relation to-(see bill H. R. 60)
renewal of in certain cases
Executive Councillors, acceptance of
election of
qualification of
Excutors, administrators and trustees-(see bill H. R. 145)
Expenditures of government to provide for-(see bills H. R. 148 and 169), 405, 406

F.

Fairfield Village Corporation, to set off the farm of F. P. Crowell from-(see bill
H. R. 112)
Farrer, Charles A. J., authority to navigate Richardson lake-(see bill H. R. 38) 395
Farrington, E. C., elected and qualified councillor
Federal Relations, Committee on 41
Fees and costs, regulation of-(see bill H. R. 76) 398
Female Orphan Asylum, Portland, in favor-(see Res. H. R. 47)
Fences, line, to amend chapter 22, section 6, 7 and 23 of the revised statutes 74, 173
Ferry Company, Peoples', authorizing the town of Woolwich to elect a driector in
(see bill H. R. 77) 399
to amend charter and to repeal charter of Sagadahoc
Ferry Company, and Union Ferry Company (see bill
H. R. 59) 397
Fifty Associates of Ellsworth, to incorporate-(see bill H. R. 110)91, 402
Files, Legislative, papers taken from
Final reports of Committees
Financial Affairs, Committee on 41
in favor—(see Res. S. 31) 409
Fire, security of property against 109, 190
Fires, wood in Senate Chamber ordered 10
Fire, to ensure safety from, in public assemblies
Fish and game, for the better enforcement of the laws for the protection of-(see
bill 8. 15) 387
Fisheries and the protection of fish, for the appointment of a commission to recon-
struct the laws relating to-(see Res. H. R. 7)

P	AGE.
Fisheries, Commissioner of, continuance of office	128,
134, 150,	158
Committee on	45
menhaden or porgie, to regulate	174
	395
• • • •	392
Duck pond, in Westport and Windham, to prohibit the taking of-(see	
	3 98
Garland pond, to protect	99
Fishing for trout, closetime for	134
Fish in Great Works Stream, to prevent the taking of trout in Amherst, Clifton	
and Bradley-(see bill H. R. 92)	400
Fishing with nets above weir ledges, Steuben, to prohibit-(see bill H. R. 27)	394
Fish in Little Sebago pond, to prohibit taking of	86
North pond in Winthrop and Readfield, (black bass and pickerel) to pre-	
vent the taking-(see bill H. R. 46)	396
North pond, to protect	86
Picataquis county, protection of	121
	397
	394
	395
Wilson's pond and tributaries in Wilton, to prohibit catching of	101
making appropriation for the propagation of-(see Res. H. R. 41)	414
migratory for the protection of-(see bill S. 48)	390
protection of, in all waters of the State	174
landlock salmon trout and bass-(see bill H. R. 44)	395
Fishways, Somes' and Long ponds and Echo lake in Mt. Desert	120
Fisheries and wharves, relating to the erection of in tide waters-(see bill H. R.	
133)	404
Folder, James Pattee, elected	8
order establishing the pay of	172
Franklin Land and Lumber Company to amend charter-(see bill H. R. 140)102,	404
Free High Schools, to abolish, to repeal act establishing	101
Funds, surplus in treasury, investment of-(see Res. S. 39)	410

G.

Gambling and pool selling to prohibit	102, 105, 117
relating to-(see bill H. R. 17)	393
Game and fish, for the better enforcement of the laws for the protection	of(see
bill S. 15)	387
captured with snares, nets or traps	99, 153
laws, amendment of 69, 112, 129,	135, 142, 173
relating to the exportation of deer and partrid	ges
69	, 85, 123, 135
reference to all petitions and orders relating to	. 95, 119, 123
protection of	102, 105

PAG	E.
Game, relating to-(see bill H. R. 116) 4	02
shipment of, relating to 81, 1	07
Gaming or shooting wild ducks	67
Gardiner and Pittston bridge, to amend charter91, 1	92
city, to authorize a militia company at 1	15
Gardner, John, petitioner for toll on logs passing Shin Pond Dam	52
Gazetteer, Lippincott's, ordered	11
Geological survey of the State	90
Goodale, Thomas, petitioner to build locks and dams in Shapleigh and Acton 101, 1	42
Gorham Second Baptist Society, to authorize to sell its personal property and real	
estate (see bill H. R. 105)76, 4	01
Gouldsboro', town, claim for school money 68, 1	90
Government, to provide for the expenditures of-(see bills H. R. 148 and 169).405, 4	06
Governor and Council, report on claims of certain towns and plantations, received	
and referred	45
annual message	16
Committee on	57
report of	72
Connor, Selden, declared elected	13
qualification of	15
message from-See " Communications."	
votes for, returns sent to Senate and referred	9
Committee on	9
report of	12
Grand Isle, partition of lands in-(see Res. S. 3)	07
Great Works stream, to prevent the taking of trout in-(see bill H. R. 92)	89
Greene, town, and city of Lewiston, set off-(see bill H. R. 149))5
Greenville, town, to reimburse-(see Res. H. R. 3) 41	10
Grindel, James F, to authorize to take ice from Meadow pond in Islesborough-	
(see bill H. R. 125))2

Н.

Harper Manufacturing Company, to incorporate-(see bill H. R. 89)	400
Harrington and Jonesport Telegraph Company, to incorporate-(see bill S. 13)	386
town, petition for reimbursment	188
Harrison and Bridgton, set off-(see bill S. 27)56,	388
Hart, William, petitioner for land	136
Haynesville, town, to change and fix limits of-(see bill H R. 142) 129,	404
Health, Board of, to establish-(see bill H. R. 5)	392
Hides, relating to sale of	170
Highways, damage on, claimants for, to give bond for payment on	110
costs	153
defective, memorial relating to-(see bill S. 33)	51
defects in—(see bills II. R. 20)	393
notice of claim for damage on	102
Highway tax to abolish-(see bill S. 34)	389

I	AGE.
Hobbs, C. S. of Norway, in favor-(see Res. H. R 25)	412
petitioner for land	161
Hodgdon, petition of John C. Ingraham for sale of church property ,	79
Holy Bible ordered	11
Home, town, incorporation	, 191
Hospital, Maine General, in favor-(see Res. H. R. 58)	415
House, organization of	9
pay roll, resolve on—(see Res. H. R. 63)	415
Hyde, T. W., complimentary	366
elected President of the Senate	6
remarks on taking chair	6

I.

Ice Company, Cornelius Pond, to incorporate—(see bill H. R. 104)	401
to authorize J. F. Grindel to take from Meadow pond in Isleborough-(see	
bill H. R 120)92,	402
Indian Affairs, Committee on	46
Dana, Sabattis, in favor-(see Res. H. R. 23)	412
representative Penobscot Indians	101
Indians, Passamaquoddy, in favor of-(see Res. H. R. 51)	415
Tomah Peol Tomah, representative of	141
to purchase wood lot	152
Penobscot, abatement of shore rents	138
appropriations for-(see Res. H. R. 42) 113,	414
change of election laws	143
in favor of Agent of—(see Res. H. R. 9)	411
petitioners for appropriations	190
providing for the payment of rents in suit to Agent of tribe-	
	408
to amend act providing for the division of island shore rents—	
(see bill S. 51)	390
Indian, Tomah Peol Tomah, in favor-(see Res. H. R. 24)	412
township, in favor of road through-(see Res. H. R. 2)	410
Indictments and allegations-(see bill H. R. 109) 401,	402
Industrial School for Girls, Committee on Reform School authorized to visit	83
in favor of-(see Res. S. 33)	409
Innholders, victualers and intoxicating liquors-(see bill S. 10)	386
Insane Hospital, annual report sent to the Senate	55
Committee on	47
persons, confined in jails83,	204
Institutions receiving appropriations from the State-(see Res. S. 40)	410
State, certain Committees authorized to visit 56, 58, 70, 74,	124
in relation to reports of-(see Res. S. 40)	410
Insurance, Commissioner of, to transfer duties to Secretary of State	100
relating to office of-(see bill H. R. 160)	406
companies, to authorize towns and plantations to form	134
life(see bill H. R. 79)	399
relating to value and percentage covered by	191

	PAGE.
Interest, to amend chapter 45, revised statutes, relating to	142
Interior Waters, Committee on	44
Intoxicating liquors, illegal sale of-(see bill H. R 132)	404
Island, Lassell's, in Penobscot bay, sale of-(see Res. S. 29)	409
shores, Penobscot Indians, to amend act providing for division of rents-	
(see bill S. 51)	390
rents, abatement of	50
State, authorizing the sale of-(see bill S. 28)	388

J.

Jails, county for the support of prisoners in-(see Res. H. R. 60)
support of prisoners in-(see bill S. 56) 391
Jameson Guards, relating to enlistment and examination of 105, 106, 163
Jepson, Magnus, Olof Ljungren, in favor—(see Res. H. R. 39)
and another claim title to land 69
Jersey Stock Association, Maine State, to amend charter-(see bill H. R. 42) 395
Jewelers, to enable to sell articles left for repairs and not called for—(see bill S. 11) 386
Johnson, Warren, petitioner for pay for service104, 146, 188
Joint Committees ordered to report finally123, 127, 132
Joint rules and orders
1876 adopted 10
Joint Select Committees :
on Governor's Message 50, 57
Gubernatorial Votes 9
Joint Standing Committees, revision of
Maine State Year Book
Printing and Binding
Temperance 56, 66
to inform Governor of his election 23
to wait on the Governor at Final Adjournment
ordered to report finally
Standing Committees, appointment 40
Jose, Charles E., acceptance of
elected and qualified Councillor
Journal Senate, publication ordered 131
Judgment debtors, for the examination of-(see bill S. 22) 387
Judiciary, Committee on 40
Juries, authorizing views by in all cases-(see bill H. R. 90) 400
Jury, for trial of certain appeal cases to consist of three
Justice of the peace, Trafton, J. B., to legalize doings of-(see bill S. 62) 391
Justices, trial, to authorize to, renewal certain executions

K.

Keen, Sprague, petitioner to be set off from Bridgton to Harrison	· 56
Kennebec Journal and other papers ordered	10
river, to prevent throwing slabs and refuse into-(see bill H. R. 8)128,	, 392
to prevent the throwing of ballast into-(see bill H. B. 126)75.	403

	PAGE.
King, L. R, elected and qualified Councillor	37, 38
King-bury, town, in favor of-(see Res. S. 23)	408
Knox County Commissioners, compensation of—(see bill H. R. 123)	403
General Henry, removal of remains-(see Res. H. R. 55)	415
Kyes, E. C., complimentary to	365
elected President pro tem	97, 98

L.

Lacy, Andrew, elected and qualified Councillor 37, 38
Lagrange and Alton, set off 128
Lakeville, town, incorporation 1
Land Agent, to authorize to convey certain lots of land-(see Res. S. 34) 409
(flice, records, plans and documents, arrangement of
Lands in No. 18, Range 3, Grand Isle, partition of-(see Res. S. 3)
Land, to secure, from trespiss-(see bill H. R. 125) 403
Lane, Samuel W., complimentary to 364
elected Secretary of the Senate
petitioner 104
qualification of 7
Larceny and receiving stolen goods-(see bill H. R. 93) 400
Larrabee, B. T. and others, petitioners set off from Bridgton Centre Village Corpo-
ration-(see bill H. R. 86) 60, 399
Lassell's island, Penobscot bay, sale of-see Res. S. 29) 409
Laws and resolves, titles
private, 1869, chapter 231, to amend 90, 170
1870, chapter 332, section 1, to amend-(see bill S. 16) 387
1871, chapter 649, to amend-(see bill S. 1)
397 J873, chapter 314, section 1, to amend—(see bill II. R. 62) 397
358, amend story of-(see bill II. R. 126)
380, to repeal-(see bill H. R. 2)
392, to repeal—(see bill H. R. 2) 78, 392
1874, chapter 557, to amend—(see bill H. 123) 403
1876, chapter 252, to repeal
263, to amend (see bill H. R. 28) 394
279, to amend—(see bill H. R. 37) 395
298, additional—(see bill H. R. 54) 102, 396
313, to amend-(see bill S. 26)
public, 1869, chapter 29, additional to-(see bill S. 50) 390
1871, chapter 223, to amond-(see bill S. 45)
' 1872, chapter 26, section 3, to amend-(see bill H. R. 24)
40, to amend 68
40, section 1€, to amend—(see bill S. 55) 391
98, to continue—(see bill S. 43) 390
1873, chapter 133, section 13, to amend-(see bill H. R. 151)110, 405
1874, chapter 203 to continue—(see bill S. 43)
215, section 1, to amend 102
227, to amend
239, to amend-(see bill H. R. 116)

INDEX.

	n	AGE.
Laws public 1874 chapter	241, to amend-(see bill H. R. 82)	399
	30, to amend—(see bill H. R. 134)	
1010, 010000	57, to amend	
1876, chanter	60, to amend-(see bill H. R. 145) 110,	
1010, 010,000	62, to amend-(see bill S. 2)	385
	65, section 2, to amend-(see bill H. R. 18)	
	76, to amend(see bill 57)	391
	78, to amend-(see bill S. 18)	
	78, section 4, to amend-(see bill H. R. 133)	404
1	93, section 1, to amend	110
	98, to amend 99,	102
	101, additional-(see bills H. R. 85 and 119) 399,	402
	107, to amend	395
	120, section 6, to amend-(see bill II. R. 57)	396
	122, additional-(see bill II. R. 15)	393
	125, amendatory of-(see bill H. R. 44)	395
•	127, additional to-(see bill H. R. 127)83,	403
	127, to amend	83
	146, to repeal-(see bill H. R. 97)	400
	298, additional	396
to provide for	indexing	169
Legal Affairs, Committee of	n	41
Legislation, limited	· · · · · · · · · · · · · · · · · · ·	12
•	ittee on), 57
	purchase of-(see Res. II. 16)	412
• •	referred	•
•••	or taking from file for reference	
-	and indexing 93, 99,	
υ,	ns of	· .
)f	365
	f Greene, set off-(see bill H. R. 149)	
	(see bill H. R. 168)	406
	for reimbursement	•
•	at the destruction of books, pictures, statues and paint-	, 100
	128)	403
·· ·	·····	49
	avor of-(see Res. S 18)	408
	an as istant in-(see Res. H. R. 59)	415
	or hauling 5	
		-
-	nd provisions-(see bill H. R. 12)	392
	nts-(see bill H. R. 47)	396
	s	, 170
	ion of-(see bill H. R. 134) 89	
	in buildings occupied for public purposes-(see bill II.	
R. 114)		, 402

PAGE
Life insurance—(see bill H. R. 79) 399
Light stations, sites for, to relinquish title to the United States-(see bill S. 1) 385
Linneus, town, petition for reimbursement 111, 188
Lippincott's Pronouncing Gazetteer ordered 11
Liquors, intoxicating, relating to the illegal sale of-(see bill H. R. 132) 404
to amend Constitution of United States-(see Res S. 12) 72
Liquor traffic, to suppress
Ljungren, Olof, and Magnus Jeppson, in favor-(see Res. H. R. 39)
Loan and Building Associations, Mutual Savings Fund, formation of-(see bill H.
R. 88)
to provide for the organization and management
of(see bill S. 54)
temporary—(see Res. S. 43) 410
Lobsters, for the better protection of-(see bill H. R. 65)
Logs and lumber lodged on banks by freshets
lien on for running 53, 77
Lotteries and pool selling, against-(see bill S. 37) 389
Lubec, town, claim of
Lufkin pond, fishing interests-(see bill H. R. 28) 394
Lyndon, town, in favor of bridge in-(see Res. H. R. 32) 413
to aid Aroostook River Railroad Company-(see bill H R. 41) 395
to change name to Caribou—(see bill H. R. 136) 404

M.

Machias and East Machias, protection of cranberries in-(see bill H. R. 73)	398
Maine and New Hampshire, boundary to establish	339
Constitution, to amend, relating to biennial elections and sessions-(see	
Res H. R. 52)	415
electors-(see Res. H. R. 18)	412
municipal indebtedness-(see H. R.	
53	415
General Hospital, in favor-(see Res. H. R. 58)	415
memorial	101
visit to authorized by Committee on Financial Affairs	172
Her Place in History, address by Hon. J. L. Chamberlain	231
Industrial School for Girls, in favor-(see Res S. 33)	409
reports, relating to the purchase of by the State-(see Res. H. R. 13)	411
State College of Agriculture, in favor-(see Res. S. 11)	407
Library, in favor-(see Res. S. 18)	408
Pure Blood Jersey Stock Association, to amend charter-(see bill H.	
R. 42)	395
Year Book, Committee on 39	, 57
for the purchase of-(see Res. H. R. 16)	412
Volunteers, 17th Regiment, removal of colors of-(see Res. H. R. 20)	412
Main Street Methodist Episcopal Free Church Society, Lewiston, to change name	
(see bill H. R. 78)	399
Manual, Cushing's ordered	11
Manufactures, Committee on	43

INDEX.

PAGE.
Mariaville, town, to aid in maintaining roads and bridges
Marriage and its solemnization, relating to
Marsh, J. S., and others, petitioners for protection of smelts in Sheepscot river 204
Martin Stream, Plymouth, to prevent the throwing of sawdust and refuse into80, 190
Masonic Trustees, Lewiston, to amend charter—(see bill H. R. 94)
Maysville, town, in favor of—(see Res. H. R. 49)
McDonald, Lewis, petitioner for authority to extend wharf in Fox Island 189
McPherson, Charles, claim of 100, 154
Meadow pond, Islesborough, to authorize James F. Grindel to take ice from-(see
bill H. R. 120)
Measures and weights of agricultural products-(see bill H. R. 135)
Medicine, standard of qualification for practice of-(see bill H. R. 49) 396
to regulate the practice of(see bill S. 20) 387
Mercantile Affairs and Insurance, Committee on
Meridian lines, to carry into effect-(see Res. S. 26) 61, 409
Merrymeeting bridge, to make free—(see bill II. R. 83)
Message, annual, of Governor 16
Committee on
report of
ordered printed 34
from the House, Convention, address by Hon. J. L. Chamberlain 208
to complete and declare election of U.S.
Senator
disposal of all business before the House 351
election of Speaker pro tem
State officers
Treasurer 34
organization of the House
qualification of Councillors
Governor
Messages from the Governor-see "Communications from Governor."
House, requesting the return of certain bills and resolves
183, 205, 206, 207, 331, 336
to the Governor requesting the return of certain bills and resolves
230, 331, 336, 344
Message to the Governor and Council, election of President pro tempore98, 201
State Treasurer 172
United States Senator 97
organization of the Senate
qualification of Senators elect
elect for qualification 15
election and qualification of Councillors
to the House, Convention, address by Hon. J. L. Chamberlain 208
to complete and declare election of U.S.
Senator
disposal of all business before the Senate
election of President pro tempore

PAGE
Message to the House, election of State officers
organization of the Senate
qualification of Councillors elect
Governor elect 13
transmitting certain bills and resolves
Messalonskee stream, to prohibit the throwing of refuse into
Messenger of the Senate, James H. Banks elected
Methodist Meeting House at Mechanic Falls in Minot, to make legal the doings of
the proprietors-(see bill H. R. 130)114, 403
Michaud, Bruno, claim of100, 154
Military Affairs, Committee on 44
providing for payment of expenses of-(see Res. S.
13) 408
and Naval Asylum, Bath, in favor of-(see Res. S. 20)
Orphan Asylum, Bath, report referred 335
Militia, concerning-(see bill S. 50) 390
law, for the appointment of a commission to revise-(see Res. S. 15) 408
Volunteer, providing for annual encampment of-(see Res. S. 27) 409
Monsweag river, catching of smelts, in-(see bill H. R 37) 395
Montgomery Guards, Portland, providing clothing for-(see Res. H. R. 43) 100, 414
Mooselocmeguntic lake, to navigate by steam-(see bill H. R. 14) 393
Morrison, S. B., memorial relating to Jameson Guards 105, 106, 163
Mortgages of property, liens and their enforcements-(see bill H. R. 47) 396
Mount Repose Cemetery, Montville, to incorporate 105, 171
Municipal corporations, record of persons moving into and out of 67, 122, 130, 153
indebtedness, realtive-(see Res. H. R. 1) 410
to limit-(see bill H. R. 111)
regulate and limit-(see bill H. R. 3) 392
officers, to elect for three years-(see bill H. R. 107)
Mutual Savings Fund, Loan and Building Associations, formation of-(see bill H.
R. 88) 400

N.

Nash, A. M., Senator excused 3	47
National prohibitory law, relating to-(see Res. S. 12) 4	08
Naval and Military Orphan Asylum, Bath, annual report 3	35
in favor of-(see Res. S. 20) 4	08
New Hampshire boundary line to establish 75, 3	39
Newspapers ordered for the Senate	10
Normal Schools-see "Schools."	
North Anson and Skowhegan Telegraph Company, to extend powers-(see bill	
S. 47)	90
Northern Waldo Agricultural Society to amend the charter of-(see bill H. R. 75), 3	9 8
Nuisances, relating to- see bill H. R. 68) 3	98
Number 1 township, Northern Division, Penobscot county, in favor-(see Res. S. 8), 4	07
8 plantation, Hancock county, to incorporate for election purposes 60,	85
18, Middle Division, Washington county, to reduce the valuation of-see	
bill S. 61)	91

INDEX.

A		
υ	٠	

PAGE
Oakfield, town, incorporation of
Oath, to Assistant Secretary of Senate
Councillors
Governor
Secretary of Senate
Senators 6, 40, 55
Oats, standard weight of (see bill H. R. 135) 87, 404
Offences, against habitations, dwellings, etc-(see bill H. R. 93) 400
to facilitate the detection and punishment of certain-(see bill S. 41) 389
Officers of Senate, election of
State, election of
Offsets, relating to-(see bill H. R. 102) 401
Opium, to restrict the sale of
Orders excusing Senators
Organization of the Senate 6, 7
Orphan Asylum, Bath, annual report 335
in favor of—(see Res. S. 20) 408
Orison, town, incorporation of
Orr, William D., petitioner for land 134
Ouilette, William, claim of 100, 154

Р.

Papers, Dany, ordered	10
Pardons, Communication of Governor, relating to	70
Parent, John, and others, claims for land79,	136
Parkman and Cambridge, set off 129, 150,	189
Parsonage Fund, Bucksport, to revise the organization of the trustees-(see bill S.	
32)	388
Passamaquoddy Indians-see "Indians".	
Pattee, James, complimentary to	364
elected Folder	8
Paupers, certain plantations to support 110,	158
settlement of, limitation of90,	121
relating to	86
Pay roll of House, resolve on-(see Res. H. R. 63)	415
Senate, resolve on-(see Res. S. 42)	410
Pelletier, Cyrille, claim of 100,	154
Theodore, claim of 100,	154
Penobscot Indians-see "Indians."	
Log Driving Company, to amend charter-(see bill H. R. 7)	392
Pension, Bowers, Spencer G., Mrs. petitioner for 115,	188
Smith, Benjamin, petitioner for	150
Welts, Emily J., petitioner for	107
Pensions, Committee on	47
to continue, laws of 1872 and 1874—(see bill S. 43)	390
Peoples' Ferry Company, authorizing the town of Woolwich to elect a director of-	
(see bill H, R 77)	399

P	AGE.
Peoples' Ferry Company, to amend charter-(see bill H. R. 59)	397
Loan and Building Association, to incorporate-(see bill H. R. 55)	396
Perry, Charles G., in favor of-(see Res. H. R. 27)	, 413
E. S., relating to conveying land to 79	, 136
Personal property, attachments of-(see bill H. R. 9)	392
taxation of-(see bill S. 25)	388
Pickerel, protection of	229
Pigeons, taking of by nets, to prohibit	109
Piscataquis river, to prevent the throwing of refuse into-(see bill S. 16)	387
Pleasant river, relative to-(see bill H. R. 95)	400
Police force of Bath, relating to-(see bill H. R. 74)	398
officers at campmeeting, to authorize the appointment of-(see bill S. 21)	387
Pool selling and gambling, to prohibit	, 117
lotteries, against-(see bill S. 37)	389
Porter, Byron and others, in favor-(see Res. S. 24)	409
Charles W., in favor (see Res. H. R. 54)	, 415
Thomas W., petitioner for reimbursement	, 169
Portland Citizens' Mutual Relief Society, to incorporate-(see bill H. R. 56)	396
city, authority in relation to railroads-(see bill H. R. 48)	396
in aid of deaf and dumb school-(see bill H. R. 91)	400
resolve of, relating to taxation	71
to amend charter	51
to limit power to create debt-(see bill S. 38)	389
to promote the efficiency of the police of-(see bill S. 12)	386
Female Orphan Asylum, in favor-(see Res. H. R. 47)	, 414
harbor, relating to the harbor commissioners of-(see bill S. 18)	387
Montgomery Guards, providing clothing for-(see Res. H. R. 43) 100,	, 414
Sailors' Home, to amend charter-(see bill H. R. 52)	396
Port wardens, providing for appointment of-(see bill H. R. 63)	397
Preble, George A., elected and qualified Councillor	7, 38
President of the Senate, address on taking chair	6
complimentary to	3 66
Hyde, T. W., elected	6
pro tempore, E. S. Kyes 9	7, 98
J. S. Wheelwright	201
Presque Isle, to quiet settlers on a section of land in-(see Res. S. 25)	409
Prince, George, of Brunswick, trout raising on farm	69
Printers, State, Sprague, Owen and Nash 137	, 149
Printing and Binding, Committee on 1	
State, contract for doing 137	
Prisoners in connty jails, for the support of-(see Res. H. R. 60)	415
support of in jails-(see bill S. 56)	391
Prison, State, annual report referred	124
Committee on	48
in favor of-(see Res. S. 30)	409
in favor of(see Res. S. 14)	408
education in-(see Res. S. 38)	410

INDEX.

.

PAGE.
Probate, Judge, Cumberland county, salary to establish-(see bill H. R. 143)
104, 112, 405
Penobscot county, salary of see Res. H. R. 57)
Prohibitory law, relating to a national-(see Res. S. 12) 408
Pronouncing Gazetteer ordered 11
Property and life, protection of-(see bill H. R. 134)
Public Buildings, Committee on 48
for the better protection of life-(see bill H. R. 114),
libraries, to prevent the destruction of books, pictures, statues, and paint-
ings in-(see bill H. R. 128) 113, 403

Q.

Qualification of Assistant Secretary
Councillors
Governor,
Secretary 7
Senators
Quorum of Senators present

R.

Railroad,	Aroostook River Company, Lyndon authorized to aid (see bill H. R. 41)	395
	Bangor and Piscataquis Company, amendatory of the acts providing for	
	loans of credit of the city of Bangor in aid of the construction of(see	
1	bill S. 30)	388
	Bangor and Piscataquis Company, extension of charter (see bill S. 5),	386
	to enable the city of Bangor to aid in	
	the construction of its road from	
	· Bangor to some point in its present	
	line-(see bill H, R. 131)	403
	Bucksport and Bangor Company, and trustees of European and North	
	American Railway Company, to authorize contract-(see bill S. 4)	385
	Calais and Eastport Company, to extend charter (see bill H. R. 23)	393
	Castine and Ellsworth Company, to amend the charter-(see bill S. 14),	386
	companies, trustees of insolvent, payment of damages by	83
	corporations—(see bill S. 45)	390
•	formation of—(see bill H. R. 57)	396
	to obtain uniform returns from-(see bill H. R. 152)	405
	to require to be holden for labor-(see bill H. R. 153)	405
	crossings—(see bill S. 55)68,	391
	Lincolnville Company, to amend charter-(see bill H. R. 81)	399
	authorize to build a wharf-(see bill H. R. 64)	397
	Northern Aroostook, further extending the time within which to file the	
	location and also to complete-(see bill S. 9)	386
	Orchard Beach Company, additional relative to-(see bill H. R. 58)	397
	Penobscot and Lake Megantic Company, granting further time to locate	
	and complete its railroad-(see bill S. 6)	386

_	
	AGE.
Railroads, authority of city of Portland in relation to certain—(see bill H. R. 48)	396
Committee on	42
in process of construction by foreign capitalists, aid to	109
Railroad, Somerset, to extend the time for the location and completion of-(see	
bill S. 26)	388
Railroads, providing for bridge guards on- (see bill H. R. 158)	406
relating to—(see bill S. 29)	388
Railroad stations and premises, to prevent loitering about-(see bill H. R. 99)90,	401
St. Croix and Mattawamkeag, to authorize city of Calais to take stock in,	
114, 152,	
revive charter-(see bill H. R. 32)	394
trains, brakemen on—(see bill S. 8)	386
Railway, Portland, Rutland, Oswego and Chicago, to amend the act to extend time	
for locating route of—(see bill H. R. 100)	401
Rangely stream, relating to taking trout in 75, 101,	112
Reed, Francis A., petitioner	60
to adjust with, a note held by the State-(see Res. S. 11)	407
Reform School, annual report of, received and referred	145
Committee on	48
authorized to visit Industrial School for Girls	83
in favor of—(see Res. S. 37)	4;0
in favor-(see Res. S. 35)	409
Register, Senate, publication ordered	10
Registers of deeds—(see bill S. 50)	396
Relehan, John, in favor of-(see Res. H. R. 4)	410
Religious Societies, taxation of property—(see bill S. 52)	
Reports, certain, purchase of—(see Res. H. R. 13)	411
final, of committees 123, 132, 179, 181, 185, 197, 208,	
Resolutions complimentary	365
Resolves, acts and, in relation to the binding of-(see Res. H. R. 12)	411
and acts, certain copies ordered	11
of 1876, chapter 175, to enforce	109
175, to repeal—(see Res. S. 22)	
present session, titles	
Returns of votes for Governor and Senators received	
Revised Statutes, certain copies ordered	9
	11
chapter 4, section 16, to amend—(see bill H. R. 39)	395
4, section 32, to amend—(see bill S. 53)	391
6, section 6, to amend—(see bills S. 52 and H. R. 34)	
106, 390, 391,	
6, section 7, to repeal110,	
6, section 14, to amend—(see bill S. 25)	388
6, section 53, to amend—(see bill H. R. 21)	393
6, section 116, to amend	67
6, section 145, to amend	
6, section 153, to amend—(see bill S. 44)	390
7, additional to-(see bill H. R. 50)	396
7, section 3, election returns to amend-(see bill S. 3)	385

INDEX.

	P.	AGE.
Revised Statutes, chapter	11, section 6, to amend	98
	11, section 31, to amend-(see bill H. R. 156)	406
	11, section 53, to amend—(see bill H. R. 96)	400
	17, section 8, to amend-(see bill H. R. 68)	398
	18, additional to-(see bill H. R. 20)	393
	18, section 28, to amend-(see bill S 46)93,	
	18, section 39, to revise—(see bill H. R. 97)	400
	18, section 65, to amend-(see bills S. 33 and H. R. 161),	200
		406
·	-	406
	18, sections 65, 66 and 67, to repeal—(see bill S. 33).388,	
	22, sections 6, 7 and 23 to amend	74
	27, to amend—(see bill S. 10)	386
	27, to amend-(see bill S. 36)	389
	27, section 35, to amend-(see bill H. R. 132)	404
	30, additional to-(see bill H. R. 137)	404
	30, sections 5, 6, 7 and 8 to repeal-(see bill H. R. 33),	394
	30, section 6, to amend	67
	38, section 56, to amend-(see bill H. R. 135)87,	404
	40, section 50, to amend-(see bill H. R. 95)	400
	40, section 58 and 59, to amend	59
1 - A	42, section 7, to repeal	102
	44, to amend 110,	170
	45, section 1, additional to	109
	49, additional to-(see bill H. R. 79)	399
	49, to change	
	49, section 44, to amend—(see bill H. R. 160)	406
	51, section 56 to amend—(see bill H. R. 15)	393
	51, section 71, to amend—(see bill S. 29)	388
	60, section 2, to amend	
	64, sections 65 and 67, to amend	99
	67, additional to—(see bill S 24)	
	67, section 15, to amend—(see bill H. R. 101)	387
	· · · ·	401
	70, to amend	99
	77, to amend—(see bill H. R. 157)	406
	77, section 16, to amend—(see bill S. 31)	388
	78, section 5, to amend—(see bill S. 2) 177,	
	78, section 8, to amend—(see bill H. R. 122)	403
	81, section 18, to amend—(see bill H. R. 16)110,	
	81, section 24, to amend—(see bill H. R. 9)	392
	82, section 87, to amend-(see bill H. R. 103)	401
	84, section 27, to amend-(see bill H. R. 102)	401
	86, section 3, additional to-(see bill H. R. 30)	394
	8¢, section 8, to amend—(see bill H. R. 19)	393
,	86, section 31, to repeal-(see bill S. 42)	390
	86, section 55, part 6, to amend-(see bill H. R. 167)	406
	91, to amend	170
	91, section 27, to amend-(see bill H. R. 47)	396
	91, section 34, to amend	110

	PAGE.
Revised Statutes, chapter 91, section 34, to amend	56
91, section 36, to amend-(see bill H. R. 113)	402
113, section 21, to amend-(see bill H. R. 115)	402
116, section 9, to amend-(see bill S. 56)	391
116, section 17, to amend—(see bill H. R. 76)	398
119, amendatory-(see bill H. R. 93)	400
119, section 8, to amend	4,67
120, amendatory—(see bill H. R. 93)	400
120, section 2, to amend	67
125, section 4, to amend-(see bill H. R. 17)	393
131, section 10, to amend-(see bill H. R. 109)401	, 402
137, to amend—(see bill H. R. 147)	405
Richardson lake, navigation of, by steam-(see bill H. R. 38)	395
Road, Flagstaff to Dead river, to aid116	, 19 1
from Caribou to Fort Kent, petition for aid	150
in Mayfield, for aid), 154
in Wellington, aid for 92, 151	, 171
Kingsbury Mills to Blanchard85	, 176
Lowell to Greenbush, to aid	80
Lyndon, New Sweden and Fort Kent, to aid 111, 154	, 170
over Long Creek, Cape Elizabeth-(see bill H. R. 25)	, 394
passing through Indian township, in favor of-(see Res. H. R. 2)	410
Roads and bridges in Mariaville, to aid 85	, 124
in Baileyville, for repairs of	116
Blanchard and Shirley, for aid on	, 154
unincorporated places, to change time of viewing by county commis-	
sioners 110	, 153
Road through Dunn's notch, in favor of-(see Res. S. 1)	407
Robinson, Samuel, petitioner for redress125	, 130
Rockland, city, additional to charter-(see bill H. R. 106)	401
to amend charter	•
authorize to pave streets and assess for same	
Roll of Senators elect	
Rules and orders, Joint	, 380
adopted	10
Senate	373
adopted	10
Byan, John, in favor of—(see Res. H. B. 14)	411

s.

Sagadahoc Ferry Company, to repeal charter—(see bill H. R. 59)	397
Sailors' Home, Portland, to amend charter-(see bill H. R. 52)	396
Saint Francis plantation, in favor-(see Res. H. R. 44)	414
reduction of valuation	78
Salmon, landlocked, to prohibit taking of	60
Savings and Building Associations, formation of	108
banks and institutions for savings, to revise and consolidate the laws relat-	
ing to-(see bill S. 7)	386

INDEX.

PA	GE.
• •	400
	101
	400
District No. 1, Boothbay, to incorporate 113,	191
15, Berwick, to confirm the doings of-(see bill S. 19)	387
districts, relating to powers-(see bill H. R. 156)	406
district system, abolition of 74, 2	136
Industrial for Girls, in favor-(see Res. S. 33)	409
laws, in favor of compiling and printing-(see Res. S. 19)	408
section 59, to amend	135
money, to provide for the more careful expenditure of-(see bill H. R. 155)	
106, 4	
Normal, North Bridgton-(see bill H. R. 1) 188, 5	392
	406
free high, to abolish, to repeal act establishing	101
graded, maintained by united districts.	58
	392
	391
of art and science, to establish	
• • • • •	111
	415
, , , ,	106
text-books, uniformity of	
Western Normal, in favor of—(see Res. S. 28)	409
Seal in Caseo bay, to restrict the killing of-(see bills S. 35 and H. R. 138)	
104, 389, 4	
of the State, providing for a—(see Res. H. R. 10)	411
Secretary of State, Chadbourne, S. J., acceptance.	40
election of	35
communications from—" see Communications."	00
	415
· · ·	365
Assistant, election of	8
	364
directed to inform the Governor of the election of U.S.	
Senator	97
Lane, Samuel W., elected	7
ordered to inform cetain State officers of their election	37
ordered to inform the Governor of the election and accept-	
ance of State Treasurer	172
ordered to inform the Governor of the election and quali-	
fication of Councillors	53
ordered to invite chaplains	14
procure diagrams of Senate Chamber	10
daily papers	10
publish calendar of business	50
Journal of Senate 1	131

PA	AGE.
Secretary of the Senate ordered to publish Senate Register	10
qualification of	7
resolve in favor—(see Res. S. 41)	410
Senate calendar, publication ordered	50
chamber, diagrams ordered	10
tendered to editors and publishers	93
wood fires ordered in	10
daily papers ordered for	10
sessions of	11
Journal, publication ordered	131
organization of	6, 7
pay roll, resolve on-(see Res. S. 42)	410
Register, publication ordered	10
Secretary of, in favor-(see Res. S. 41)	410
two daily sessions ordered180,	182
Senatorial votes, Committee on	9
report of	. 68
returns of	9
Senators elect, roll of	4,5
	347
quorum of	5
qualification of6, 40	, 55
returns of votes for, received	9
Settlers claims on proprietors' land-(see Res. S. 22)107,	408
lots under Treaty of Washington, relating to-(see Res. S. 9)81,	
on a section of land in Presque Isle, to quiet-(see Res. S. 25)	409
	412
Shaw, E. W. and F. R. Webber, to refund certain money	93
	409
Sheep owners, protection of	58
Sheepscot river, petition for protection of smelts	204
Sherman, Caleb, petitioner for pay of stumpage111,	189
Shin Pond Dam Company, to amend charter	104
Smelts, protection of in Sheepscot river127,	204
Smith, Benjamin, petitioner for pension	150
Smith, Oramandal, Clerk of House	· 9
Smyrna, town, claim of 108,	188
Sock, Martha, petitioner	328
Speaker of House, E. B. Nealley	9
pro tem., B. T. Chase	216
H. B. Cleaves	70
Sprague, Caleb G., petitioner for land 69,	136
	410
State Printers	149
State board of health, to establish-(see bill H. R. 5)	3 92
binders, E. H W. Smith & Co138,	149
College-see "Agricultural College "	
Constitution-see "Constitution.".	

INDEX.

.

, and the second s	AGE.
State funds, investment of (see Res. S. 39)	
House, improvement and enlargement of-(see Res. S. 32)	409
institutions, certain committees authorized to visit	
Lands and State Roads, Committee on	45
Library, in favor of an assistant in—(see Res. H. R. 59)	415
officers, election of	
printers, Sprague, Owen and Nash	
printing, contract for 137,	
Prison, annual report	149
•	
Committee on	48
in favor of—(see Res. S. 30)	409
in favor of—(see Res. S. 14)	408
Education in-(see Res. S. 38)	410
 Reform School, annual report referred 	145
Committee on	48
in favor of—(see Res. S. 37)	410
in favor of-(see Res. S. 35)	409
tax for 1877, assessment—(see bill H. R. 166)	406
Treasurer, annual account referred	49
report on	118
Banks, E. F., acceptance	131
bond referred and approved	168
election of	36
Treasury, to provide security for bonds in-(see bill S. 60)	391
Steam boilers, to provide for the inspection of stationary-(see bill H. R. 4)	392
Stenographers, court, to authorize to administer oaths110,	170
Stevens, Benjamin F., complimentary to	364
elected Assistant Messenger	8
Stewart, M. L., in favor-(see Res. H. R. 34)	413
Stimson, F. W., in favor-(see Res. H. R. 31)	413
Stockton, town, in favor-(see Res. H. R. 26)	412
Stone, Rufus F., in favor-(see Res. H. R. 48)	414
Stratton, Albion W., in favor-(see Res. H. R. 36) 116,	
S. W., in favor-(see Res. H. R. 37) 115,	
Streets, altering or widening-(see bill H. R. 24)	
Suffrage, right of to protect	131
Sugar, beet, to encourage the manufacture of—(see bill S. 49)	390
Sullivan Bridge Company, to incorporate	
Superior Court—see "Court."	
Supreme Court—see "Court."	
Sutherland, Jessie, in favor—(see Res. H. R. 38)	413
Swedish settlers, in favor of—(see Res. H. R. 21)	412
WHOULDEL DUDINOLD, IN LAVUE VI- (300 1000, 11, 10, 41)	*14

T.

Taxation,	certain property exempt-(see bill H R. 34)	394
	non-resident personal property 67,	142
	of certain animals owned out of State 111,	153
	of personal property-(see bill S. 25)	388

t

PAGE.
Taxation of property of religious societies-(see bill S. 52) 390, 391
resolve of city of Portland 71
temporary deposits in savings banks, to avoid
Tax, highway, to abolish the—(see bill S. 34)
on the several counties-(see Res. H. R. 50) 414
State for 1877, assessment-(see bill H. R. 166) 406
Telegraph companies, formation of—(see bill H. R. 6) 392
Company, Andover to Woodstook to incorporate
Bryant's Pond and Andover, to incorporate-(see bill H. R.
$144) \ldots \qquad 405$
Harrington and Jonesport, to incorporate-(see bill S. 13) 386
North Anson and Skowhegan, to extend the powers-(see bill
S. 47)
Temperance, Committee on, certain matters referred to
Text-books, uniformity of
Tilden, Charles W., complimentary to 364
elected Assistant Secretary
Tippling shops and drinking houses-(see bill S. 36) 389
Titles of acts and resolves
Tomah Peol Tomah, in favor of—(see Res. H. R. 24)
representative Passamaquoddy Indians
Topsfield, inhabitants, petitioners for reimbursement100, 120
Town of Barnard, to repeal act to incorporate-(see bill H. R. 146)
officers, to elect for term of three years-(see bill H. R. 107)
Towns and cities, accounts and claims against, requiring to be verified by oath-
(see bill H. R. 108) 401
plantations, claim of 145, 173
Committee on
Townships, organization of, for school and election purposes
4 and 5, range 13, Piscataquis county, to authorize the land agent to
convey certain lots of land in-(see Res. S. 34) 409
Towns to authorize to elect municipal officers for three years-(see bill H. R. 107),
75, 401
Town treasurers, powers of—(see bill S. 44)
Trafton, John B., to legalize doings-(see bill S. 62)
Tramps and vagrants, relating to
Treasurer of State, annual report referred
report on 118
Banks, E. H., acceptance of
bond referred and approved
elected
Treasurers, town, powers of—(see bill S. 44)
Treasury, relating to investment of supplus funds in—(see Res. S. 39)
to provide security for bonds in—(see bill S. 60)
Treat's falls dam, relating to damage by flowing lands
to require locks in
Treaty of Washington, settlers lots under—(see Res. S. 9)
Trespass, to secure land from—(see bill H. R. 125)

INDEX.

PAGE	
Trial justice, John G. Adams, to make valid doings of-(see bill H. R. 121) 103, 402	2
justices, appeals from 106, 124, 175	3
Trout, catching of, amendment of law relating to 86	8
· protection of	1
Trustee disclosure-(see bill S. 42)	0
law, modification of	9
process-(see bill H. R. 167) 406	6
cost in	•
relating to-(see bill H. R. 19)	3
Trustees, administrators and executors-(see bill H. R. 145)	ó
Turney, Nelson, petitioner for land	L

U.

Union Ferry Company, to repeal charter-(see bill H. R. 59) 5	397
Mutual Life Insurance Company, to amend charter-(see bill H. R. 80)	399
United States Senator, election of 98, 99, 94, 96,	, 97
time fixed for the election of	81
to relinquish title of lands to, for light stations-(see bill S. 1)	385

v.

Vagrants and tramps, relating to
Valley, Joel, and others, petitioners for remission of settling duties 105, 136
Valuation of No. 18, Middle Division, Washington county, to reduce-(see bill
· S. 61) 125, 174, 391
St. Francis plantation, to reduce
Van Buren plantation, in favor of-(see Res. S. 21) 408
Varney, Isaac, petitioner for land-(see Res. H. R. 33)
Vessels, lien on, for stores-(see bill H. R. 12) 392
Views by juries, authorizing in all cases-(see bill H. R. 90) 400
Vinalhaven, town, petitioners for reimbursement
Votes for Governor, returns received and referred
Senators, returns received and referred
Gubernatorial, Committee on 9
report of 12
Senatorial, Committee on
report of
Voting, illegal to prevent-(see bill H. B. 165)

w.

Wadsworth, Ralph A., complimentary to	364
Wages, recording assignment of 110,	158
Walker, Benjamin R. and J. C., conveyance of land to-(see Res. S. 4)	407
W. W., petitioner for land	138
petitioner for reimbursement	100
Wallagrass plantation in favor of-(see Res. H. R. 45)	414

PAGE.
Washington county, Calais court bill, to repeal
Watering places, roadside, relating to 80
Ways and bridges, Committee on
Ways—(see bill S. 46)
relating to-(see bill H. R. 97)
repair of, in unincorporated townships—(see bill H. R. 21)
repairs of, giving county commissioners jurisdiction over the—(see bill H.
R. 70)
Webb, Alexander, Senator excused
Webber, Franklin R., and others, in favor—(see Res. S. 24)
John P., petitioner for land-(see Res. S. 5)
Webb's Railroad Laws, relating to the purchase of by the State-(see Res. H.
R. 11) 411
Webster, Joseph, petitioner to open a road 214
Webster's Dictionary ordered 11
Weights and measures of agricultural products-(see bill H. R. 135)
Weld, tax assessment 1876, to legalize
town, to make valid the doings of-(see bill H. R. 98) 400
Wellington, town, in favor of—(see Res. H R. 22), 412
Wells Congregational Society, to authorize to sell certain property 60, 104
Welts, Emily J, petitioner for pension 51, 107
Wharf in Lincolnville, Lincolnville Railroad Company-(see bill H. R. 64) 397
petition of Lewis McDonald 189
Wharves and fish weirs, erection of in tide waters- (see bill H. R. 133) 67, 404
Wheelwright, J. S., complimentary to 365
elected President, pro tem 201
White, Ambrose, Senator, attended and qualified 40, 55
Whitman, W. E. S., reporter, complimentary to 364
Whitney, Sumner, petitioner for land
Wild cats, bounty on
Wilson, F. A. and others, petitioners Haynesville line
Wines and cider, sale of 80, 116, 161
Wing, C. A., elected and qualified Councillor
Witnesses and evidence-(see bill S. 17) 387
Woodbury, John, Senator attended and qualified 55
Wood fires ordered
Woodland plantation, correction of error in apportionment of school money 59
town, in favor of—(see Res. S. 2)
Woodman, Theodore C., petitioner reimbursement on account Bucksport Savings
Bank—(see Res. H. R. 15)

P. Yarmouth, town, to authorize to build a foot bridge over tide waters-(see bill	AGE.
H. R. 117)	402
Year Book, Maine State, for the purchase of-(see Res. H. R. 16)	412
Yeas and nays, on motion to indefinitely postpone an order relating to the death	
penalty for murder	94
motion to indefinitely postpone a bill (S. 33) to repeal secs. 65,	
66 and 67 of chapter 18 of the revised statutes	180
adoption of Mr. Kyes' amendment A, to foregoing bill (S. 33).	180
striking out \$15,218, from resolve (S. 11) in favor of the Maine	
State Agricultural College	202
the passage of resolve (S. 11) in favor of the Maine State Agri-	
cultural College	202
passage of resolve (S. 32) relating to the improvement and	
enlargement of the State Hcuse	228
motion to indefinitely postpone (H. R. 52) resolve for an amend-	
ment of the constitution, relating to biennial elections and	
sessions	327
passage of (H. R. 53) resolve for amendment of the constitu-	
tion, relating to municipal indebtedness	328
passage of (H. R. 18) resolve to amend the constitution, relating	
to electors	329
motion to reconsider the foregoing vote	229
York Manufacturing Company, to reduce capital stock-(see bill H. R. 72)	3 98